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# **BUSINESS PAPER**

## **Ordinary Council Meeting**

### **19 March 2019**

**Warwick Bennett**  
**General Manager**



We hereby give notice that an Ordinary Meeting of Council will be held on:

Tuesday, 19 March 2019 at 6pm  
in the Council Chambers, Civic Centre  
184 - 194 Bourke Street, Goulburn

**Order Of Business**

|           |   |           |
|-----------|---|-----------|
| <b>1</b>  | <b>Apologies .....</b>  | <b>5</b>  |
| <b>2</b>  | <b>Opening Prayer .....</b>   | <b>5</b>  |
| <b>3</b>  | <b>Late Items / Urgent Business .....</b>                                       | <b>5</b>  |
| <b>4</b>  | <b>Disclosure of Interests .....</b>  | <b>5</b>  |
| <b>5</b>  | <b>Presentations .....</b>  | <b>6</b>  |
| 5.1       | Peter Mylonas - Certificate of Appreciation - Carols of Hope .....              | 6         |
| <b>6</b>  | <b>Public Forum / Addresses to Council .....</b>                                | <b>7</b>  |
| <b>7</b>  | <b>Confirmation of Minutes .....</b>  | <b>8</b>  |
| 7.1       | Minutes of the Ordinary Meeting of Council held on 5 March 2019 .....           | 8         |
| <b>8</b>  | <b>Matters Arising .....</b>  | <b>18</b> |
| 8.1       | Matters Arising from Council Meeting Minutes from the 5 March 2019 .....        | 18        |
| 8.2       | Outstanding Task List from All Previous Meetings .....                          | 19        |
| <b>9</b>  | <b>Notice of Motion .....</b>   | <b>24</b> |
|           | Nil   |           |
| <b>10</b> | <b>Notice of Rescission .....</b>   | <b>24</b> |
|           | Nil   |           |
| <b>11</b> | <b>Mayoral Minute .....</b>   | <b>24</b> |
|           | Nil   |           |
| <b>12</b> | <b>Items for Determination .....</b>  | <b>25</b> |
| 12.1      | DA/0281/1718 - 25 Braidwood Road, Goulburn - Concrete Batching Plant .....      | 25        |
| 12.2      | Review of the B2 Local Centre Zoning in Marulan and Mistful Park .....          | 148       |
| 12.3      | Amendment to the 2018/19 Capital Works Program .....                            | 166       |
| 12.4      | Reallocation of Capital Works Budget 2018/19 - 2019/20 .....                    | 169       |
| 12.5      | Contract variation to VP129895 Stabilised heavy patching .....                  | 170       |
| 12.6      | Proposed Road Realignment - Oallen Ford Road .....                              | 172       |
| 12.7      | Requests for Financial Assistance .....   | 177       |
| 12.8      | Code of Meeting Practice .....  | 199       |
| 12.9      | Model Code of Conduct .....   | 251       |
| 12.10     | 29 Clinton Street Goulburn Developer Contributions and Footpath Treatment ..... | 368       |
| 12.11     | Australian Blues Music Festival .....   | 375       |
| 12.12     | Business Development Update .....   | 378       |
| 12.13     | Monthly Financial Report .....  | 381       |

|           |  |            |
|-----------|--|------------|
| 12.14     | Statement of Investments and Bank Balances .....                     | 399        |
| 12.15     | Utilities Departmental Report - February 2019 .....                  | 404        |
| 12.16     | Corporate & Community Services Directorate Report February 2019..... | 418        |
| 12.17     | Operations Departmental Report - February 2019 .....                 | 451        |
| 12.18     | Planning and Environment Directorate Report - February 2019.....     | 496        |
| 12.19     | Councillor Briefing Session Summary .....                            | 510        |
| 12.20     | External Meeting Minutes .....                                       | 512        |
| <b>13</b> | <b>Closed Session .....</b>  | <b>536</b> |
| 13.1      | Update on Legal Matters .....  | 536        |

**Cr Bob Kirk**  
**Mayor**

**Warwick Bennett**  
**General Manager**

**1 APOLOGIES**

The Mayor will call for any apologies.

Council may resolve that the apologies be received and leave of absence granted.

**2 OPENING PRAYER**

The Mayor will call upon one of the Councillors to recite the Prayer.

**3 LATE ITEMS / URGENT BUSINESS**

The Mayor will call for any Late Items, Information or Urgent Business.

Council may resolve to accept the late item, information or urgent business into the Meeting.

**4 DISCLOSURE OF INTERESTS**

With reference to Chapter 14 Local Government Act 1993, and Council's Code of Conduct, Councillors are required to declare any conflicts of interest in the matters under consideration by Council at this meeting.

## **5 PRESENTATIONS**

### **5.1 PETER MYLONAS - CERTIFICATE OF APPRECIATION - CAROLS OF HOPE**

**Author:** Bob Kirk, Mayor

**Authoriser:** Bob Kirk, Mayor

**Attachments:** Nil

#### **PRESENTATION**

Mayor Bob Kirk will be making a presentation of a certificate of appreciation to Peter Mylonas for his years of service coordinating Goulburn's annual Carols of Hope held in Belmore Park.

**6 PUBLIC FORUM / ADDRESSES TO COUNCIL**

- (1) In accordance with Council's Public Forum Guideline, Council permits members of the public to address Council meetings in open forum at every Ordinary Council meeting. The maximum time to be set aside for this will be 30 minutes.
- (2) A person wishing to address a meeting must contact staff in Council's Executive Section by 5.00pm on the day of the meeting and provide their name, their contact details and summary details of the item they wish to speak about.
- (3) The Mayor or Chairperson will call members of the public to address the meeting in accordance with the order of business. The address should be for no more than 5 minutes duration.
- (4) Members of the public addressing Council must abide by similar standards that apply to Councillors under the Council's Code of Conduct and this Code of Meeting Practice.
- (5) If a member of the public addressing the meeting fails to comply with the Mayor or Chairperson's call to order, the Mayor or Chairperson may withdraw that person's right to address the meeting.
- (6) In making the address, Councillors must be addressed as 'Councillor X'. If the chairperson is the Mayor he or she should be addressed as 'Mr. Mayor' or 'Madam Mayor'. When the chairperson is not the Mayor they should be addressed as Mr. or Madam Chair or Mr. or Madam Chairperson. Officers must be addressed as Mr. or Madam [job title or surname] e.g Mr. General Manager. The general standards that apply in Council's Code of Conduct and Code of Meeting Practice are applicable to addresses made by the public in Public Forum.

**7 CONFIRMATION OF MINUTES**

**7.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 5 MARCH 2019**

**Author:** Warwick Bennett, General Manager

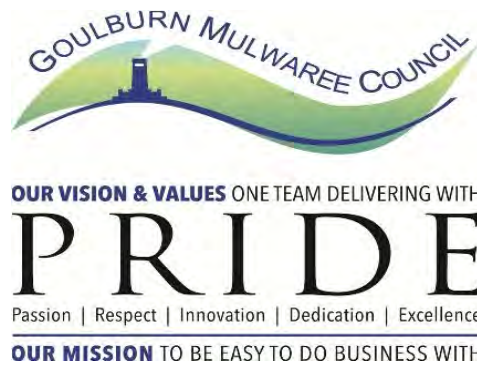
**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Minutes of the Ordinary Meeting of Council held on 5 March 2019

**RECOMMENDATION**

That the Council minutes from Tuesday 5 March 2019 and contained in Minutes Pages No 1 to 10 inclusive and in Minute Nos 2019/48 to 2019/61 inclusive be confirmed.





# MINUTES

## Ordinary Council Meeting

**5 March 2019**

**Order Of Business**

|           |   |           |
|-----------|---|-----------|
| <b>1</b>  | <b>Apologies</b> .....  | <b>4</b>  |
| <b>2</b>  | <b>Opening Prayer</b> .....   | <b>4</b>  |
| <b>3</b>  | <b>Late Items / Urgent Business</b> .....   | <b>4</b>  |
| <b>4</b>  | <b>Disclosure of Interests</b> .....  | <b>5</b>  |
| <b>5</b>  | <b>Presentations</b> .....  | <b>5</b>  |
|           | Nil   |           |
| <b>6</b>  | <b>Public Forum / Addresses to Council</b> .....  | <b>5</b>  |
| <b>7</b>  | <b>Confirmation of Minutes</b> .....  | <b>5</b>  |
|           | 7.1 Minutes of the Ordinary Meeting of Council held on 19 February 2019 .....   | 5         |
| <b>8</b>  | <b>Matters Arising</b> .....  | <b>5</b>  |
|           | 8.1 Matters Arising from Council Meeting Minutes from the 19 February 2019 .....  | 5         |
|           | 8.2 Outstanding Task List from All Previous Meetings .....  | 5         |
| <b>9</b>  | <b>Notice of Motion</b> .....   | <b>6</b>  |
|           | Nil   |           |
| <b>10</b> | <b>Notice of Rescission</b> .....   | <b>6</b>  |
|           | Nil   |           |
| <b>11</b> | <b>Mayoral Minute</b> .....   | <b>6</b>  |
|           | Nil   |           |
| <b>12</b> | <b>Items for Determination</b> .....  | <b>6</b>  |
|           | 12.1 MOD/0029/1819 - 203 Auburn Street - Minor amendments to ground floor layout .....  | 6         |
|           | 12.2 DA/0188/1819 - 203 Auburn Street - Alterations & Additions and Change of Use .....   | 6         |
|           | 12.3 Planning Proposal to amend Goulburn Mulwaree LEP 2009 to Exclude the RU6 Transition Zone from Clause 4.1AA & Clause 4.2B ..... | 6         |
|           | 12.4 Revised Strategic Planning Program .....   | 7         |
|           | 12.5 1819T0010 - Sandy Point Road Design and Construction .....   | 7         |
|           | 12.6 Resealing of Multiquip's Transport Route .....   | 8         |
|           | 12.7 GPAC Status Update: March 2019 .....   | 8         |
|           | 12.8 Update on 56 Clinton Street .....  | 8         |
|           | 12.9 Goulburn Harness Racing Club Inc. Licence Renewal (Zantis Stables) .....   | 9         |
|           | 12.10 Debtor Write Off .....  | 9         |
|           | 12.11 Minutes of the Recreation Area Committee Meeting held on 6 February 2019 .....  | 10        |
|           | 12.12 Minutes of the Sports Council Meeting held on 11 February 2019 .....  | 10        |
| <b>13</b> | <b>Closed Session</b> .....   | <b>10</b> |
|           | There were no closed session reports for determination.   |           |

**MINUTES OF GOULBURN MULWAREE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,  
GOULBURN  
ON TUESDAY, 5 MARCH 2019 AT 6PM**

**PRESENT:** Cr Bob Kirk (Mayor), Cr Peter Walker (Deputy Mayor), Cr Sam Rowland, Cr Leah Ferrara, Cr Carol James, Cr Denzil Sturgiss & Cr Andrew Banfield (arrived at 6.17pm)

**IN ATTENDANCE:** Warwick Bennett (General Manager), Marina Hollands (Director Utilities), Scott Martin (Director Planning and Environment), Matt O'Rourke (Director Operations), Brendan Hollands (Director Business Services) and Amy Croker (Executive Officer)

## **1 APOLOGIES**

Apologies from Cr Alfie Walker, Cr Margaret O'Neil and Cr Andrew Banfield (for lateness) were received

### **1.1 APOLOGIES**

#### **RESOLUTION 2019/48**

**Moved: Cr Sam Rowland**

**Seconded: Cr Leah Ferrara**

**That Council receives and accepts the apologies from Cr Alfie Walker, Cr Margaret O'Neill and Cr Andrew Banfield (for lateness only)**

**CARRIED**

## **2 OPENING PRAYER**

The opening prayer was read by Cr Sturgiss.

## **3 LATE ITEMS / URGENT BUSINESS**

The General Manager advised that the applicant for items 12.1 and 12.2 at 203 Auburn Street Goulburn have asked that the determination on their application be deferred allowing them to address the concerns of the assessing officers.

### **3.1 WITHDRAWL OF ITEMS 12.1 & 12.2 - 203 AUBURN STREET GOULBURN**

#### **RESOLUTION 2019/49**

**Moved: Cr Peter Walker**

**Seconded: Cr Carol James**

**That Council withdraws Item 12.1 & 12.2 – Development Application for 203 Auburn Street Goulburn from this agenda and Council will not make any determination on these two matters at this meeting.**

**CARRIED**

**4 DISCLOSURE OF INTERESTS**

Nil

**5 PRESENTATIONS**

Nil

**6 PUBLIC FORUM / ADDRESSES TO COUNCIL**

Nil

**7 CONFIRMATION OF MINUTES**

**7.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 19 FEBRUARY 2019**

**RESOLUTION 2019/50**

**Moved: Cr Carol James**

**Seconded: Cr Denzil Sturgiss**

**That the Council minutes from Tuesday 19 February 2019 and contained in Minutes Pages No 1 to 15 inclusive and in Minute Nos 2019/22 to 2019/47 inclusive be confirmed.**

**CARRIED**

**8 MATTERS ARISING**

**8.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 19 FEBRUARY 2019**

Nil

**8.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS**

**RESOLUTION 2019/51**

**Moved: Cr Leah Ferrara**

**Seconded: Cr Denzil Sturgiss**

**That Council notes the Matters Arising and authorises the deletion of completed tasks.**

**CARRIED**

**9 NOTICE OF MOTION**

Nil

**10 NOTICE OF RESCISSION**

Nil

**11 MAYORAL MINUTE**

Nil

**12 ITEMS FOR DETERMINATION****12.1 MOD/0029/1819 - 203 AUBURN STREET - MINOR AMENDMENTS TO GROUND FLOOR LAYOUT**

This item has been withdrawn from the Business Paper.

**12.2 DA/0188/1819 - 203 AUBURN STREET - ALTERATIONS & ADDITIONS AND CHANGE OF USE**

This item has been withdrawn from the Business Paper.

**12.3 PLANNING PROPOSAL TO AMEND GOULBURN MULWAREE LEP 2009 TO EXCLUDE THE RU6 TRANSITION ZONE FROM CLAUSE 4.1AA & CLAUSE 4.2B****RESOLUTION 2019/52**

Moved: Cr Leah Ferrara

Seconded: Cr Carol James

That

1. The report to amend the provisions of Clause 4.1AA and 4.2B of the *Goulburn Mulwaree Local Environmental Plan 2009* in relation to the RU6 - Transition Zone by the Business Manager Strategic Planning be received.
2. Council resolve to prepare a Planning Proposal to amend Clause 4.1AA (2) and Clause 4.2B (2) of *Goulburn Mulwaree Local Environmental Plan 2009* to include the RU6 Transition Zone.
3. When the Planning Proposal is prepared, a request for a Gateway Determination be forwarded to the Department of Planning and Environment.
4. The Department of Planning and Environment be requested to issue delegations so that Council is the Relevant Planning Authority to process the subject Planning Proposal.

**CARRIED**

**12.4 REVISED STRATEGIC PLANNING PROGRAM****RESOLUTION 2019/53****Moved: Cr Denzil Sturgiss****Seconded: Cr Carol James****That:**

- 1. The report from the Business Manager Strategic Planning on the Strategic Planning Program be received.**
- 2. Council endorse the revised Strategic Planning Program as tabled acknowledging that the time frames indicated are indicative and will vary from time to time depending upon public consultation, Government Department input, the responsiveness of applicants and the most effective use of funding and other resources.**

**CARRIED****12.5 1819T0010 - SANDY POINT ROAD DESIGN AND CONSTRUCTION****RESOLUTION 2019/54****Moved: Cr Peter Walker****Seconded: Cr Denzil Sturgiss****That**

- 1. The report from the Project Manager be received on the Tender 1819T0010 Sandy Point Road Design and Construction**
- 2. The Construction Request for Tender 1819T0010 Sandy Point Road Design and Construction be received.**
- 3. The revised Tender from Denrith Pty Ltd is accepted for the Design and Construction of the Sandy Point Road Design and Construction Contract in accordance with the specification and documents for Tender No 1819T0010. This acceptance is based on their lump sum price of \$1,020,706.40 (excl GST).**
- 4. The General Manager be given a delegated authority for Variations up to 7.5% of the Contract Lump Sum. This being \$76,552.98 (excl GST).**

**CARRIED**

**12.6 RESEALING OF MULTIQUIP'S TRANSPORT ROUTE****RESOLUTION 2019/55**

**Moved: Cr Peter Walker**  
**Seconded: Cr Denzil Sturgiss**

**That**

- 1. The report from the Director of Operations on resealing of Multiquip's transport route be received.**
- 2. Council include resealing Multiquip's transport route in the 2018/19 works program.**
- 3. Council allocate \$1,000,000.00 for resealing of Multiquip transport route and the reapplication of line-marking from Multiquip's s94 reserve (31855).**
- 4. Multiquip's s94 reserve go into deficit to accommodate full resealing of the transport route with the reserve to be replenished on receipt of s94 fees when they become payable.**
- 5. Multiquip contribute 50% of resealing and line marking costs for the transport route when approval of the modification to increase Ardmore Park Quarry output is granted.**

**CARRIED**

**12.7 GPAC STATUS UPDATE: MARCH 2019****RESOLUTION 2019/56**

**Moved: Cr Peter Walker**  
**Seconded: Cr Carol James**

**That the report from the Director of Operations on the status of the Goulburn Performing Arts Centre status be received.**

**CARRIED**

**12.8 UPDATE ON 56 CLINTON STREET****RESOLUTION 2019/57**

**Moved: Cr Carol James**  
**Seconded: Cr Leah Ferrara**

**That the report from the Director Corporate & Community Services be received.**

**CARRIED**

**12.9 GOULBURN HARNESS RACING CLUB INC. LICENCE RENEWAL (ZANTIS STABLES)****RESOLUTION 2019/58****Moved: Cr Denzil Sturgiss****Seconded: Cr Peter Walker****That:**

- 1. The report from the Business Manager Property & Community Services on the Goulburn Harness Racing Club Inc. Licence Renewal for Zantis Stables be received.**
- 2. A new 5 year Licence be entered into with the Goulburn Harness Racing Club Inc. on the terms referred to in this report.**
- 3. The General Manager sign the new Licence as Council's authorised delegate under s377 of the *Local Government Act 1993*.**

**CARRIED****12.10 DEBTOR WRITE OFF**

At 6:17 pm, Cr Andrew Banfield arrived at the meeting.

**RESOLUTION 2019/59****Moved: Cr Carol James****Seconded: Cr Sam Rowland****That**

- 1. The report from the Director Corporate & Community Services on the Debtor Write Off be received.**
- 2. Council approve the writing off of the debt of \$5,000 belonging to Argyle (NSW) Pty Ltd due to all avenues of debt recovery action being exhausted.**

**CARRIED**



**12.11 MINUTES OF THE RECREATION AREA COMMITTEE MEETING HELD ON 6 FEBRUARY 2019**

**RESOLUTION 2019/60**

**Moved: Cr Denzil Sturgiss  
Seconded: Cr Peter Walker**

**That:**

- 1. The report from the Business Manager Community Facilities in regards to the Recreation Area Committee minutes from Wednesday 6 February 2019 be received and the decisions of the Committee become the decisions of Council.**
- 2. Item 6.6**
  - The contribution to the project of \$4,525.00 from the Goulburn AP&H Society be accepted with \$6,475.00 being allocated from the electrical upgrade capital application to complete the project.**
  - Council to investigate further upgrades to 3 phase 15 amp power at the Rodeo Arena and Poultry Pavilion.**
- 3. Cr Sturgiss name be added to the attendees list.**

**CARRIED**

**12.12 MINUTES OF THE SPORTS COUNCIL MEETING HELD ON 11 FEBRUARY 2019**

**RESOLUTION 2019/61**

**Moved: Cr Peter Walker  
Seconded: Cr Denzil Sturgiss**

**That the report from the Business Manager Community Facilities in regards to the Sports Council minutes from Monday 11 February 2019 be received and noted.**

**CARRIED**

**13 CLOSED SESSION**

There were no closed session reports for determination.

**The Meeting closed at 6.22pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 19 March 2019.**

.....  
**Cr Bob Kirk  
Mayor**

.....  
**Warwick Bennett  
General Manager**

**8 MATTERS ARISING**

**8.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 5 MARCH 2019**

**Author:** Warwick Bennett, General Manager

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** Nil

## 8.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

**Author:** Warwick Bennett, General Manager

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Matters Arising - 19 March 2019 [↓](#) 

### RECOMMENDATION

That Council notes the Matters Arising and authorises the deletion of completed tasks.

| Item/Task  | Responsible Officer                               | Status   |
|--|---|--|
| <p><u>Ducks Lane and Run-O-Waters Traffic Management Plan</u></p> <p>1. The General Manager to commence without prejudice to the determination by the Council of their development application to commence discussions with developers in the Shannon Drive area to determine their intended dates to commence physical works and seek if there is any appetite for the developers to enter into a voluntary planning agreement (VPA) that would allow Council to undertake the physical works generally known as Shannon Drive extension in the 2018/19 financial year.</p> <p>2. Future intersection improvement works along Hume Street be undertaken in consultation with RMS.</p> | <p>General Manager and Director of Operations</p> | <p>The DA for this subdivision will be presented to Council in April 2019 for determination. This is subject to the applicants satisfying the further information request from NSW Water. Then we will finalise the land purchase for road.</p> <p>Discussions continue with RMS</p> |
| <p><u>Community Centre</u></p> <p>The General Manager undertake further investigations and draft design into this site being used for community centre and community workshop.</p>   | <p>General Manager</p>                            | <p>Undertaking discussions and negotiations with potential tenants and will report back to Council.</p>  |
| <p><u>Racecourse Drive</u></p> <p>Council undertakes a consultation process with the affected land owners to determine how the individual connections to the 375mm storm water drainage pipe will occur and the timeframe for the works</p>  | <p>Director Operations</p>                        | <p>Design completed and negotiations commencing with land owners. Work should be completed by 30 June 2019</p>   |
| <p><u>Recreation Area</u></p> <p>Investigate promotional sign at VIC Centre and flyer be included in the rates notice</p>  | <p>Director Corporate and Community Services</p>  | <p>Report will be presented in April 2019</p>  |
| <p><u>Lansdowne Street Development</u></p> <p>The decision on any zoning matter for Lot 10 DP 1247119 be deferred at this time.</p> <p>A development control plan be prepared that is consistent with the planning proposal</p> <p>That the applicant be requested to consider a proposed alternate access to this subdivision directly on to both Cathcart and Robinson Streets and to consider proposing the closure of Theatre Drive access onto Lansdowne Street.</p>  | <p>Director Planning &amp; Environment</p>        | <p>Documentation being prepared.</p> <p>Discussions being held with proponent</p>  |

| Item/Task   | Responsible Officer                        | Status  |
|---|--|---|
| <p><u>Goulburn Barefoot Waterski Club</u></p> <p>Council is to undertake a public consultation process on the barefoot water ski clubs proposal</p>   | <p>Director Utilities</p>                  | <p>Consultation closes on Friday 15 March 2019 and a report will be presented to Council in April</p>   |
| <p><u>Weeds Management Plan</u></p> <p>Council endorse the Draft Local Weed Management Plan to be placed on public exhibition for a period of 28 days during late January and February 2019. The submissions and any recommended amendments as a result of the submission process be report back to Council for the adoption of the final Local Weed Management Plan.</p> <p>A Biosecurity Enforcement Policy be developed and presented to Council for endorsement and public consultation that has the purpose to guide the enforcement process operationally under the Local Plan.</p>   | <p>Director Planning &amp; Environment</p> | <p>Public exhibition closed on the 6 March 2019</p> <p>This policy will be presented to Council in April 2019</p>                                     |
| <p><u>Draft Urban and Fringe Housing Strategy</u></p> <p>That Council endorse the Draft Urban and Fringe Housing Strategy for public exhibition subject to:</p> <ul style="list-style-type: none"> <li>(a) Further document editing/corrections;</li> <li>(b) The inclusion of the irrigation area for the decommissioned sewer treatment plant on Gorman Road for rezoning recommendations, including potential for residential development;</li> <li>(c) Inclusion of Water NSW constraint mapping; and</li> <li>(d) Further assessment of the planning proposal for E4 section of Mistful Park, including potential for residential development.</li> </ul> <p>That Council resolve to place the Draft Urban and Fringe Housing Strategy on Public Exhibition from 10 January 2019 to 22 February 2019.</p> <p>Council refer the Draft Strategy to relevant government and statutory agencies for comment.</p> | <p>Director Planning &amp; Environment</p> | <p>Public exhibition is closed and a number of time extensions were granted. Discussions with Council at Briefing Sessions will commence in April</p> |

| Item/Task   | Responsible Officer                              | Status  |
|---|--|---|
| <p><u>Hospital Parking</u></p> <p>Council generally support the proposed temporary timed parking arrangements in the Goulburn Base Hospital precinct for the duration of the construction period only with the following amendment:-</p> <ol style="list-style-type: none"> <li>a. Areas outlined in yellow be removed from the proposed timed parking arrangements and remain untimed.</li> <li>b. Prell Oval entrance road and car park areas (currently in blue) be restricted to two hours timed parking</li> </ol> <p>All parking restrictions be limited to Monday to Friday between 8am and 6pm.</p> <p>Any changes needed to infrastructure to implement this process such as signage and road markings be funded by Health Infrastructure</p> <p>Council and Health Infrastructure jointly develop a community consultation plan for the proposed temporary timed parking arrangements in the Goulburn Base Hospital precinct.</p> | <p>Director Operations</p>                       | <p>Public exhibition closed on the 8 March. We are now waiting feedback from Health Infrastructure</p>                          |
| <p><u>MultiQuip VPA</u></p> <p>The draft Voluntary Planning Agreement be placed on public exhibition for a period of four weeks.</p>  | <p>Director Operations</p>                       | <p>Public exhibition closed 22 February 2019. A report will come to Council in April 2019</p>                                   |
| <p><u>Draft VPA and Land Dedication Policy</u></p> <p>The Draft VPA and Land Dedication Policy be publicly exhibited for 21 days commencing in late January and all submissions reported back to Council</p>  | <p>Director Planning &amp; Environment</p>       | <p>Public exhibition now closed. A report will come to Council in April 2019</p>  |
| <p><u>Community Plus and Workspace2580</u></p> <p>The General Manager to report to Council in February 2019 to outline the outcome of all the negotiations and transfers of lease agreements and how the debt has been offset.</p>  | <p>Director Corporate and Community Services</p> | <p>Report presented to Council last meeting on leases and further report in April on the outstanding debt.</p>                  |
| <p><u>Goulburn Pigeon Problem</u></p> <p>Council to prepare a draft strategy to deal with the pigeon problem in Goulburn</p>  | <p>General Manager</p>                           | <p>A timeframe for the preparation of this Strategy is not known as yet pending internal discussions on available resources</p> |

| Item/Task  | Responsible Officer                                 | Status  |
|--|---|---|
| <p><u>Proposed Rezoning of Dossie Street Land</u></p> <p>Council resolve to rezone the following land from RU2 Rural Landscape to IN1 General Industrial and delete the 100 Hectare Minimum Lot Size under <i>Goulburn Mulwaree Local Environmental Plan 2009 (GM LEP 2009)</i>:</p> <ul style="list-style-type: none"> <li>(a) Lot 1 DP 1034565</li> <li>(b) Lot 3 DP 1008818</li> <li>(c) Part Lot 2 PPN DP 1238214 subject to registration (STR)</li> </ul> | <p>Director<br/>Planning and<br/>Environment</p>    | <p>Report presented to 5 March Council Meeting.</p> <p><b>RECOMMEND<br/>COMPLETION</b></p>  |
| <p><u>Draft Youth Services Policy</u></p> <p>The draft Youth Services policy be placed on exhibition for a period of 28 days and be adopted subject to no further input/submissions being received</p>   | <p>Director<br/>Corporate<br/>and<br/>Community</p> | <p>Currently on public exhibition until 27 March 2019</p>   |
| <p><u>Veolia Host Fee</u></p> <p>The Mayor and the General Manager be given delegated authority to negotiate with Veolia Australia. The Mayor and General Manager to report back to Council on the draft Host Fee agreement once the negotiations with Veolia have reached a stage where a firm recommendation can be made to enter into such an agreement.</p>  | <p>General<br/>Manager</p>                          | <p>First round of discussions with Veolia have occurred. The feedback is very positive in terms of what Council has requested. Awaiting written response from Veolia.</p> |

**9 NOTICE OF MOTION**

Nil

**10 NOTICE OF RESCISSION**

Nil

**11 MAYORAL MINUTE**

Nil



**12 ITEMS FOR DETERMINATION**

**12.1 DA/0281/1718 - 25 BRAIDWOOD ROAD, GOULBURN - CONCRETE BATCHING PLANT**

**Author:** Dianne James, Senior Development Assessment Officer

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Supporting Documentation [↓](#) 

|                              |   |
|------------------------------|---|
| <b>DA Number:</b>            | DA/0281/1718  |
| <b>Address:</b>              | 25 Braidwood Road, Goulburn   |
| <b>Proposal Description:</b> | Concrete Batching Plant, Concrete Works, and Retail Sand and Soil Sale Yard.  |
| <b>Type of Development:</b>  | Designated Development with advice from EPA and concurrence of Water NSW.<br>As specified in Schedule 3 to <i>Environmental Planning and Assessment Regulation</i> :<br>“Concrete Works” located within 250m of a residential zone or dwelling not associated with the development.<br>The nearest dwelling is located approximately 12m north of the site.<br>The Application required EPA consultation and Water NSW concurrence which has been received. |
| <b>Zone:</b>                 | Part IN1 General Industrial<br>Part RU2 Rural Landscape   |
| <b>Variations to Policy:</b> | Road width for heavy haulage/B-Double route – variation not supported.<br>Flood heights as identified under <i>Wollondilly River and Mulwaree Chain of Ponds Floodplain Risk Management Study and Plan 2003</i> prepared by SMEC – variation supported.   |
| <b>Submissions:</b>          | 9   |
| <b>Key Issues:</b>           | <ul style="list-style-type: none"> <li>• Visual amenity</li> <li>• Noise and Dust</li> <li>• Flooding</li> <li>• Stormwater</li> <li>• Material and chemical storage</li> <li>• Waste management</li> </ul>   |

**RECOMMENDATION**

That:

1. The staff assessment report for development application DA/0281/1718 for the proposed Concrete Batching Plant, Concrete Works, and Retail Sand and Soil Sale Yard be received.
2. Consent be granted for DA/0281/1718 for a Concrete Batching Plant, Concrete Works, and Retail Sand and Soil Sale Yard located at 25 Braidwood Road, Goulburn subject to the following conditions.

**SCHEDULE OF CONDITIONS**

**GENERAL CONDITIONS**

1. The development shall be carried out substantially in accordance with the approved stamped and signed plans and/or documentation listed below except where modified by any following condition.

| Reference/Dwg No               | Title/Description  | Prepared By  | Date              |
|--------------------------------|--|--|-------------------|
| Environmental Impact Statement | Environmental Impact Statement and All Appendixes including Detailed Site Layout and Designs (Appendix 3) and a conceptual Surface Water Cycle Management Plan | R. W. Corkery & Co Pty Limited                     | 26 February 2018  |
| SWMP01 -02 Rev 00              | Water Cycle Management Study and Water Quality Modelling Outputs and associated MUSIC stormwater quality modelling - Appendix 10 of the EIS                    | Strategic Environmental & Engineering Consulting   | 22 February 2018  |
| 1815770/7979                   | Letter- Acoustic Response to EPA Queries – DA/028(1)/1718 25 Braidwood Road, Goulburn  | Spectrum Acoustics Noise and Vibration Consultants | 12 September 2018 |
| 1887 V3.5 Final                | Aboriginal Cultural Heritage Assessment Report: Goulburn concrete plant. 25 Braidwood Road Goulburn, NSW.  | ozArk Environmental & Heritage Management Pty Ltd  | December 2018     |
| 985/03                         | Response to submissions  | R. W. Corkery & Co Pty Limited                     | June 2018         |

In the event of any inconsistency between conditions of this approval and the plans and documentation referred to above, the conditions of this approval prevail, to the extent of the inconsistency.

2. In accordance with clause 145 of the *Environmental Planning and Assessment Regulation 2000*, the plans and specifications submitted with a Construction Certificate must not be inconsistent with this consent.
3. In accordance with Division 8A of the *Environmental Planning and Assessment Regulation 2000* compliance with the following prescribed conditions is required:
  - Clause 98 Compliance with *Building Code of Australia* and insurance requirements under the *Home Building Act 1989*
  - Clause 98A Erection of signs
  - Clause 98B Notification of *Home Building Act 1989* requirements
  - Clause 98E Condition relating to shoring and adequacy of adjoining property
4. All imported fill to be utilised within the site shall be in accordance with the requirements of the Protection of the Environment Operations Act 1997 and free from contaminants. Evidence shall be retained to demonstrate compliance.
5. The site layout and works shall generally be as specified in the Environmental Impact Statement (Ref: 985/01, dated 26 February 2018) and the Detailed Site Layout and Designs (Appendix 3 of the Environmental Impact Statement) prepared by R. W. Corkery & Co Pty Limited. No revised site layout, staging or external works that will impact on water quality, shall be permitted without the agreement of Water NSW.  
*Reason for Condition - Water NSW has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.*
6. No variation to stormwater treatment or management shall be permitted without prior agreement of Water NSW.  
*Reason for Condition – To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.*
7. The swale shall discharge to the Mulwaree River via an armoured discharge point such that discharge does not cause erosion. The discharge point shall also be consistent with any requirements for Controlled Activities Approval under the *Water Management Act, 2000* issued by Natural Resources Access Regulator (NRAR).

*Reason for Condition – To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.*

8. The proponent must implement erosion and sediment control measures to prevent pollution of waters in accordance with Soils and Construction: Managing Urban Stormwater (2004).
9. Prior to any works commencing on-site the proponent shall incorporate the recommendations of the Aboriginal Cultural Heritage Assessment Report prepared by OzArk Environmental Heritage Management including:
  - Unanticipated finds protocol (Appendix 3)
  - Aboriginal Heritage Management Plan (AHMP) (Section 7.3)
  - Where ground disturbing impacts occur within 50m of the eastern boundary of the lot special care should be taken to note any angular stone fragments (Appendix 4). Should any such types of stone of potential ACH be identified, excavation shall cease in the locality and the opinion be sought of an archaeologist before proceeding with the works in that area.
  - Protocols regarding the induction of workers to help protect ACH during ground-breaking activities associated with the proposal and protocols to manage the chance find of ACH during the construction of the proposal should be detailed in the AHMP.
10. All works and activities undertaken at the premises must be undertaken in a manner that will minimise noise and vibration impacts at sensitive receivers.
11. At all times the proponent/occupant/owner must assess, classify and manage any liquid and/or non-liquid waste generated and/or stored at the premises in accordance with the EPA's Waste Classification Guidelines as in force from time to time.
12. At all times the proponent/occupant/owner must ensure the collection, storage and disposal of waste at the premises does not pollute waters.
13. The development shall comply with Clause 5.4 of *Goulburn Mulwaree Local Environmental Plan 2009* controls relating to miscellaneous permissible uses and the controls for industrial retail outlets.  
The development shall be designed, constructed and managed to ensure that the retail floor (sales) area must not exceed:
  - (a) 67% of the gross floor area of the industry located on the same land as the retail outlet, or
  - (b) 400 square metres,
 whichever is the lesser

#### **PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

14. A Construction Certificate pursuant to Section 6.3 of the *Environmental Planning and Assessment Act 1979*, as amended from either Council or an accredited certifying authority certifying that the proposed works are in accordance with the *Building Code of Australia* is required prior to any works commencing.
15. Prior to issue of a Construction Certificate a Phase 2 Potential for Contamination Assessment is required in accordance with Appendix 4 to EIS and prior to any further earth works commencing.  
In accordance with the *Contaminated Land Planning Guidelines* and *SEPP 55 Remediation of Land* prior to issue of the Construction Certificate and prior to any earth works commencing further investigation and reporting is required due to previous land uses included wool scour, railway lines and potential for fill and rubble and adjacent fuel storage. A report shall be prepared by a suitably qualified and experience consultant stating that:
  - if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
  - if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.
16. Prior to the issue of a Construction Certificate confirmation that the site does not require remediation or has been suitably remediated for the intended use prepared by a suitably qualified person.

Documentary evidence shall be submitted to the Principal Certifying Authority and Council.

17. Hydraulic Engineers details of the sewer, water service including backflow prevention and any proposed fire service connection to Council mains which has been approved by Council as the Water and Sewer Authority shall be submitted with the application for a Construction Certificate. The following must be included:
- It is noted that Council's sewer mains transverse the property, therefore the Construction Certificate plans must demonstrate compliance with Councils "Clearance & Easements" policy.
  - Careful consideration is required regarding Finished Floor Levels to ensure gravitational connection to sewer is possible in accordance with the Australian Standards.
  - A separate 150mm sewer junction is required. Council will provide a quotation upon application
18. Hydraulic Engineers details of the stormwater drainage which shows compliance with conditions of consent and Goulburn Mulwaree Councils *Stormwater Drainage & Rain Water Collection Systems Policy* are to be submitted to and approved by the Principal Certifying Authority prior to issue of a Construction Certificate.
19. The design of the buildings, fencing and structures shall be design to withstand the 1% AEP flood event as identified in *Wollondilly and Mulwaree Rivers Flood Study (2016)* prepared by WMA Water. The Construction Certificate plans shall be certified by a suitably experienced structural engineer demonstrating compliance with the 2016 Flood Study.
20. Consent for this development is conditional upon satisfactory arrangements with the Goulburn Mulwaree Council for the provision of adequate facilities for water supply, the removal or disposal of sewage and the disposal of stormwater. An Application under Section 305 of the Water Management Act 2000 is required and a Section 306 Notice of Requirements received prior to issue of a Construction Certificate. Note: the Section 306 notice of requirements may require works to be undertaken, payments to be made or plans submitted prior to a Construction Certificate being issued.
21. Prior to issue of a Construction Certificate plans and details shall be submitted to Council for approval demonstrating compliance with the following engineering requirements.

The entrance and exit driveways shall have concrete laybacks and heavy-duty concrete vehicular footway crossings. The footway crossings shall be to Council's standards to a heavy duty standard and shall have radii to suit the largest vehicle expected to use the site. The crossing shall joint smoothly to the carriageway.

The road reserve along the frontage of the lot shall incorporate the following works:

- Sealed road shoulder
- Pervious surround to tree
- Stormwater drainage
- Graded and grassed / landscaped verge

The applicant has advised that the following works shall be carried out to reduce local impacts which is incorporated into the consent.

- Provide for a sealed entry to the Project Site from Braidwood Road. The sealed surface would include a taper to allow for the swept path of the largest vehicles to enter and exit the Project Site.
- Provide for a hold line for exiting vehicles set-back approximately 10m from the centre of Braidwood Road.
- Provide line markings on Braidwood Road on approach to the Project Site.
- Install and maintain intersection and truck turning signs on Braidwood Road approach to the Project Site.

The internal driveways and parking areas shall be constructed in accordance with Council standards, including sealing the car park and manoeuvring areas and vehicular parking shall comply with the Australian Standard AS2890.1. Braidwood Road north of Bungonia Road intersection shall be upgraded to B-Double standard.

The approved Construction Certificate plans shall demonstrate compliance with this condition and prior to the commencement of construction of proposed works within the road reserve as per the approved plans under Section 138 issued by Council.

22. There is to be no discharge of liquid trade waste to sewer from the property.

The development is classified as a high backflow hazard and appropriate backflow prevention devices must be installed at the property as per the requirements of the *Plumbing Code of Australia, Australian/New Zealand Standard AS/NZS 3500*, and Council's *Cross Connection Control and Backflow Prevention Policy*.

As a minimum this will require the installation of a Reduced Pressure Zone Device (RPZD) immediately downstream of the water meter for boundary containment. If a dedicated fire service is provided to the property a Double Check Detector Assembly (DCDA) must also be installed for boundary containment as close as possible to the property boundary and upstream of any fire hydrant booster sets or take off points.

Additional internal zone and or individual devices must also be installed where required.

Details showing compliance shall be submitted to Council for approval prior to issue of the Construction Certificate.

23. Section 7.12 Development Contributions

In accordance with the provision of Section 4.17 and Section 7.12 of the Environmental Planning and Assessment Act 1979 contributions are required toward the provision of community facilities and infrastructure in accordance with the Section 94A Levy Development Contributions Plan 2009. The contributions are to be paid prior to the release of the Construction Certificate.

The current contributions (2018/2019) under the Section 94A Levy Development Contributions Plan 2009 are based on the cost of construction of the development as follows:

| <b>Cost of construction</b> | <b>Rate of levy</b> |
|-----------------------------|---------------------|
| \$0 - \$100,000             | 0%                  |
| \$100,001 - \$200,000       | 0.5%                |
| In excess of \$200,000      | 1%                  |

Details of the cost of the construction of the development shall be submitted with the application for a Construction Certificate. A cost summary report must be completed for works with a value no greater than \$200, 000. Where the value of the work is greater than \$200,000 the cost shall be certified by a Quantity Surveyor or an equivalent or acceptable alternative agreed to by Council. Refer to Appendix A of the Goulburn Mulwaree Section 94A Levy Development Contributions Plan 2009 for further details.

These contributions are reviewed annually and the contribution rates are to be confirmed prior to payment.

24. All stormwater treatment and management measures shall be implemented as specified in the Concept Surface Water Management Plan (Proj. No. 18000003; Drawing SWMP01; Rev 00; dated 22/02/18) prepared by Strategic Environmental & Engineering Consulting, except where varied by these conditions. The stormwater management measures as a minimum shall include:

- pits, pipes and clean water diversion bund
- water storage tank
- water holding/recycling pond, and
- a grassed swale with minimum dimensions of:
  - depth of 0.5
  - top width 6.5 metres, and
  - base width 2.5 metres.

Prior to issue of a Construction Certificate plans and details shall be submitted to Council for approval demonstrating compliance with these requirements.

*Reason for Condition – To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.*

25. The recommendations of the Preliminary Contamination Investigation (Ref: R9300c, dated 21 February 2018) prepared by Envirowest Pty Ltd contained in Appendix 4 of the Environmental Impact Statement shall be carried out **prior to the issuance of a Construction Certificate.**

*Reason for Condition – To ensure there is an overall and sustainable neutral or beneficial impact on water quality during all stages of the proposed development.*

26. A Soil and Water Management Plan, based on Soil and Water Management Plan contained in Appendix 9 of the Environmental Impact Statement (ref: 985/01, dated 26/2/2018) prepared by R. W. Corkery & Co Pty Limited, shall be prepared by a person with knowledge and experience in the preparation of such plans for all works proposed or required as part of the development.

The Plan shall meet the requirements outlined in Chapter 2 of NSW Landcom’s Soils and

Construction: Managing Urban Stormwater (2004) manual - the "Blue Book"; shall be prepared **prior to the issuance of a Construction Certificate** and be to the satisfaction of Council.

*Reason for Condition - To manage adverse environmental and water quality impacts during the construction phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this construction phase.*

27. A *Construction and Operational Environmental Management Plan* shall be prepared in consultation with Council and Water NSW and include but not be limited to:

- Noise and Traffic Management details incorporating:
  - Best Practice Management Practices for the control of noise from industry
  - Traffic route in accordance with the revised route via south Goulburn interchanger, Hume Street, Garoorigang Road, Sloane Street, Bungonia road and Braidwood Road. Auburn Street shall not be used.
  - Driver Code of Conduct
  - An Acoustic Report and measures to reduce the noise including (a) cladding of the batching plant (b) noise barriers at the site (c) on-site enclosures which are based on the inclusion of these measures.
- Air quality controls
- Landscape, lighting, fence and site maintenance requirements
- WaterNSW conditions of concurrence dated 28 September 2018
- EPA recommended conditions dated 23 October 2018
- Comply with Industrial Noise Policy and related requirements
- Driver Code of Conduct
- Waste minimisation and management
- Material and chemical transport, storage and handling (including dangerous goods)
- Landscaping will need to be managed to ensure plants to the street frontage cannot be used for hiding or encourage use of clean trucks
- The storage of any goods, articles or materials shall only occur within the buildings to maintain a suitable streetscape impact and to avoid internal site congestion.
- Construction and operational hours shall be limited to:

The development shall be limited to the following hours unless otherwise specified:

| <u>Construction hours (estimated 6 month period)</u> | <u>Operational hours</u>               |
|--|--|
| 7.00am - 6.00pm Monday to Friday                     | 5.00am - 10.00pm Monday to Friday      |
| 8.00am - 1.00pm Saturday                             | 5.00am - 6.00pm Saturday               |
| No construction Sunday or Public Holidays            | No operation Sunday or Public Holidays |

- Flood emergency evacuation plan and flood protocol management plan to ensure the safe evacuation of staff and occupants and the removal of raw material in the aggregate storage areas to minimise the impact on the environment.
- Record keeping and investigation and reporting of complaints and non-compliance
- Neighbour and community engagement
- Notification procedures including works outside principle operating hours and non-compliance with the OEMP and audit reports
- Review and amendments of the OEMP

The plans shall be approved by Goulburn Mulwaree Council and Water NSW prior to issue of a Construction Certificate.

28. A revised fencing, landscaping and lighting plan shall be submitted to Council for approval prior to issue of the Construction Certificate. The amended plan shall be amended to include the following additional matters:

- Planting details are required to be outlined on the plans e.g. soil preparation, mulching, plant species and pot sizes
- The planting areas are to be separated from grassed areas by a solid edge constructed from long lasting materials such as brick, concrete or hardwood or treated pine

- Details of the landscape maintenance period plan/schedule including but not limited to the following details:
  - Pest, weed and plant disease control
  - Hedging and pruning as required
  - Irrigation and lighting system and maintenance
  - Lawn mowing and edging
  - Mulch renewal of garden beds
  - Replacement of dead plants
  - Management of the buffer grassland located between the development site and the Mulwaree River
- Landscaping proposes Kerrawang formerly identified as *Rulingia daysphylla* and now known as *Commersonia daysphylla*. Further information is required to confirm whether the species is Goulburn frost tolerant (ie -10 degrees Celsius) and if not frost or drought tolerant as suitable alternative shall be identified.

- Green shade cloth is to be attached to the mesh fence along the south boundary to provide additional screening of the concrete Plant and Silos. The shade cloth should be continuous but have openings at regular intervals to prevent tearing in wind. The shade cloth is to be reinstated when damaged.

*Reason: To ensure landscaping is maintained and to mitigate the impact of the development on views from the Goulburn Brewery site*

- Lighting is required to provide security to the facility. Details of the proposed external lighting. For the purpose of residential amenity any external lighting is not to adversely impact adjacent properties by way of excessive light. The intensity of the lighting shall be able to be redirected if excessive to adjacent properties.

29. Prior to issue of the Construction Certificate and before commencing any construction works or contamination investigation work, the Applicant must obtain a **Pre-Construction Dilapidation Report** detailing the current structural condition of any part of a building that is within 2m of the proposed boundary. The Report shall be prepared by a qualified structural engineer and include clear labelled images/photographs and a summary report detailing any apparent existing defects. If the person preparing the report is denied access to the building for the purpose of an inspection, the report may be prepared from an external inspection. A copy of the report is to be forwarded to the Council and each of the affected property owners for the purposes of a record of existing building condition and to ensure that the neighbour and the Builder are protected in the unlikely case of damage.

The Report shall include written confirmation, issued with the authority of both the applicant and Report author that Goulburn Mulwaree Council is granted a perpetual non-exclusive license to make use of the copyright in all images and documentation supplied, including the right to make copies available to third parties as though they were Council images and document. The signatures of both the applicant and the author (including photographer) must be included in the Report.

*Reason: Concern was raised with regards to the effect of works adjacent to the existing adjacent building/s*

**PRIOR TO COMMENCEMENT OF BUILDING WORK**

30. The Soil and Water Management Plan shall be implemented and effective erosion and sediment controls shall be installed prior to any construction activity including site access. The controls shall prevent sediment or polluted water leaving the site or entering any stormwater drain or Mulwaree River and shall be regularly maintained and retained until works have been completed and ground surface stabilised or groundcover re-established.

*Reason for Conditions - To manage adverse environmental and water quality impacts during the construction phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this construction phase.*

31. Nominate a Principal Certifying Authority (PCA) and the PCA is to notify the consent authority and Council of their appointment, two (2) days prior to commencing work.

32. Prior to the commencement of any construction works, an appropriately qualified person must prepare a detailed Construction Environment Management Plan (CEMP) which includes, but is not limited to:

- a) Dust (air quality) management strategy;
- b) Procedures for validation of imported fill material and the proposed means of disposing of

- overburden;
- c) Waste and materials re-use on site;
- d) Community response and management procedure outlining the course of action to be undertaken following receipt of a complaint;
- e) Chemical handling and Dangerous Goods Management Plan;
- f) Pollution Incident Response Management Plan;
- g) Noise Management Plan; and
- h) Air Quality Management Plan.

#### **DURING CONSTRUCTION**

33. In accordance with Section 6.5 of the *Environmental Planning and Assessment Act 1979* and Clause 162A of the Regulations the following Mandatory, Critical Stage Inspections need to be carried out by the Principal Certifying Authority. (PCA)

Forty-eight (48) hours' notice is required prior to these inspections.

- After excavation for, and prior to the placement of any footings; and
  - Prior to pouring any in-situ reinforced concrete building element; and
  - Prior to covering of the framework for any floor, wall, roof or other building element (truss and bracing details required prior to inspection); and
  - Prior to covering waterproofing in any wet areas; and
  - Prior to covering any stormwater drainage connections; and
  - After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.
34. The hours of construction and noise generation/mitigation shall be in accordance with the approved Construction and Operational Environmental Management Plan.
35. The water supply is to be connected after a water meter. If the water meter is damaged or removed, the applicant will be responsible for cost to have Council install or repair the meter.
36. The proposal is to be set out by a Registered Surveyor and a Survey Report is to be submitted to the Principal Certifying Authority to ensure compliance with the Development Application. No part of the building including eaves or guttering and any proposed retaining walls are to encroach over the boundaries or easements. If the Principal Certifying Authority has concerns with the set out of the building a Survey Report may be requested prior to pouring of the slab or once the outer wall location is determined.
37. Any person demolishing the building must upon identifying or suspecting that asbestos is present in the building, immediately notify the SafeWork NSW the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.
38. Any asbestos removal to be carried out in accordance with the current SafeWork NSW requirements and in accordance with the NSW Government guidelines which can be found on their webpage at <http://www.safework.nsw.gov.au/health-and-safety/safety-topics-a-z/asbestos>
39. Documentation verifying the lawful disposal of all waste and asbestos is to be kept by the applicant and provided to Council on request.
40. Any contaminated material shall be disposed of at an appropriately licensed facility as soon as possible after identification.
- Reason for Condition – To ensure there is an overall and sustainable neutral or beneficial impact on water quality during all stages of the proposed development.*
41. Cutting and filling is to be restricted to that shown on the Development Consent approved plans. Any further cutting or filling will require separate Council approval.
42. The proponent must minimise the emission of dust from the premises at all times, including during the construction phase.
43. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them being dangerous to life or property in accordance with WorkCover requirements. It will necessary to ensure that the excavation is not within the zone of influence on the footings of buildings on the adjoining properties.
44. In accordance with the *Plumbing and Drainage Act 2011*, a plumbing and drainage *Notice of Work* (NoW) must be completed and returned to Council for its records, no later than 2 business days before the work concerned is carried out. The *Notice of Work* is to identify what plumbing and drainage work



is carried out by a particular plumber/drainer.

On completion of the plumbing and drainage work and prior to Council's Final Inspection of the plumbing and drainage work, the plumber/drainer is to submit to Council a *Certificate of Compliance* (CoC) and a *Sewer Service Diagram*.

45. A backflow prevention device inspection and maintenance report must be submitted to Council within five working days of the devices being installed. The inspection report must be completed in full and include the serial numbers of all backflow devices installed and the meter number of the water meter installed upstream of the devices.
46. All sanitary drainage, plumbing and backflow prevention is to be carried out in accordance with AS 3500 and the *Plumbing and Drainage Act 2011* and the following stages of construction are to be inspected by Council as the Water and Sewer Authority.
 

Forty-eight (48) hours notice is required prior to these inspections.

  - Plumbing and Drainage before backfilling.
  - Pressure testing of waterpipes within the building prior to fixing of linings.
  - Final inspection of water plumbing and sewer drainage.

Inspection fees for plumbing and sanitary are to be paid to Council prior to commencing plumbing and drainage work.
47. Rainwater tanks must be installed in accordance with the Goulburn Mulwaree Councils Development Control Plan 2009 and *Stormwater Drainage & Rain Water Collection Systems Policy*.
48. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.
 

*Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.*
49. Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Office of Environment & Heritage is to be informed in accordance with section 89A of the National Parks and Wildlife Act 1974 (as amended). Works affecting Aboriginal 'objects' on the site must not continue until the Office of Environment and Heritage has been informed. Aboriginal 'objects' must be managed in accordance with the National Parks and Wildlife Act 1974.
 

*Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.*
50. All stormwater quality management controls installed at the premises, during both construction and operation, must be inspected:
  - Regularly during normal construction hours;
  - Daily during rainfall events; and
  - Within 24 hours of the cessation of a rainfall event causing runoff to occur from the premises.
51. The proponent must keep written records of all observations and actions made in relation to stormwater quality management control inspections, including any works undertaken to repair and/or maintain stormwater management controls.

#### **PRIOR TO OCCUPATION**

52. The applicant must obtain an Occupation Certificate, pursuant to Section 6.3 of the *Environmental Planning and Assessment Act 1979*, from either Council or an accredited certifying authority, prior to occupation of the building/commencement of the use.
53. A final inspection of water plumbing and sewer drainage must be conducted by Council as the Water and Sewer Authority. Only after advice that the final water and sewer inspection has been completed in a satisfactory manner may an Occupation Certificate be issued.
54. A Compliance Certificate under Section 307 of the *Water Management Act 2000* is to be obtained from Council prior to issue of the Occupation Certificate.
55. A *Certificate of Compliance* (CoC) and a *Sewer Service Diagram* prepared by the plumber(s) who submitted the *Notice of Work* must be issued to Council prior to issue of the Occupation Certificate.
56. All the proposed landscaping approved in this development consent shall be installed prior to the issue

of any Occupation Certificate.

57. Prior to the issue of any Occupation Certificate, all work indicated on the approved plans and all requirements of this development consent shall be completed/satisfied.
58. A street number "25" shall be displayed on the site. Street identification numbers at least 7 centimetres in height is to be displayed in a prominent location clearly visible from the street frontage, prior to the issue of an Occupation Certificate.
59. Prior to the issue of an Occupation Certificate it will be necessary to submit to the Principal Certifying Authority, a Fire Safety Certificate in respect of the fire safety measures installed within the building.
- A Fire Safety Certificate is to state, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated that the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so, and that, as at the date of the assessment, the measure was found to be capable of performing to a standard not less than that required by the schedule to the relevant approval.
60. All security measures required by this consent such as lighting, access control and security cameras shall be installed prior to the issue of any Occupation Certificate.
61. To ensure the earthworks and landscape works comply with the approved Construction Certificate Plans, Works as Executed plans for stormwater and earthworks shall be prepared and certified by the Stormwater consultant for the works and surveyor for the levels as complying prior to issue of an Occupation Certificate.
- Reason: To ensure earth works and stormwater management works comply with the conditions of consent.*
62. A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and Council **prior to the issuance of any Occupation Certificate** that all stormwater management measures have been installed as per these conditions of consent and are in a functional state.
63. An Operational Environmental Management Plan (OEMP), based on information contained in the Soil and Water Management Plan contained in Appendix 9 of the Environmental Impact Statement (ref: 985/01, dated 26/2/2018) prepared by R. W. Corkery & Co Pty Limited, shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans **prior to the issuance of any Occupation Certificate**. The OEMP shall be implemented and shall include but not be limited to:
- measures to deal with spills of hydrocarbons and concrete additives
  - details on the location, description and nature of stormwater management structures such as bunds, pits, pipes, first flush pit, holding recycling pond, swale and discharge point
  - an identification of the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures, including the frequency of such activities
  - the identification of the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and procedures for managing and notification of water quality emergencies, and
  - checklists for recording inspections and maintenance activities.
- Reason for Conditions 52 - 54- To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.*
64. Prior to issue of any Occupation Certificate, the Applicant shall engage a suitably qualified person to prepare a **Post-Construction Dilapidation Report** at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.
- The Report is to be submitted to the PCA (and a copy provided to Council if Council is not the PCA) and each affected owner. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads the author must compare the Post-Construction Report to the Pre-Construction Dilapidation Report required by this consent.
- Should any damage be recorded in the Post-Construction Dilapidation Report as a result of the development at 25 Braidwood Road, then the damage to the building shall be rectified under the guidance of a suitably qualified Heritage Professional prior to issue of an Occupation Certificate. Any damage identified in Post-Construction Dilapidation Report shall be repaired within 3-6 months of the completion of the Post-Construction Dilapidation Report unless otherwise agreed to by Council and the

affected property owner.

65. Prior to issue of an Occupation Certificate, the creation of an easement over Council's sewer mains is required, at the developer's expense.
66. Prior to issue of an Occupation Certificate, Braidwood Road north of Bungonia Road intersection shall be upgraded to comply with the B-Double standards nominated by Austroads (2016) for designated heavy haulage routes.
67. The maintenance period for Braidwood Road upgrade works is 24 months and commences on the date of issue of the Occupation Certificate.

The maintenance bond is an amount of 5% of the value of the total engineering works (minimum amount \$1,000). This bond is held by Council to cover any defects or omissions which may arise or become apparent in the maintenance period. The maintenance bond is to be paid to Goulburn Mulwaree Council prior to the issue of the Occupation Certificate.

During the maintenance period Council may direct the developer to rectify any omission or defect in the work which existed at the time of Notification of Completion or becomes apparent prior to the expiration of the maintenance period. If defects or omissions are not rectified within one month, Council may rectify the omission or defect and apply the maintenance bond as payment of the cost for the rectification.

The maintenance period of any rectification work will be extended a further 24 months, however, at the expiration of the original 24 month maintenance period, the amount of the maintenance bond will be reduced in accordance with the value of the work under maintenance.

Upon expiration of the maintenance period, it will be the developer's responsibility to request Council to release the maintenance bond.

The requirement for the developer to rectify defects and omissions in accordance with this clause holds true after the expiration of the maintenance period in the case that such defects and omissions are undiscoverable by normal means but come to light at a subsequent time.

#### ONGOING OPERATION

68. To protect the amenity of the area, the development shall be managed in accordance with the approved Construction and Operational Environmental Management Plan.
69. The hours of construction and noise generation/mitigation shall be in accordance with the approved Construction and Operational Environmental Management Plan.
70. All stormwater quality management controls installed at the premises, during both construction and operation, must be inspected:
  - Regularly during normal construction hours;
  - Daily during rainfall events; and
  - Within 24 hours of the cessation of a rainfall event causing runoff to occur from the premises.
71. The proponent must keep written records of all observations and actions made in relation to stormwater quality management control inspections, including any works undertaken to repair and/or maintain stormwater management controls.
72. **Within three months of the date of Occupation Certificate**, and each year thereafter, for the first five years of operation unless Water NSW agrees otherwise, the Applicant shall provide an annual report to Water NSW on the environmental performances of the development regarding Water NSW's conditions in this consent. This requirement shall be reviewed after five years to reassess the timeframes. The annual report and review must:
  - include a comprehensive review of the monitoring results, based on the checklists in the OEMP required in Condition 6 above, over the past calendar year, which includes a comparison of these results against the relevant performance trigger levels
  - identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance, and
  - describe what measures will be implemented over the next year to improve the environmental performance of the development (if considered necessary).

*Reason for Condition – To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained so as to achieve a sustainable neutral or beneficial impact on*

*water quality, particularly during wet weather, over the longer term.*

73. The owner of the building shall:
- Furnish to the Council an Annual Fire Safety Statement in respect to each essential service installed in the building;
  - Ensure that essential services installed within the building are performing to a standard no less than to which the measure was originally designed;
  - Ensure the safety of fire exits;
  - Ensure doorways and paths of travel are not obstructed;
  - Ensure that offences relating to fire exits do not occur within the building.

The owner of the building shall:

- cause a copy of the certificate to be furnished to Fire and Rescue NSW it is preferred this is done electronically via the following email address [afss@fire.nsw.gov.au](mailto:afss@fire.nsw.gov.au); and
- cause a further copy of the certificate to be kept at the building.

74. Following installation, testable backflow prevention devices must be re-tested by a licensed plumber at intervals not exceeding every 12 months. Copies of the test reports for each device to be provided to Council’s Utility Services.

75. Operational noise generated by the development must not exceed the criteria in the table below at any residential receiver. The criteria are defined in Table 2 of the ‘*Noise and Vibration Impact Assessment*’ prepared by Spectrum Acoustics (Project number 1815700, February 2018) and presented in the table below:

| Location  | Day | Evening | Night |
|---|-----|---------|-------|
| <b>Residential receivers* to the east of the premises</b> | 42  | 42      | 38    |
| <b>Residential receivers* to the west of the premises</b> | 42  | 42      | 41    |

\*The limits in the table above do not apply to residential receivers located in land zoned “General Industrial”, surrounding the proposal site.

76. If noise emissions exceed the identified limits, the proponent must investigate the cause of the exceedance and implement all reasonable and feasible measures to avoid a repeat of the exceedance.
77. A post-commissioning report produced by an independent organisation that is eligible for membership with the Association of Australian Acoustic Consultants must be provided to the NSW EPA within 3 months of the premises commencing full operations. The report should validate whether the site is operating within the established noise goals in the Noise and Vibration Impact Assessment, and if not, provide a pathway to ensuring compliance with those goals.
78. The proponent/operator of the premises must provide written notification of at least 3 working days to the residential receivers on Braidwood Road, north of Bungonia Road, of any upcoming campaigns which will require concrete batching and dispatch prior to 6.30am, Monday to Saturday.
79. The proponent/operator must provide written notification of at least 3 working days to the residential receivers on Braidwood Road, north of Bungonia Road, of any upcoming campaigns which will require deliveries and maintenance works after 7.00pm Monday to Friday.
80. As the noise modelling has assumed several noise control mechanisms, the proponent must ensure these are installed prior to commencing operations. These include but are not limited to:
- cladding of the batching plant;
  - acoustic barriers around the slump stand; and
  - installation of on-site enclosures.

81. The proponent must install broadband reversing alarms where possible on mobile plant used on site.
82. The proponent must minimise the emission of dust from the premises at all times.
83. The proponent must arrange for particulate monitoring to be undertaken at the premises for the first year of operation to validate the modelled air impacts.

The proponent should prepare an Air Quality Management Plan (AQMP) that details an appropriate air monitoring and reporting regime, with reference to Ambient Air-NEPM (NEPC, 2003) advisory

reporting standards for particulate matter.

The AQMP should include an assessment of the need for site-specific meteorological monitoring, and should include a commitment to publish all monitoring results to the proponent's website as soon as possible.

84. The results of any air sampling undertaken as part of the air quality management plan must be recorded and produced to any authorised officer of the EPA on request.
85. The proponent must ensure that environmental risks associated with the storage, processing and handling of hazardous materials and dangerous goods are minimised. Storage and handling of any dangerous goods must be undertaken in accordance with the most up-to-date version of The Storage and Handling of Dangerous Goods Code of Practice. The current version as of the date of this letter is from 2005 and can be viewed online at:  
[http://www.safework.nsw.gov.au/\\_data/assets/pdf\\_file/0005/50729/storage-handling-dangerous-goods-1354.pdf](http://www.safework.nsw.gov.au/_data/assets/pdf_file/0005/50729/storage-handling-dangerous-goods-1354.pdf)
86. The type, quantity and location of all dangerous goods, chemicals and waste should be easily identified by site personnel and include in relevant environmental management plans/documentation for the premises.
87. The proponent must develop and implement effective controls for the storage, processing and handling of materials at the premises. These controls should include operating and maintaining bunds or spill containment systems where necessary to minimise the risk of pollution from potential spills and leaks. Information on bunding and spill management can be found online at:  
<https://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/authorised-officers/resources-and-training/bunding-and-spill-management>
88. All written records must be:
  - a) In a legible form, or in a form that can be readily reduced to a legible form;
  - b) Kept for at least 4 years after the monitoring or event to which they relate took place; and
  - c) Produced in a legible form to any authorised officer of the EPA who asks to see them.
89. The proponent must establish a 24-hour complaints hotline to enable real-time responses to community complaints relating to the operation of any approved development. The proponent should establish a website that will:
  - i) Enable the community and local businesses to register queries/complaints;
  - ii) Enable the proponent to advise the community about environmental incidents at the premises in real time; and
  - iii) Enable the publication of environmental monitoring results.

### **AGENCY REQUIREMENTS**

90. Water NSW

The Applicant is to comply with all the requirements of Water NSW as outlined in the attached letter of concurrence dated 28 September 2018 (and incorporated into the consent conditions for assistance).

91. EPA

The Applicant is to comply with the recommended conditions of EPA as outlined in the attached letter dated 23 October 2018 (and incorporated into the consent conditions for assistance).

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

## BACKGROUND

A development application for a Concrete Batching Plant, Concrete Works, and Retail Sand and Soil Sale Yard was lodged with Council on 26 February 2018. The Application was placed on Public Exhibition from 8 March 2018 to 13 April 2018 which resulted in 9 submissions being received from nearby neighbours or members of the community.

The Application was placed on hold while the applicant addressed the issues raised in the submissions. The applicant discussed the issues with Council and provided matters in response to the issues raised with the final matter being a revised Aboriginal Cultural Heritage Assessment Report received 11 January 2019.

## REPORT

### Proposed Development

DA/0281/1718 proposes to construct and operate a concrete batching plant, concrete works, and sand and soil yard dispatching up to:

- 150,000t (60,000m<sup>3</sup>) per annum of pre-mixed concrete;
- 10,000t of precast concrete products (e.g. pipe culverts, bollards etc); and
- 10,000t of sand, soil and aggregate material.

As total sales will be limited to the 150,000t, an increase in sales of precast materials or raw material will reduce the pre-mixed concrete by the same equivalent amount.

The site will consist of:

- concrete batching plant – including office, aggregate bins, conveyors and two (2) cement silos;
- additives storage and slump stand;
- truck wash and stormwater management structures;
- aggregate storage area;
- parking area;
- retail sales storage area;
- internal access and separate site entrance and exit; and
- landscaping and fencing.

The Environmental Impact Statement (EIS) notes:

- The raw material will be sourced from the Applicant's Ardmore Park quarry located approximately 25km southeast of Goulburn near Bungonia.
- The cement and chemical additives will be sourced by reputable providers.
- Generation of approximately 140 vehicle movements per day (90 heavy vehicles and 50 light vehicles).
- Two (2) cement silos with a height of approximately 20m in a neutral hue (potentially olive green or similar).

The proposed hours of operation are:

#### Construction (estimated 6 month period)

7.00am - 6.00pm Monday to Friday  
8.00am - 1.00pm Saturday

#### Operational

5.00am - 10.00pm Monday to Friday  
5.00am - 6.00pm Saturday

Amongst comments the EIS states "the actual hours would vary based on customer requirements and depend on size, location and time of individual concrete pours."

The unloading of cement supply trucks is estimated to take approximately 40 minutes for raw material. Cladding of the batching plant as well as noise barriers and on-site enclosures have been identified actions to reduce noise by 10dB(A) and was proposed with the supply of additional information. The additional information confirmed 3-4 full time equivalent staff on-site and 8-12 full time equivalent truck drivers associated with the proposed business.

**Site Context**

The site is located on the eastern side of the railway line, east of Braidwood Road, north of Bungonia Road and Goulburn Sand and Soil premises, west of Mulwaree River and south of an existing premises known as York Foods which was previously the site of a Dairy Farmers milk factory. York Foods web site states *the business is the leader in the production of the world’s purest natural cooking oils. It has continued to innovate and change with the times including the launch of several world-first products, such as 'Wagyu Oil' and 'Protein Boost'*. Also to the north is the Mobile fuel depot.

There are disused railway lines running along the northern frontage of the site and near the northern boundary of the site. The site has an area of approximately 7500m<sup>2</sup> and the proposed industrial development is sited within the industrial zoned portion of land (with the exception of stormwater drainage). The land slopes down to the east towards the Mulwaree River.

A site inspection was held on 2 May 2018 and it was observed that drainage, flood, access, dust and a setting to adjoining premises (including fencing and landscaping) were key issues to be considered in the assessment of the application. The site is grassed with street trees to the frontage. A locality plan of the development site and plans of the proposal are included in the Attachment.

**Consultation and Submissions made in accordance with Act or Regulations**

Public Submissions

The proposed development was notified for 30 days in accordance with the requirements for Designated Development to 15 adjoining and nearby residents. It was also advertised in the local newspaper and on Council’s website. Public exhibition of the proposal resulted in 9 public submissions being received (refer Attachment). The Applicant’s response to the issues raised is extensive and also included in the Attachment.

The following is a summary of the issues raised in the submissions and the planning response:

| Issue          | Response  |
|----------------|---|
| <b>Traffic</b> | <p>Issue: Objected to the proposed traffic route with 144 trucks down Auburn Street between 5am – 10pm.</p> <p>Applicants Response: The application has been revised so that the raw materials will be transported along the following B-Double route;</p> <p><i>Hume Highway to the south Goulburn interchange and exit at Hume Street to Garroorigang Road, Sloane Street, over railway onto Bungonia Road and then north to Braidwood Road.</i> A map of the proposed route is copied into the Attachment.</p> <p>Council’s response: Council recognises the concern raised in the submission and acknowledges the proposed alternate route is more suitable. The matter has been address by the new traffic route.</p> <p>Issue: Bottlenecks will be created at the Bungonia/Braidwood Road intersections and Mundy/Sloane Street intersections.</p> <p>Applicants Response: The application reviewed traffic counts using data from Council between 2008 and 2016 and disputes the concern responding that a review of traffic data and observations of traffic function suggests there is ample capacity remaining.</p> |

|   |  |   |                    |                                  |                                   |                          |                          |
|---|--|---|--------------------|----------------------------------|-----------------------------------|--------------------------|--------------------------|
|   | <p>Council's response: It is noted that the roads will have ample traffic capacity, however it is acknowledged that during special events held at the Veolia Centre and Recreation Centre/Showground period there may be periods of delay in traffic flow but nothing to warrant upgrades to the intersections. No concerns were raised in the assessment by Council's traffic assessment engineer.</p>  |   |                    |                                  |                                   |                          |                          |
| <p><b>Noise</b></p>                       | <p>Issue: Constant noise which continue well beyond normal working hours. Poor record of compliance.</p> <p>Applicants Response: The noise will be a result of the proposed hours of operation which are proposed as:</p> <table border="0" data-bbox="392 495 1337 600"> <tr> <td style="text-align: center;"><u>Construction (est. 6 month period)</u></td> <td style="text-align: center;"><u>Operational</u></td> </tr> <tr> <td>7.00am - 6.00pm Monday to Friday</td> <td>5.00am - 10.00pm Monday to Friday</td> </tr> <tr> <td>8.00am - 1.00pm Saturday</td> <td>5.00am - 6.00pm Saturday</td> </tr> </table> <p>The Applicant undertook a Noise and Vibration Impact Assessment which incorporated the Amenity Noise Levels of the <i>NSW Noise Policy for industry</i> (NPI) as:</p> <p><b>industrial</b> – an area defined as an industrial zone on a local environment plan; for isolated residences within an industrial zone the industrial amenity level would usually apply (that is, 70 dB(A) Leq, when in use).</p> <p>The modelling of noise was undertaken and assessed by the EPA. The modelled noise levels at 3-31 Bungonia Road (Receiver R3) was considered to be representative of Receivers R1 to R4 being those receivers in the industrial zone across Braidwood Road from the Facility. The modelled noise levels at these receivers will range from 49.2 to 50.7 dB(A) Leq (15 min). This is significantly lower than the adopted noise criterion for an industrial receiver (extract above i.e. 70dBA Leq).</p> <p>The predicted noise at York Foods has been estimated to range between 42.2 to 53.6, again lower than the accepted 70dBA Leq criteria. The logger data, indicates that maximum noise levels in excess of 60 dB(A) are a regular feature of the logger location in the period between 5am and 7am which is identified in the report as a result of train movement and early industrial activity.</p> <p>Council's response: The EPA have advised proposed draft conditions requiring notification to neighbours for certain works. The adjacent Sand and Soil premises on the corner of Braidwood Road and Bungonia Road currently advertises its operating hours as:</p> <p>Monday to Friday 7.00am – 5.00pm<br/>         Saturday 7.00am – 4.00pm<br/>         Sunday 9.00am – 1.00pm</p> <p>The proposed hours are extensive. Council has an option to either restrict hours to be consistent with or similar to construction hours i.e:</p> <p>Monday to Friday 7.00am – 6.00pm<br/>         Saturday 7.00am (8.00am if audible) – 1.00pm<br/>         Sunday and Public Holidays - no operation</p> <p>Alternatively, a flexible control is proposed whereby controls on the level of noise to residential receivers (non-industrial zoned land), including investigation of exceedances, monitoring and reasonable and feasible rectification to avoid a repeat of the exceedance.</p> <p>These draft conditions have been received by the EPA however Council needs to be satisfied with the broader impacts of the proposal on the existing residences located within the General Industrial zone. From the modelling report provided it is considered that the impact on the existing dwellings within the residential zone and industrial zone will not be adversely impacted as the Industrial Noise Policy standards can still be satisfied.</p> <p>The development will be required to undertake an audit by a suitably qualified consultant within 3 months of commencing full operations and assess against the noise requirements. If not compliant details will be required to provide a pathway to ensure compliance with the requirements.</p> | <u>Construction (est. 6 month period)</u> | <u>Operational</u> | 7.00am - 6.00pm Monday to Friday | 5.00am - 10.00pm Monday to Friday | 8.00am - 1.00pm Saturday | 5.00am - 6.00pm Saturday |
| <u>Construction (est. 6 month period)</u> | <u>Operational</u>   |   |                    |                                  |                                   |                          |                          |
| 7.00am - 6.00pm Monday to Friday          | 5.00am - 10.00pm Monday to Friday  |   |                    |                                  |                                   |                          |                          |
| 8.00am - 1.00pm Saturday                  | 5.00am - 6.00pm Saturday   |   |                    |                                  |                                   |                          |                          |



|   |  |
|---|--|
|   | <p>The operation will need to notify in writing of at least 3 days' notice to neighbours of any upcoming deliveries and maintenance after 7pm Monday to Friday.</p> <p>An additional control could be applied that provides a "sunset clause" whereby if the development sustains reasonable and justifiable non-compliance the operating hours shall be revised to the standard construction hours.</p> <p>From a comprehensive report and assessment it is considered that the potential noise impact can be adequately addressed through the proposed draft conditions of consent and proposed amendments to the application.</p>   |
| <p><b>Pollution</b></p>   | <p>Issue: Contaminants imported and exacerbated by flooding</p> <p>Applicants Response: Flood waters at the site would need to exceed the 1% flood event by 0.5m to reach the truck washout pits. The Applicant has designed the site layout and provided for operational controls to minimise the potential for floodwaters to come into contact with material that would pollute. The risk of an adverse impact on the natural and built environment from any discharge from the site would be very low to negligible under conditions exceeding the 1%AEP flood level.</p> <p>Council's response: The matter has been adequately addressed.</p>   |
| <p><b>Air quality - Potential impacts on York Foods and community health impacts</b></p>    | <p>Issue: Potential impacts on York Foods and community health impacts</p> <p>Applicants Response: The results of the AQIA (Air Quality Impact Assessment) demonstrate that compliance with all applicable health and amenity criteria would be achieved at all surrounding receptors.</p> <p>The results of the cumulative impact analysis indicate that the operation of the Proposal is predicted to comply with all cumulative ambient air quality criteria at all locations, with the exception of receptor R6 (i.e. 21 Braidwood Road) for cumulative 24-hour PM2.5 concentrations. Further analysis of the predicted exceedance at receptor R6 illustrated that elevated background (influenced by hazard reduction burns / domestic heating emissions) was the key contributor to the exceedance. On the basis of the conservative peak day modelling, it is considered that the potential for cumulative criteria exceedance in the vicinity of the Proposal is low.</p> <p>Councils response: The design of the development will include pneumatic loading of cement/flyash silos with dust filters fitted; dust extraction systems (hood and dust filters) for the weigh hopper and truck load out; cladding of the concrete batching plant; water sprays at the aggregate storage areas and use of a water cart and street sweeper on paved surfaces.</p> <p>It is noted from the additional information response that <i>'the Applicant is more than happy to continue discussions with the operator of York Foods to ensure that the viability of this business is not affected as a result of impacts on these hygiene maintenance systems.'</i></p> <p>Subject to the proposed draft conditions and revised information and design the matter has been adequately addressed.</p> |
| <p><b>Voluntary Payment to Council</b></p>  | <p>Issue: Voluntary contributions to cap costs</p> <p>Applicants Response: The applicant has contended payment for maintenance of roads.</p> <p>Council's response: In this instance payment of contributions for transport of material is not considered applicable for this development. The development should be required to upgrade that remaining section of Braidwood Road and pay contributions under section 7.12 (formerly s94A). The matter has been addressed by the inclusion of works and contributions.</p>   |
| <p><b>Flood<br/>The issue of flooding on the proposed development<br/>The impact of</b></p> | <p>Issue: Flood impact</p> <p>Applicants Response: The Applicant has undertaken an assessment against recent recorded floods in this locality and identified 1959: 630.66m AHD, 1974: 630.35m AHD and 2010: 629.30m AHD.</p>   |

|  |   |
|--|---|
| <p><b>the proposed development on the flood behaviour</b><br/> <b>The impact of flooding on the safety of people/users of the development for the full range of floods including issues linked with isolation and evacuation</b></p> | <p>The use of the 1% (1 in 100 year flood) provides a low probability but realistic illustration of potential flooding impacts.</p> <p>Quantitative Risk Modelling using the more recent and accurate information from the 2016 Flood Study has identified that the 1% flood event in this locality is estimated at 630.4m AHD. The Applicant notes “that even under 0.5% Annual Exceedance Probability (AEP) conditions (reflecting 1 in 200 year average recurrence interval conditions), flood waters would only rise an additional 0.6m to 631.0m AHD. The western portion of the project site containing the concrete batching plant, slump stand, washout pits and cement storage would be constructed at an elevation of greater than 631.0m AHD.”</p> <p>Council’s response: The land to the west is the proposed route of evacuation which is at 1% flood height then rising above the 1% event. The nearby railway bridge and Sloane Street would provide refuge for staff and occupants above the 1% event or greater. The matter has been addressed.</p> <p>Discussion with the Applicant has also identified that any raw product inundated by flood water would be a loss in productivity and therefore the Applicant is keen to avoid. An operational management matter was discussed and agreed that in the event of a flood warning, the site operator would load the raw material onto vehicles and transport out of the flood zone to reduce productivity loss and this would also reduce impact onto the downstream floodwater and environment. Goulburn typically has a lead time to flooding which would help accommodate this process.</p> <p>The matters of flooding, impact on the environment and safe evacuation has been addressed.</p> |
| <p><b>Site suitability</b></p>   | <p>Issue: Impact on nearby residences, noise, heritage, potential for flooding, traffic</p> <p>Applicants Response: The application has been revised to provide additional information to address these matters.</p> <p>Council’s response: Whilst the location has a variety of uses including residential, food production, sand and soil storage and sales and fuel storage the desired future uses are identified by the zoning of the land. As the land is zoned industrial the applicant has identified how the proposal will operate and proposes measures to reduce impacts on the environment and the neighbours.</p> <p>On balance the issues raised can be addressed to a suitable standard and do not warrant refusal of the application.</p>   |
| <p><b>Previous performance of business</b></p>   | <p>Issue: The submissions raise non-compliance issues with the Ardmore Park quarry near Bungonia.</p> <p>Applicants Response: Whilst acknowledging there will be some integration of elements with the proposal, the previous compliance history of the quarry is not relevant assessment matters to the proposed concrete batching plant.</p> <p>Council’s response: As with any application it must be assessed on its merits of the application. The application has undergone strict assessment through the detailed Designated Development process including consultation with government agencies. In balance the application as revised together with the proposed conditions including on-going monitoring will ensure compliance and a suitable outcome for the environment and neighbours.</p>  |
| <p><b>Monitoring and compliance</b></p>  | <p>Issue: The submissions raise concerns with potential performance, complaint handling and monitoring.</p> <p>Applicants Response: The Applicant acknowledges the obligations to comply with requirements, the need to monitor performance and is prepared to place reports on a dedicate web page for the consideration of the general public.</p> <p>Council’s response: The commitments raised and on-going monitoring requirements proposed in the draft conditions suitably address the concerns raised in the submissions.</p>   |

|                                    |   |
|------------------------------------|---|
| <b>Potential water consumption</b> | <p>Issue: There was concern raised about the quantity of water required for operational purposes.</p> <p>Applicants Response: At 30 000m<sup>3</sup> of concrete production 12.6ML water will be required and at 60 000m<sup>3</sup> of concrete production 25.2ML water will be required and approximately 3.6ML of water can be harvested annually from stormwater runoff.</p> <p>Council's response: The application has satisfied Water NSW neutral or beneficial test for stormwater treatment. As with any development the water and sewer requirements will need to satisfy a Section 306 Notice of Requirements under the <i>Water Management Act</i>. Contributions will be required for water and sewer and payment of consumption of water. The Utilities Section have not raised any concern with the proposed water requirements and a review has confirmed that Council has sufficient capacity to supply the water requirement. Issue satisfied.</p> |
|------------------------------------|---|

| Internal Referrals  |  |
|---|--|
| Engineering, Building, Waste, Utilities, Heritage Advisor | Response from all internal referrals: No objections to the proposed development, subject to recommended conditions.  |
| External Referrals  |  |
| RMS   | No objection to the proposal   |
| Water NSW   | No objection subject to concurrence conditions   |
| OEH (EPA)   | No objection subject to the inclusion of recommended draft conditions of consent.  |
| OEH (Heritage)  | <p>The subject site is not a heritage item, but is in the vicinity of one of the structures comprising the <i>Goulburn Railway Station, yard group and movable relics</i> located on the Main Southern Railway which is listed on the State Heritage Register (SHR no. 01152), and the Goulburn Brewery located on Bungonia Road (SHR 00178).</p> <p>The response noted "The proposed silo structures are 19.9m in height and are located approximately 350m from the closest buildings associated with the Goulburn Brewery site. The introduction of a structure with an effective height of over 6 storeys in an area of scattered low scale development has a potential to alter the views to and from the Goulburn Brewery along the Mulwaree River."</p> <p>Recommended conditions concerning green shade cloth screening on the fence and protocols for unexpected historical archaeological relics and Aboriginal objects.</p> |
| Pejar LALC  | <p>Consulted during preparation of ACH Assessment Report and confirmed by telephone no objection provided recommended conditions applied.</p> <p>Standard conditions address Pejar LALC and OEH requirements for consultation.</p>   |
| DPI Water   | No objection or comment  |
| DPI Fisheries   | <p>They "<i>understand that a minimum 40 metre buffer zone has been provided between the proposed impact area and Mulwaree River.</i>"</p> <p>Raised concerns with the potential impacts from sediment and pollutant laden storm water entering Mulwaree River is of interest to this Department in relation to this proposal. The Development includes a proposal to excavate an aggregate storage area (primarily sand and basalt) within the flood plain, at an elevation of approximately 1m lower than the surrounding project site. The excavation of the flood plain and subsequent storage of aggregate material within the flood zone is not supported by this Department" and requested downstream water quality be reviewed and alternatives considered. This matter is discussed later in this report.</p>   |
| NSW Health  | No objection subject to meeting proposed recommendation commitments (EIS)  |

## Assessment against Legislation and Policies

- *Protection of the Environmental Operations Act 1997*
  - The proposal does not fall under Schedule 1 Item 6 Cement or lime works for integrated development but falls under the requirement where the EPA is required to provide comment.
- *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*
  - The site is located within the Sydney Drinking Water Catchment. Concurrence has been received from Water NSW and conditions have been incorporated into the draft conditions of consent.
- *State Environmental Planning Policy 55 Remediation of Land*
  - Contamination and remediation has been considered under clause 7 with a Phase 1 Assessment undertaken which revealed retained demolition waste and introduced fill material. The Applicant proposes further assessment prior to commencement of construction which is consistent with the requirements under this SEPP.

## Goulburn Mulwaree Local Environmental Plan 2009

### Land Use Table – IN 1 General industrial

Objectives of the zone are:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*

It is noted that light industries and general industries are permitted with consent while heavy industries are prohibited under the IN1 land use table. The proposed development is not considered a development under the heavy industry definition. The development is defined as general industry with industrial retail outlet.

### Clause 4.3 – Height of Building Map (HOB)

The subject land is not located within the HOB Map, however the land directly north is within the HOB Map and has a limit of 8m. The height of the proposed silos is approximately 20m and is discussed separately in the assessment.

### Clause 5.4 – Controls relating to miscellaneous permissible uses

The controls for industrial retail outlets require that the retail floor area must not exceed:

- (a) *67% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or*
  - (b) *400 square metres,*
- whichever is the lesser.*

A draft condition has been included to ensure compliance.

### Clause 5.10 – Heritage conservation

The aims of this clause is to conserve environmental heritage of heritage items and heritage conservation areas including fabric, setting and views as well as Aboriginal Cultural Heritage.

The application was forwarded to Council's Heritage Advisor and the NSW Heritage Office due to the subject's proximity to local heritage item (two-storey stone building at 1 Braidwood Road, being a former hotel) and state heritage items (including the Goulburn Brewery at and adjacent to 23

Braidwood Road). Comments have been received requesting additional landscaping which will address the potential impact on views. The application is also proposed to include a condition which will ensure no advertising is placed on the silo/s and the colour is neutral which will integrate with the landscape.

An extensive Aboriginal Archaeological Assessment was undertaken in consultation with Office of Environment and Heritage and interest groups in accordance with the OEH guidelines and requirements.

No surface, or subsurface, manifestation of Aboriginal sites were recorded during the assessment. Conditions are proposed to deal with any unexpected finds and protocol should unrecorded items be identified during excavation and construction works and the preparation of an Aboriginal Heritage Management Plan.

Clause 7.1 – Flood planning

The site is wholly located within the 2003 SMEC Flood Study, Flood Planning Level which was adopted under the *Goulburn Mulwaree Local Environmental Plan* maps and which triggers the consideration of flood impacts on development and impact on the locality.

In 2016 Council had prepared a revised flood study undertaken for by WMA Water using more accurate data, increased local data and modern modelling techniques. As a result of Council’s more recent extensive review of flood levels, the site is identified as partly flood prone land and therefore only partly within the 1% flood event and a comparison of the estimated heights provided below.

| <b>Flood Category</b>                | <b>2003 Flood Study</b>                     | <b>2016 Flood Study</b>            |
|--------------------------------------|---|------------------------------------|
| Extreme                              | 640.1 m AHD                                 | 640.3 m AHD                        |
| Flood Planning Level (Hab. Floor Ht) | 632.5 m AHD                                 | 631.0 m AHD                        |
| 1%                                   | 632.0 m AHD                                 | 630.5 m AHD                        |
|                                      | Pt High Hazard Storage & Low Hazard Storage | Pt Flood Fringe & Pt Flood Storage |
| 5%                                   | 629.9 metres AHD                            | 628.6 m AHD                        |

The development site ranges in level from 629.0-631.0m AHD.

The Flood planning provisions require that development consent must not be granted for development on land to which this clause applies that would adversely affect the land. It is considered that the development:

- will not result in a significant change to the levels or reduction in capacity as a result of only minor structures being proposed,
- is not likely to significantly alter flood water flow or velocities,
- will not result in unsafe occupation of the land,
- will not significantly detrimentally affect the floodplain environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
- will not result in unsustainable social and economic costs to the community as a consequence of flooding.

It is contended that this matter has been adequately addressed elsewhere in the assessment report and there is no reason to refuse the application under the matters for consideration.

Clause 7.2 – Terrestrial biodiversity

The Mulwaree River is identified on the terrestrial biodiversity map which is adjacent to the subject lot. No objection has been received by Water NSW. NSW Fisheries comments can be satisfied with a requirement to remove material prior to flood (where possible) and excluding works within the rural landscape zone.

## **Goulburn Mulwaree Development Control Plan 2009**

### 1.7 Variations to controls

#### Road Width

The Applicant acknowledges that the current road standard of Braidwood Road (north of Bungonia Road) does not currently comply with the DCP Standards for B-Double route requirements including road width and verge. The applicant also noted that the road is deteriorating.

Braidwood Road north of Bungonia Road does not comply with the heavy vehicle haulage requirements in Council's DCP. Under the DCP the matters to be considered in assessing the variation include:

- a) *Whether there will be any detrimental impact on the amenity of the existing and future residents*
- b) *Whether there will be any detrimental impact on the amenity of the area*
- c) *The nature and size of the departure*
- d) *The degree of compliance with other relevant requirements*
- e) *The circumstances of the case, including whether the particular provision is unreasonable and/or necessary*
- f) *Priorities identified in a site analysis of being of more importance than what is being departed from*
- g) *Whether non-compliance will prejudice the objectives of the zone and the aims of this plan*

The subject site is located towards the end of Braidwood Road and is therefore not subject to through traffic. The applicant has requested that Council undertake the required upgrade works, and they would pay a Section 7.11 heavy haulage contribution (previously s94) for the ongoing use and maintenance of the upgraded road. The application of 7.11 contributions in this regard would however be inconsistent with how Council has previously applied the plan, therefore it is considered that the application of a 7.12 Levy (previously s94A) is more appropriate as well as consistent.

Further to this it would be the developer's responsibility to upgrade the road to the relevant Australian and DCP Standards prior to occupation.

It is therefore recommended that the variation not be granted, and as reported above, the Applicant be required to upgrade the road width to comply with the relevant Australian Standard and Council's standards.

#### Flood Level

As previously discussed in this report, it is recommended that the 2016 Flood Study levels be used and therefore a variation from the 2003 SMEC Flood Study and 2009 Flood Planning Level be granted.

### 2.2 Locality objectives – Goulburn City

The development site is located close to the Great Southern line and therefore has heritage sites located surrounding the locality which is representative of the historical development of Goulburn. The site was once on the outskirts of the city of Goulburn. Over more recent years industrial infill development is locating in the area and both uses have coexisted.

Whilst there is the potential for conflict with regards to noise from the proposed hours of operation, the dwelling at 21 Braidwood Road is located within an industrial zone and under Industrial Noise Policy guidelines do not receive the same amenity as residences within a residential zone. It is therefore contended that there will be no significant impact on the character of the locality given the industrial zone of the site and the proposed measures to reduce impacts on the locality. Matters such as heritage, flood, noise and amenity are addressed separately in the report.

### 3.3 General Heritage Item and Conservation Area Controls

The site is located just outside the south eastern boundary of the Heritage Conservation Area and in the locality of Heritage Items. Comments have been sought and received by council's heritage Advisor, NSW Heritage Office and are incorporated into the draft conditions of consent.

Despite the development being outside the HCA and the 8m height limit, the silos are proposed with a height of approximately 20m. A proposed olive colour in addition with landscaping to the east and west is sought to reduce the impact. No objections have been raised with regards to the silos from the Heritage Office and Council's Heritage Advisor, therefore it is considered acceptable with the proposed mitigating measures. A telecommunications tower already exists adjacent to the Railway Station and Station Masters residence and Goulburn Rural Farm Supplies.

### 3.4 – Landscaping

The development proposes 6.5m landscaping to the street frontage as well as 2m high concrete blocks/storage bays (painted neutral) to the rear with landscaped area set back 10m from the storage bays at the eastern extremity of the development site. These areas will ensure landscaping to the streetscape and from the Mulwaree River (as well as Eastgrove). Furthermore green shade cloth screening is required by the Heritage Office to the northern and southern boundary fencing due to the tight siting rather than the proposed colourbond fencing.

On the balance of the character of the locality and constraints of the site satisfactory landscaping will be achieved.

### 3.5 Vehicular access and parking

The application identifies an approximate increase in traffic to the road network of 20% and well within the capacity of these roads. The development does not fall strictly within the categories for parking requirements with the closest being industrial building and warehouse/bulk store. The development proposes:

- 16 car parking spaces to the Braidwood Road frontage behind the vegetation screening/landscaping, and
- 4 concrete agitator truck parking spaces.

Three to four (3-4) full time equivalent staff are proposed on-site and eight to twelve (8-12) full time equivalent truck drivers proposed associated with the business. The 16 parking spaces will cater for the maximum number of staff proposed. This is considered sufficient for the development in this location.

### 3.7 Flood affected lands

The DCP references the 2003 *Wollondilly River and Mulwaree Chain of Ponds Floodplain Risk Management Study and Plan* prepared by SMEC which was adopted under the LEP. Since the gazettal of the LEP in 2009 Council had prepared *The Wollondilly and Mulwaree Rivers Flood Study* by WMA Water in 2016 which was prepared with more accurate flood data and accuracy of modelling. The constraints of the land and site option best identifies the retail sale and public entrance to the site closest to the site frontage. In accordance with the DCP no development is proposed within the flood storage category (as identified in the 2016 study) during a 1% flood event with the exception of the aggregate storage area.

Flood evacuation and management had not been addressed in detail, however safe evacuation in a 1% flood event is possible given the 1% flood height is approximately 630.4mAHD, and the adjacent road network of Braidwood Road leading to the railway bridge crossing over Bungonia Road onto Sloane Street increases in height moving away from the site. The land from the concrete works area to the Braidwood Road is at 631m AHD and therefore outside the 1% flood event. Historically Goulburn often experiences a reasonable gradual rising of flood waters that allows warning times which will enable removal of stored aggregate, which therefore creates a further reduction in overall risk.

It is contended that it is not reasonable nor feasible to require the developer to comply with the earlier 2003 Study when more accurate flood data has been calculated, but not yet adopted as part of the strategic planning suite of documents. Use of the 2003 information would add unnecessary costs and constraints to the development.

The Applicant will still be required to:

- Design structures to withstand flooding
- Prepare a flood emergency evacuation plan
- Reduce impact to the flood water and environment by sediment and material becoming inundated (for example by removal of material where possible prior to flooding)

It is therefore considered that although flood matters under the 2003 study are raised in the DCP, the use and assessment under the more accurate 2016 Flood Study should be supported and the application is therefore considered satisfactory.

### 3.10 Waterbody and wetland protection

The eastern boundary of land is located adjacent to the Mulwaree River. No construction works are proposed within 20-30m from the river. Stormwater will flow to the river via a grassed swale. Water NSW have reviewed the application and provided concurrence conditions. Further controls will be applied by the recommended conditions for an Operational Environmental Management Plan (OEMP) to apply best practice management standards and remove raw materials from the site prior to flood (should there be sufficient time).

NSW Fisheries raised concern with regards to the potential mobilisation of aggregate in the case of a flood. With the addition of a management control to remove aggregate from the storage area in the event of a potential flood the risk to the water quality and ecology is greatly reduced and considered an acceptable solution to the issue raised. The remainder of the site will be located above the 1% flood event.

### 4.2 Non-residential development – retail, commercial and industrial

The proposed height is generally in keeping with the character of the locality with the exception of the 20m cement silos. The plans and design have been assessed by internal staff and by external agencies.

It is concluded that the silos are not considered to be visually obtrusive due to the proposed landscaping and screening and that the additional height is required due to the nature of the proposal. The overall design, including landscaping and building materials and colours, reduces the impact of height and bulk of the silos to an acceptable standard in this location and zoning. Therefore the design including height is considered to be satisfactory in this instance.

### Noise and vibration

It is noted that The EPA is the Appropriate Regulatory Authority for this development under the *Protection of the Environment Operations Act 1997*. The EPA provided draft recommended conditions of consent should the application be approved by Council so that the EPA could investigate and manage noise complaints.



### Air pollution

Similarly to the above response concerning noise and vibration, the EPA is the Appropriate Regulatory Authority for this development under the *Protection of the Environment Operations Act 1997*. The EPA provided draft recommended conditions of consent should the application be approved by Council so that the EPA could investigate and manage air quality complaints.

### 7.2 – Roads

The application identifies that Braidwood Road north of Bungonia Road does not currently meet the B-Double design standard. The development shall be designed in accordance with Councils current Standards for Engineering Works and Council's Haulage Route Standards for heavy vehicle haulage developments and B-Double road standards.

### **Likely Impact of Proposed Development**

The proposal is considered to have reasonably satisfied all likely impacts of the development, as identified throughout the report above. Where this could not be sufficiently demonstrated, draft conditions of consent have been provided to ensure appropriate compliance measures can be enforced.

### **Suitability of the Site for the Proposed Development**

The development site is zoned IN1 General Industrial with the remainder zoned RU2 Rural Landscape. Councils planning policy seeks to encourage this type of development. The site is approximately 7500m<sup>2</sup> however the more constrained flood prone land adjacent to the Mulwaree River does not form part of the development site and as such the proposed development is suitable. It is worth noting the area does historically hold a semi-rural landscape characteristic which has maintained the scenic quality of the area. This proposed industrial use aligns with Councils planning policy for the area and is consistent with recommendations for the recent *Employment Lands Strategy*.

In this case it is considered unreasonable and impracticable to exclude development permitted within the industrial zone where the environmental considerations can be satisfied through design and management measures and which has occurred in this case. While this development will impact the landscape and amenity of the area the noise and air quality can be managed in accordance with industrial guidelines therefore this is not a reason for refusal nor does it make the site unsuitable for the proposed development.

### **Policy Considerations**

- Goulburn Mulwaree LEP 2009 (as amended)
- Goulburn Mulwaree DCP 2009 (as amended)
- Goulburn Mulwaree Section 94A Development Contributions Plan 2009
- Sydney to Canberra corridor Strategy 2006-31
- Employment Lands Strategy 2016
- *Southern Tablelands Regional Economic Development Strategy 2018-2022*
- Wollondilly River and Mulwaree Chain of Ponds Floodplain Risk Management Study and Plan (2003) prepared by SMEC
- *Wollondilly and Mulwaree Rivers Flood Study* (2016) prepared by WMA Water
- *Goulburn Mulwaree Council's Standards for Engineering Works 2013*
- *Clearance and Easement Requirements for Structures Adjacent to Sewer and Stormwater Mains 2017*.

**Conclusion and Recommendation**

From the assessment of the application and consideration of the submissions and relevant policies, it is recommended that conditional development consent be issued.

**FINANCIAL IMPLICATIONS**

Nil (if Braidwood Road is required to be upgraded to Council's standards by the developer as per the recommendation)

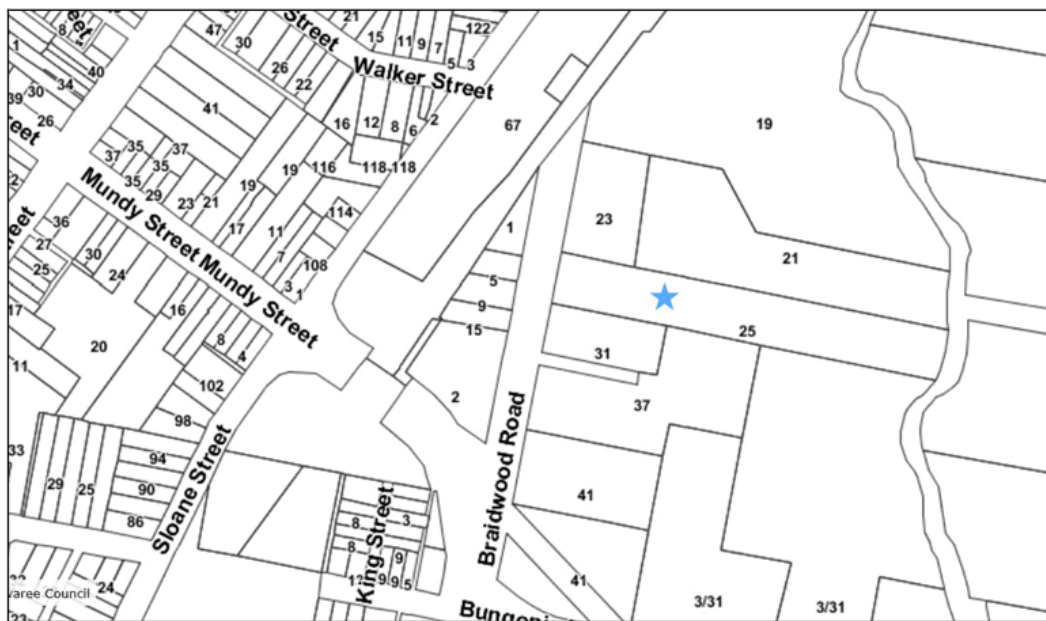
**LEGAL IMPLICATIONS**

The applicant is entitled to appeal the Council endorsed recommendation to the Land and Environment court within 6 months after the determination date of the Development Application.

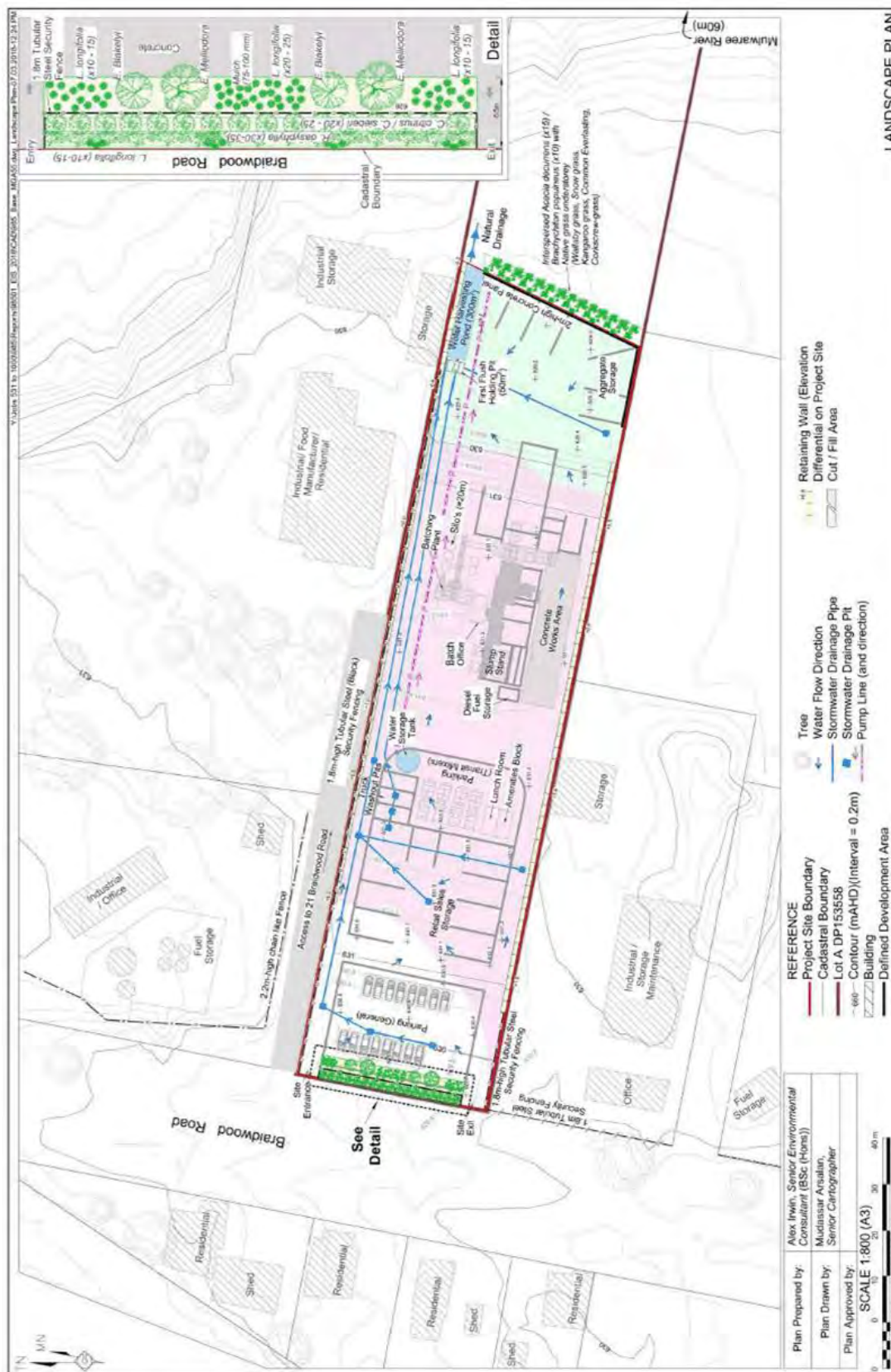
## Attachment

|                             |   |
|-----------------------------|---|
| <b>Reporting Officer</b>    | Senior Development Assessment Officer – Dianne James  |
| <b>DA No.</b>               | DA/0281/1718  |
| <b>Location</b>             | 25 Braidwood Road, Goulburn   |
| <b>Proposed Development</b> | Designated Development - Concrete Batching Plant, Concrete Works, and Retail Sand and Soil Sale Yard.   |
| <b>Zoning</b>               | IN1 General Industrial<br>RU2 Rural Landscape   |
| <b>Attached documents</b>   | <ul style="list-style-type: none"> <li>• Plans</li> <li>• Submissions</li> <li>• Agency Responses</li> <li>• Applicant Response to Submissions</li> </ul> |

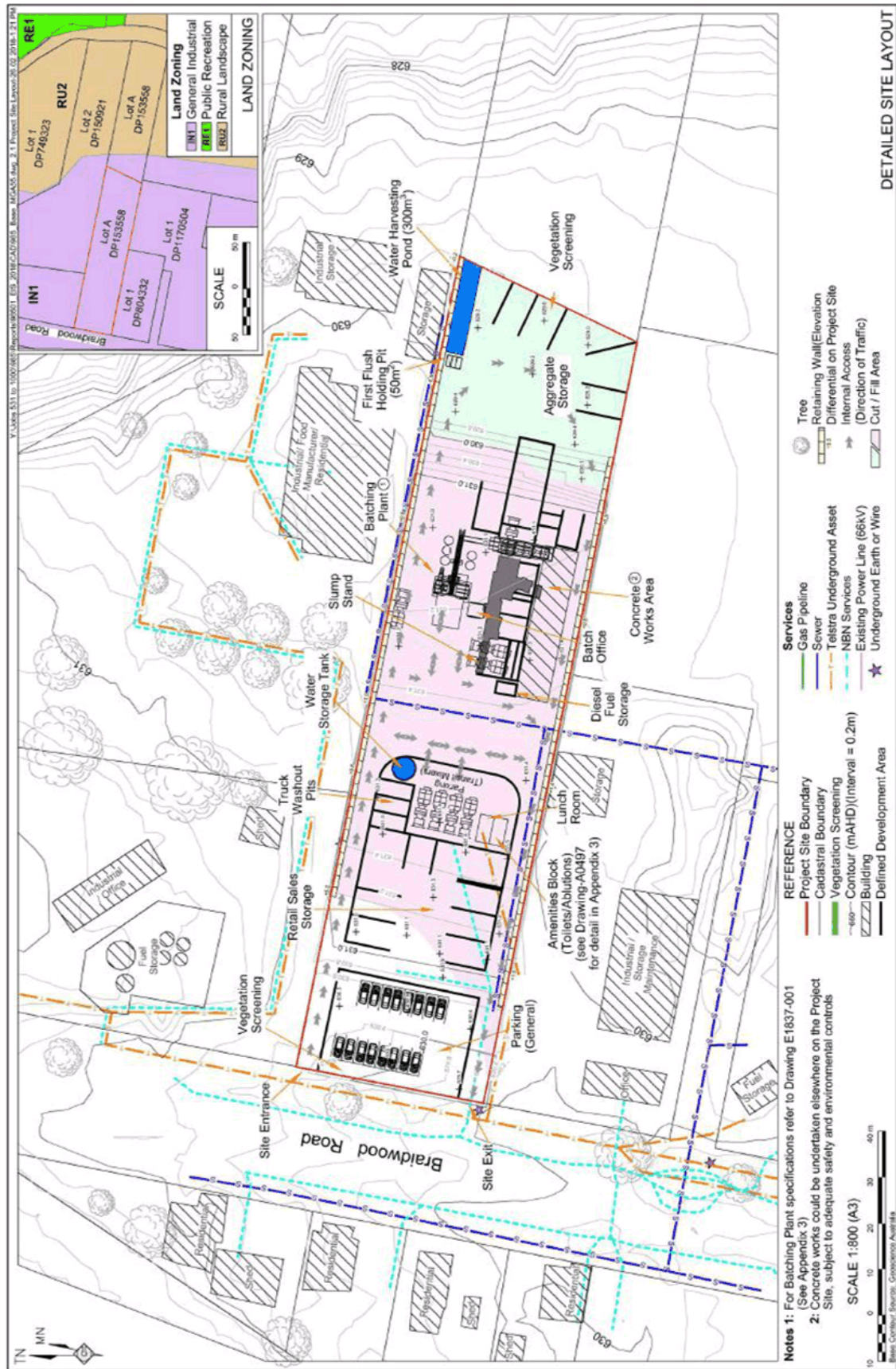
**Locality Plan**



Plans



Plans





**Plans**

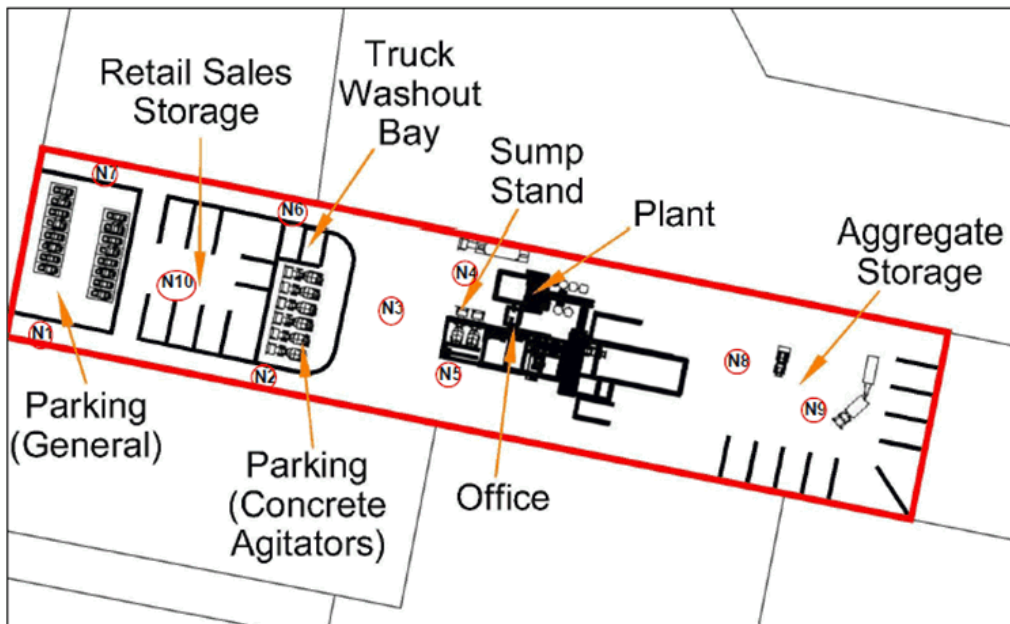
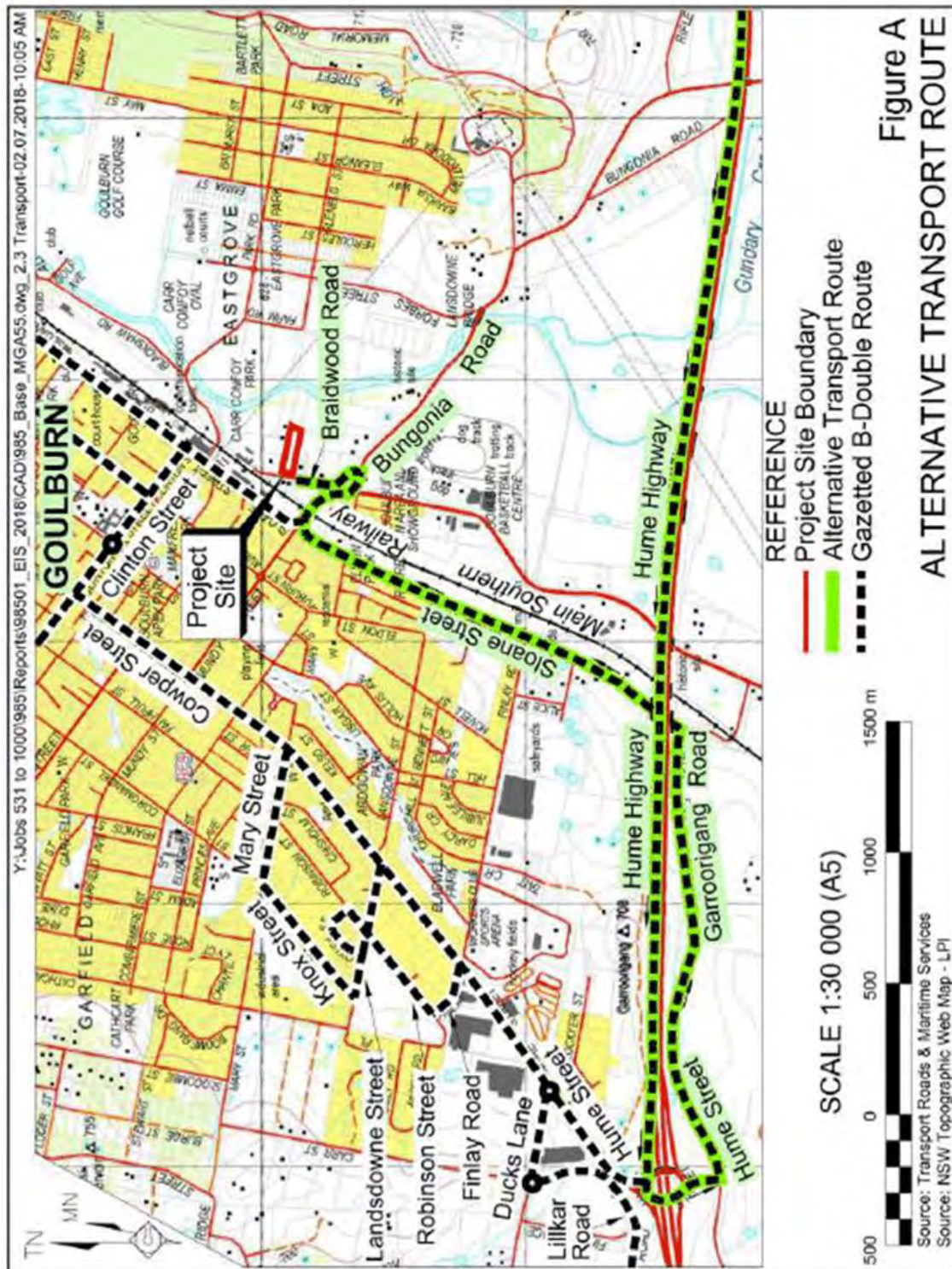


Figure 6 – Noise Source Locations

| TABLE 9<br>MODELLED NOISE SOURCES |   |
|-----------------------------------|---|
| Noise Source                      | Description                               |
| N1, N2, N6, N7                    | Agitator Trucks on access/egress          |
| N3                                | Agitator Truck accessing batch plant      |
| N4                                | Batch Plant in full operation (incl. FEL) |
| N5                                | Agitator Truck at Slump Stand             |
| N8                                | FEL at stock pile area                    |
| N9                                | Truck and dog unloading                   |
| N10                               | Product Loading                           |

Plans





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**Submissions**

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I sincerely hope that Council will not approve the proposed concrete batching plant, concrete works, and retail sand and soil sales yard application by Multiquip Aggregates Pty Ltd.

After all the work that has been done, and continues to be done, to make Goulburn an attractive, liveable town, the prospect of having 144 huge trucks run down Auburn St., (the main street, for goodness sake!) each day from 5am to 10pm at night, is horrifying. The effects on businesses, residents, the wetlands and the golf course will be multiple and deleterious.

Issues include:-

**Noise.** Trains run intermittently on the railway in the vicinity but the noise from this plant will be constant and continue well beyond normal working hours.

This is the same aggregate organization behind the Ardmore Park Quarry in Bungonia which has been non-compliant about erecting a noise shield for the noise and dust produced by the crusher and associated machinery there. Their track record is not good and is unlikely to be any better here.

**Pollution.** Excavated Natural Materials (EMN) which include contaminants will be imported to our town.

**Water.** What will be the impost on the town water supply?

**Money.** I believe this business pays very little tax already so I'm sceptical regarding the "voluntary" payment it talks of making to Council to cap costs. Who will bear the cost of maintaining the truck routes?

Most people who write to you probably have a personal, vested interest in doing so. I don't, apart from not wanting to live in an industrial town and hoping to be able to continue to enjoy a quiet morning coffee with friends at the local cafes. I am writing to you on behalf of thousands of people who live in Goulburn who will not be aware of this proposal, who are not going to read the massive, complex document associated with it or realize its implications, or know how to address them, but who will wear the results if you decide to approve it.

I appreciate the work Council does for us and hope in this and other matters it will carefully deliberate about the kind of place we want Goulburn to be now and into the future, bearing in mind most of us want to live in a society, not an economy.

Submissions

SCANNED

Ref. DA/029/1717

INTERNAL REF:

21 MAR 2018

Goulburn Mulwaree Council

RE D A APPLICATION FOR CONCRETE BATCHING PLANT 25 BRAIDWOOD RD

Dear Sir

I understand that an application has been made for a Concrete Batching Plant at the above address

i have owned the [redacted]. When we took over the premise in 1996 the buildings and land were in a derelict state with partial demolition being done by the previous owners.

This in our opinion was a shame and we have improved the status of the buildings and property since then

The premises consist of;

Double brick and concrete floor ex Dairy Farmers milk factory.

Built in 1899 and opened in 1901 it was used to export Butter and Milk products to England and other countries and to Goulburn since that date to late 1970's when the operation was closed

We have used this building since 1996 and have repaired and repainted, maintained and improved it since then.

It is a building full of character and historical significance to Goulburn and the local areas

Our Company YORK FOODS PTY LTD has been trading in this building since 1996 our products of Animal fat origin, Beef, Lamb Dripping and Pork with our family continuously involved since 1935

Today we service Australia Nationally through the networks of retail through Coles and Woolworths & IGA as well as other retail outlets. We also export to various countries around the world – continuing a long history of serving specialty companies around the world. We commenced originally in 1935 and sent world recognized Dripping to England during WW1. It was some of our Dripping that allowed Britain to survive during the German blockade of Britain in 1939 on a significant diet of bread and Dripping; in these passed years it is widely recognized in allowing Britain to survive the enemy onslaughts during these years

Today we service local and International clients and they rely on our products for historical recipes as well as healing and treating many modern day illnesses.

We write to you Council as there is currently a DA application for a cement batching plant on the adjacent land. 25 Braidwood Rd Goulburn. It is proposed that it operates extended hours, mixing and loading out batches of concrete and washing of trucks

Goulburn Mulwaree Council

Date Received: 19/3/18

Signature: [Handwritten Signature]

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## Submissions

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We are concerned that this type of operation will create issues for us such as dust pollution, air and water contamination

Also the noise is an issue as we have a residence on site and have lived there for about fifteen years. The extended hours would make living right next to the plant rather unbearable. This will create problems with ongoing quality programs we have in place.

As our products have always been seen as Australian Green and Clean we are very concerned that this type of operation could adversely affect our business accreditations and our certifications could be in jeopardy of being cancelled. This would be a problem as we cannot operate without them

The Clean and Green of Australian primary produce such as ours is, has been well recognized by our customers in Australia and overseas.

We are proud to promote our products over the years to our growing list of health conscious customers as 100percent Australian, grown, manufactured and owned entirely in Australia from certified Australian raw materials.

We would be disappointed if the proposed concrete plant were to adversely affect our business which was established in 1935 and still owned and operated by the original family

Our list of accreditations are

- 1} HACCP Audited product manufacturing and quality control program
- 2} Certified NASAA organic program our NASAA cert no 2868P
- 3} Export Certified products our DAFF export listed no. 133 is one of the oldest in Australia
- 4} A long established company-one of Australia's continually operated Family owned food manufacturing facility
- 5} One of the only remaining animal based since 1935 further processing facilities of its type world wide.

We would not like to see our business adversely affected by pollution, (Air & Dust & Water & noise) when it has taken a lot of effort to re-establish our home business in Goulburn and support many local business while doing so. We also see our facility as being of tourist & heritage interest in the years to come.

Hope you are able to assist in not allowing this DA to go forward

PS The DA plans we have seen at Council lodged by the developer state our dwelling as a storage facility THIS IS NOT CORRECT. It is a home residence for myself and my wife who reside in it permanently

The larger building noted on the submission as residential and manufacturing is wholly a plant for the manufacture of our food product

Please see attached photos of dust that emits from Divalls current location

If the DA is accepted on the adjoining block to us it would make our food Manufacturing plant unviable and would have to close due to contamination issues

Thank You [REDACTED]

**Submissions**



indications of dust  
from next door  
DA/0281/1718

(Signature)

**Submissions**



indications of dust  
from nest <sup>dash</sup>  
90/0281/1718  
RAG

**Submissions**

**Part B – To be Published**

**Important Information:**

Prior to submitting this form, please read the *Guide to Making Submission* on the back to help you understand how to make a submission, and what Council will be doing with any personal information you provide in your submission. Council's Privacy Management Policy may also help assist with your considerations when making a submission.

**Your Details**

Name: [REDACTED]

Organisation: \_\_\_\_\_

**Development application details**

DA Number: 0281/1718

DA Address: LOT A, DP153558, 25 BRAIDWOOD RD

**Political Donations and Gifts** (Please refer to part 2 - *Guide to Making a Submission*)

Have you or has any person associated with you, made a political donation or gift to a councillor or council employee within the last two years? (Please refer to section 147 of the *Environmental Planning & Assessment Act 1979* for further information in this regard).

Yes

No

**Your Submission** (please attach additional pages if required)

THIS DA HAS 3 MAIN PROBLEMS FOR ME.

1. RAW MATERIALS DELIVERY

If this development is allowed to proceed the number of truck movements from Ardmore Park must not be allowed to exceed the 80 truck movements/day of the quarries current DA.

Mulliquip is currently applying to increase transport hours of their quarry, to seemingly fit in with this DA, where it is stated that it wishes to deliver materials from 1pm to 10pm (pg 2-17). In this DA Mulliquip is applying to have maximum movements/day of raw materials of 40-50. This is more than half of their current quota for the quarry.

**Submissions**

If these truck movements are in addition to their current quota, this DA should not be allowed to go ahead.

2. One of the raw materials to be transported to the site on Braidwood Rd. is soil. Does this require a new DA for the quarry? Where on Ardmore Park is this soil to be excavated? What noise impact will this have on Ardmore Park's neighbours?

3. Transportation of the Raw Materials, using Truck + Dogs along Auburn St.

The Traffic paragraph pg 4-5 has no mention of the accident risk, diesel fumes, dust + noise for shoppers, retailers, coffee drinkers on the side walk etc. along Auburn St.

The Socio-economic environment gives no mention of the detrimental affect on the CBD. In paragraph 4.1.2.2. The Precautionary Principle states that "While noise, dust + traffic levels may increase as a result of the proposal, the procedures necessary to minimise the impact of these have been developed based on a thorough understanding of the local setting....."

Obviously, this is untrue. In conclusion, I have no problems with the development site, only the transportation route through the CBD, the number of trucks moving in + out of Ardmore Park and along our local roads and where the soil is going to come from.

---

**Submissions**

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**Subject:** Potential polluting development

Mr. Warwick Bennett  
General Manager  
Goulburn Mulwaree Council

Dear Warwick,

It is with considerable concern that a DA ( /0281/1718) has been lodged with Goulburn Mulwaree Council.

This should be totally refused as it will not be in the best interests of our community.

The company behind the development, regardless of their claims, has a very poor record through their constant non-compliance and disregard of standards set for previous extraction activities in the Bungonia area.

They have been fined on a number of occasions for breaches of previous conditions set on their activities but continue to violate those conditions.(EPA website)

I would also question the sensible location of the proposed new concrete batching plant and supply yard at 25 Braidwood road. This area is subject to flooding and is in a drainage line during major flood events and with the potential to contaminate surface and ground water entering the Mulwaree Chain of Ponds River and ultimately Sydney water.

The proposed operation would be using materials that produce very fine dust-- silica from sand and multiple toxins from flyash in conjunction with cement powder--- carcinogenic products - plus other "processed" materials back-loaded from Sydney.

**Placing a potential polluting operation right next door to an existing Food Company is not a good planning strategy!**

The land would be better graded and landscaped to allow improved drainage of surface storm water and receding flood waters from the low streetscape.

The question has to be asked: With their record, is this group of companies using this proposed development with Council as part of their strategy at the same time trying to get approval for major increases in their extraction activities at Bungonia... A smokescreen diversion????

Considering that the Companies involved intend to back load possible contaminated materials out of Sydney for "processing" with their questionable quality extracted materials for the concrete industry, we do not want this type of development.

We don't need these potential problems in this area.



**Submissions**

**Part B – To be Published**

**Important Information:**

Prior to submitting this form, please read the *Guide to Making Submission* on the back to help you understand how to make a submission, and what Council will be doing with any personal information you provide in your submission. Council's Privacy Management Policy may also help assist with your considerations when making a submission.

**Your Details**

Name:



Organisation:

**Development application details**

DA Number:

DA/0281/1718

DA Address:

25 BRAIDWOOD RD, GOULBURN

**Political Donations and Gifts** (Please refer to part 2 -Guide to Making a Submission)

Have you or has any person associated with you, made a political donation or gift to a councillor or council employee within the last two years? (Please refer to section 147 of the *Environmental Planning & Assessment Act 1979* for further information in this regard).

Yes

No

**Your Submission** (please attach additional pages if required)

I OBJECT TO THIS DEVELOPMENT APPLICATION FROM  
MULTIQUIP AGGREGATES PTY LTD

• IN 2009 WHEN THE QUARRY WAS GIVEN APPROVAL IT WAS BASED ON A NUMBER OF CONDITIONS - ONE OF THESE THAT THE HOURS OF OPERATION WOULD BE 7:00AM - 6:00PM. THIS WAS TO MINIMISE THE IMPACT, BOTH SOCIAL & AMENITY, ON THE LOCAL COMMUNITY. NOTHING HAS CHANGED IN 9 YEARS FOR MULTIQUIP TO INCREASE THEIR HOURS OF OPERATION ON JERRARA RD & CALLEN FORD RD TO START HAULING PRODUCT FROM 5:00AM TO 10:00PM AT NIGHT

• THE CURRENT "UPGRADING" TO CALLEN FORD RD & JERRARA RD IS NOT TO THE STANDARDS REQUIRED. THIS ROAD IS NOT FIT

**Submissions**

FOR PURPOSE.

• MULTIQUEIL HAS REQUESTED A MODIFICATION OF THEIR CURRENT DA ON ARDMORE PARK QUARRY TO INCREASE THEIR HOURS OF OPERATION. IT HAS NOT BEEN APPROVED BY THE NSW DEPARTMENT OF PLANNING YET THEY ARE STILL MAKING A SUBMISSION TO YOUR COUNCIL ABOUT USING THESE ROADS FROM 5:00AM TO 10:00PM. HOW CAN THEY EVEN CONSIDER THIS TO BE JUSTIFIED. IT CLEARLY SHOWS HOW THEY HAVE ZERO REGARD FOR THE RESIDENTS OF BUNGONIA & MARULAN AND THE IMPACT THAT DRIVING THESE TRUCKS ALONG THE ROADS AT THESE TIMES.

• IN THE OBJECTIONS FOR THE D.A TO THE MODIFICATIONS OF ARDMORE PARK QUARRY (THERE WAS OVER 40 OF THEM) 25 PEOPLE HAD CONCERNS OF THE CONDITION OF THE ROAD. THIS ROAD MUST BE FIXED BEFORE TRUCKS START HAULING PRODUCT ALONG THIS ROAD. THE COUNCIL NEEDS TO RE-VISIT THIS BEFORE THIS DA IS CONSIDERED TO ENSURE THE SAFETY OF THE MOTORISTS ON THIS ROAD.

• THIS DEVELOPMENT APPLICATION DOES NOT CONSIDER THE IMPACT ON THE RESIDENTS OF BUNGONIA. INCREASING TRUCK HOURS OPERATING THE QUARRY FOR MORE HOURS TO SUPPORT THIS NEW DEVELOPMENT HAS AN EFFECT ON MY FAMILY AND MYSELF IN A NEGATIVE MANNER. MULTIQUEIL HAS NO CONSIDERATION FOR RESIDENTS - IT ONLY CARES ABOUT MAKING MONEY AT WHATEVER COST TO THE COMMUNITY. THERE SHOULD BE

Submission to Development Application Form Effective from 30 June 2017 to 30 June 2018

Page 3 of 3

A FULL SOCIAL AND AMENITY REVIEW BEFORE ANY CONSIDERATION IS GIVEN TO THIS APPLICATION. AND IT MUST BE DONE BY AN INDEPENDENT COMPANY

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**Submissions**

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D/A 0281/1718

I strongly object to this proposed D/A for several reasons.

1. Environmentally
2. Visually
3. Noise
4. Zoning
5. Concrete plant Next to Food Production
6. Road Construction
7. Impact on Traffic

Environmentally

This would be the worst possible impact to this area of Goulburn because of the location exposed to strong westerly winds. The three other concrete plants in Goulburn have a degree of protection due to the hill on the western side and huge sheds in the Industrial Area of Ross Street with a hillside of native trees to the east. Predominantly the winds come from the west and the location of the proposed D/A would blow tiny cement particles across the valley where many horses graze, Pony Club grounds and the constantly used Carr Confoy playing fields are located and all the houses in Eastgrove facing west towards the valley.

This would be a most serious issue to pollute the environment with cement dust. Exposure to cement pollution is linked to a number of different health outcomes starting from modest transient changes in respiratory tract to impaired pulmonary function continuing to restricted activity and reduced performance, as reported in the International Journal of Scientific and Research Publications. Volume 3 Issue 5 May 2013. ISSN 2250-3153.

The health issues concern the skin, eye irritation and breathing problems in the form of allergies, chronic bronchitis, asthma, silicosis, emphysema, lung cancer, pneumonia, tuberculosis, shortness of breath, coughing, wheezing, stroke, chest pains, irregular heart beat when cardiovascular system affected, swelling in legs and feet, anxiety and fatigue.

Cement manufacture has caused environmental impacts at all stages of the process. Emissions of tiny air borne particles in the form of dust, gas, noise and vibration. It damages the countryside, as evidenced by Boral Cement works at Berrima. The Mulwaree River in the Sydney Water Catchment is only about 200 meters east of 25 Braidwood Road right in the path of the westerlies.. As evidenced in the AEP Design Flood Depths and Levels, 25 Braidwood Road is in a flood area and it takes one million litres of water to dilute one litre of alkaline waste water from concrete production back to a safe PH level. Wet cement is a strong alkaline solution containing extremely aggressive and hazardous chemicals.

Often not enough thought is given to the harm it can do. It contains hexavalent chromium causing allergies and cancer which may take years to become obvious and is irreversible. Just imagine the very fine cement particles clogging up the alveoli in your lungs? Alkaline chemicals

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**Submissions**

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damage nerve endings first. The particles that make up cement are abrasive leading to irritant dermatitis. Lime added to cement, calcium oxide, is corrosive to human tissue.

This area of Goulburn was zoned industrial because of the Old Goulburn Brewery opened in 1836 and thus the surrounding land was zoned industrial including 25 Braidwood Road which used to be wool stores not impacting on the environment. Between the westerly winds swooping down on this unprotected location and the nearby river about 200 meters below and in a flood zone, it is clearly the wrong location for such an industry more suited to a designated Industrial Area such as that in Ross Street where there are no houses.

#### Zoning

This proposed DA is adjacent to a State Government Heritage Listing under Shedule 5 of the Local Environment Plan attached to the Old Goulburn Brewery which is the oldest brewery in Australia. This zoning was introduced in 1999. Unfortunately it has taken too long for people to realise the value of heritage and if this Heritage zoning had been introduced earlier none of the Divall's earth moving would be in this location as it would have been in the heritage zoning attached to Broughton and the Brewery. Including a concrete plant in this location would be sacrilege

#### Concrete plant next to food production

York Foods have been operating for 22 years from 27 Braidwood Road, Goulburn, next to the proposed location of this D/A, while the Company has been operating since 1935. They make Beef Dripping, Lard, Lard Dripping, Grass Fed Beef Suet Dripping and Organic Beef Dripping. All these products can be purchased at Coles, Woolworths and IGA stores.

Goulburn does not need negative publicity with a concrete plant located next to an established food business. For obvious health reasons it would be detrimental to locate a concrete plant right next to a successful health food industry.

The noise of extra trucks beeping when reversing and pounding of concrete mixing would impact considerably on the area with at least 7 houses affected and the health of goodness knows how many people.

The road in its present construction is not reinforced adequately for extra usage of laden trucks. Presently it is in reasonable condition but the surface does not hold up well for

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**Submissions**

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the present usage let alone numerous more laden trucks without increasing the density of bitumen.

More trucks would impact considerably on the flow of traffic.

A roundabout at the Sloane/Mundy Street intersection, instead of the present form requiring vehicles to stop, would have facilitated traffic flow. The traffic is building up with the addition of the lumber trucks in the area often holding up traffic which once was only the case when the freeway was diverted due to accidents.

When the Lansdowne Bridge is completed possibly late 2019 the traffic flow will be around 3000 a day which will grossly interfere with traffic flow at the Bungonia/Braidwood intersection and more so the Mundy /Sloane Street intersection. The addition of a concrete plant and another sand yard would Not be advantageous to traffic flow. Divalls Sand and Soil yard with many employees and customers frequenting this facility is already extensive without adding more to the situation. When the Lansdowne Bridge opens next year the B Double lumber trucks will compound road use in this area of Hudson Park. All the trucks carrying lumber to Braidwood Road facility are weighed to calculate weight before bromium processing and Divalls has a weigh bridge. The lumber business has only operated since 2017 while the Lansdowne Bridge was closed. The ever growing vehicle number at both these intersections with many more subdivisions being approved, Lansdowne Park being the latest, has not yet been tested, but an educated guess points to a significantly greater bottleneck.

Common sense would have to indicate a significantly greater bottleneck with the increased use of the Veolia Arena and Grace-Millsom Center, Harness Area and Equestrian Events and Greyhound Racing. Canberra has now banned all greyhound racing adding an extra weekly meeting to the mix of traffic congestion. The crowds of visitors driving to Wakefield Park also affects these intersections as well as all the extra traffic going to the coast using the recently upgraded Nerriga by-pass.

This calls for direct access off the freeway onto the Bungonia or Braidwood Road to alleviate impending further congestion with the opening of the Lansdowne Bridge. The inclusion of the business proposed in this D/A at 25 Braidwood Road has the very strong probability of insidiously affecting the health of thousands of Goulburn residents because of the location directly in the path of strong westerly winds blowing tiny cement particles into the Eastgrove valley, next to a food production and in a flood zone.

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## Submissions

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Reference DA/0281/1718 ----- Last submission due date Friday 13 April COB 5pm.

Submission to the Business Manager Planning and Strategic outcomes Goulburn Mulwaree Council .

<https://www.goulburn.nsw.gov.au/Information/25-Braidwood.aspx>

Dear sir/madam,

objection

The advantage of the Goulburn by-pass to Goulburn City was the removal of trucks from the main business centre. Their removal has removed heavy diesel pollution, continual loud noise and vibration, dangerous congestion and related pedestrian risks from the main street. It has allowed the development of a more appealing commercial and tourism area .These trucks are a metre and a half longer than the previously consented 30Tonne Ardmore Park Multiquip haul trucks . Letting 50 Tonne Bdouble size trucks to use the main street as a dedicated haul route, would be a big step backwards for Goulburn .

Sound levels ; listed as 37 dBA and 46dB in Table 5 Are completely topped by all of the machinery sound levels listed at Table 8 giving dBA of from 111 dBA to 95dBA .

Given that all these loading and processing times are to occur from 5AM to 10PM X5days a week and from 5AM to 6PM Sat, the noise component seems beyond any allowance; the train and traffic noises are intermittent with only 4 passenger trains and several other freight movements in any 24 hours. The Concrete batching plant is intended on the basis of these figures to work continuously.

P 21 of the sound attachment. the statement "For logistical reasons the delivery of these (...cement supply tanker +other raw) materials would be scheduled to occur **outside of busy times and will not occur prior to 7AM** "" this would have to mean that the concrete batching and biggest noise will be between 5 AM and 7AM at the earliest . There is no indication when else the worst noise will be scheduled nor how late the noisiest of the operations would run . However 5-7 AM would seem to be a key time to preserve people's rest.

In the specifications there is no indicator apart from some chute lining that there would be any noise reduction provided by the selected batching unit . There is no indicator that there would be any enclosing of the loading and the chute areas to contain the noise within the structure .Given the intended 3d hours of operation this would seem vital to those eg Mandelsons, Goulburn Produce ,Divalls and the other relatively close businesses ,plus the homes and the golf club that are within easy ear shot .

At the start of the noise document were statements about how noise travels and cant be contained even when the air is still . ( a rarity in Goulburn anyway ) .Later in the document is the intention to build a bund wall to stop the noise.As the section carries the train noise onto this site ,(as per their noise analysis) therefore we must assume that the noise will also travel across the tracks and into the CBD or eastwards into the river valley . the noise plume will not be selective.

There is another issue ; the noise bunding ,dust and rectification as part of the Conditions of Consent [2006] for the Ardmore Park Quarry [same/related subsidiary? business owners] Have still not been done as reported by NSW Dept Planning to a Bungonia meeting reported in Goulburn Post Friday March 16 2018 .ref [Ardmore Park Quarry Modification 3](#)

The specifications for the concrete batching plant indicate that the electricity will be provided .Three phase power unavailable except by generator in Bungonia, that and underground water allocations

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## Submissions

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that are contentious on the plateau, were probably key factors in their recent Mod 3 DA application to NSW Dept planning wherein they said they would not build it in Bungonia.

What will be the water use drawn from the City water supplies and how much will be trapped and cleaned on site for use by the business? Bungonia allocation of 110ML per year has just been nearly doubled unexpectedly by the Quarry to 210ML Per year from the subterranean water. The quarry's neighbours were unaware until it was presented in the DA Modification 3 document .

In this same Mod 3 doc Ardmore Park [Multiquip] expressed an intention to import to the Ardmore Park site not only VENM but ENM, stating its intention to mix it with Ardmore Park materials to create 'specific soil products'.

VENM- that has been excavated or quarried from areas that are **not contaminated** with manufactured chemicals, or with process residues, as a result of industrial, commercial, mining or agricultural activities

### ENM

Been excavated from the ground

- Contains at least 98 per cent (by weight) natural material
- Does not meet the definition of Virgin Excavated Natural Material (VENM).

So can contain contaminants. eg it is "98% Natural material" but contaminated-- if you dig up areas of ground under petrol stations; under chook farms, under gas installations , factories etc. this is the most economically valuable back load for trucks. The material is regulated. These soil products and other material from Ardmore Park quarry are described on this current application as "retail sand and soils sales yard"

Any failure of compliance or self regulation in a flood zone and a water run off area into the Wollondilly river would seem to be a high risk .

Given the extensive and unresolved compliance issues relating to the operation of the quarry and its transport, its impact on neighbours and other issues relating to water of long standing , it would seem unwise to bring compliance issues of the same kind to Goulburn

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## Submissions

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### Submission to a DA - DA/0281/1718 - 25 Braidwood Road, Goulburn

This concrete batching proposal would negatively affect my amenity and that of my family, as well as my neighbours and most of South Goulburn and the commercial town centre. This development is obtrusive and not sympathetic to the cultural landscape.

Please do not approve any developments based on road transport and keep trucks out of the city. I am most worried about future pressure to put an upgraded bridge crossing the Mulwaree Ponds which is not needed for local traffic. This development might even try to 'bypass the bypass' and allow trucks and heavy vehicles to come on and off the Hume Highway with a massive interchange (where Bungonia Road now goes over the top). Currently there is only a need for local traffic. In the roughly 12 months since Lansdowne Bridge has been closed, it hasn't really affected many people. I work at Bungonia and even commuting between Goulburn and Bungonia every day is not onerous to go around Lansdowne Bridge.

██████████ about 500m from the proposed site, and this concrete batching plant will seriously impact my life. The main impacts to me would be;

- Visual – my house block has an easterly aspect and views towards the Gundry Plains. The 20m high twin silos of similar concrete batching plants would be visible from my house and most of the Goulburn heritage precinct.
- Light pollution – operating hours of 05:00am to 22:00pm would cause light pollution.
- Noise pollution – conveyors and compressors would create noise and vibration which carries along the Mulwaree Ponds and over Goulburn City. South Goulburn residents will be negatively affected by this and traffic noise.
- Dust – any industry producing dust is unacceptable for local air quality.

It is my understanding that Goulburn Mulwaree Council's LEP has zonings for this type of development at the northern and southern approach of the city. These locations are more than 250m away from residential dwellings, are not in flood plain, don't direct traffic through the city and won't demand future rate payers or tax payers money for roadworks. In addition this proposal of a batching plant only employs 3-4 onsite personnel so it doesn't need to be located close to any population centres.

There should be no industry like this close to the centre of town and at the edge of the heritage area. No new developments should be approved and current industries should be encouraged to relocate to the industrial areas. I applaud the other small industries and businesses like car yards, hardware stores, carpet and furniture shops, and warehouses which have moved out of the centre of town.

The EIS does not consider the impact to pedestrians or cyclists along Braidwood and Bungonia Roads.

One of Goulburn's greatest assets is our early European settler's history and heritage. The proposal is likely to have negative impacts on local cultural heritage values. This landscape is included in the Goulburn City Conservation Area. There are heritage items within a few hundred metres of local and state significance being Lansdowne Bridge, Goulburn Brewery/Mill c.1836, historic properties of 'Lansdowne' and 'Charlton', the archaeological site of the former Toll House, Bridge Abutments (archaeological). It is close to the site where Governor Lachlan Macquarie camped next to the Mulwaree Chain of Ponds and where 25 Aborigines lived in 1848.

For the residents of South Goulburn, please don't approve this proposal at 25 Braidwood Road.



Submissions

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Part B – To be Published

Important Information:

Prior to submitting this form, please read the Guide to Making Submission on the back to help you understand how to make a submission, and what Council will be doing with any personal information you provide in your submission. Council's Privacy Management Policy may also help assist with your considerations when making a submission.

Your Details

Name:

Organisation:

Development application details

DA Number:

DA/0281/1718

DA Address:

Lot A DP153558, 25 Braidwood Rd Goulburn NSW 2580

Political Donations and Gifts (Please refer to part 2 - Guide to Making a Submission)

Have you or has any person associated with you, made a political donation or gift to a councillor or council employee within the last two years? (Please refer to section 147 of the Environmental Planning & Assessment Act 1979 for further information in this regard).

Yes

No

Your Submission (please attach additional pages if required)

I have major concerns about the above DA. These include the Auburn St Route (I believe it will severely adversely affect the quality of life for all users of this main street despite the wonderful GMC works in the last few decades to improve it. Also water use impact which has the potential to affect all residents of this area. I have serious issues with the inclusion of ENM products along with VENOM which I believe may be seriously contaminating to the Goulburn environment. What checks and balances are there by independent assessoi who is responsible for paying for road maintenance which will be impacted adversely by significant increase in heavy vehicles on our roads? Is there a charge per truck or a blanket fee regardless of numbers of truc If a blanket fee, this is unlikely to cover the real cost of maintenance

## Submissions

(3)  
which must be then borne by the ratepayers (including me)  
Also noise impact - not inconsiderable - both from  
the plant and heavy traffic. Detrimental to our lovely  
country Goulburn lifestyle. The hours of operation  
5am → 10pm will be onerous on any person living  
within earshot (or for that matter working  
within earshot)

Air quality from increased heavy traffic will impact on  
the health of local residents. This is an aspect  
which must not be ignored.

Who will check to ensure compliance on the part  
of Multiquip

Why do we need another processing plant?

While the owners of this business stand to gain  
financially, should this be at the expense of a  
community who value their town, the healthy  
country lifestyle, well placed in NSW? Will we  
simply be used by Multiquip to the detriment of  
all who live here?

As our local council, the most important concern  
must be the welfare and lifestyle of all Goulburn  
residents. Outside commercial ventures must  
comply with all environmental requirements, must  
pay it's own way and must be independently  
and regularly checked for compliance. Regular  
reports should be available for all residents to examine  
and severe penalties imposed for non-compliance.

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**Agency Responses**

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**Health**  
Murrumbidgee  
Local Health District

The Business Manager  
Planning & Strategic Outcomes  
Goulburn Mulwaree Council  
Locked Bag 22  
GOULBURN NSW 2580

Dear Sir or Madam

**Re: Development Application No. DA/0281/1718**

I refer to your letter dated 9 March 2018 regarding the exhibition of material supporting Development Application 0281/1718 for the establishment of a Concrete Batching Plant, Concrete Works, and Retail Sand and Soil Sales Yard, located at 25 Braidwood Road, GOULBURN.

The Environmental Impact Statement (EIS) detailing the proposed construction and operation of the Concrete Batching Plant, Concrete Works, and Retail Sand and Soil Sales Yard has undergone an extensive review. The EIS appears to comprehensively address any potential public health issues, particularly in regard to noise, vibration, air quality and water quality. The proposed monitoring, controls and mitigation measures for noise and air quality, and other factors addressed in the EIS and accompanying documents appear to be adequate.

Provided the proposed development complies with the recommendations of the Environmental Impact Statement, and accompanying documents submitted in support of the Development Application, this office would raise no objection to the proposed development.

Should you have any questions regarding this matter, please do not hesitate to contact me on (02) 4824 1842 or email [tabitha.holliday@health.nsw.gov.au](mailto:tabitha.holliday@health.nsw.gov.au).

Yours sincerely

A handwritten signature in cursive script that reads 'Tabitha Holliday'.

Tabitha Holliday  
**Environmental Health Officer**

18 April 2018

Murrumbidgee Local Health District  
ABN 71 172 428 618  
Locked Bag 10, Wagga Wagga NSW 2650  
Tel 02 6933 9100 Fax 02 6933 9188  
Website [www.mlhd.health.nsw.gov.au](http://www.mlhd.health.nsw.gov.au)

**Agency Responses**



Goulburn Mulwaree Council

**Heritage Referral Response**

|                                   |  |  |              |
|-----------------------------------|--|--|--------------|
| <b>Date</b>                       | 16/03/2018   | <b>Development Application No.</b>   | DA/0281/1718 |
| <b>Date Received</b>              | 6/03/2018  | <b>Further information received</b>  | NA           |
| <b>Assessment Officer</b>         | Dianne James   |  |              |
| <b>Property description</b>       | 25 Braidwood Road GOULBURN NSW 2580  |  |              |
| <b>Description of development</b> | Designated Development - Concrete Batching Plant, Concrete Works, and retail Sand and Soil Sales yard. |  |              |
| <b>Heritage Status</b>            | <b>Heritage Item</b>   | Item No. Not an item   |              |
|                                   | <b>Goulburn LEP 2009 Schedule 5</b>  |  |              |
|                                   | <b>Conservation Area</b>   | In the vicinity of Goulburn City Conservation Area   |              |
|                                   | <b>Other Heritage Items in the vicinity</b>  | Dwelling, Two Storey, 1 Braidwood Road, Lot 1, DP 734041<br>Local Item 105<br>Dwelling, "Broughton", Goulburn Brewery<br>3-21 and 23 Bungonia Road<br>Lot 4, DP 717606; Lots 3-8, Sec 1, DP 979593; Lots 1-2, DP 770671;<br>Lots 2-3, DP 67346<br>Local; State* Item 109 |              |

**Background**

Indigenous Heritage

An Aboriginal Heritage Assessment was undertaken for the development application. The assessment included field work with the archaeologist and two site officers from Pejar Local Aboriginal land Council. The assessment found that there were no recorded Aboriginal sites or places within the study area and none were recorded during the field work. It observed that due to a high degree of disturbance there is a low probability for any undetected sites.

Heritage Items in the Vicinity

1 Braidwood Road is located diagonally opposite the subject site. The statement of significance for the property is:

*This imposing single and two-storey Georgian style stone building with a hipped iron roof is of local heritage significance for its relative intactness and research potential. The building, now a residence, may have been an inn.*

Heritage Item 109 is comprised of two properties. The closer to the development site is the dwelling "Broughton". Further away is the State significant Goulburn Brewery.

**Proposed Development**

Concrete batching plant with car parking at the front and aggregate store bins at the rear boundary. The main plant itself has a height of approximately 20 metres.

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**Agency Responses**

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**Heritage Impact**

Indigenous Heritage: There will be no heritage impact upon Aboriginal objects as there are none recorded within the study area. OEH required that a commitment be made to prepare an Aboriginal Heritage Management Plan that include procedures in the event of an unexpected find. These procedures are provided in Appendix 3 of the report.

Impact upon heritage items in the vicinity:

- 1 Braidwood Road is already located between the railway and industrial development along the eastern side of Braidwood Road. The proposed concrete batching site will be another industrial use infilling a vacant lot between other industrial sites. The dwelling at 1 Braidwood Road is forward on the building line and is two stories so it retains its built form character and visibility in the streetscape despite development on the Eastern side of the street.
- Broughton and the Brewery are located a sufficient distance from the development not to be impacted. The concrete silo will be visible from these properties due to its height however the silo is only a small part of the development and will be viewed from the distance.
- The development is along the edge of the HCA, however there is already industrial development along the eastern side of Braidwood Road and it is not expected this development will make any additional impact upon the HCA.

There is an acceptable level of heritage impact.

**Recommendation**

Supported subject to the following condition:

1. The *Aboriginal heritage: Unexpected Finds Protocol* (Appendix 3 of the report by OzArk Environmental & Heritage Management in Appendix 8 of the Environmental Impact Statement) must be implemented on site during all ground breaking activities.

Louise Thom  
Goulburn Mulwaree Heritage Advisor

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**Agency Responses**


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Level 6, 10 Valentine Avenue  
Parramatta NSW 2150  
Locked Bag 5020  
Parramatta NSW 2124  
DX 8225 PARRAMATTA

Telephone: 61 2 9873 8500  
Facsimile: 61 2 9873 8599  
[heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)  
[www.heritage.nsw.gov.au](http://www.heritage.nsw.gov.au)

File No: SF18/23184  
Ref No: DOC18/141850

Dianne James  
Senior Development Assessment Officer  
Goulburn Mulwaree Council  
Locked Bag 22  
Goulburn NSW 2580  
By email: [PlanningEnquiries@goulburn.nsw.gov.au](mailto:PlanningEnquiries@goulburn.nsw.gov.au)

Dear Ms James,

**Referral of Development Application DA/0281/1718 25 Braidwood Road, Goulburn  
Designated Development - Concrete Batching Plant, Concrete Works, and retail Sand and Soil  
Sales yard.**

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I refer to your correspondence received on 9 March 2018 concerning the abovementioned development application at 25 Braidwood Road, Goulburn. The proposal seeks consent for the construction of a concrete batching plant on the above site, including the construction of cement silo structures for the transfer of product to trucks for transport.

The subject site is not a heritage item, but is in the vicinity of one of the structures comprising the *Goulburn Railway Station, yard group and movable relics* located on the Main Southern Railway which is listed on the State Heritage Register (SHR no. 01152), and the Goulburn Brewery located on Bungonia Road (SHR 00178). As such, the Heritage Council of NSW is not a referral body under the *Environmental Planning and Assessment Act 1979* and not a consent authority under section 57(1) of the *Heritage Act 1977*. However, the following comments are provided to assist in your consideration of the subject application:

The proposed silo structures are 19.9m in height and are located approximately 350m from the closest buildings associated with the Goulburn Brewery site. The introduction of a structure with an effective height of over 6 storeys in an area of scattered low scale development has a potential to alter the views to and from the Goulburn Brewery along the Mulwaree River.

The plans provided identify an area of vegetation screening at the rear of the site that may assist in mitigating the impact of the proposed structures on significant views to and from the Goulburn Brewery. It is recommended that this area of screening extend further westward along the southern boundary to provide greater screening of the silos and further mitigate the impact of the development when viewed from the Goulburn Brewery.

It is noted that the Aboriginal Cultural Heritage Assessment Report, prepared by OzArk Environmental & Heritage Management, dated October 2017, outlines that the proposal is unlikely to have any impact on aboriginal archaeology and the EIS by R. W. Corkery & Co concludes that no site of historic heritage significance would be impacted by the proposal. The standard conditions with regard to unexpected archaeological finds should be applied to any approval.

The following conditions are recommended to be included on the consent:

**1. SCREEN PLANTING**

The screen planting provided to the rear of the site is to be extended further westward along the southern boundary to provide additional screening of the proposed silos.

*Reason: to mitigate the impact of the development on views from the Goulburn Brewery site*

**2. UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS**

The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and

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**Agency Responses**

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approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

*Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.*

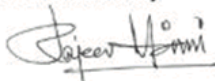
**3. ABORIGINAL OBJECTS**

Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Office of Environment & Heritage is to be informed in accordance with section 89A of the National Parks and Wildlife Act 1974 (as amended). Works affecting Aboriginal 'objects' on the site must not continue until the Office of Environment and Heritage has been informed. Aboriginal 'objects' must be managed in accordance with the National Parks and Wildlife Act 1974.

*Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.*

If you have any questions, please contact Kristy Welfare, Heritage Assessment Officer, at the Heritage Division on (02) 8837 6039 or [kristy.welfare@environment.nsw.gov.au](mailto:kristy.welfare@environment.nsw.gov.au).

Yours sincerely



**Rajeep Maini**  
**Senior Team Leader**  
South Assessments, Heritage Division  
Office of Environment and Heritage  
**As Delegate of the Heritage Council of NSW**  
17 April 2018

Helping the community conserve our heritage

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**Agency Responses**

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**From:** Helen Wilson [mailto:Helen.Wilson@environment.nsw.gov.au]  
**Sent:** Thursday, 16 August 2018 12:54 PM  
**To:** PlanningEnquiries <PlanningEnquiries@goulburn.nsw.gov.au>  
**Subject:** DA\_0281\_1718\_Applicants Response to Submissions \_ 25 Braidwood Road - Further Response from Heritage Division, OEH

Dear Diane James,

In our letter dated 17 April 2018, the following condition was recommended to be included on the consent:

**1. Screen Planting**

The screen planting provided to the rear of the site is to be extended further westward along the southern boundary to provide additional screening of the proposed silos.

*Reason: to mitigate the impact of the development on views from the Goulburn Brewery site*

I understand from our conversation that the area recommended to be screen planted is the road access in and out of the site (so as to allow one way traffic around the site) and so cannot be planted. The applicant owns the land to the east of the site and this is proposed to have screen planting added, however the applicant does not own the land to the north and south, so there is not opportunity to add screen planting on these lots.

However a mesh fence along the side boundary could have shade cloth attached to assist to screen the Concrete Batching Plant from view from the Goulburn Brewery (SHR No 00178) to the south.

Therefore, instead of the Condition 1 above, we recommend the following condition:

**SCREENING:**

Green shade cloth is to be attached to the mesh fence along the south boundary to provide additional screening of the concrete Plant and Silos. The shade cloth should be continuous but have openings at regular intervals to prevent tearing in wind. The shade cloth is to be reinstated when damaged.

*Reason: to mitigate the impact of the development on views from the Goulburn Brewery site*

Following our phone conversation this morning, I understand the following recommended standard conditions on Unexpected Historical Archaeological Relics and Aboriginal Objects will be conditioned if this application is approved:

**2. Unexpected historical archaeological relics**

The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

*Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.*

**3. Aboriginal objects**

Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Office of Environment & Heritage is to be informed in accordance with section 89A of the National Parks and Wildlife Act 1974 (as amended). Works affecting Aboriginal 'objects' on the site must not continue until the Office of Environment and Heritage has been informed. Aboriginal 'objects' must be managed in accordance with the National Parks and Wildlife Act 1974.



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**Agency Responses**

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*Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.*

Regards

Helen Wilson | Senior Heritage Assessment Officer | Heritage Division | NSW Office Environment & Heritage  
Locked Bag 5020 PARRAMATTA 2124  
Level 6, 10 Valentine Avenue Parramatta 2150  
T 02 9873 8605 | SW 02 9873 8500 | E [helen.wilson@environment.nsw.gov.au](mailto:helen.wilson@environment.nsw.gov.au) (Monday – Thursday)  
W [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au) | [www.environment.nsw.gov.au/cultureandheritage.htm](http://www.environment.nsw.gov.au/cultureandheritage.htm)



*I acknowledge and respect the traditional custodians and ancestors of the lands I work across*

Check our database: <http://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx>  
Works approvals info? [www.environment.nsw.gov.au/heritage/development](http://www.environment.nsw.gov.au/heritage/development)  
Check our library catalogue: <http://www.environment.nsw.gov.au/Heritage/research/library.htm>

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**Agency Responses**

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Our ref: STH18/00052/01  
Contact: Sarah Cross 4221 2769  
Your ref: DA 0281/1718

23 March 2018

Joy Stephenson  
Goulburn Mulwaree Council  
BY EMAIL: council@goulburn.nsw.gov.au

**DEVELOPMENT APPLICATION 0281/1718 – LOT A DP 153558, 25 BRAIDWOOD ROAD, GOULBURN  
– CONCRETE BATCHING PLANT, CONCRETE WORKS AND RETAIL SAND AND SOIL SALES YARD**

Dear Joy,

Roads and Maritime Services (RMS) refers to your correspondence dated 9<sup>th</sup> March 2018 regarding the subject development application.

RMS has completed an assessment of the development, based on the information provided and focusing on the impact to the State Road Network. For this development, the key state road is Braidwood Road. However RMS notes that at this location, Braidwood Road is a local road maintained by Council and is accessed via the key state road.

RMS does not believe the development meets the requirements as stated in Clause 104 of the State Environmental Planning Policy (Infrastructure) 2007 and on this basis, does not object to the development application.

If you have any questions please contact Sarah Cross on 4221 2769.

Please ensure that any further email correspondence is sent to development.southern@rms.nsw.gov.au.

Yours faithfully

A handwritten signature in black ink, appearing to read "Chris Millet".

Chris Millet  
Manager Land Use  
Southern Region

rms.nsw.gov.au

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**Agency Responses**



Our Ref: IDA18/36  
Your Ref: DA/0281/1718

26 March 2018

Joy Stephenson  
Customer Liaison Officer  
Goulburn Mulwaree Council  
Locked Bag 22  
GOULBURN NSW 2580

Dear Ms Stephenson

**Re: Designated Development Application DA/0281/1718 – Concrete Batching Plant – Lot A DP153558, 25 Braidwood Road, Goulburn NSW 2580**

Thank you for your referral of 13 March 2018 seeking comments from DPI Fisheries, a division of NSW Department of Primary Industries, on the above proposal.

DPI Fisheries is responsible for ensuring that fish stocks are conserved and that there is “no net loss” of key fish habitats upon which they depend. To achieve this, the Department ensures that developments and land use planning complies with the requirements of the *Fisheries Management Act 1994* (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act respectively) and the associated *Policy and Guidelines for Aquatic Habitat Management and Fish Conservation (1999)*. In addition the Department is responsible for ensuring the sustainable management of commercial and recreational fishing and aquaculture within NSW.

DPI Fisheries has reviewed the proposal prepared for Multiquip Aggregates Pty Ltd by R W Corkery & Co dated February 2018.

We understand that a minimum 40 metre buffer zone has been provided between the proposed impact area and Mulwaree River. Therefore there will be no direct impact upon aquatic habitat or riparian vegetation in areas of Key Fish Habitat and permits or General Terms of Approval from DPI Fisheries are not applicable.

However the potential impacts from sediment and pollutant laden storm water entering Mulwaree River is of interest to this Department in relation to this proposal.

The Development includes a proposal to excavate an aggregate storage area (primarily sand and basalt) within the flood plain, at an elevation of approximately 1m lower than the surrounding project site. The excavation of the flood plain and subsequent storage of aggregate material within the flood zone is not supported by this Department. The Department believes that there is a very high risk of mobilisation of the exposed substrate as well as stored materials from the storage area and into the Mulwaree River during inundation events. We recommend that

|                                      |  |                    |  |  |
|--------------------------------------|--|--------------------|--|--|
| NSW Department of Primary Industries |  | 4 Woollamia Road   |  | T: (02) 4428 3400  |
| Fisheries NSW                        |  | PO Box 97          |  | F: (02) 4441 8961  |
| Aquatic Ecosystems                   |  | Huskisson NSW 2540 |  | <a href="http://www.dpi.nsw.gov.au/fisheries">www.dpi.nsw.gov.au/fisheries</a> |
|                                      |  |                    |  | 1 of 2   |

**Agency Responses**

the risk to downstream water quality from this aspect of the proposal be thoroughly reviewed and alternatives considered prior to any approvals being issued by Council.

If you require any further information, please do not hesitate to contact me on (02) 4428 3406.

Yours sincerely



Jillian Reynolds  
 Fisheries Manager  
 Aquatic Ecosystems – South.

NSW Department of Primary Industries  
 Fisheries NSW  
 Aquatic Ecosystems

| 4 Woollamia Road  
 | PO Box 97  
 | Huskisson NSW 2540

| T: (02) 4428 3400  
 | F: (02) 4441 8961  
 | [www.dpi.nsw.gov.au/fisheries](http://www.dpi.nsw.gov.au/fisheries)  
 2 of 2

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**Agency Responses**

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**From:** joanna.pajkowska@dpi.nsw.gov.au [mailto:joanna.pajkowska@dpi.nsw.gov.au] **On Behalf Of** Water Referrals

**Sent:** Friday, 3 August 2018 8:27 PM

**To:** PlanningEnquiries <PlanningEnquiries@goulburn.nsw.gov.au>

**Cc:** Tim Baker <tim.baker@dpi.nsw.gov.au>

**Subject:** Re: DA\_0281\_1718\_Applicants Response to Submissions\_Fwd DPI - Water\_25 Braidwood Road

Hello

Please note that the DoI-Water has no comments in relation to water impacts.

Best regards,  
Joanna Pajkowska

**Water Referrals**

**Natural Resources Access Regulator | NSW Department of Industry**

10 Valentine Avenue | Parramatta NSW 2150 | Locked Bag 5123 | Parramatta NSW 2124

T: 1800 633 362 | E: [water.referrals@dpi.nsw.gov.au](mailto:water.referrals@dpi.nsw.gov.au)

W: [www.water.nsw.gov.au](http://www.water.nsw.gov.au) | [www.industry.nsw.gov.au](http://www.industry.nsw.gov.au)



Natural Resources  
Access Regulator

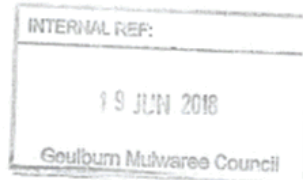
Requests for review or comment on reports or specific projects can be sent directly to [water.referrals@dpi.nsw.gov.au](mailto:water.referrals@dpi.nsw.gov.au) for action.

**Agency Responses**



**Industry Assessments**  
 Contact: Patrick Copas  
 Phone: (02) 9274 6273  
 Email: [patrick.copas@planning.nsw.gov.au](mailto:patrick.copas@planning.nsw.gov.au)

Mr Warwick Bennett  
 General Manager  
 Goulburn Mulwaree Council  
 Locked Bag 22  
 GOULBURN NSW 2580



Our ref: SEAR 1191  
 Your ref: DA/0281/1718.DJ

**Attn:** Ms Dianne James

Dear Mr Bennett

**SCANNED**

**DA/0281/1718 – Concrete Batching Plant, 25 Braidwood Road, Goulburn  
 Review of Designated Development Application Submissions**

Thank you for your letter dated 18 May 2018, which forwarded copies of submissions received during the period of public exhibition for the above proposal in accordance with section 4.16(9) of the *Environmental Planning and Assessment Act 1979*.

The Department has reviewed the submissions and notes that there are no issues of State or regional significance that apply to the proposal. The Department does however note the concerns raised by the Department of Primary Industries – Fisheries and the Office of Environment and Heritage (OEH) regarding the potential impacts of the proposed development upon the Mulwaree River during a flood event.

In addition, the Department also notes the concerns raised by the OEH in relation to Aboriginal cultural heritage (ACH), and specifically the need for a finalised ACH assessment report to be prepared for the proposed development.

The Department recommends that Council ensure these concerns are adequately and appropriately addressed before determining the subject development application.

It would be appreciated if a copy of Council’s determination could be forwarded to the Department for our records. Should you have any enquiries, please contact Patrick Copas on the details above.

Yours sincerely

Chris Ritchie  
 Director  
 Industry Assessments  
as delegate of the Secretary

Department of Planning & Environment  
 320 Pitt Street Sydney NSW 2000 | GPO Box 39 Sydney NSW 2001 | T 1300 305 695 | [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

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**Agency Responses**

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PO Box 398, Parramatta NSW 2124  
Level 14, 169 Macquarie Street  
Parramatta NSW 2150  
www.waternsw.com.au  
ABN 21 147 934 787

28 September 2018

Our Ref: 18045-a1  
Your Ref: 0281/1718

General Manager  
Goulburn Mulwaree Council  
Locked Bag 22  
GOULBURN 2580

Attention: Dianne James

Dear Sir/Madam

**Subject: Sydney Drinking Water Catchment SEPP  
DA No 0281/1718; Lot A DP 153558; 25 Braidwood Road, Goulburn**

I refer to Council's letter received 9 March 2018 requesting the concurrence of Water NSW under Clause 11 of State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 (the SEPP) with a proposal for a concrete batching plant and sand & soil sales area. Submissions were received on 13 September 2018.

The subject property, which has been inspected by Water NSW, is located within the Warragamba catchment which forms part of Sydney's water supply.

The following documents have been considered in the assessment of the application:

- an Environmental Impact Statement prepared by R. W. Corkery & Co Pty Limited (dated 26 February 2018) including Detailed Site Layout and Designs (Appendix 3) and a conceptual Surface Water Cycle Management Plan, and
- Water Cycle Management Study and Water Quality Modelling Outputs and associated MUSIC stormwater quality modelling prepared by Strategic Environmental & Engineering Consulting (Appendix 10 of the EIS).

Based on Water NSW's site inspection and the information provided, the proposed development has been assessed by Water NSW as being able to achieve a neutral or beneficial effect on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.

If, after receipt of this letter, revisions are made to any of the DA documents, Council does not need to refer the documents to Water NSW if the revisions do not impact on water quality. Council is requested to amend the relevant Water NSW condition/s to reference the revised plans, and notify the assessing officer by email.

Water NSW concurs with Council granting consent to the application subject to the following conditions:

**General**

1. The site layout and works shall generally be as specified in the Environmental Impact Statement (Ref: 985/01, dated 26 February 2018) and the Detailed Site Layout and Designs (Appendix 3 of the Environmental Impact Statement) prepared by R. W. Corkery & Co Pty Limited. No revised site layout, staging or external works that will impact on water quality, shall be permitted without the agreement of Water NSW.

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**Agency Responses**

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*Reason for Condition 1 - Water NSW has based its assessment under the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.*

**Stormwater Management**

2. All stormwater treatment and management measures shall be implemented as specified in the Concept Surface Water Management Plan (Proj. No. 18000003; Drawing SWMP01; Rev 00; dated 22/02/18) prepared by Strategic Environmental & Engineering Consulting, except where varied by these conditions. The stormwater management measures as a minimum shall include:
  - pits, pipes and clean water diversion bund
  - water storage tank
  - water holding/recycling pond, and
  - a grassed swale with minimum dimensions of:
    - depth of 0.5
    - top width 6.5 metres, and
    - base width 2.5 metres.
3. The swale shall discharge to the Mulwaree River via an armoured discharge point such that discharge does not cause erosion. The discharge point shall also be consistent with any requirements for Controlled Activities Approval under the *Water Management Act, 2000* issued by Natural Resources Access Regulator (NRAR).
4. No variation to stormwater treatment or management shall be permitted without prior agreement of Water NSW.
5. A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and Council **prior to the issuance of any Occupation Certificate** that all stormwater management measures have been installed as per these conditions of consent and are in a functional state.

**Operational Environmental Management Plan and Performance Reporting**

6. An Operational Environmental Management Plan (OEMP), based on information contained in the Soil and Water Management Plan contained in Appendix 9 of the Environmental Impact Statement (ref: 985/01, dated 26/2/2018) prepared by R. W. Corkery & Co Pty Limited, shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans **prior to the issuance of any Occupation Certificate**. The OEMP shall be implemented and shall include but not be limited to:
  - measures to deal with spills of hydrocarbons and concrete additives
  - details on the location, description and nature of stormwater management structures such as bunds, pits, pipes, first flush pit, holding recycling pond, swale and discharge point
  - an identification of the responsibilities and detailed requirements for the inspection, monitoring and maintenance of all stormwater management structures, including the frequency of such activities
  - the identification of the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and procedures for managing and notification of water quality emergencies, and
  - checklists for recording inspections and maintenance activities.
7. **Within three months of the date of Occupation Certificate**, and each year thereafter, for the first five years of operation unless Water NSW agrees otherwise, the



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Applicant shall provide an annual report to Water NSW on the environmental performances of the development regarding Water NSW's conditions in this consent. This requirement shall be reviewed after five years to reassess the timeframes. The annual report and review must:

- include a comprehensive review of the monitoring results, based on the checklists in the OEMP required in Condition 6 above, over the past calendar year, which includes a comparison of these results against the relevant performance trigger levels
- identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance, and
- describe what measures will be implemented over the next year to improve the environmental performance of the development (if considered necessary).

*Reason for Conditions 2 to 7 – To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained so as to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.*

**Management of Possible Site Contamination**

8. The recommendations of the Preliminary Contamination Investigation (Ref: R9300c, dated 21 February 2018) prepared by Envirowest Pty Ltd contained in Appendix 4 of the Environmental Impact Statement shall be carried out **prior to the issuance of a Construction Certificate**.
9. Any contaminated material shall be disposed of at an appropriately licensed facility as soon as possible after identification.

*Reason for Conditions 8 & 9 – To ensure there is an overall and sustainable neutral or beneficial impact on water quality during all stages of the proposed development.*

**Construction Activities**

10. A Soil and Water Management Plan, based on Soil and Water Management Plan contained in Appendix 9 of the Environmental Impact Statement (ref: 985/01, dated 26/2/2018) prepared by R. W. Corkery & Co Pty Limited, shall be prepared by a person with knowledge and experience in the preparation of such plans for all works proposed or required as part of the development. The Plan shall meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual - the "Blue Book"; shall be prepared **prior to the issuance of a Construction Certificate** and be to the satisfaction of Council.
11. The Soil and Water Management Plan shall be implemented and effective erosion and sediment controls shall be installed prior to any construction activity including site access. The controls shall prevent sediment or polluted water leaving the site or entering any stormwater drain or Mulwaree River and shall be regularly maintained and retained until works have been completed and ground surface stabilised or groundcover re-established.

*Reason for Conditions 10 & 11 - To manage adverse environmental and water quality impacts during the construction phase of the development and to minimise the risk of erosion, sedimentation and pollution within or from the site during this construction phase.*

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**Agency Responses**

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Under Clause 11 of the SEPP, Council must provide Water NSW with a copy of its determination of the application within 10 days of the determination. If you wish to discuss this matter further please contact James Caddey on 4824 3401.

Yours sincerely



**MALCOLM HUGHES**  
**Manager Catchment Protection**

**Agency Responses**



**SCANNED**

EF17/313: DOC17/600452-13  
DA/0281/1718

|                           |
|---------------------------|
| 25 OCT 2018               |
| Goulburn Mulwaree Council |

Dianne James  
Senior Planning Officer  
Goulburn Mulwaree Council  
Locked Bag 22  
GOULBURN NSW 2580

**RE: DA/0281/1718 - 25 BRAIDWOOD ROAD, GOULBURN - CONCRETE BATCHING PLANT, CONCRETE WORKS, AND RETAIL SAND AND SOIL SALES YARD**

I refer to correspondence submitted by the NSW Environment Protection Authority (the EPA) to Goulburn Mulwaree Council (Council) on 18 July 2018 regarding the Designated Development Application for the construction and operation of a concrete batching plant, concrete works, and retail sand and soil sales yard at 25 Braidwood Road, Goulburn (the proposal). I also refer to correspondence received from Council on 13 September 2018 which included a response by the proponent to the EPA's comments of 18 July 2018.

As advised in the EPA's correspondence of 18 July 2018, the EPA does not have a formal role in the planning process for this matter. However, it is likely that the EPA will be the Appropriate Regulatory Authority (ARA) for the premises under the *Protection of the Environment Operations Act 1997* (POEO Act) if the proposal were approved by Council.

As such, the EPA appreciates Council's further consultation regarding this matter. The EPA has reviewed the Environmental Impact Statement (EIS) submitted by the proponent and has considered the proponent's response to the EPA comments as mentioned above. The EPA's comments regarding this consideration is provided in **Attachment A** to this letter.

Further, to assist Council as the consent authority and to facilitate the EPA in being able to exercise any possible future responsibilities under the POEO Act as the ARA for the proposal, a series of recommended draft conditions of consent have been provided for Council's consideration. These draft conditions are included in **Attachment B** to this letter.

It should be noted that the residential receivers located along Braidwood Road, north of Bungonia Road, are located in an area zoned as "General Industrial" under the Goulburn Mulwaree Local Environmental Plan 2009, and the Noise and Vibration Impact Assessment (NVIA) provided by the proponent addresses this on Page 9. As a consequence, a number of these residential receivers are predicted to be impacted by higher noise levels than those identified in Table 2 of the NVIA, which apply only to residential receivers in the "General Residential" or "Rural landscape" zonings surrounding the proposal. While the NVIA has correctly applied the Noise Policy for Industry (2017) to the proposal, in its decision making Council will need to consider the broader impacts of the proposal on the existing residences located in the General Industrial zone with regard to noise impacts.

Further to this, the EPA notes that industrial proposals such as this can cause public concern in relation to the overall suitability of the site to accommodate the proposed activities. Whilst the EPA has provided

|                       |                     |                    |                 |                     |
|-----------------------|---------------------|--------------------|-----------------|---------------------|
| Phone 131 555         | Fax +61 2 6229 7006 | PO Box 622         | Level 3         |                     |
| Phone +61 2 6229 7002 | TTY 133 677         | Queanbeyan         | 11 Farrer Place | info@epa.nsw.gov.au |
| (from outside NSW)    | ABN 43 692 285 758  | NSW 2620 Australia | Queanbeyan NSW  | www.epa.nsw.gov.au  |
|                       |                     |                    | 2620 Australia  |                     |

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comment on the proposal, there is no guarantee that potential land use conflicts may not still arise with regard to the areas surrounding the site. Accordingly, the provisions of the *Environmental Planning and Assessment Act 1979* provide that Council as the consent authority is ultimately responsible to ensure that the selected location of any proposed development is compatible with the existing nature and character of the surrounding area(s), will not result in land use conflict scenarios and is in keeping with the broader strategic planning objectives of the area.

If you have any questions regarding this response, please contact Michael Heinze on 6229 7002.

Yours sincerely

 23/10/18

**STEFAN PRESS**  
Unit Head – South East Region  
NSW Environment Protection Authority

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**Agency Responses**

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**ATTACHMENT A****DA/0281/1718 - 25 Braidwood Road, Goulburn – Concrete Batching Plant, Concrete Works and Retail Sand and Soil Sales Yard.****NSW EPA – Consideration of comments in relation to the “Noise and Vibration Impact Assessment” (NVIA) conducted by Spectrum Acoustics and dated February 2018**

The EPA provided comments to Goulburn Mulwaree Council on 18 July 2018 regarding the “Noise and Vibration Impact Assessment” (NVIA) conducted by Spectrum Acoustics and dated February 2018. The EPA received a response to those comments from the proponent (via Council) on 13 September 2018. The EPA has reviewed that response and provides the following comments:

The key issues addressed by the proponent are summarised as follows:

- 1) background noise.
  - 2) shoulder period between 5am to 7am.
  - 3) meteorology.
  - 4) feasible and reasonable noise mitigation.
1. The EPA accepts the background noise levels (although the noise monitoring locations are on the proposed site). The background noise levels are 35 dB(A) for the night time and 36 dB(A) for the shoulder period. The EPA acknowledges that these noise levels are low considering the site proximity to the Hume Freeway and the Southern Railway. The EPA notes that the noise monitoring data period in the report was from Monday 29 January 2018 through to Saturday 10 February 2018. This data included results from both noise loggers and the EPA accepts that the duration of noise monitoring was consistent with the appropriate noise policy.
  2. As noted above, the shoulder period noise level was stated as 36 dB(A) LA90, is accepted by the EPA for setting criteria noise levels for the proposal in the shoulder period.
  3. Meteorological data provided by the proponent was checked by the EPA and it matched Bureau of Meteorology data for the specified period.
  4. The proponent has stated that predicted noise levels are compliant for noise when assessed against intrusive and sleep disturbance criteria. The noise predictions rely on (a) cladding of the batching plant (b) noise barriers at the site, and (c) on-site enclosures. The EPA has recommended noise conditions in **Attachment B** based on the inclusion of these feasible and reasonable noise mitigation measures.
  5. The EPA considers that the proponent is unlikely to ensure the entire fleet of vehicles to operate on site can be fitted with non-tonal reversing alarms, and that the proponent considers that reversing is a necessary part of site operations. The EPA has recommended conditions related to reversing alarms in **Attachment B**.

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**ATTACHMENT B**

**NSW Environment Protection Authority**

**Proposed Conditions of Consent – Designated Development Application for the construction and operation of a concrete batching plant at 25 Braidwood Road, Goulburn.**

**Water Management**

- 1) The proponent must implement erosion and sediment control measures to prevent pollution of waters in accordance with Soils and Construction: Managing Urban Stormwater (2004).
- 2) All stormwater quality management controls installed at the premises, during both construction and operation, must be inspected:
  - i) Regularly during normal construction hours;
  - ii) Daily during rainfall events; and
  - iii) Within 24 hours of the cessation of a rainfall event causing runoff to occur from the premises.
- 3) The proponent must keep written records of all observations and actions made in relation to stormwater quality management control inspections, including any works undertaken to repair and/or maintain stormwater management controls.

**Noise and Vibration Impacts**

- 4) All works and activities undertaken at the premises must be undertaken in a manner that will minimise noise and vibration impacts at sensitive receivers.
- 5) Operational noise generated by the development must not exceed the criteria in the table below at any residential receiver. The criteria are defined in Table 2 of the 'Noise and Vibration Impact Assessment' prepared by Spectrum Acoustics (Project number 1815700, February 2018) and presented in the table below:

| Location   | Day | Evening | Night |
|--|-----|---------|-------|
| Residential receivers* to the east of the premises | 42  | 42      | 38    |
| Residential receivers* to the west of the premises | 42  | 42      | 41    |

\*The limits in the table above do not apply to residential receivers located in land zoned "General Industrial", surrounding the proposal site.

- 6) If noise emissions exceed the identified limits, the proponent must investigate the cause of the exceedance and implement all reasonable and feasible measures to avoid a repeat of the exceedance.
- 7) A post-commissioning report produced by an independent organisation that is eligible for membership with the Association of Australian Acoustic Consultants must be provided to the NSW EPA within 3 months of the premises commencing full operations. The report should validate whether the site is operating within the established noise goals in the Noise and Vibration Impact Assessment, and if not, provide a pathway to ensuring compliance with those goals.
- 8) The proponent/operator of the premises must provide written notification of at least 3 working days to the residential receivers on Braidwood Road, north of Bungonia Road, of any upcoming campaigns which will require concrete batching and dispatch prior to 6.30am, Monday to Saturday.
- 9) The proponent/operator must provide written notification of at least 3 working days to the residential

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receivers on Braidwood Road, north of Bungonia Road, of any upcoming campaigns which will require deliveries and maintenance works after 7.00pm Monday to Friday.

- 10) As the noise modelling has assumed several noise control mechanisms, the proponent must ensure these are installed prior to commencing operations. These include but are not limited to:
- i) cladding of the batching plant;
  - ii) acoustic barriers around the slump stand; and
  - iii) installation of on-site enclosures.
- 11) The proponent must install broadband reversing alarms where possible on mobile plant used on site.

**Air Quality**

- 12) The proponent must minimise the emission of dust from the premises at all times, including during the construction phase.
- 13) The proponent must arrange for particulate monitoring to be undertaken at the premises for the first year of operation to validate the modelled air impacts. The proponent should prepare an Air Quality Management Plan (AQMP) that details an appropriate air monitoring and reporting regime, with reference to Ambient Air-NEPM (NEPC, 2003) advisory reporting standards for particulate matter. The AQMP should include an assessment of the need for site-specific meteorological monitoring, and should include a commitment to publish all monitoring results to the proponent's website as soon as possible.
- 14) The results of any air sampling undertaken as part of the air quality management plan must be recorded and produced to any authorised officer of the EPA on request.

**Dangerous Goods and Chemical Transport, Storage and Handling**

- 15) The proponent must ensure that environmental risks associated with the storage, processing and handling of hazardous materials and dangerous goods are minimised. Storage and handling of any dangerous goods must be undertaken in accordance with the most up-to-date version of The Storage and Handling of Dangerous Goods Code of Practice. The current version as of the date of this letter is from 2005 and can be viewed online at:  
[http://www.safework.nsw.gov.au/data/assets/pdf\\_file/0005/50729/storage-handling-dangerous-goods-1354.pdf](http://www.safework.nsw.gov.au/data/assets/pdf_file/0005/50729/storage-handling-dangerous-goods-1354.pdf)
- 16) The type, quantity and location of all dangerous goods, chemicals and waste should be easily identified by site personnel and include in relevant environmental management plans/documentation for the premises.
- 17) The proponent must develop and implement effective controls for the storage, processing and handling of materials at the premises. These controls should include operating and maintaining bunds or spill containment systems where necessary to minimise the risk of pollution from potential spills and leaks. Information on bunding and spill management can be found online at:  
<https://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/authorised-officers/resources-and-training/bunding-and-spill-management>

**Management Plans and Record Keeping**

- 16) All written records must be:
- i) In a legible form, or in a form that can be readily reduced to a legible form;
  - ii) Kept for at least 4 years after the monitoring or event to which they relate took place; and
  - iii) Produced in a legible form to any authorised officer of the EPA who asks to see them.
- 17) Prior to the commencement of any construction works, an appropriately qualified person must

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**Agency Responses**

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prepare a detailed Construction Environment Management Plan (CEMP) which includes, but is not limited to:

- i) Dust (air quality) management strategy;
- ii) Procedures for validation of imported fill material and the proposed means of disposing of overburden;
- iii) Waste and materials re-use on site;
- iv) Community response and management procedure outlining the course of action to be undertaken following receipt of a complaint;
- v) Chemical handling and Dangerous Goods Management Plan;
- vi) Pollution Incident Response Management Plan;
- vii) Noise Management Plan; and
- viii) Air Quality Management Plan.

**Waste Management**

- 18) The proponent must assess, classify and manage any liquid and/or non-liquid waste generated and/or stored at the premises in accordance with the EPA's Waste Classification Guidelines as in force from time to time.
- 19) The proponent must ensure the collection, storage and disposal of waste at the premises does not pollute waters.

**Community Engagement**

- 20) The proponent must establish a 24-hour complaints hotline to enable real-time responses to community complaints relating to the operation of any approved development. The proponent should establish a website that will:
  - i) Enable the community and local businesses to register queries/complaints;
  - ii) Enable the proponent to advise the community about environmental incidents at the premises in real time; and
  - iii) Enable the publication of environmental monitoring results.



**Applicant Response to Submissions**



ABN: 42 143 902 998

**Goulburn Concrete  
Batching Plant**

25 Braidwood Road, Goulburn

**Response to Submissions**

*Prepared by:*



**R.W. CORKERY & CO. PTY. LIMITED**

June 2018

**Applicant Response to Submissions**



ABN: 42 143 902 998

**Goulburn Concrete  
Batching Plant**

25 Braidwood Road, Goulburn

**Response to Submissions**

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Ref No. 985/03

June 2018



R.W. CORKERY & CO. PTY. LIMITED

**Applicant Response to Submissions**

**MULTIQUIP AGGREGATES PTY LTD**  
*Goulburn Concrete Batching Plant*

**RESPONSE TO SUBMISSIONS**  
*Report No. 985/03*

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**Applicant Response to Submissions**

**RESPONSE TO SUBMISSIONS**  
 Report No. 985/03

**MULTIQUIP AGGREGATES PTY LTD**  
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**Applicant Response to Submissions****RESPONSE TO SUBMISSIONS***Report No. 985/03***MULTIQUIP AGGREGATES PTY LTD***Goulburn Concrete Batching Plant***1. INTRODUCTION**

Following the public exhibition of an Environmental Impact Statement (EIS) supporting a development application to Goulburn Mulwaree Shire Council (Council) to construct a new concrete batching plant, concrete works, and sand and soil sales yard at 25 Braidwood Road, Goulburn (Lot A DP153558) (“the Proposal”), submissions from six government agencies along with nine public submissions were received by Council.

Each of the submissions were forwarded to the Applicant, after which the Applicant met with Council (on two occasions) to discuss the content of these submissions and proposed approach to addressing the concerns raised and requests for additional information. At these meetings, held on-site on 2 May 2018 and at Council offices on 31 May 2018, specific matters requiring further information or clarification in the Response to Submissions (RTS) were identified by Council. A summary of the meetings with Council and additional documentation to address these requests is provided in Section 2.

Each of the government agency submissions has been reviewed and Section 3 addresses the issues raised in each.

Each of the public submissions has been reviewed and the specific objections or requests for further information within each submission categorised by environmental category and then specific issue. Section 4 identifies each environmental parameter (seven in total) and specific issue (23 in total), and for each issue, a representative quote from one of the submissions has been provided to illustrate the objection or request for additional information. It is noted that there is often some variation within the issues as categorised, however, we are confident that amongst the 23 specific issues raised, the concerns and objections of the public have been appropriately identified and addressed.

**2. COUNCIL MATTERS****2.1 INTRODUCTION**

At the completion of the exhibition period and after being provided with a copy of the public and majority of government submissions, the Applicant accompanied Ms Dianne West, Council’s Senior Development Assessment Officer, on an inspection of the proposed development site on 2 May 2018. The principal matters raised at the inspection in relation to the Proposal were as follows.

- **Site Fencing.** Council noted a fence, as opposed to a retaining wall, would be preferred along the northern and southern boundaries of the property (to minimise impacts on local drainage).
- **Landscaping.** Council requested clarification on the plant species to be used in landscaping of the development site.
- **Flood Management.** Council requested the response to submissions address the flood mitigation measures to be implemented in more detail.



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- **Transport Operations.** Council requested consideration be given to an alternative transport route to the development site (which avoids the main commercial and retail centre of Goulburn).
- **Dust.** Council requested the response to submissions provide additional information on dust management, specifically with respect to the neighbouring property owner to the north and his concerns over impacts on food manufacture.

A subsequent meeting was held between the Proponent, RWC and Ms James at the Goulburn Mulwaree Council on 31 May 2018 to further discuss the submissions received and the Proponent's approach to responding to these. The principal matters discussed in this meeting were as follows.

- **Transport Operations.** The Applicant confirmed an alternative route between the Ardmore Park Quarry and the development site could be used which avoid travel through the main commercial and retail centre of Goulburn.
- **Dust.** Council enquired as to the dust mitigation measures to be implemented, in particular those related to the transfer of sand and aggregates from stockpile to the concrete batching plant. Council requested the RTS provide further detail on the dust mitigation measures to be implemented on the development site.
- **Site Fencing.** The matter of Council's preference for fencing as opposed to retaining walls was again raised.
- **Geotechnical Matters.** The potential impact of the proposed water harvesting pond on the structural integrity of the building immediately north on the neighbouring property.
- **Local Services and Infrastructure.** The location of a sewerage line across the development site was queried.
- **Drainage.** Council sought further information on of-site drainage.
- **Flood Hazard.** Council requested a consolidated discussion on the management of flood hazard.
- **Landscaping.** Council noted the potential impact of the development site on the visual amenity from the Old Goulburn Brewery heritage site. Council requested further information on the landscaping of the eastern boundary of the development site and colour scheme to be applied to the silo's to be constructed on-site.
- **Braidwood Road Condition, Upgrade and Maintenance.** Council queried the discussion in the EIS with respect to the relative responsibilities of the Applicant and road authority to upgrades and/or maintenance of Braidwood Road.
- **Submissions of Government Agencies.** The submission of the NSW Office of Environment & Heritage (OEH), and approach to addressing the content of this, was also discussed.

The following sections provide clarification or additional information to address the matters raised by Council.



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**2.2 LOCAL SERVICES AND INFRASTRUCTURE**

Figure 2.4 of the EIS identifies the locations and alignments of infrastructure and services to the Project Site and surrounding properties. This information was sourced from Goulburn Mulwaree Council (sewer) and Dial Before You Dig as is believed to be accurate.

Noting concerns raised over the location of the sewer line to the structures on the property to the north, the Applicant will complete a thorough on-site survey and investigation prior to any earthworks to ensure below ground infrastructure is not impacted.

**2.3 GEOTECHNICAL MATTERS**

In relation to Council concerns regarding the potential impact of the Water Harvesting Pond at the northeastern corner of the Project Site on the structural integrity of the building to the immediate north, the Applicant notes that this feature, like the remainder of the Project Site would be constructed using reinforced concrete. The use of concrete would ensure that the northern wall of the pond is reinforced and prevented from slumping which could impact on the foundation of the building to the north.

The Applicant will follow instruction given by Council with respect to pre-construction survey and construction of the pond. The Applicant also notes that the location of the pond could be relocated along the eastern boundary of the Project Site if concerns are retained by Council.

**2.4 SITE DRAINAGE**

The ingress / egress (discharge) point to the Project Site occurs at the eastern edge of the Water Harvesting Pond. The Conceptual Surface Water Management Plan provided as *Appendix 10* of the EIS identifies overflow from the Water Harvesting Pond as following an overland flow swale towards the Mulwaree River. This feature was drawn to represent natural overland flow which would follow existing grass-lined depressions in the landform towards the Mulwaree River.

As noted in *Section 3.2.4.2* of the EIS, with the exception of a grass covered spillway constructed to allow for the controlled overflow during the construction phase, no earthworks or construction is proposed downstream of the Project Site with any discharge to “*vegetated natural drainage east of the Project Site.*”

During the operations phase of the Proposal, water captured in the Water Harvesting Pond would be preferentially pumped from this pond to the Water Storage Tank as a source of water for concrete batching with discharges not expected. In the unlikely event of discharge, this would follow the grass covered spillway retained following construction before flowing via vegetated natural drainage towards the Mulwaree River.





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### 2.5 SITE FENCING AND LANDSCAPING

#### 2.5.1 Perimeter Fencing

The Applicant acknowledges the Council's preference for fencing along the northern and southern perimeter of the Project Site and will install this, in preference to retaining walls. While subject to further advice or recommendations of Council, the Applicant proposes to install 2m high colourbond panels between concrete posts. The final colour scheme remains to be confirmed, however, is likely to be a grey or cream matte finish to blend with the colouring of surrounding buildings and structures.

The eastern perimeter of the Project Site would be 'fenced' using 2m high concrete panels to construct the aggregate storage bays. These concrete panels could be painted in a natural green hue to blend with the grassland contained in the foreground (to the east). It is considered the 1.8m high tubular fencing proposed for the western (street) frontage is appropriate given the proposed landscaping vegetation proposed.

#### 2.5.2 Site Landscaping

A *Landscape Plan* has been submitted to Council with the development application and this includes the proposed location, species and density of species to be used in landscaping and screening of the western (street) and eastern (river) frontage of the Project Site. With respect to the proposed landscaping of these two frontage, the following is noted.

#### **Braidwood Road (Western) Frontage**

In the design of the Braidwood Road frontage, the principal objectives are to:

1. Comply with Part 4.2.4 of the Goulburn Mulwaree DCP with respect to setbacks (6m);
2. Provide screening of activities undertaken in the western half of the development site from the residential receivers of Braidwood Road; and
3. Improve the overall streetscape amenity of Braidwood Road.

In sympathy to the neighbouring development (to the south), a 1.8m tubular steel (black) fence would be installed approximately 3m east of the property boundary and along the northern boundary with 21 and 23 Braidwood Road. Inward opening automated gates constructed using the same product would be installed at this 3m setback point from the property boundary.

The 3m to the west and 3.5m to the east of the fence would be stripped of the existing groundcover and soil to a depth of between 400mm and 500mm, replaced with 300mm to 400mm of topsoil containing water retaining granules and between 75mm and 100mm of mulch.

To the west of the fence line, the following species would be planted (as tubestock).

- Interspersed Crimson bottlebrush (*Callistemon citrinus*), Swamp bottlebrush (*C. sieberi*) or other *Callistemon* species (x 20 to 25) along the fence line.



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- Non-linear plantings of Kerrawang (*Rulingia dasyphylla*) to the west of the callistomon (x 30 to 35).
- Clumps of 3 to 4 Spiny matrush (*Lomandra longifolia*) (15 to 18 in total) along the very western frontage.

To the east of the fence line, two Yellow box (*Eucalypts melliodora*) and two Blakelys red gum (*E. blakelyi*) (or similar) would be planted in the sight lines between 5 and 9 Braidwood Road and the concrete batching plant. Between these trees, Kerrawang would be planted.

**Mulwaree River (Eastern) Frontage**

In the design of the Mulwaree River frontage, the principal objectives are to:

1. Provide screening of the concrete bays and raw material stockpiles located at the eastern extremity of the development site; and
2. Improve the overall amenity of the industrial zone when viewed from the residential development areas of Eastgrove and the Old Goulburn Brewery heritage site.

The 2m concrete panels which form the perimeter of the Project Site would be installed and painted in a hue sympathetic to the grassland in the foreground.

Weed spraying would be undertaken to remove / deplete exotic weed species in this location.

Following weed spraying, the following species would be planted as tubestock, interspersed along the length of the frontage and offset a distance of 10m from the concrete panels (to prevent dropping of leaves onto the aggregate stockpiles which could affect the concrete batching process if introduced).

- Greens wattle (*Acacia decurrens*) (x 12 to 15) to provide quick establishment of vegetation to screen the activities at the eastern perimeter of the development site.
- Kurrajong (*Brachyciton populeum*) (x 10 to 12) to provide longer term screening once the wattles begin to die-off (after 8 to 15 years).

Both species can withstand occasional inundation by flood waters.

Native grass species (Snow Grass, Wallaby Grass, Kangaroo Grass, Common Everlasting, Corkscrew-grass) would be promoted below this shrub / tree layer, through ongoing weed control and supplementary seeding as required.

It is noted that the description of landscape planting and site fencing differs slightly from the Landscape Plan submitted with the EIS. The Applicant is committed to updating the Landscape Plan to reflect the minor changes noted above prior to the commencement of construction.



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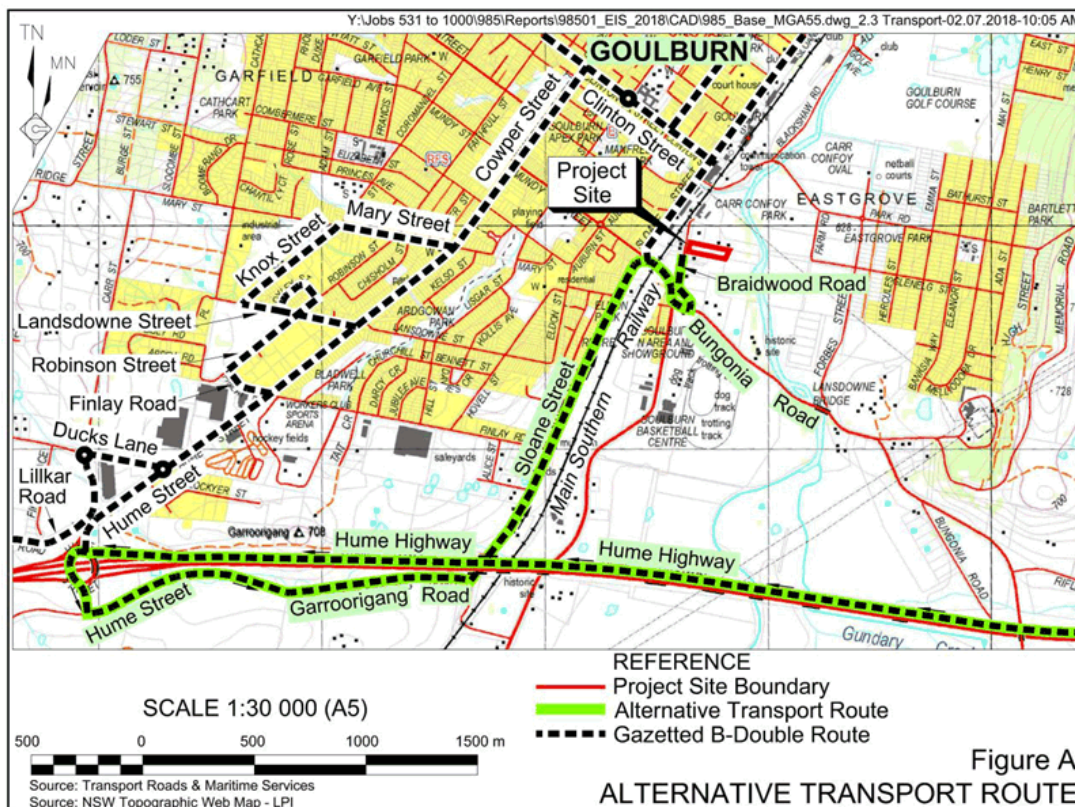
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**2.6 TRANSPORT ROUTE**

Noting the concerns held by Council and selected public submissions (refer to Section 4.3.2) regarding the use of Auburn Street and Clinton Street through the centre of Goulburn, the Applicant proposes the use of an alternative route from the Hume Highway to the Project Site for the delivery of raw materials (sand and aggregates) (see **Figure A**). The raw materials transport route, as presented on **Figure A**, would follow gazetted B-Double routes as follows.

- Travelling from the Hume Highway, trucks would exit at the Hume Street exit.
- Trucks would travel briefly on Hume Street before making a left hand turn at the T-intersection with Garroorigang Road and travel in an easterly direction.
- Garroorigang Road terminates at Sloane Street where trucks would make a left hand turn and travel through an underpass of the Hume Highway.
- Trucks would continue northbound on Sloane Street before making a right hand turn onto the Braidwood Road overpass of the Main Southern Railway.
- Trucks would then make a left hand turn onto Bungonia Road and left hand turn onto Braidwood Road before arriving at the Project Site.



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## 2.7 LOCAL ROAD CONDITION, MANAGEMENT AND MAINTENANCE

A description of the condition of Braidwood Road was provided in *Section 3.5.2.1* of the EIS. In summary, from its intersection with Bungonia Road, the sealed pavement reduces from between 8m and 10m wide to between 6m and 7m wide as it reaches its northern end. The pavement, particularly at the northern end, is displaying evidence of degradation along the outer edges. This section of Braidwood Road is considered a designated heavy vehicle route, in accordance with Part 3 of the Austroads Guide to Road Design series (Austroads, 2016), by virtue of its gazettal as a B-Double route.

The following summarises the design features of the local road network to be modified by the Proposal in order to reduce local impacts. The Applicant would, subject to approval by Council, undertake the following road upgrades.

- provide for a sealed entry to the Project Site from Braidwood Road. The sealed surface would include a taper to allow for the swept path of the largest vehicles to enter and exit the Project Site.
- provide for a hold line for exiting vehicles set-back approximately 10m from the centre of Braidwood Road.
- Provide line markings on Braidwood Road on approach to the Project Site.
- Install and maintain intersection and truck turning signs on Braidwood Road approach to the Project Site.

As noted in the EIS (*Section 3.5.4.1*), the sealed surface currently falls below the standard nominated by Austroads (2016) for designated heavy haulage routes (7.2m sealed surface [two x 3.1m lanes and 2 x 0.5m sealed shoulder]). The Applicant remains of the opinion that any upgrades to the pavement width should be the responsibility of the road authority. This notwithstanding, the Applicant would not object to contributions made to the ongoing maintenance of Braidwood Road in accordance with the Goulburn Mulwaree Section 94 Contributions Plan 2009 (as amended June 2016) (GMC, 2016), being used for this purpose.

## 2.8 DUST MANAGEMENT

The potential for dust and other particulate emissions from the operation of the proposed concrete plant was identified by the Applicant and a comprehensive Air Quality Impact Assessment (AQIA) completed by Ramboll Pty Ltd (refer to *Appendix 6* of the EIS) (Ramboll, 2018). The AQIA quantified emissions of particulate matter arising from the operation of the concrete batching plant to assess the potential for adverse impacts to the surrounding environment with regards to both human health and amenity.

As noted in *Section 3.4.3* of the EIS, the activities that could contribute to these emissions are as follows.

- Activities associated with the construction of the concrete batching plant, offices and related infrastructure.
- Delivery and unloading of raw materials of coarse aggregates and sand.
- Delivery, unloading and storage of cement (or flyash) into the nominated silos.



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- Loading and temporary storage of coarse aggregates, sand and cementitious raw materials into a weigh hopper.
- Loading of mixed aggregate and cementitious materials with water into the transit mixers.
- Wheel-generated dust emissions from all traffic movements and the on-site front-end loader on paved surfaces.

Considering these potential sources of emissions, the Applicant has sought to design the proposed concrete batching plant and associated operational areas to incorporate a range of best practice mitigation measures. These measures are described below.

**Construction Phase**

- Earthworks would not be undertaken during windy conditions.
- Noting that the Project Site would be completely covered with concrete pavement, earthworks would be scheduled to occur immediately ahead of concrete pouring campaigns (to limit the area of exposed earth at any one time).
- A water cart(s) would be used to wet down areas to be disturbed prior to the commencement of earthworks. The water cart(s) would be operated whenever exposed earth/soil is present on the Project Site.

**Operations Phase**

- The concrete pavement of the Project Site would be regularly wetted down and swept to prevent dust settlement which could be mobilised by vehicle movements or strong winds.
- Water sprays would be operated in the aggregate storage area to maintain the moisture content of the sand and coarse aggregates which would assist in preventing dust lift-off
- All trucks delivering sand and coarse aggregates would be covered, with the raw materials having been washed prior to delivery and retaining a moisture content to prevent dust lift-off on tipping to the aggregate storage bins.
- Pneumatic loading of cement/fly ash silos with dust filters fitted. This prevents exposure of the finer cement or fly ash materials to external dispersion factors such as wind and transfer between conveyors.
- The concrete batching plant ground components would be clad. This would capture any fugitive emissions during the batching and loading process.
- Dust extraction systems (hoods and dust filters) would be installed over the weigh hopper and truck load out components in the concrete batching plant.
- The conveyors and transfer points from the aggregate hoppers and batching plant would be covered to prevent the mobilisation of dust during the transfer process.



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Considering these mitigation measures, the emission calculations and associated dispersion modelling of the AQIA conservatively assessed the occurrence of potential maximum daily concrete production continually throughout the 12-month modelling period to quantify worst case potential impacts from the proposed facility. The predicted concentrations at all surrounding sensitive receptors were combined with ambient air quality levels and compared with applicable NSW EPA impact assessment criteria to determine compliance. The results of the air quality impact assessment demonstrate that compliance with all applicable health and amenity criteria would be achieved at all surrounding receptors.

Further discussion on air quality impacts is provided in Section 4.5 as part of a response to public submissions.

## 2.9 FLOOD HAZARD AND MANAGEMENT

Council has requested a more comprehensive review and discussion on flood hazard and management, noting that the content of *Section 3.11.2* of the EIS (Flooding Hazard) is very brief. The brevity of *Section 3.11.2* of the EIS is acknowledged, however, this sub-section provides a conclusion based on the information provided elsewhere in the EIS, namely:

- *Sections 1.7.4.1 (Flood Planning)* and *1.4.4.2*: which provide information on the flood planning objectives and requirements of the of the Goulburn Mulwaree LEP 2009 and Goulburn Mulwaree Development Control Plan (DCP) 2009;
- *Sections 2.2.1 (Phase 4: Construction and Installation Works)*, *2.3.1*, *2.4.3.1*, *2.5*, and *2.5.4.5*: which identify and discuss the specific placement of critical infrastructure and sources of pollution above the 1% Annual Exceedance Probability (AEP) flood level;
- *Section 3.2.2.1 (Flooding)*: which reviews the location of the Project Site in relation to historic and modelled (predicted) flooding events and identifies that inundation to an elevation of approximately 630.5m AHD under 1% AEP conditions;
- *Section 3.2.2.2*: which confirms that development for industrial uses within areas designated as flood storage is permissible in accordance with Part 3.7.1.2 of the Goulburn Mulwaree DCP subject to demonstration that there will be no decrease in available net flood storage;
- *Section 3.2.2.3*: which outlines the design features and other measures to be implemented to ensure the pre-development flood storage is maintained and the potential for pollution minimised; and
- *Section 3.2.2.4 (and Appendix 10)*; which provide the assessment that the Proposal would not have any detrimental impact on flood levels within adjoining properties or downstream water quality.

While the Applicant acknowledges that the Project Site occurs within a nominated flood planning area of the Goulburn Mulwaree LEP (refer to *Section 3.2.2.1* and *Figure 1.2* of the EIS), it is reiterated that the development is permissible on the basis that the pre-development flood storage would be maintained.



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With respect to Part 7.1 of the Goulburn Mulwaree LEP 2009, **Table A** identifies the noted objectives and reviews flooding hazard with respect to these.

**Table A**  
**Objectives of Part 7.1 of the Goulburn Mulwaree LEP 2009**

| Objective   | Control / Management   | Hazard Assessment  |
|---|--|--|
| (a) maintain the existing flood regime and flow conveyance capacity   | The Project Site design allows for ingress of rising flood waters (from the east) and retention of the pre-development flood storage volume.   | No change to hydrological conditions would result and therefore the hazard of changed flooding conditions to neighbouring properties is eliminated.  |
| (b) enable safe occupation and evacuation of land subject to flooding   | The majority of the Project Site, including the primary activity and occupation areas would be constructed above the 1% AEP flood level. Safe egress from the Project Site is provided by the Braidwood Road entrance and exit (which are above the historic and modelled 1% AEP flood levels).  | The hazard associated with rising flood levels is considered to be minimised by the site design and location of property egress point.   |
| (c) avoid significant adverse impacts on flood behaviour  | The Project Site design allows for ingress of rising flood waters (from the east) and retention of the pre-development flood storage volume.   | No change to flood behaviour (no change to flood hazard) is anticipated given the proposed flood storage retention and very minor flood storage volume (40m <sup>3</sup> ) involved.   |
| (d) avoid significant effects on the environment that would cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses | Refer to ' <i>Supplementary Risk Assessment of Flood Discharge Event</i> ' below.  | Considering the low likelihood of Project Site flooding, and the controls nominated, the risk of detrimental effect on the downstream aquatic / riparian environment (increased hazard) is considered to be low to negligible. |
| (e) limit uses to those compatible with flow conveyance function and flood hazard   | The Project Site design allows for ingress of rising flood waters (from the east) and retention of the pre-development flood storage volume.<br><br>The Project Site design provides for the location of pollution sources (other than sand and coarse aggregates) above the 1% AEP flood level. | On the basis that the Proposal will not alter local flood conditions, flow conveyance or downstream aquatic and riparian conditions, it will not result in an increased flood hazard.  |

**Supplementary Risk Assessment of Flood Discharge Event**

The Applicant and author of the EIS have stated that the risk of mobilisation of pollutants into the Mulwaree River is very low.

Notwithstanding the above, a risk assessment undertaken generally in accordance with *AS/NZS ISO 31000:2009 Risk Management - Principles and Guidelines* and focusing on the potential effects of water discharging from the Project Site following a flood event is provided. Risk is the chance of something happening that will have an impact upon the objectives of a task, which in this case is the development and operation of the Proposal without the discharge of water containing pollutants which could adversely impact on downstream water quality, ecological function or aquatic habitats.



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Risk is measured in terms of likelihood (probability) and consequence (severity) of the event happening and in this case is used to illustrate the associated hazard. **Tables B, C and D** present the likelihood, consequence and risk rating used during this analysis.

**Table B**  
**Qualitative Likelihood Rating**

| Level | Descriptor     | Description                                 | Indicative Frequency           |
|-------|----------------|---|--------------------------------|
| A     | Almost Certain | Is expected to occur in most circumstances  | Once a year or more frequently |
| B     | Likely         | Will probably occur in most circumstances   | Once every three years         |
| C     | Possible       | Might occur at some time                    | Once every ten years           |
| D     | Unlikely       | Could occur at some time                    | Once every thirty years        |
| E     | Rare           | May occur only in exceptional circumstances | Once every 100 years           |

Note: Rating modified after AS/NZS ISO31000:2009 Risk Management - Principles and Guidelines

**Table C**  
**Qualitative Consequence Rating**

| Level | Descriptor | Description   |
|-------|------------|---|
| 1     | Negligible | No detrimental impact on the environment is measurable or envisaged.  |
| 2     | Minor      | An event which could have temporary and minor effects on the environment, such as a non reportable environment incident.  |
| 3     | Moderate   | An event which would create substantial temporary or minor permanent damage to the environment, such as a reportable incident not likely to result in prosecution.  |
| 4     | Major      | An event which could have a substantial and permanent consequence to the environment such as an environmental incident which would result in prosecution, adverse local publicity and community complaints.   |
| 5     | Severe     | A major event which could cause severe damage to the environment with actual or potential loss of credibility with key stakeholders, environmental liability, regulatory intervention, national publicity/complaints, or could close the operation prematurely. |

Note: Rating modified after AS/NZS ISO31000:2009 Risk Management - Principles and Guidelines

**Table D**  
**Qualitative Risk Rating**

| Likelihood         | Consequences       |            |               |            |                   |
|--------------------|--------------------|------------|---------------|------------|-------------------|
|                    | Insignificant<br>1 | Minor<br>2 | Moderate<br>3 | Major<br>4 | Catastrophic<br>5 |
| A (Almost Certain) | M                  | H          | H             | VH         | VH                |
| B (Likely)         | M                  | M          | H             | H          | VH                |
| C (Possible)       | L                  | M          | H             | H          | H                 |
| D (Unlikely)       | L                  | L          | M             | M          | H                 |
| E (Rare)           | N                  | L          | M             | M          | H                 |

Note: Rating modified after AS/NZS ISO31000:2009 Risk Management - Principles and Guidelines





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The five risk rankings are defined as follows.

- Negligible (N): no impact, no management required.
- Low (L): manage by routine procedures, unlikely to need specific application of resources.
- Medium (M): manage by specific monitoring or response procedures, with management responsibility specified.
- High (H): senior executive management attention needed, action plans and management responsibility specified.
- Very High (VH): board attention needed, action plans and management responsibility specified.

**Likelihood (Probability)**

With respect to the likelihood of the event, it is reiterated that the Project Site has been specifically located on Lot A DP153558 so as to remain above the floodway of the Mulwaree River (as defined by the flood study of the Wollondilly and Mulwaree Rivers commissioned by Goulburn Mulwaree Council (WMA Water, 2016).

The Applicant originally proposed the Project Site to extend further to the east (to the easterly extent of the IN1 Zone of the Goulburn Mulwaree LEP), however, on review of WMA Water (2016) it was determined that restricting the Project Site disturbance to the flood fringe and storage area of the river, which WMA Water (2016) identifies as only being inundated under 1% Annual Exceedance Probability (AEP) or less frequent flooding conditions, would minimise the potential occurrence to 1% of rainfall / flood conditions. Historically these conditions have only been recorded twice in the available record (1959 and 1974) (WRC, 1984).

The likelihood of occurrence is assessed as E (Rare).

**Consequence (Severity)**

The consequence of downstream environmental impacts associated with in flow and egress of flood waters to the Project Site would be minimised and mitigated as follows.

- Only sand and aggregates retained within the Aggregate Storage Area would be affected by in-flowing floodwaters. The remainder of the Project Site would be constructed above 631m AHD which is above the predicted (and historical) 1% AEP (and 1 in 100 ARI) flood levels.
- As there is likely to be warning of imminent flood conditions prior to inundation of the Project Site. Noting that inundation would negatively affect the quality of the sand and aggregates retained within the Aggregate Storage Area, the Applicant is committed to relocating any stockpiles of sand and aggregate to the elevated Retail Sales Storage Area prior to inundation. If the maximum feasible stockpiles of aggregates are maintained (1 500t), the operation of 3-4 trucks would be able to relocate the materials within 4 to 6 hours.



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- The Aggregate Storage Area would be concrete lined minimising the potential for mobilisation of dispersive (finer) soil sediments which are more likely to remain suspended in the water.

In the event that flood waters rise without warning, or relocation of the sand and basalt aggregates is not possible, the potential impact on downstream water quality and environment is likely to be minimal given the following.

- Basalt aggregates would not be mobilised by the in-flowing flood waters and, will not contain significant finer materials (e.g. silts) which could be mobilised<sup>1</sup>. The sand retained in stockpile will have been washed and the coarser particle size of the sand, as compared to clays and silts, readily drops out of suspension as the velocity of flow reduces.
- During flood conditions, after floodwaters have risen to the maximum height, there will be no effective flow within the flood retention area of the Project Site and the coarser sand particles will begin to drop out of suspension. Any sands retained in suspension as flood water begin to recede, will flow from the Project Site via the Water Harvesting Pond. This linear structure would be constructed with design elements similar to a Type C Sediment Basin (of the Blue Book [refer to Standard Drawing 6-3]) (Landcom, 2004) and therefore promote the settlement of coarser sediments before the water flows.
- The volume of suspended sediments mobilised and discharged from the Project Site would be miniscule when compared to the sediment load already contained within the floodwaters generated by the erosive forces of the floodwaters external to the Project Site.
- Noting the above, the majority of sediments likely to remain in suspension as flood waters egress the Project Site would be the fine sediments already suspended in the floodwaters on ingress to the Project Site. It is likely that due to the containment of floodwaters on the Project Site as the flooding reaches its maximum height, significant amounts of these finer sediments will settle within the Project Site leaving (which would provide for a minor 'cleaning' of flood waters prior to flow-on downstream).

On the basis of the implementation of the design features, operational controls and management measures nominated above, the consequence of a discharge of flood waters following a flood event on the downstream hydrological, ecological and aquatic environment is (at worst) 2 - Minor and more likely 1 – Insignificant.

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<sup>1</sup> The crushing and screening operations would result in the removal of most fine contaminants from the basalt. Any soil or silt retained on the aggregates would impact on the quality of the concrete produced and as such, the Applicant would ensure that the aggregates are largely free of such contaminants prior to stockpiling on the Project Site.



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**Risk (of a discharge of water containing pollutants which could adversely impact on downstream water quality, ecological function or aquatic habitats)**

When considered in the context of the site layout modifications, internal design controls and mitigation measures proposed, the risk of detrimental effects on downstream water quality, ecological function or aquatic habitats would be Low to Negligible.

**Conclusion**

On the basis that the Proposal would not reduce the flood storage capacity of the Project Site, would allow for controlled movement of flood water onto and off the Project Site should flood water rise above the predicted 1% AEP level (631.45m AHD), and presents a low to negligible risk to the natural environment downstream, it is assessed that the Proposal would result in no significant change in the overall flooding hazard to the built or natural environment within the flood management area of the Mulwaree River.

**3. GOVERNMENT AGENCY SUBMISSIONS**

**3.1 ROADS AND MARITIME SERVICES**

**Comment**

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*RMS does not believe the development meets the requirements as stated in Clause 104 of the State Environmental Planning Policy (Infrastructure) 2007 and on this basis, does not object to the development application.*

**Response**

The comment of the RMS is noted. No further information is required to satisfy RMS.

**3.2 OFFICE OF ENVIRONMENT AND HERITAGE**

**3.2.1 Overview**

OEH has provided a request for further information in relation to the assessment of:

- flooding: principally with respect to the preparation of a flood hazard assessment, consideration of flood events greater than the 1% AEP and information on the frequency of low probability flood events, as this might affect contamination of the Mulwaree River;
- Aboriginal cultural heritage: as it relates to the consideration of the landform and finalisation of an Aboriginal Cultural Heritage Assessment Report; and
- biodiversity; as it relates to potential off-site impacts under flood conditions.

The following sub-sections consider the specific comments in relation to these issues.

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**3.2.2 Flooding****Comment***The 2003 FRMS&P remains current for establishing flooding constraints***Response**

In preparing the EIS, the flood modelling data of WMA Water (2016) was used in preference to other data as this was considered to represent the most up to date, and therefore most accurate dataset. WMA Water (2016) has been issued as a final report to Goulburn Mulwaree Council, is referenced on the Goulburn Mulwaree Council website and it is understood the document has been accepted by Council.

The above notwithstanding, the OEH's reference to the Goulburn Mulwaree Floodplain Risk Management Study & Plan (FRMS&P) 2003 as current for the establishment of establishing flooding constraints is accepted. It is considered that reliance on the more recent modelling data of WMA Water (2016) is appropriate for the assessment of impacts and risks.

With reference to the FRMS&P, it is noted that the approach taken to the identification of potential impacts, consideration of impact avoidance, minimisation and mitigation measures, and assessment of flood hazard are in line with the primary and specific objectives of the FRMS&P (refer to pp. xvi and xvii of the FRMS&P) (which are reiterated in the OEH submission). Principally, the measures proposed by the Applicant would ensure that the Proposal would not:

- result in any increase on the social and economic impact of flooding on individual owners and occupiers of flood prone property (given the flood storage capacity of the Project Site would be retained – refer to Section 2.9); and
- result in any increase to private and public losses resulting from floods.

The Proposal also abides by the fundamental principle of the FRMS&P, which is quoted on p. xvi of the FRMS&P as ensuring that floodplain management measures are not considered individually or in isolation. As part of the assessment of flooding impacts, the EIS considered not only the impacts to the Project Site, but to the built and natural environment surrounding it. As noted in the Section 2.9 (of this document), which draws upon the various information provided in the EIS to provide a flooding hazard assessment, potential impacts to the environment beyond the Project Site have been identified and mitigation measures provided. Considered in the context of both the immediate environment and catchment as a whole, the residual risk of impact (and therefore constraint on the development) is considered very low to negligible.

**Comment***An assessment of flood hazard has not been undertaken***Response**

As noted in Section 2.9 (of this document), the EIS includes various sections which discuss design features, management actions and mitigation measures aimed at managing the flooding hazard of the Project Site and reducing flooding-related impacts.



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On the basis that the Proposal would not reduce the flood storage capacity of the Project Site, would allow for controlled movement of flood water onto and off the Project Site should flood water rise above the predicted 1% AEP level (631.45m AHD), and presents a low to negligible risk to the natural environment downstream, it is assessed that the Proposal would not result in any significant change to the overall flooding hazard to the built or natural environment within the flood management area of the Mulwaree River.

### Comment

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*No assessment of flood events greater than the 1% AEP has been provided (up to the PMF);*

### Response

OEH's reference to the Probable Maximum Flood (PMF) of the catchment is noted, however, in considering flood conditions against which the impacts of the Proposal was assessed, the 1% AEP was considered a far better indicator of the risks posed by flooding and the potential for the Proposal to impact on local flooding hazard. It is noted that PMF is used for flood planning of major dams and locations considered as being at extreme risk. Neither category is considered applicable to the Project Site.

The FRMS&P (p. 1-2) notes the PMF would "*affect areas with no experience of flooding*" and "*... may cut through residential/commercial areas around Union Street to join the Mulwaree Chain of Ponds upstream of the current confluence*". That is, the entirety of the industrial zone, special infrastructure zones, rural, residential and commercial zones surrounding the Project Site would be inundated. This is illustrated by *Figure 39* of WMA Water (2016) (see **Appendix A**).

Furthermore, the FRMS&P notes (on p. 4-2) "*... Restricting development by using the PMF level as the FPL [Flood Planning Level] is neither feasible nor socially or economically desirable. Instead, a merit approach is used to determine a FPL that balances the flood risk with the economic and social benefits of using the flood prone land.*" With reference to the above consideration, the FRMS&P (p. xxv) identifies the Flood Planning Level as the 1% AEP flood event.

Considering the 1% AEP flood level provides a low probability but realistic illustration of potential flooding impacts, where impacts on the Project Site can be distinguished from surrounding land, this is an appropriate benchmark to assess flooding related impacts of the Proposal. It is worthy of note that recorded flooding at this point on the Mulwaree River have not seen flood levels rise higher than the following (WRC, 1984, WMA Water, 2016<sup>2</sup>):

- 1959: 630.66m AHD
- 1974: 630.35m AHD; and
- 2010: 629.30m AHD.

Notwithstanding the illustration provided above that the 1% AEP provides a low probability but realistic illustration of potential flooding impacts, **Table E** provides the predicted flood levels of the Mulwaree River under various flood conditions (including PMF).

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<sup>2</sup> Refer to *Table 2* of WMA Water (2016).



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**Table E**  
**Qualitative Risk Rating**

| Event         | 10% AEP | 5% AEP | 2% AEP | 1% AEP | 0.5% AEP | PMF   |
|---------------|---------|--------|--------|--------|----------|-------|
| Level (m AHD) | 627.8   | 628.1  | 629.8  | 630.4  | 631.0    | 640.3 |

Source: Modified after WMA Water (2016) – Table 44

The modelling results presented in **Table E** illustrate that even under 0.5% AEP conditions (reflecting 1 in 200 year ARI conditions), flood waters would only rise an additional 0.6m to 631.0m AHD. Notably, the western portion of the Project Site containing the concrete batching plant, slump stand, washout pits and cement storage would be constructed at an elevation of greater than 631.0m AHD. The mitigation measures proposed by the Applicant to accommodate the flood level predicted for the 1% AEP conditions would also provide equivalent protection under 0.5% AEP conditions. at Park Road on the opposite bank of the River (see **Table E**).

**Comment**

*It's unclear whether the approx. 40m<sup>3</sup> of lost floodplain storage applies to the 1% AEP, and if so, how much would be lost in the PMF*

**Response**

The 40m<sup>3</sup> storage applies to the 1% AEP flood conditions. It is reiterated that this is not 'lost', rather reflects the volume of water which would be contained on the Project Site under these conditions. The Project Site design provides this storage volume (and more) to ensure that this storage volume is not 'lost'.

Calculating the storage volume of the Project Site under PMF conditions is not considered particularly useful as inundation of large sections of Goulburn would rise to 640m AHD (and higher) (refer to **Table E** and *Figure 39* of WMA Water – see **Appendix A**). Under such conditions, the storage volume of the approximately 7 200m<sup>3</sup> Project Site would be insignificant against the volume of water inundating the floodplain.

**Comment**

*The assertion that there will be no detrimental flood impacts from the development does not appear to be supported by any assessment*

**Response**

Additional assessment and justification has been provided and is included as Section 2.9 (of this document).

**Comment**

*Adequate safety and egress during a flood has not been addressed*

**Response**

*Figure 53* of WMA Water (2016) identifies that under 1% AEP flood conditions, a large proportion of the Project Site is mapped as having an Emergency Response Planning (ERP) classification of 'Low Trapped Perimeter Area' (refer to **Appendix 2**). This classification is



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defined as being where “*The inhabited or potentially inhabited area is lower than the limit of flooding (i.e. below the PMF) or does not have enough land above the limit of flooding to cope with the number of people in the area. During a flood event the area is isolated by floodwater and property may be inundated. If floodwater continues to rise after it is isolated, the area will eventually be completely covered. People trapped on the island may drown.*”

Notably, however, the northeastern portion of the Project Site, where the Site Entrance is to be located remains outside this area under the predicted 1% AEP flood conditions. Furthermore, the proposed site layout, which elevated the western portion of the site to 631.0m AHD or higher, would increase this area outside the Low Trapped Perimeter Area and allow for safe egress from the Project Site.

### Comment

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*No information has been provided on the frequency of the “low probability” flood events which would result in contamination of the Mulwaree River with aggregates and sand*

### Response

Annual Exceedance Probability (AEP) is expressed using percentage probability. It expresses the probability that an event of a certain size or larger will occur in any one year, thus a 1% AEP event has a 1% chance of being equalled or exceeded in any one year. The 1% AEP reflects 1 in 100 year Average Recurrence Interval (ARI) conditions and therefore is ‘expected’ (on average) once every 100 years. It is noted that the interval between 1% AEP conditions may vary and could potentially occur in successive years, or be separated by several hundred years. As an indication, the 1% AEP flood level (as modelled by WMA Water and used for the purpose of this assessment) has only been reached once in the known record (1954) (WMA Water, 2016, WRC, 1984).

With respect to the Proposal, and disregarding the mitigation measures proposed in Section 2.9 (of this document) to prevent mobilisation of sediments from the Aggregate Storage Area, there is a 1% chance in any given year for inundation of the Project Site. In accordance with the discussion above, it is not possible to accurately establish a ‘frequency’ for occurrence.

### Comment

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*The assertion that the Mulwaree River would already carry a high sediment load during floods of magnitude which affect stored aggregates and sand does not appear to be supported by any assessment.*

### Response

Ground conditions following a flood event present persuasive evidence of the high volumes of sediment moved under these conditions. The comments relating to these conditions has been provided to provide context to the assessment and formal assessment is considered unwarranted.



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#### Comment

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*The assertion that the contribution of stored aggregates and sand to the Mulwaree River and Goulburn wetlands during floods would be minimal does not appear to be supported by any assessment.*

#### Response

The mitigation measures proposed to prevent the mobilisation of sediments from the Aggregate Storage Area (refer to Section 2.9 of this document) would limit the volume of sediments discharged under flood conditions. The discussion in the EIS reflects the high sediment loads carried by flood waters and the very small proportion of the flood plain represented by the Project Site. It is considered an entirely reasonable conclusion in this context.

### 3.2.3 Aboriginal Heritage

The Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared by OzArk Environmental & Heritage Management (OzArk) was provided to the Registered Aboriginal Parties (RAPs) for this project (on 2 March 2018), Goulburn Mulwaree Council and OEH, with the intention to review and comments received prior to finalisation.

Only one response was received from the RAPs, with this response noting the ACHAR would not be reviewed.

Noting the limited response from the RAPs, OzArk has updated the ACHAR (OzArk, 2018a) to address the comments of OEH. Each of the individual comments of OEH, along with an overview as to how these have been addressed and reference to the relevant section of the ACHAR (which is provided in full as **Appendix C**) is provided below.

#### Comment 1

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*OzArk does not discuss the potential depth of subsurface sites on similar landforms in region. The possible depth and extent of the disturbance is also not noted. Further desktop assessment must be included to clarify whether intact archaeological deposits may be present below the disturbed surface. If this cannot be clarified through desktop assessment, subsurface testing in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW may be required.*

#### Response

Section 5.5 has been added to the ACHAR to provide further detail on the OzArk assessment that subsurface archaeological deposits are unlikely in the study area. After review and documentation of various sources, OzArk conclude again that while it cannot be categorically asserted that there are no subsurface archaeological deposits within the study area, the weight of evidence from the study area, and from studies in close-by and similar landforms, is that it is unlikely that the study area contains archaeological deposits of 'conservation value'. As such, a test excavation program is not recommended.

In addition, the ACHAR provides for additional recommendations with respect to managing surface disturbance and possible new discoveries on the landforms of potential archaeological sensitivity (refer to Sections 5.9, 5.10, 6 and Appendix 4).



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**Comment 2**

*OzArk has commenced the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DCCEW 2010) however these consultation requirements are in progress as the ACHAR is currently out for RAP consultation. There may be cultural heritage values that have not yet been identified as Aboriginal consultation is not yet finalised.*

**Response**

Section 2.3.3 has been updated and confirms that no correspondence nominating further cultural values were received following the RAP review of the draft ACHAR. The ACHAR has subsequently been updated, to address the comments of OEH, and finalised. A copy of the final ACHAR has been supplied to the RAPs.

**Comment 3**

*A proposed methodology for how the cultural heritage assessment will be undertaken is not provided in the ACHAR (clause 80C(6)(a-b) of the National Parks and Wildlife Regulation 2009 and stage 3 of the Aboriginal Cultural Heritage Consultation Requirements for Proponents).*

*The ACHAR also states that stages 2, 3 and 4 of the Aboriginal Cultural Heritage Consultation Requirements for Proponents have been combined and that a review of the ACHAR will constitute Stages 2, 3 and 4 (OzArk 2018:9). ...*

*Stages 3 and 4 of the Aboriginal Cultural Heritage Consultation Requirements for Proponents cannot be combined. ...*

*OEH has also reviewed the consultation log and the Appendix 1 (Aboriginal Community Consultation). Copies of the agency letters received during Stage 1 are not included, these should be added to the ACHAR. OEH is not aware of receiving an Aboriginal stakeholder request letter from OzArk as per clause 80C(2) of the National Parks and Wildlife Regulation 2009 and Stage 1 of the Aboriginal Cultural Heritage Consultation Requirements for Proponents.*

**Response**

The ACHAR acknowledges (Section 2.3.2) that Stages 2 and 3 of the ACHCRs cannot be conflated and that strict adherence to the ACHCRs cannot be demonstrated. This notwithstanding, it is noted that the study area was relatively small, the entire study area assessed and no comment received from the RAPs suggesting the survey was not conducted appropriately. These facts somewhat negate the need for a survey methodology from an archaeological perspective, however, OzArk acknowledges the deviation from the ACHCRs and notes this ACHAR could not be therefore be used to support an AHIP application.

A sample of the letter sent to agencies is included in Appendix 1 and a list of the agencies contacted in Section 2.3.1. OzArk acknowledges an administrative oversight meaning OEH was not contacted for their stakeholder list.

Recommendation 3 has been added to the ACHAR (Section 6) to address the matter of consultation should an Aboriginal Heritage Impact Permit (AHIP) be required. The Applicant acknowledges this and would implement this recommendation in the event an artefact was identified requiring management by way of an AHIP.



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**Comment 4**

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*The view of those Aboriginal people regarding the likely impact of the proposal of their cultural heritage. If any submissions have been received as part of the consultation requirements, then the report must include a copy of each submission and your response.*

*As the ACHAR is currently out for consultation with RAPs, this requirement is still pending. Submissions from RAPs may still be received in relation to this project.*

**Response**

The only comment received from the RAP review of the draft ACHAR is now included in Section 2.3.3.

**Comment 5**

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*OzArk has identified that there are no recorded Aboriginal objects or declared Aboriginal places in the study area. Furthermore, OzArk (2018:19) predict that there is a low probability for there to be undetected subsurface sites in the study area. A statement indicating that there is predicted to be no harm to Aboriginal objects must be included in the ACHAR.*

**Response**

A statement indicating that there is predicted to be no harm to Aboriginal objects has been included in Section 5.8.

**Comment 6**

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*A description of any practical measures that may be taken to protect and conserve those Aboriginal objects and declared Aboriginal places*

*... As there is no predicted harm, no practical measures to protect and conserve Aboriginal objects are included in the ACHAR. A statement indicating this must be included in the ACHAR.*

*... There is no Statement of Commitment that an AHMP will be developed which addresses the requirements noted above.*

**Response**

Section 5.9 has been included to provide a policy on the protection and conservation of Aboriginal objects.

In accordance with the *Recommendation 5* of the ACHAR (Section 6), the Applicant is committed to the preparation and implementation of an Aboriginal Heritage Management Plan (AHMP) in accordance with the Statement of Commitment regarding the preparation of an AHMP provided by Section 5.10.



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**3.2.4 Biodiversity****Comment(s)**

*However, the assessment does not identify what type of vegetation is within the portion of the site to the east of the impact area, down to the Goulburn Mulwaree River (map 1). While this area may not be directly impacted by the development, it could suffer from indirect impacts. For example, through flood waters carrying the aggregates and sand from the site, across this portion of vegetation. If this area is native, then OEH considers that this area should be incorporated into the impact assessment.*

*Based on these issues OEH recommends that the applicant:*

- *Undertake vegetation plot(s) in the eastern portion of the site, as mapped in pink hash on the map below*
- *If this area is native, then OEH considers that this area should be incorporated into the impact assessment*

**Response**

It is noted that the field survey completed for the Ecological Assessment (of OzArk, 2018a) extended beyond the eastern boundary of the Project Site (refer to *Figure 13* of the EIS) and this indicates an extension of PCT 1187: *Snow Grass - Wallaby Grass - Kangaroo Grass - Common Everlasting - Corkscrew-grass dry tussock grassland in the Monaro Region of the South Eastern Highlands Bioregion.*

Acknowledging the occurrence of native vegetation (PCT 1187) and important (if not degraded) aquatic and riparian habitat immediately downstream of the Project Site, the Applicant has taken all reasonable and feasible steps to minimise the potential for the mobilisation of sediments and discharge from the Project Site under 1% AEP or less frequent flood conditions (refer to Section 2.9 of this document). On the basis of these measures, and considering the likelihood of flood conditions which inundate the Project Site, the risk of a discharge of water containing pollutants which could adversely impact on downstream water quality, ecological function or aquatic habitats was rated as Low to Negligible (refer to Section 2.9 of this document).

This assessment of risk of adverse impact (on the vegetation of PCT 1187 and aquatic / riparian habitat) is supported by the Ecological Assessment (*Appendix 7* of the EIS) which has considered the potential for indirect impacts. The Ecological Assessment makes the following assessment (refer to *Table 4-3*, p. 43 of *Appendix 7*):

*“There is potentially up to 13.5ha of adjacent PCT 1187 which is bounded by the Mulwaree River, Blackshaws Road and Bungonia Road. Currently this vegetation is either grazed or is contained within industrial/residential land. As such this adjacent vegetation is already degraded and subjected to edge effects. These effects will be negligibly exacerbated by the proposal.”*

On the basis of the above, the recommendation of OEH to undertake additional field survey to further describe the vegetation and additional assessment of impacts to this area is considered unwarranted and unnecessary.



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### 3.3 DEPARTMENT OF PRIMARY INDUSTRIES – FISHERIES

#### Comment

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*The Development includes a proposal to excavate an aggregate storage area (primarily sand and basalt) within the flood plain, at an elevation of approximately 1m lower than the surrounding project site. The excavation of the flood plain and subsequent storage of aggregate material within the flood zone is not supported by this Department. The Department believes that there is a very high risk of mobilisation of the exposed substrate as well as stored materials from the storage area and into the Mulwaree River during inundation events.*

#### Response

DPI-Fisheries references the development site as occurring within the ‘flood plain’ (of the Mulwaree River) and opposes the excavation for the purpose of an aggregate storage area. DPI-Fisheries raises the concern over the potential impact on downstream water quality should this area be inundated during a flood event and requests that alternative be considered by Council prior to approval.

While it is acknowledged that the site occurs within flood planning area of the Goulburn Mulwaree LEP (refer to *Section 3.2.2.1* and *Figure 1.2* of the EIS), it is restricted to the flood storage and flood fringe zones (as nominated by WMA Water, 2016 and identified on *Figure 1.3* of the EIS). This places the Project Site above historically recorded flood levels of the Mulwaree River at this point of the river (WRC, 1984, WMA Water, 2016), as well as the 1% AEP flood level (WMA, 2016) (refer to **Table E** in Section 3.2.2). Notably, the western portion of the Project Site containing the concrete batching plant, slump stand, washout pits and cement storage would be constructed at an elevation of greater than 631.0m AHD, which would be above the 0.5% AEP flood level at this point on the Mulwaree River (refer to **Table E** in Section 3.2.2).

Noting the above, and considering the impact mitigation measures nominated in the EIS and summarised in Section 2.9, the Applicant contends that the risk of mobilisation of pollutants into the Mulwaree River is very low. This is supported by the supplementary risk assessment completed to consider the risk of detrimental impacts on downstream water quality, ecological function or aquatic habitats as a result of the discharge of receding flood waters from the Project Site (refer to Section 2.9).

#### Comment

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*We recommend that the risk to downstream water quality from this aspect of the proposal be thoroughly reviewed and alternatives considered prior to any approvals being issued by Council.*

The risk to downstream water quality was reviewed above, as well as in Section 2.9, and represents a very minor to negligible risk based on low likelihood and very minor consequence (when considered in the context of catchment wide flooding).

Alternatives to site design were considered during the development of the proposal. The Project Site initially extended to the eastern edge of the IN1 Zone of the Goulburn Mulwaree LEP however, was later restricted to remain outside the floodway of the Mulwaree River (reducing both the likelihood and consequence of inundation).



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The construction of a levee along the eastern perimeter of the Project Site was also considered but assessed to be a less-preferred option for the following reasons.

- A levee would result in a change (albeit minor) to the hydrological flow during flood conditions. This would be contrary to Part 1 of the Goulburn Mulwaree LEP 2009 which includes objectives to “*maintain the existing flood regime and flow conveyance capacity*”.
- The Project Site design allows for the flood storage volume of the Project Site (~40m<sup>3</sup>) to be retained, thereby not negative influencing the hydrological flow pattern up and downstream of the Project Site.
- The risk of impact during flood conditions was considered far better managed through site design and proactive flood response measures.
- The residual risk of impacts to downstream water quality was assessed to be very minor to negligible and outweigh the potential impacts which could be associated with a change in hydrological flows on neighbouring properties.

### 3.4 HEALTH – MURRUMBIDGEE LOCAL HEALTH DISTRICT

#### Comment

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*Provided the proposed development complies with the recommendations of the Environmental Impact Statement, and accompanying documents submitted in support of the Development Application, this office would raise no objection to the proposed development.*

#### Response

The comment is noted and the Applicant is committed to the implementation of the recommendations contained within the EIS.

### 3.5 HERITAGE COUNCIL OF NEW SOUTH WALES

#### Comment

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*The proposed silo structures are 19.9m in height and are located approximately 350m from the closest buildings associated with the Goulburn Brewery site. The introduction of a structure with an effective height of over 6 storeys in an area of scattered low scale development has a potential to alter the views to and from the Goulburn Brewery along the Mulwaree River.*

#### Response

As discussed in Section 2.5.2, the Applicant proposes to plant vegetation beyond the eastern perimeter of the Project Site to screen the concrete panels which will form the outer wall of the aggregate storage bays.

*Plate 3.12* of the EIS (reproduced below) illustrates an equivalent view of the Project Site, including the silos, from a distance similar to the Goulburn Brewery site, considering the proposed landscaping and painting of the silos in an olive or similar colour, i.e. a hue similar to other elevated structures and grassland which occurs in the foreground.



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It is noted that the vantage point from the Goulburn Brewery, while slightly closer (500m vs 650m) would be further obscured by established trees and the activities of the Goulburn Sand and Soil operation (see **Figure B**).

Given the distance, intervening obstructions and proposed mitigation, visual impacts are likely to be negligible.

**Comments**

*The plans provided identify an area of vegetation screening at the rear of the site that may assist in mitigating the impact of the proposed structures on significant views to and from the Goulburn Brewery. It is recommended that this area of screening extend further westward along the southern boundary to provide greater screening of the silos and further mitigate the impact of the development when viewed from the Goulburn Brewery.*

... ..

**1. SCREEN PLANTING**

*The screen planting provided to the rear of the site is to be extended further westward along the southern boundary to provide additional screening of the proposed silos.*

*Reason: to mitigate the impact of the development on views from the Goulburn Brewery site*

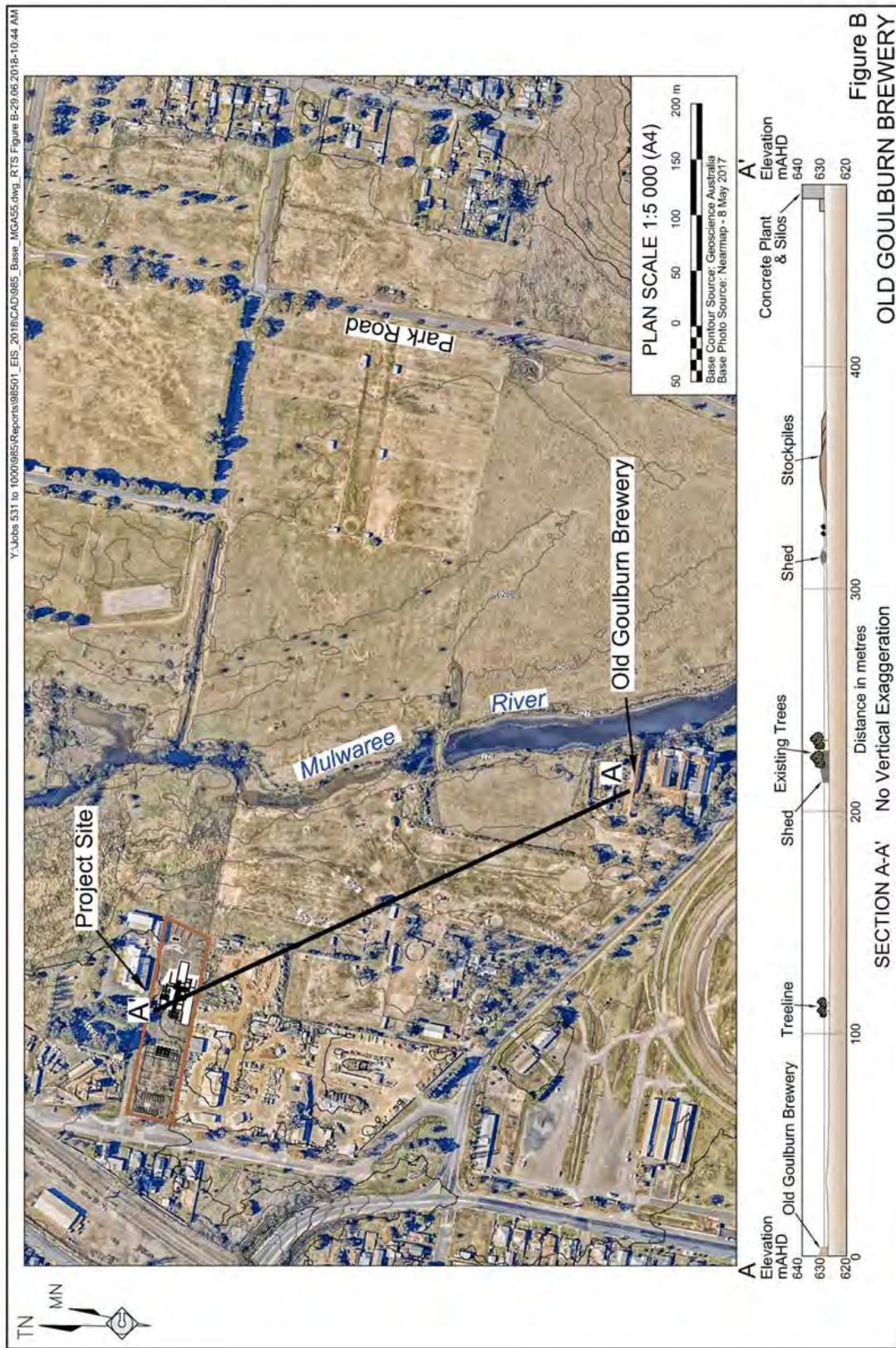


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**Response**

Screening along the southern boundary of the Project Site is not feasible. This notwithstanding, the views of the Project Site would be at least 500m, obscured by intervening vegetation and industrial activities and minimised by the mitigation measures proposed by the Applicant.

**Comment****2. UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS**

*The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.*

*Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.*

**Response**

The comment is acknowledged, understood and accepted.

**Comment****3. ABORIGINAL OBJECTS**

*Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Office of Environment & Heritage is to be informed in accordance with section 89A of the National Parks and Wildlife Act 1974 (as amended). Works affecting Aboriginal 'objects' on the site must not continue until the Office of Environment and Heritage has been informed. Aboriginal 'objects' must be managed in accordance with the National Parks and Wildlife Act 1974.*

*Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.*

**Response**

The comment is acknowledged, understood and accepted.

**3.6 DEPARTMENT OF PLANNING & ENVIRONMENT****Comment**

*The Department has reviewed the submissions and notes that there are no issues of State or regional significance that apply to the proposal. The Department does however note the concerns raised by the Department of Primary Industries - Fisheries and the Office of Environment and Heritage (OEH) regarding the potential impacts of the proposed development upon the Mulwaree River during a flood event.*



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*In addition, the Department also notes the concerns raised by the OEH in relation to Aboriginal cultural heritage (ACH), and specifically the need for a finalised ACH assessment report to be prepared for the proposed development.*

**Response**

The comments of DPI-Fisheries and OEH have been addressed in Sections 3.2 and 3.3 respectively.

**3.7 GOULBURN MULWAREE COUNCIL**

**Comment**

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*Supported subject to the following condition:*

- 1. The Aboriginal heritage: Unexpected Finds Protocol (Appendix 3 of the report by OzArk Environmental & Heritage Management in Appendix 8 of the Environmental Impact Statement) must be implemented on site during all ground breaking activities.*

**Response**

The comment is acknowledged, understood and accepted.

**4. PUBLIC SUBMISSIONS**

**4.1 ADMINISTRATIVE**

**4.1.1 Development Application**

**Comment**

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*The DA plans we have seen at Council lodged by the developer state our dwelling as a storage facility THIS IS NOT CORRECT. It is a home residence for myself and my wife who reside in it permanently*

*The larger building noted on the submission as residential and manufacturing is wholly a plant for the manufacture of our food product*

Submission No. 1

**Response**

The error on the plan is acknowledged, however, it is noted that the various assessments considered the closest structure of 21 Braidwood Road for the purpose of noise, air and other assessments.

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**4.1.2 Zoning**

**Comments**

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*This area of Goulburn was zoned industrial because of the Old Goulburn Brewery opened in 1836 and thus the surrounding land was zoned industrial including 25 Braidwood Road which used to be wool stores not impacting on the environment. Between the westerly winds swooping down on this unprotected location and the nearby river about 200 meters below and in a flood zone, it is clearly the wrong location for such an industry more suited to a designated Industrial Area such as that in Ross Street where there are no houses.*

Submission No. 6

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*It is my understanding that Goulburn Mulwaree Council's LEP has zonings for this type of development at the northern and southern approach of the city. These locations are more than 250m away from residential dwellings, are not in flood plain, don't direct traffic through the city and won't demand future rate payers or tax payers money for roadworks. In addition this proposal of a batching plant only employs 3-4 onsite personnel so it doesn't need to be located close to any population centres.*

*There should be no industry like this close to the centre of town and at the edge of the heritage area. No new developments should be approved and current industries should be encouraged to relocate to the industrial areas. I applaud the other small industries and businesses like car yards, hardware stores, carpet and furniture shops, and warehouses which have moved out of the centre of town.*

Submission No. 8

**Response**

As identified in Section 1.7.4.1 of the EIS, development for the purpose of a concrete batching plant (being general industry) is permissible with development consent within the IN1 Zone of the Goulburn Mulwaree LEP 2009. The EIS considers the impacts of the development on local air quality, noise climate, traffic conditions, visual amenity and the natural environment and in doing so demonstrates adherence to the objectives of the IN1 – General Industrial zone are as follows.

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.

With respect to the specific matters raised in the submissions, the EIS outlines and describes the approach taken by the Applicant to minimising and mitigating impacts which could affect, or be affected by local meteorological conditions, heritage features, traffic and/or the flood planning area of the Goulburn Mulwaree LEP 2009.

Finally, the comment regarding the suitability of another site is noted, however, the EIS is restricted to the assessment of 25 Braidwood Road in relation to land zoning permissibility and the overall merits of the Proposal.



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**4.1.3 Ardmore Park Compliance**

**Comments**

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*This is the same aggregate organization behind the Ardmore Park Quarry in Bungonia which has been non-compliant about erecting a noise shield for the noise and dust produced by the crusher and associated machinery there. Their track record is not good and is unlikely to be any better here.*

Submission No. 1

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*The company behind the development, regardless of their claims, has a very poor record through their constant non-compliance and disregard of standards set for previous extraction activities in the Bungonia area.*

*They have been fined on a number of occasions for breaches of previous conditions set on their activities but continue to violate those conditions. (EPA website)*

Submission No. 4

**Response**

The EIS has been restricted to a merits based assessment of the proposed concrete batching plant. Whilst the integration of some elements of the Proposal with the quarrying and transport operations of Ardmore Park Quarry are acknowledged, the compliance history or operational matters associated with this development are not relevant to the assessment of the Goulburn Concrete Plant.

**4.1.4 Monitoring and Compliance**

**Comment**

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*As our local council, the most important concern must be the welfare and lifestyle of all Goulburn residents. Outside commercial ventures must comply with all environmental requirements, must pay its own way and must be independently and regularly checked for compliance. Regular reports should be available for all residents to examine and severe penalties imposed for non-compliance.*

Submission No. 9

**Response**

The Applicant is committed to implementing any reasonable monitoring or reporting requirements required by Council. Furthermore, any monitoring results and environmental reports would be placed on a dedicated web page for consideration by the general public.

The Applicant acknowledges its obligations under various legislation to operate a safe development which does not adversely impact on the surrounding environment. The Applicant understands it would be liable to penalties and /or prosecution should it fail to comply with the conditions of development consent or relevant environmental legislation such as the *Protection of the Environment Operations Act 1997, National Parks & Wildlife Act 1975, Biodiversity Conservation Act 2016* or *Water Management Act 2000*.



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**4.2 LAND, SOIL AND WATER RESOURCES**

**4.2.1 Water Consumption**

**Comments**

*What will be the impost on the town water supply?*

Submission No. 1

*What will be the water use drawn from the City water supplies and how much will be trapped and cleaned on site for use buy the business? Bungonia allocation of 110ML per year has just been nearly doubled unexpectedly by the Quarry to 210ML Per year from the subterranean water. The quarry's neighbours were unaware until it was presented in the DA Modification 3 document.*

Submission No. 7

**Response**

Water requirements are estimated at approximately 420L of water per 1m<sup>3</sup> of concrete. Therefore, at average (30 000m<sup>3</sup>) and high (60 000m<sup>3</sup>) production levels, annual water requirements would approximate 12.6ML and 25.2ML respectively. Modelling undertaken by Strategic Environmental and Engineering Consultants (SEEC) (refer to *Section 3.2.4.3.1* of the EIS) indicates that approximately 3.6ML of water could be harvested annually from stormwater runoff on the site with the remainder to be purchased from town water supply.

Harvesting and management ('cleaning') of water is described in *Section 3.2.4.2.4* of the EIS. In summary, water would be captured and diverted through surface channels, stormwater drainage pits and pipelines to a 300m<sup>3</sup> water harvesting pond before being transferred to water tanks on-site from which the concrete batching plant would draw its water supply (refer to *Figure 3.6* of the EIS). The key components of the water management system (to ensure that stormwater and water which comes into contact with the concrete batching process is appropriately treated and managed) are as follows.

- Stormwater Drainage Pits would provide for initial settlement and consolidation of sediments contained in stormwater runoff. Overflow from these pits would flow to a sediment settlement trap.
- Sediment Settlement Trap. Water collected in the stormwater drainage pits and surface stormwater channels would be directed to a sediment settlement trap constructed immediately upslope of the Water Harvesting Pond for further settlement of sediments contained in stormwater.
- Truck Wash-out Pits. Constructed as wedge pits with dimensions approximating 3.7m wide x 9m long to 1.2m in depth (20m<sup>3</sup>), these would allow for the collection of water used to washout transit mixers returning to the Project Site.
- First Flush System. Runoff from areas where contamination with cementitious materials is possible would be diverted to a 50m<sup>3</sup> cell to capture the initial runoff from runoff generated by rainfall of up to 10mm. Overflow would be to the Water Harvesting Pond.



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- Water Harvesting Pond. Providing for storage of up to 300m<sup>3</sup> of water, this structure would prevent any runoff from leaving the site. Water would be preferentially pumped from this pond to the Water Storage Tank as a source of water for concrete batching.

As noted in Section 4.1.3, the EIS has been restricted to a merits based assessment of the proposed concrete batching plant. The allocation of water to operations at the Ardmore Park Quarry has no relevance to the current assessment.

**4.2.2 Water Pollution**

**Comments**

*As evidenced in the AEP Design Flood Depths and Levels, 25 Braidwood Road is in a flood area and it takes one million litres of water to dilute one litre of alkaline waste water from concrete production back to a safe PH level. Wet cement is a strong alkaline solution containing extremely aggressive and hazardous chemicals.*

Submission No. 6

*Any failure of compliance or self regulation in a flood zone and a water run off area into the Wollondilly river would seem to be a high risk.*

Submission No. 7

**Response**

The comment regarding the dilution requirements for alkaline solution are queried and rejected. It is noted that pH, which measures relative alkalinity / acidity, is a logarithmic scale. That is, solution with a pH of 8 is 10 time more alkaline than solution with a pH of 7. A solution with a pH of 9 is 10 times more alkaline than solution with a pH of 8 and 100 times more alkaline than solution with a pH of 7. Water contained within concrete washout bays generally has a pH of between 11 and 12

It is noted that water with a pH of up to 8.5 is considered suitable water quality for drinking, recreation and aquatic habitat. Considering the most alkaline water contained within washout bays (pH 12) is between 1,000 and 10,000 times more alkaline than pH of 8, dilution by 10,000 times (not 1,000,000) is a more reasonable assessment.

Noting this, the EIS provides for the containment of activities likely to result in alkaline runoff, concrete batching, transit mixer washout, cementitious material storage, above the 1% AEP flood level. That is, unless flood water exceed 631.0 m AHD (the 0.5% AEP flood level – refer to **Table E** of Section 3.2.2), contamination by cementitious material will not occur. Flood water would have to rise to 631.5m AHD before flowing into the truck washout pits. Notably, records of flooding at this point on the Mulwaree River have not seen flood levels rise higher than the following (WRC, 1984, WMA Water, 2016):

- 1959: 630.66m AHD
- 1974: 630.35m AHD; and
- 2010: 629.30m AHD.

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As assessed in Section 2.9 (of this document), and noting the massive volumes of water that would be flowing in the floodplain under conditions exceeding the 1% AEP flood level, the risk of adverse impact on the natural or built environment from any discharge from the Project Site would be very low to negligible. Flooding

**Comment**

*I would also question the sensible location of the proposed new concrete batching plant and supply yard at 25 Braidwood road. This area is subject to flooding and is in a drainage line during major flood events and with the potential to contaminate surface and ground water entering the Mulwaree Chain of Ponds River and ultimately Sydney water.*

Submission No. 4

**Response**

The eastern boundary of the Project Site was specifically located to remain above the flood flow zone and 1% AEP flood level of the Mulwaree River. The Project Site would be concrete lined and this eliminates the risk of contamination (from on-site sources) to groundwater.

As discussed in Section 2.9 and above in Section 4.2.1, the Applicant has designed the site layout and provided for operational controls to minimise the potential for flood waters to come into contact with material which could pollute. The risk of adverse impact on the downstream natural and built environments has been assessed as low to negligible (refer to Section 2.9) and this is considered acceptable given the permissibility of the development and occurrence of similar industry in the immediate vicinity.

**4.2.3 ENM Contamination**

**Comments**

*Excavated Natural Materials (ENM) which include contaminants will be imported to our town.*

Submission No. 1

*Considering that the Companies involved intend to back load possible contaminated materials out of Sydney for “processing” with their questionable quality extracted materials for the concrete industry, we do not want this type of development.*

Submission No. 4

*I have serious issues with the inclusion of ENM products along with VENM which I believe may be serious contaminating to the Goulburn environment. What checks and balances are there by ‘independent assessor’.*

Submission No. 9

**Response**

In order to import and apply ENM to land, the supplier of the material must certify that it meets criteria established under Section 1.1 of the Excavated Natural Material Order 2014 of Part 9, Clause 93 of the POEO (Waste) Reg. That is, naturally occurring rock and soil (including but not limited to materials such as sandstone, shale, clay and soil) that has:

- a) been excavated from the ground;
- b) contains at least 98% (by weight) natural material; and



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- c) does not meet the definition of Virgin Excavated Natural Material (as defined in the POEO Act).

The Applicant would require the supplier of any ENM to satisfy the sampling and quality requirements of the Excavated Natural Material Order 2014. The ENM would then be applied to land in accordance with the ENM Exemption 2014 (issued under the POEO (Waste) Reg).

Resource Recovery Orders and Exemptions are issued by the NSW EPA in acknowledgement that certain materials, e.g. ENM, if meeting specific quality requirements and disposed of in specific ways offer very little risk to the natural environment. The Applicant acknowledges that these RROs and RREs do not remove the obligation to operate in a way which does not pollute the environment. The EPA may request confirmation from either the supplier or user of materials such as ENM that the conditions of the RRO or RRE are being complied with. Significant penalties apply if the conditions of RRO or RRE are contravened.

**4.3 TRANSPORTATION AND TRAFFIC**

**4.3.1 Transport Route and Truck Movements**

**Comments**

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*After all the work that has been done, and continues to be done, to make Goulburn an attractive, liveable town, the prospect of having 144 huge trucks run down Auburn St., (the main street, for goodness sake!) each day from 5am to 10pm at night, is horrifying. The effects on businesses, residents, the wetlands and the golf course will be multiple and deleterious.*

Submission No. 1

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*I have no problems with the development site, only the transportation route through the DBC, the number of trucks moving in and out of Ardmore Park and along our local roads and where the soil is going to come from.*

Submission No. 3

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*The advantage of the Goulburn by-pass to Goulburn City was the removal of trucks from the main business centre. Their removal has removed heavy diesel pollution, continual loud noise and vibration, dangerous congestion and related pedestrian risks from the main street. It has allowed the development of a more appealing commercial and tourism area. These trucks are a metre and a half longer than the previously consented 30Tonne Ardmore Park Multiquip haul trucks. Letting 50 Tonne B double size trucks to use the main street as a dedicated haul route, would be a big step backwards for Goulburn.*

Submission No. 7

**Response**

As discussed in Section 2.6 (of this document), the Applicant proposes an alternate transport route from the south which would avoid travel through the main commercial and residential zones of Goulburn.



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**4.3.2 Traffic Impacts****Comment**

*More trucks would impact considerably on the flow of traffic.*

*A roundabout at the Sloane/Mundy Street intersection, instead of the present form requiring vehicles to stop, would have facilitated traffic flow. The traffic is building up with the addition of the lumber trucks in the area often holding up traffic which once was only the case when the freeway was diverted due to accidents. When the Lansdowne Bridge is completed possibly late 2019 the traffic flow will be around 3000 a day which will grossly interfere with traffic flow at the Bungonia/Braidwood intersection and more so the Mundy/Sloane Street intersection. The addition of a concrete plant and another sand yard would Not be advantageous to traffic flow. Divalls Sand and Soil yard with many employees and customers frequenting this facility is already extensive without adding more to the situation. When the Lansdowne Bridge opens next year the B Double lumber trucks will compound road use in this area of Hudson Park. All the trucks carrying lumber to Braidwood Road facility are weighed to calculate weight before bromium processing and Divalls has a weigh bridge. The lumber business has only operated since 2017 while the Lansdowne Bridge was closed. The ever growing vehicle number at both these intersections with many more subdivisions being approved, Lansdowne Park being the latest, has not yet been tested, but an educated guess points to a significantly greater bottleneck.*

*Common sense would have to indicate a significantly greater bottleneck with the increased use of the Veolia Arena and Grace-Millsom Center, Harness Area and Equestrian Events and Greyhound Racing. Canberra has now banned all greyhound racing adding an extra weekly meeting to the mix of traffic congestion. The crowds of visitors driving to Wakefield Park also affects these intersections as well as all the extra traffic going to the coast using the recently upgraded Nerriga by-pass.*

*This calls for direct access off the freeway onto the Bungonia or Braidwood Road to alleviate impending further congestion with the opening of the Lansdowne Bridge.*

Submission No. 6

**Response**

As discussed in Section 2.6, the Applicant has identified an alternative transport route between the Ardmore Park Quarry and the Project Site which will remove traffic from Auburn Street Clinton Street and the main commercial centre of Goulburn.

The Applicant cannot comment on the traffic generated by other developments, however, notes that traffic count data for Braidwood Road (either side of the Bungonia Road intersection) supplied by Council illustrates a steady increase in vehicle numbers (4.5% per year since 2008) (see **Table F**).





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**Table F**  
**Traffic Counts – Braidwood Road**

| Station No. | Location                     | Traffic Count |       |       |       |       | Annual Increase |
|-------------|------------------------------|---------------|-------|-------|-------|-------|-----------------|
|             |                              | 2008          | 2010  | 2012  | 2014  | 2016  |                 |
| 94.804      | Approach to Railway Overpass | 1,118         | 1,413 | 1,508 |       | 1,783 | 6.5%            |
| 94.495      | At Hume Highway Overpass     | 1,475         |       | 1,884 | 1,777 | 2,008 | 4.0%            |

Source: Goulburn Mulwaree Council

This increase in traffic is indicative of a moderate level of traffic growth and potentially indicative of increasing commercial and residential development on the eastern side of the Main Southern Railway. Even at this moderate level of increase, traffic numbers will not reach volumes where hourly vehicle numbers would warrant construction of a CHR or AUL type intersection (of Braidwood Road – overpass section) at the Bungonia Road intersection. Vehicle numbers on Bungonia Road would be even less and therefore the BAL intersection at the Bungonia Road – Braidwood intersection will remain sufficient.

With respect to the statements around additional heavy traffic crossing the Lansdowne Bridge once upgrade works are completed, it is noted that the submission suggests this would be bound for Braidwood Road and therefore have limited effect on the Mundy Street / Sloane Street intersection. Heavy vehicle traffic from Goulburn Concrete Plant would be primarily travelling in the opposite direction (towards Sloane Street) and therefore interaction would be limited to Braidwood Road where the traffic counts suggest ample capacity is retained.

As acknowledged in the submission, the claim of bottlenecks being created around the Bungonia Road / Braidwood Road and Mundy Street / Sloane Street intersection is ‘an educated guess’. This is based around assumptions and statements without data to support them and while increases in traffic is expected around the Braidwood Road, Bungonia Road, Sloane Street area of Goulburn, a review of traffic data and observations of traffic function when inspecting the location suggests there is ample capacity remaining.

**4.3.3 Trucking Hours**

**Comment**

*In 2009 when the quarry was given approval it was based on a number of conditions one of these that the hours of operation would be 7:00am – 6:00pm. This was to minimise the impact, both social and amenity, on the local community. Nothing has changed in 9 years for Multiquip to increase their hours of operation on Jerrara Rd and Oallen Ford Rd to start hauling product from 5:00am to 10:00pm at night...*

*Multiquip has requested a modification of their current DA on Ardmore Park Quarry to increase their hours of operation. It has not been approved by the NSW Department of Planning yet they are still making a submission to your Council about using these roads from 5:00am to 10:00pm. How can they even consider this to be justified. It clearly shows how they have zero regard for the residents of Bungonia and Marulan and the impact that driving these trucks along the roads at these times.*

Submission No. 5

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**Response**

The proposed hours of operation have been proposed to ensure sufficient flexibility to allow for efficient operations, as well as limit impacts on surrounding land holders and residents (refer to Section 2.3.7 of the EIS).

The hours have been proposed to integrate with early morning transport hours of the Ardmore Park Quarry (the subject of a proposed modification to that project approval).

While the merits of earlier transport operations at the Ardmore Park Quarry are not relevant to this assessment, it is noted that early morning commencement would allow for a large proportion of heavy vehicle movements to be scheduled outside local peak hour traffic.

**4.3.4 Road Safety**

**Comment**

*The EIS does not consider the impact to pedestrians or cyclists along Braidwood and Bungonia Roads.*

Submission No. 8

**Response**

The Applicant is committed to implementing a Driver Code of Conduct which will provide clear instruction on appropriate and courteous and safe driving practices which account for pedestrian and cyclists.

**4.3.5 Road Condition and Maintenance**

**Comments**

*In the objections for the DA to the modifications of Ardmore Park Quarry (there was over 40 of them) 25 people had concerns of the condition of the road. This road must be faced before trucks starting hauling product along this road. The Council needs to re-visit this before this DA is considered to ensure the safety of the motorists on this road.*

Submission No. 5

*I believe this business pays very little tax already so I'm sceptical regarding the "voluntary" payment it talks of making to Council to cap costs. Who will bear the cost of maintaining the truck routes?*

Submission No. 1

*Who is responsible for paying for road maintenance which will be impacted adversely by significant increase in heavy vehicles on our roads? Is there a charge per truck or a blanket fee regardless of numbers of trucks? If a blanket fee, this is unlikely to cover the real cost of maintenance which must then borne by rate payers (including me).*

Submission No. 9



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**Response**

Matters related to operations associated with the Ardmore Park Quarry are not relevant to this assessment. The commitment to contribute in accordance with the *Goulburn Mulwaree Section 94 Contributions Plan 2009* (as amended June 2016) (GMC, 2016) is considered appropriate given the current status of local roads (refer to *Section 3.5.2.1* of the EIS) and potential impact associated with the Proposal (refer to *Section 3.5.5.3* of the EIS).

**4.4 NOISE**

**4.4.1 Plant and Trucking Noise and Vibration**

**Comments**

*Trains run intermittently on the railway in the vicinity but the noise from this plant will be constant and continue well beyond normal working hours.*

Submission No. 1

*The noise of extra trucks beeping when reversing and pounding of concrete mixing would impact considerably on the area with at least 7 houses affected and the health of goodness knows how many people.*

Submission No. 6

*Sound levels; listed as 37dBa and 46dB in Table 5 Are completely topped by all of the machinery sound levels listed at Table 8 giving dBa of from 111dBa to 95dBa.*

*Given that all these loading and processing times are to occur from 5AM to 10PM X5days a week and from 5AM to 6PM Sat, the noise component seems beyond any allowance; the train and traffic noises are intermittent with only 4 passenger trains and several other freight movements in any 24 hours. The Concrete batching plant is intended on the basis of these figures to work continuously.*

*P21 of the sound attachment. the statement "For logistical reasons the delivery of these ( ... cement supply tanker + other raw) materials would be scheduled to occur outside of busy times and will not occur prior to 7AM "" this would have to mean that the concrete batching and biggest noise will be between 5AM and 7AM at the earliest. There is no indication when else the worst noise will be scheduled nor how late the noisiest of the operations would run. However, 5-7AM would seem to be a key time to preserve people's rest.*

*In the specifications there is no indicator apart from some chute lining that there would be any noise reduction provided by the selected batching unit. There is no indicator that there would be any enclosing of the loading and the chute areas to contain the noise within the structure. Given the intended hours of operation this would seem vital to those e.g. Mandelsons, Goulburn Produce, Divalls and the other relatively close businesses, plus the homes and the golf club that are within easy ear shot.*

*At the start of the noise document were statements about how noise travels and can't be contained even when the air is still. (a rarity in Goulburn anyway). Later in the document is the intention to build a bund wall to stop the noise. As the section carries [sic] the train noise onto this site, (as per their noise analysis) therefore we must assume that the noise will also travel across the tracks and into the CBD or eastwards into the river valley. the noise plume will not be selective.*

Submission No. 7



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*Noise pollution - conveyors and compressors would create noise and vibration which carries along the Mulwaree Ponds and over Goulburn City. South Goulburn residents will be negatively affected by this and traffic noise.*

Submission No. 8

**Response**

The Noise Impact Assessment undertaken by Spectrum Acoustics (2018) and included as *Appendix 5* of the EIS completed the assessment in accordance with the *Noise Policy for Industry* (NPI) (EPA, 2017).

Notably, noise assessment was an iterative process which initially considered the noise levels likely to be received at surrounding sensitive receivers without any noise mitigation or ameliorative measures. Specific noise controls and mitigation measures were progressively incorporated until noise levels compliant with the NPI could be demonstrated. As described in *Section 3.3.5* of the EIS, the Applicant has committed to the following design features (which are illustrated on *Figure 3.10* of the EIS).

- The concrete batching plant would be located towards the rear of the Project Site to reduce noise impacts at the closest residential receiver to the west.
- The concrete batching plant would be enclosed (with noise cladding).
- An acoustic barrier would be constructed around the slump stand. The specification of this barrier would be as follows.
  - The western wall would extend at least 5m past the front of a transit mixer.
  - The eastern wall would extend at least to 2m past the end of the transit mixer.
  - The barrier would be at least 4.5m in height.
  - The barrier would be constructed of material with a minimum surface density of 15kg/m<sup>3</sup>.
- The conveyor and transfer points would be covered (primarily to reduce dust), however, this would also reduce noise emissions.
- Specific operations would be scheduled for different times of the day to reduce the number of concurrent noise sources operating at any one time. As nominated by Submission 7, deliveries of raw materials would be scheduled to commence after 1pm after concrete batching and despatch operations are likely to have been finished for the day.

These noise mitigation measures have been recommended by Spectrum Acoustics (2008) based on evidence of successful application elsewhere. The actual noise mitigation applied to the various measures is actually conservatively low and as a result noise levels lower than those predicted could realistically be expected.

In addition, the Applicant would:

- include noise cladding along the northern and southern boundaries of the Project Site if further noise reduction was required;



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- use low frequency reverse alarms would be used in preference to beepers;
- enforce a driver code of conduct which includes requirements for courteous travel to and from the site, especially during the early morning; and
- trialling and implementing any other reasonable and feasible measures where a noise benefit can be illustrated.

**4.4.2 Hours of Operation**

**Comment**

*The hours of operation 5am – 10pm will be onerous on any person living within earshot (or for that matter working within earshot).*

Submission No. 9

**Response**

As nominated in Section 2.3.7 of the EIS, the hours of operation have been chosen to ensure sufficient flexibility to allow for efficient operations, as well as limit impacts on surrounding land holders and residents (refer to Section 2.3.7 of the EIS).

Specific operations would be scheduled for different times of the day to reduce the number of concurrent noise sources operating at any one time. As nominated by Submission 7, deliveries of raw materials would be scheduled to commence after 1pm after concrete batching and despatch operations are likely to have been finished for the day. Operations after 6pm are unlikely on most days and likely be related to plant or equipment maintenance.

**4.5 AIR QUALITY**

**4.5.1 Dust Pollution and Association Health Impacts**

**Comments**

*The proposed operation would be using materials that produce very fine dust -- silica from sand and multiple toxins from flyash in conjunction with cement powder --- carcinogenic products - plus other "processed" materials back-loaded from Sydney.*

Submission No. 4

*This would be the worst possible impact to this area of Goulburn because of the location exposed to strong westerly winds. The three other concrete plants in Goulburn have a degree of protection due to the hill on the western side and huge sheds in the Industrial Area of Ross Street with a hillside of native trees to the east. Predominantly the winds come from the west and the location of the proposed D/A would blow tiny cement particles across the valley where many horses graze, Pony Club grounds and the constantly used Carr Confoy playing fields are located and all the houses in Eastgrove facing west towards the valley.*

*This would be a most serious issue to pollute the environment with cement dust. Exposure to cement pollution is linked to a number of different health outcomes starting from modest*



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*transient changes in respiratory tract to impaired pulmonary function continuing to restricted activity and reduced performance, as reported in the International Journal of Scientific and Research Publications. Volume 3 Issue 5 May 2013. ISSN 2250-3153.*

*The health issues concern the skin, eye irritation and breathing problems in the form of allergies, chronic bronchitis, asthma, silicosis, emphysema, lung cancer, pneumonia, tuberculosis, shortness of breath, coughing, wheezing, stroke, chest pains, irregular heart beat when cardiovascular system affected, swelling in legs and feet, anxiety and fatigue. ...*

*Often not enough thought is given to the harm it can do. It contains hexavalent chromium causing allergies and cancer which may take years to become obvious and is irreversible. Just imagine the very fine cement particles clogging up the alveoli in your lungs? Alkaline chemicals damage nerve endings first. The particles that make up cement are abrasive leading to irritant dermatitis. Lime added to cement, calcium oxide, is corrosive to human tissue.*

*The inclusion of the business proposed in this D/A at 25 Braidwood Road has the very strong probability of insidiously affecting the health of thousands of Goulburn residents because of the location directly in the path of strong westerly winds blowing tiny cement particles into the Eastgrove valley, next to a food production and in a flood zone.*

Submission No. 6

**Response**

The Air Quality Impact Assessment (AQIA) of Ramboll (2018) (refer to *Appendix 6* of the EIS) quantified emissions of particulate matter arising from the operation of the proposed concrete batching plant to assess the potential for adverse impacts to the surrounding environment with regards to both human health and amenity.

The emission calculations and associated dispersion modelling conservatively assessed the occurrence of potential maximum daily concrete production continually throughout the 12-month modelling period to quantify worst case potential impacts from the proposed facility. The predicted concentrations at all surrounding sensitive receptors were combined with ambient air quality levels and compared with applicable NSW EPA impact assessment criteria to determine compliance. The results of the AQIA demonstrate that compliance with all applicable health and amenity criteria would be achieved at all surrounding receptors.

With regard to emissions associated with cement, sand and flyash, the facility has been designed to incorporate a range of best practice mitigation measures. These include:

- pneumatic loading of cement/flyash silos with dust filters fitted;
- dust extraction systems (hooding and dust filters) for the weigh hopper and truck load out components in the concrete batching plant;
- cladding for the concrete batching plant for dust capture and acoustic purposes;
- water sprays at the aggregate storage areas; and
- use of water cart and street sweeper on paved surfaces.

The AQIA includes a detailed discussion of prevailing meteorological conditions, including wind speed and direction. The most recent five years of meteorological monitoring data from the Bureau of Meteorology weather station at Goulburn Airport was processed and analysed in Section 5 of the air quality impact assessment report. The prevailing winds for the area are indeed from the west as noted by the author of Submission 6.



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An entire 12-months of 1-hour observations from the Bureau of Meteorology Goulburn Airport station was used in the dispersion modelling conducted in the air quality impact assessment to determine the potential areas of impact from the proposed facility. The input dataset includes the dominant westerly winds and therefore the model predictions account for dispersion of facility emissions under such conditions. The results of the dispersion modelling presented in the air quality impact assessment demonstrate that compliance with all applicable health and amenity criteria would be achieved at all surrounding receptors, including the York Foods facility (receptor R6 in the air quality impact assessment).

It is important to note that the Proposal does not involve the production of cement. All cementitious materials would be imported to the Project Site and stored in sealed tanks before controlled addition to the sand aggregates and water in the enclosed batching plant. The reference to the health related impacts of cement and cement dust, whilst not queried, has minimal relevance to this assessment.

**4.5.2 Air Pollution from Trucks and Association Health Impacts**

**Comment**

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*Air quality from increased heavy traffic will impact on the health of local residents. This is an aspect which must not be ignored.*

Submission No. 9

**Response**

The AQIA focuses on emissions from the facility only as this will be the most significant source of emissions associated with the development. Any increase in emissions from heavy road traffic associated with the facility would not significantly alter existing air pollution levels in the surrounding environment.

**4.6 HERITAGE**

**4.6.1 Heritage Impacts**

**Comments**

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*This proposed DA is adjacent to a State Government Heritage Listing under Schedule 5 of the Local Environment Plan attached to the Old Goulburn Brewery which is the oldest brewery in Australia. This zoning was introduced in 1999. Unfortunately, it has taken too long for people to realise the value of heritage and if this Heritage zoning had been introduced earlier none of the Divall's earth moving would be in this location as it would have been in the heritage zoning attached to Broughton and the Brewery. Including a concrete plant in this location would be sacrilege.*

Submission No. 6

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*One of Goulburn's greatest assets is our early European settler's history and heritage. The proposal is likely to have negative impacts on local cultural heritage values. This landscape is included in the Goulburn City Conservation Area. There are heritage items within a few*

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*hundred metres of local and state significance being Lansdowne Bridge, Goulburn Brewery/Mill c.1836, historic properties of 'Lansdowne' and 'Charlton', the archaeological site of the former Toll House, Bridge Abutments (archaeological). It is close to the site where Governor Lachlan Macquarie camped next to the Mulwaree Chain of Ponds and where 25 Aborigines lived in 1848.*

Submission No. 8

**Response**

The proximity of the local heritage zone is acknowledged and consideration has been given to the layout and landscaping of the Proposal to limit impacts. As noted in *Section 3.9.2* of the EIS, the Proposal would seek to minimise the potential for impact on these features as follows.

- Visual impact would be minimised as discussed in *Section 3.6.3* (of the EIS). Furthermore, the Proponent would consult with and take advice from Council regarding site landscaping.
- No Proposal-related traffic would travel past 1 Braidwood Road, with vibration impacts to be well below levels considered as having the potential to damage structures.

As is discussed previously in Sections 2.5.2 and 3.5 (of this document), landscaping efforts would be focused on screening the most prominent features of the Project Site from the Old Goulburn Brewery.

Noting these commitments, attention is drawn to the Heritage Referral Response of Louise Thom, Goulburn Mulwaree Heritage Advisor who concludes.

- 1 Braidwood Road is already located between the railway and industrial development along the eastern side of Braidwood Road. The proposed concrete batching site will be another industrial use infilling a vacant lot between other industrial sites. The dwelling at 1 Braidwood Road is forward on the building line and is two stories so it retains its built form character and visibility in the streetscape despite development on the Eastern side of the street.
- Broughton and the Brewery are located a sufficient distance from the development not to be impacted. The concrete silo will be visible from these properties due to its height, however, the silo is only a small part of the development and will be viewed from the distance.
- The development is along the edge of the Heritage Conservation Area (HCA), however, there is already industrial development along the eastern side of Braidwood Road and it is not expected this development will make any additional impact upon the HCA.

Ms Thom concludes by stating the level of heritage impact would be acceptable.





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**4.7 SOCIO-ECONOMIC**

**4.7.1 Business Impacts**

**Comment**

*The traffic paragraph pg 4-5 has no mention of the accident risk, diesel fumes, dust and noise for shoppers, retailers, coffee drinkers on the side walk, etc. along Auburn Street.*

*The Socio-economic environment gives no mention of the detrimental affect on the CBD.*

Submission No. 3

**Response**

As noted in Section 2.6, the Applicant has agreed to use an alternative access route to the Project Site which would avoid Auburn Street, Clinton Street and the primary commercial and residential areas of Goulburn (see **Figure A**).

**4.7.2 Local Amenity**

**Comments**

*Most people who write to you probably have a personal, vested interest in doing so. I don't, apart from not wanting to live in an industrial town and hoping to be able to continue to enjoy a quiet morning coffee with friends at the local cafes. ...*

*I appreciate the work Council does for us and hope in this and other matters it will carefully deliberate about the kind of place we want Goulburn to be now and into the future, bearing in mind most of us want to live in a society, not an economy.*

Submission No. 1

*This concrete batching proposal would negatively affect my amenity and that of my family, as well as my neighbours and most of South Goulburn and the commercial town centre. This development is obtrusive and not sympathetic to the cultural landscape.*

Submission No. 8

*Also noise impact – not inconsiderable – both from the plant and heavy traffic. Detrimental to our lovely country Goulburn lifestyle.*

Submission No. 9

**Response**

The EIS identifies that the Proposal would result in an increase in noise and air emissions in the immediate vicinity of the Project Site. It is acknowledged that this could impact on the amenity of those residing in Braidwood Road (north of Bungonia Road). However, it is reiterated that the Proposal is permissible within the IN1 Zone of the Goulburn Mulwaree LEP 2009 and noise and air modelling has indicated that compliance with the relevant criteria could be achieved.

The assessment of the EIS, supported by this document, does not consider the Proposal to have any significant visual impact given its proximity to neighbouring industrial facilities and the mitigation measures proposed.



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The EIS has illustrated that the impacts of the Proposal would be largely confined to the industrial zoned area of Goulburn and on balance, this is considered reasonable given the objectives of the IN1 Zone to balance industrial development, encouragement employment opportunities and protection of industrial land for industrial uses with minimisation of adverse effects on other land uses and (see Section 4.1.2).

#### 4.7.3 Food Production

##### Comments

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*Our Company YORK FOODS PTY LTD has been trading in this building since 1996 our products of Animal fat origin, Beef, Lamb Dripping and Pork with our family continuously involved since 1935...*

*We are concerned that this type of operation will create issues for us such as dust pollution, air and water contamination*

*As our products have always been seen as Australian Green and Clean we are very concerned that this type of operation could adversely affect our business accreditations and our certifications could be in jeopardy of being cancelled. This would be a problem as we cannot operate without them...*

*We would not like to see our business adversely affected by pollution, ... when it has taken a lot of effort to re-establish our home business in Goulburn and support many local business while doing so...*

*If the DA is accepted on the adjoining block to us it would make our food Manufacturing plant unviable and would have to close due to contamination issues.*

Submission No. 1

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##### *Concrete plant next to food production*

*York Foods have been operating for 22 years from 27 Braidwood Road, Goulburn, next to the proposed location of this D/A, while the Company has been operating since 1935. They make Beef Dripping, Lard, Lard Dripping, Grass Fed Beef Suet Dripping and Organic Beef Dripping. All these products can be purchased at Coles, Woolworths and IGA stores.*

*Goulburn does not need negative publicity with a concrete plant located next to an established food business. For obvious health reasons it would be detrimental to locate a concrete plant right next to a successful health food industry.*

Submission No. 6

##### Response

The AQIA considers both the residential and food production locations of 21 Braidwood Road. Fixed point predictions are provided for Receptor R6 in *Table 1* of the AQIA (which is representative of the food processing building). As can be seen from the pollution isopleth plots in *Annexure 3* of the AQIA, predicted concentrations are higher at the manufacturing building than the residential building.

It is reasonable to assume that as part of accreditation as a food producer, an air filtration system to isolate food manufacture from external contaminant sources would be maintained. Given the compliance with air criteria for airborne particulate matter and deposited dust, it is



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assessed that the Proposal would not place any significantly greater strain on this function. However, the Applicant is more than happy to continue discussions with the operator of York Foods to ensure that the viability of this business is not affected as a result of impacts on these hygiene maintenance systems.

Given compliance with deposited dust criteria is predicted, it is assessed that deposition levels sufficient to adversely affect rainwater catchment is unlikely. Any deposited particulates should be removed as part of first flush safeguards which should be installed on all rainwater collection systems. The Proposal has no other potential to impacts on water quality.

### 4.7.4 Cost/Benefit

#### Comment

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*Why do we need another processing plant? While the owners of their business stand to gain financially, should this be at the expense of a community who value their town, the healthy country lifestyle, well placed in NSW? Will we simply be used by Multiquip to the detriment of all who live here?*

Submission No. 9

#### Response

Section 4.2.1.2 of the EIS provides a summary of the socio-economic costs and benefits and assesses that on balance the Proposal would provide for a net socio-economic benefit resultant from the approval of the Proposal. This assessment concludes that of properties immediately surrounding the Project Site who may experience some decrease in local amenity due to some minor increases in impacts on noise, air quality, visibility and traffic.

The Proposal would, however, have the following direct benefits.

- Employment for on-site personnel (3 to 4 fulltime equivalent positions) and truck drivers (8 to 12 fulltime equivalent positions).
- Increased competition in the concrete supply market which would lead to reduced costs to local construction and development project.

The Proposal would also provide indirect benefits to the socio-economic environment.

- Flow-on benefits to the economy through the expenditure of wages paid to employees, and through the purchase of goods and services for the ongoing operation of the Proposal.

It is worthy of note that the Multiquip group of companies are a major employer in the Goulburn Mulwaree LGA and currently employ over 50 people within the LGA. Expenditure as a result of this employment and operations within the local area was over \$5 million in the last financial year. It is expected the proposed employment and local expenditure associated with the Proposal would generate in excess of an additional \$1 million annually.

- The beneficial use of concrete for construction and development projects within the Goulburn Mulwaree LGA and surrounding regions.



**12.2 REVIEW OF THE B2 LOCAL CENTRE ZONING IN MARULAN AND MISTFUL PARK**

**Author:** Nick Thistleton, Graduate Strategic Planner

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Draft CDP Amendment 8  

|  |   |
|--|---|
| <b>Link to Community Strategic Plan:</b> | Strategy EC3 Support and foster conditions that enable local and small/home-based businesses to grow. |
| <b>Cost to Council:</b>                  | Nil   |
| <b>Use of Reserve Funds:</b>             | Nil   |

**RECOMMENDATION**

That:

1. The report from the Graduate Strategic Planner on the review of the B2 Local Centre zoning in Marulan and Mistful Park be received.
2. Council draft a planning proposal to amend the *Goulburn Mulwaree Local Environmental Plan 2009* to:
  - (a) Rezone lots 6-8 DP 1220973 in the Mistful Park locality from B1 Neighbourhood Centre to R3 Medium Density Residential with a minimum lot size of 1500m<sup>2</sup>;
  - (b) Rezone the detention pond (Lot 9 DP 1220973) in the Mistful Park locality from B1 Neighbourhood Centre to RE1 Public Recreation;
  - (c) Rezone lots 1-5 DP 1220973 in the Mistful Park locality from B1 Neighbourhood Centre and part R5 Large Lot Residential to B2 Local Centre with a floor space ratio of 0.5:1;
  - (d) Add '**tourist and visitor accommodation**', '**camping ground**' and '**caravan park**' as an additional permitted use for Lot 6 DP 1220973 in the Mistful Park locality;
  - (e) Amend the floor space restriction for '**neighbourhood shops**' from 1000m<sup>2</sup> to a maximum of 250m<sup>2</sup>.
  - (f) Rezone the land currently zoned B2 Local Centre with a floor space ratio of 1.2:1, north of the rail line in Marulan to B6 Enterprise Corridor with a floor space ratio of 0.8:1.
  - (g) Rezone lots 3-12 section 1 DP 3012 and lots E, F and G DP26410 in Marulan from B2 Local Centre with a floor space ratio of 1.2:1 to R1 General Residential with a 700m<sup>2</sup> minimum lot size and no floor space ratio.
3. The planning proposal once drafted, be submitted to the Minister of NSW Planning and Environment for a gateway determination in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
4. The Department of Planning and Environment be advised that Council wishes to be issued with an authorisation to use delegation for the planning proposal.
5. In the event that NSW Planning and Environment issues a gateway determination to proceed with the planning proposal, consultation be undertaken with the community and government agencies in accordance with any directions of the gateway determination.
6. The amendment to the *Goulburn Mulwaree Development Control Plan 2009* attached to this report relating to commercial and medium density residential development at Mistful Park be placed on public exhibition for a minimum period of 28 days commencing the same day as the public exhibition period for the aforementioned planning proposal and a notice be placed in a local newspaper advising the period of exhibition and how submissions may be made.

7. Following the exhibition period of the draft amendment to the *Goulburn Mulwaree Development Control Plan 2009* and planning proposal, a report will be presented to Council advising of the outcomes of the consultation and any amendments made to the document as a result of consultation.
8. Council wave any standard lodgement and processing fee payable under Council's fees and charges in relation to the planning proposal and amendment to the *Goulburn Mulwaree Development Control Plan 2009*.

## BACKGROUND

The *Employment Lands Strategy*, adopted by Council on 20 December 2016 (resolved 16/566) recommended that approximately half of the B2 Local Centre zone in Marulan, being land located north of the rail line, be rezoned to B6 Enterprise Corridor and that the B2 Local Centre zone adjacent to Thoroughfare Street, Railway Parade and Austin Street should be rezoned to R1 General Residential.

Since this time, Council has also received a request from Ganter Constructions to review the B1 Neighbourhood Centre zone in Mistful Park to facilitate the development of a supermarket of 1500m<sup>2</sup> in size. Due to the zoning and strategic planning implications of this request, it was added to the Strategic Planning Program on 7 August 2018 (resolved 2018/265).

Following further conversations with Ganter Constructions, the decision was made to pursue the rezoning of the B1 Neighbourhood Centre zone to mostly R3 Medium Density Residential whilst rezoning the stormwater detention ponds to RE1 Public Recreation and rezoning the residual B1 Neighbourhood Centre zone to the B2 Local Centre zone. This acted as the catalyst for pursuing an overarching review of the B2 Local Centre zoning in the local government area, incorporating the recommendation from the *Employment Lands Strategy*.

## REPORT

### Introduction

This report details the need for a complete review of the B2 Local Centre zoning in the Mistful Park locality and in Marulan. This will require a planning proposal to be prepared to amend the *Goulburn Mulwaree Local Environmental Plan 2009* (LEP) and site specific provisions to be included in the *Goulburn Mulwaree Development Control Plan 2009* (DCP) to control commercial development in Mistful Park.

For the purposes of this report, the proposed rezoning in Marulan and Mistful Park are discussed in detail separately.

### Marulan B2 Local Centre Zoning

#### Need for rezoning

The *Employment Lands Strategy*, which was tasked with reviewing the current and future needs of commercially and industrially zoned land within the local government area, identified that one of the key weaknesses in the development of Marulan was the extent to which the B2 Local Centre zone applied. To support this statement, the *Employment Lands Strategy* gave the following reasons:

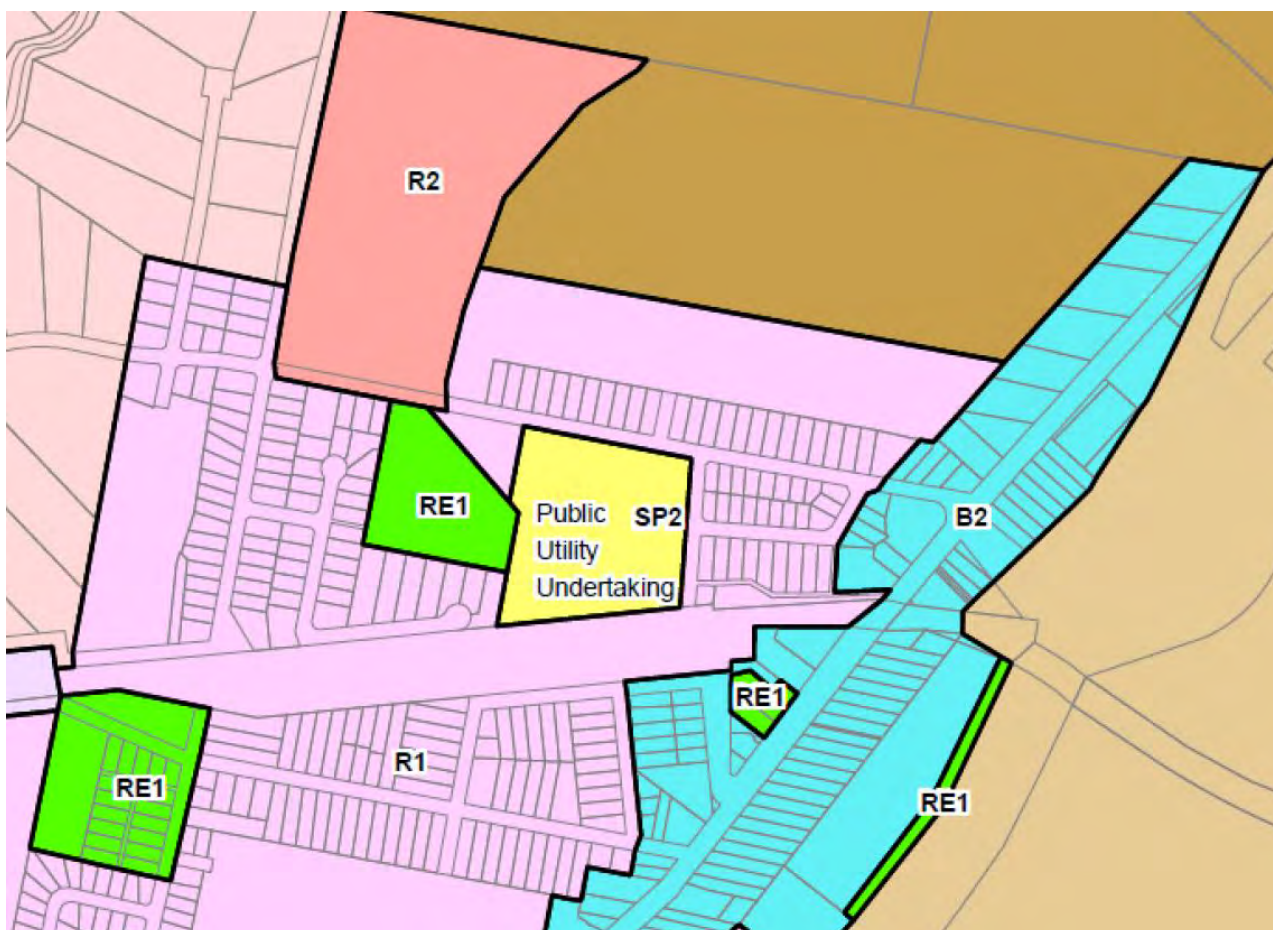
- Marulan's retail core is easily accommodated in just the area zoned B2 Local Centre south of the rail line, which itself has ample capacity to expand to accommodate future demand.
- The land uses on Thoroughfare Street, Railway Parade and Austin Street are residential and more consistent with development expected under the R1 General Residential zone, not the B2 Local Centre zone.

- The B2 Local Centre zone covers land adjacent to Thoroughfare Street, Railway Parade and Austin Street that is residential in nature and more suited to a residential zoning.
- The B2 Local Centre zone is more suited to small scale commercial or retail development, whereas the land zoned B2 Local Centre north of the railway is more suited to light industrial or large scale commercial uses due to the larger lots available and proximity to the highway.

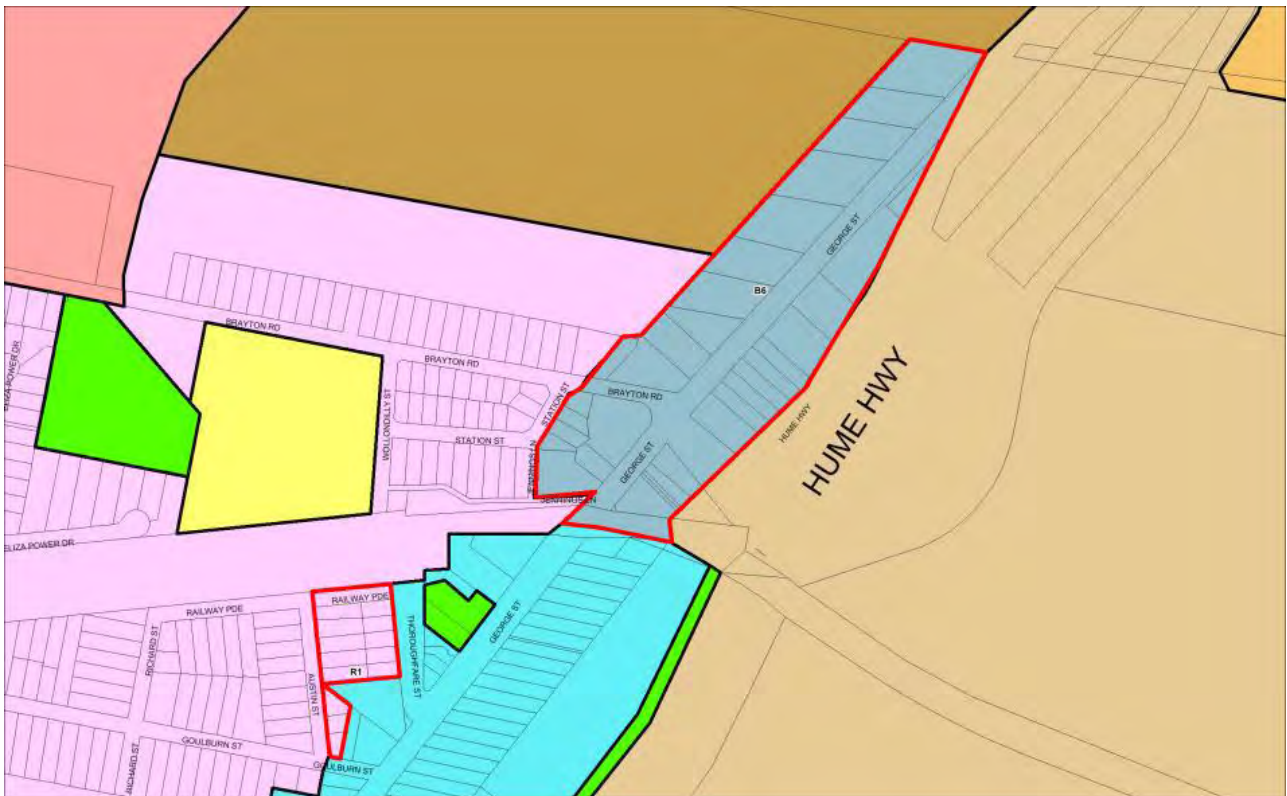
Details of Planning Proposal for Marulan

This report recommends that a planning proposal be prepared to do the following in Marulan, in accordance with the recommendations of the Employment Lands Strategy (**Figures 1 and 2**):

- Rezone the land currently zoned B2 Local Centre with a floor space ratio of 1.2:1 north of the rail line to B6 Enterprise Corridor with a floor space ratio of 0.8:1; and
- Rezone lots 3-12 section 1 DP 3012 and lots E, F and G DP26410 in Marulan from B2 Local Centre with a floor space ratio of 1.2:1 to R1 General Residential with a 700m2 minimum lot size and no floor space ratio.



**Figure 1:** Current zone map of subject area.



**Figure 2:** Proposed zone map of subject area.

Consideration of issues

The issues in **Table 1** have been considered in providing the recommendation for Marulan.

**Table 1:** Consideration of Issues

| Issue  | Discussion  |
|--|---|
| <p>Why a B6 Enterprise Corridor zone with a floor space ratio of 0.8:1 for the land north of the railway?</p>  | <p>The B6 Enterprise Corridor zone allows for a range of business, office and light industrial uses in an area already constrained by the noise from the highway and railway. The kind of development expected in the B6 Enterprise Corridor zone will also benefit from the area’s access to the highway and large lot sizes.</p> <p>The floor space ratio of 0.8:1 is consistent with other locations zoned B6 Enterprise Corridor in the local government area. This floor space ratio also ensures that new development on the site does not occur at a bulk and scale that will enable it to diminish the heritage value and character of Marulan.</p> <p>Rezoning to either an industrial zone or residential zone was not considered appropriate given that the area is too heavily constrained by noise to be used for residential purposes and that a more intensive industrial zoning may lead to land use conflict with residential development expected to occur to the west.</p> |
| <p>Why the R1 General Residential zone with a minimum lot size of 700m<sup>2</sup> for the land adjacent to Thoroughfare Street, Railway Parade and Austin Street?</p> | <p>The R1 General Residential zone with a 700m<sup>2</sup> minimum lot size is consistent with the land uses on and adjacent to Thoroughfare Street, Railway Parade and Austin Street.</p> <p>This zone also affords the opportunity to have more residential development near the centre of Marulan.</p>   |

| Issue   | Discussion  |
|---|---|
| <p>Have the community/affected landholders been consulted on this matter?</p> | <p>This recommendation to rezone land at Marulan was a direct recommendation out of the <i>Employment Lands Strategy</i>, which was placed on exhibition for public comment prior to its adoption by Council on 20 December 2016 (resolved 16/566). No objections were received on this recommendation and the Marulan Chamber of Commerce supported it at the time.</p> <p>Notwithstanding the above, it is acknowledged that some time has passed since the strategy was adopted and that further consultation is both required and expected. It is intended that this will occur after the planning proposal is submitted to the Department of Planning and Environment for a gateway determination.</p> |

### Mistful Park Rezoning

#### Need for rezoning

Council has received a request from Ganter Constructions to modify their existing approval for a 751 square metre supermarket in Mistful Park, Goulburn (DA/329/1415) to a 1500m<sup>2</sup> supermarket.

This would require a planning proposal to be undertaken to either rezone the land to another commercial zone or allow **'shops'** as an additional permitted use in Schedule 1 of the LEP. The proponent has also expressed the desire to make the subject area in Mistful Park friendly for RV's and those seeking to participate in motorsports elsewhere within the local government area, which would require at least one (1) lot to permit **'tourist and visitor accommodation'**, **'camping ground'** and **'caravan park'** as a development permissible with consent.

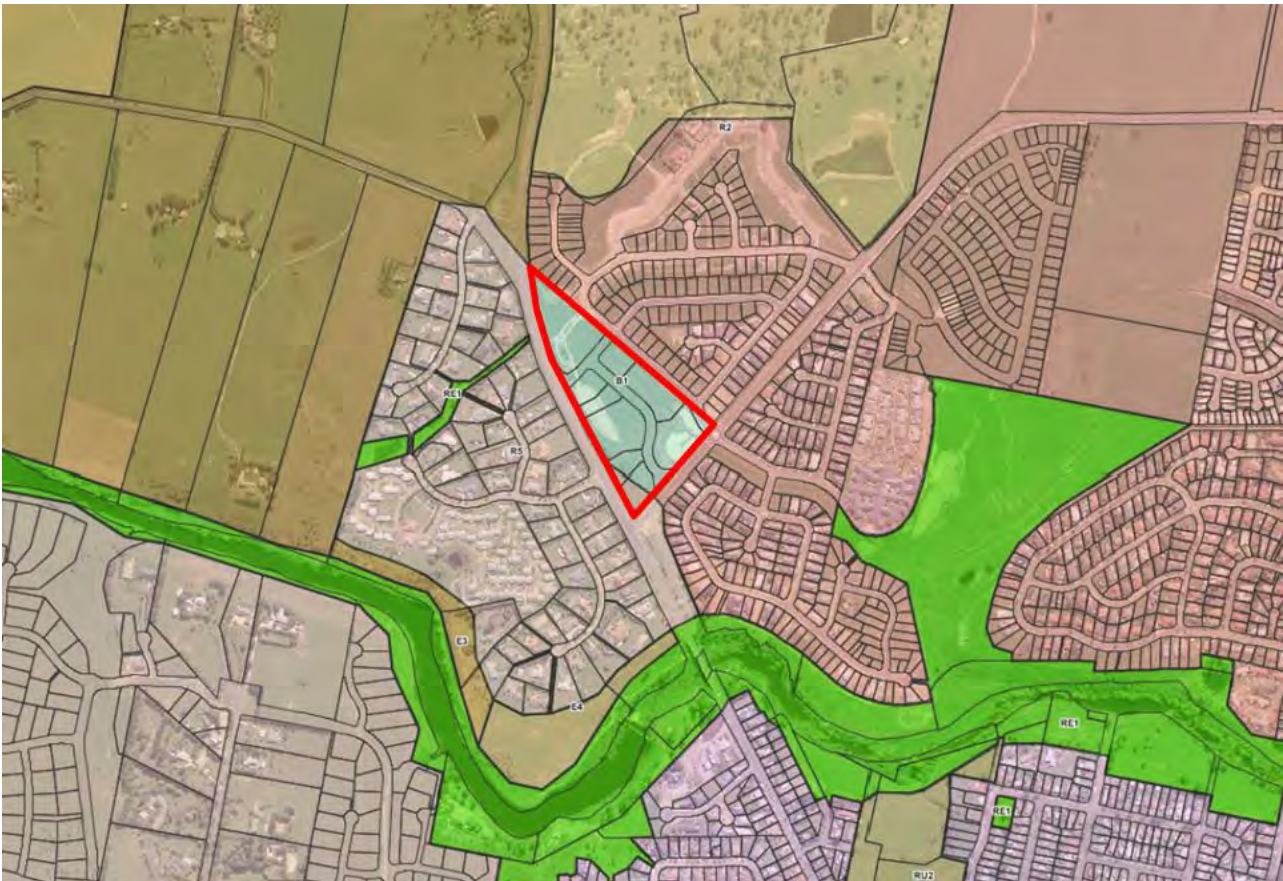
Currently, no strategy adopted by Council directly supports or objects to commercial development at Mistful Park. The *Employment Lands Strategy* does advise that if no further commercial development occurs, Goulburn's CBD will face a retail floor space undersupply of 14,000m<sup>2</sup> by 2031 (p.111). However it must also be noted that the *Employment Lands Strategy* also stresses the need to maintain Goulburn's CBD as the premier commercial hub of Goulburn, so as to not scatter retail activity.

In the absence of any existing strategic guidance, the Strategic Planning team has considered the merits and risks associated with the planning proposal in detail prior to delivering a recommendation.

#### Subject area and history

The subject area in Mistful Park is located on the corner of Crookwell and Marys Mount Roads and is zoned B1 Neighbourhood Centre, with the exception of a small residual pocket of R5 Large Lot Residential (**Figure 3**).





**Figure 3:** Subject area.

The site has been zoned as B1 Neighbourhood Centre since the gazettal of the current LEP in 2009. The land was originally one (1) consolidated block and was to be rezoned to R2 Low Density Residential. However the proponent objected to the proposed residential zoning and instead requested it be rezoned to B4 Mixed Use.

The report to Council on this submission argued that development of more than 2000m<sup>2</sup> of retail floor space outside of Goulburn's CBD posed an unacceptable risk to the integrity of the established commercial core. Of the various alternative zoning arrangements presented to Council, Council resolved to rezone the land to B1 Neighbourhood Centre, which restricts the size of all neighbourhood shops and supermarkets to a retail floor area of no more than 1000m<sup>2</sup>.

In 2012 a planning proposal to restructure the retail hierarchy of Goulburn was prepared and submitted for a gateway determination in response to a request by the proponent to lift the retail floor space restriction to 4500m<sup>2</sup> in the B1 Neighbourhood Centre zone. This planning proposal was accompanied by an economic impact assessment organised by Council and funded by the proponent. The economic impact statement identified that supermarkets in Goulburn were receiving more than twice their intended revenue and that there was a gap of supermarket floor space overall.

This finding was originally supported by Council, however the gateway determination from the NSW Department of Planning and Environment found that the mechanism proposed for lifting the floor space restriction to 4500m<sup>2</sup> was unlawful as it conflicted with the *Standard Instrument (Local Environmental Plans) Order 2006*. Following this, and a change in Council's planning staff, Council no longer supported the economic impact assessment, due to the assessment not adequately addressing the impact on the existing CBD. The planning proposal proceeded without any change to the floor space restriction in the B1 Neighbourhood Centre zone.

On 6 October 2015 the subject area was issued with consent for the following uses by Council resolution (15/455) under DA/0329/1415:

- an eight (8) lot Torrens title subdivision;
- one (1) supermarket with a retail floor area of no more than 751 square metres;
- three (3) retail tenancies with a combined retail floor area of not more than 249 square metres;
- two (2) medical tenancies;
- a child care centre;
- parking;
- road access; and
- signage.

Council's assessment at the time demonstrated that this development application attracted significant local interest, with at least 121 landowners being notified of the development and 19 submissions being received. At least two thirds of the submissions were supportive of the development for providing commercial services closer to the local community, including a petition with at least 70 signatures on it. The objectors to the proposal cited concerns over competition with Goulburn's established CBD.

Council's assessment ultimately concluded that the commercial development was not big enough to warrant refusal on the grounds of competing with the CBD, however the Strategic Planning team did note at the time that the B1 Neighbourhood Centre was too large at 7 Hectares for its intended purpose as a local centre for nearby residents.

In the meantime Ganter Constructions have since obtained further approvals for a take-away food and drink premises and a car wash.

#### Key considerations

**Table 2** below details the consideration of several key concerns that may arise in relation to increasing the floor space restriction for commercial development at Mistful Park. In light of these issues it is assumed that the following development will occur without requiring further economic impact assessments to be prepared, should the recommendations of this report be accepted in full:

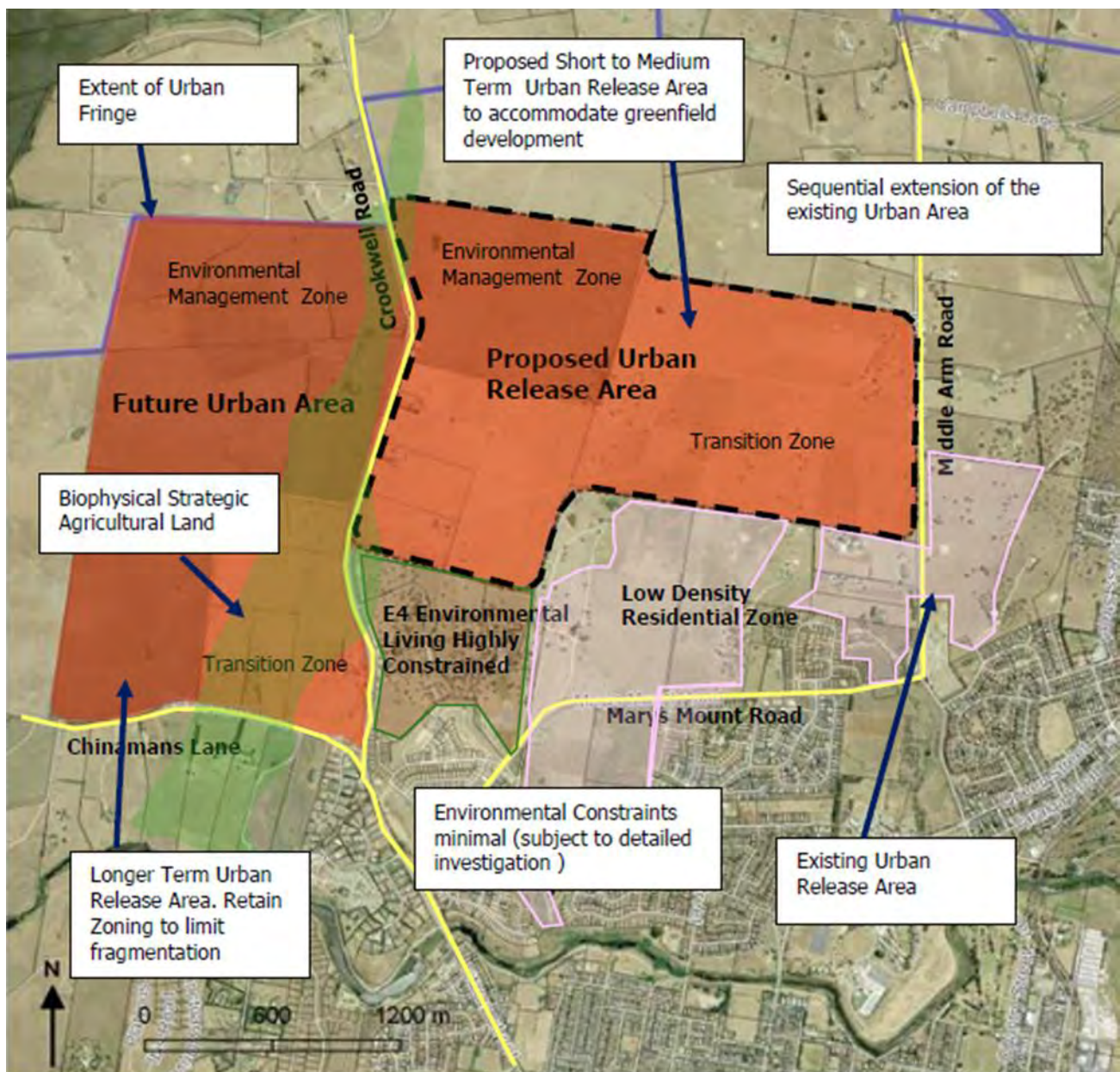
- a) A mid-size supermarket of around 1500m<sup>2</sup>;
- b) Approximately three (3) retail tenancies, which may or may not require trade waste, with a combined floor space of approximately 250m<sup>2</sup>;
- c) Approximately seven (7) commercial tenancies that do not require trade waste with a cumulative floor space of approximately 1000m<sup>2</sup>; and
- d) A take-away food and drinks premises of approximately 550m<sup>2</sup>.
- e) Two (2) medical tenancies;
- f) A childcare facility;
- g) A car wash;
- h) A petrol/service station; and
- i) Any accommodation or residential development.

**Table 2: Key considerations**

| Issue  | Description/Response   |
|--|--|
| <p>The level of commercial development allowable without an economic impact assessment is unacceptable</p> | <p><b>Description</b></p> <p>The scale of commercial development allowable without an economic impact statement may pose an unacceptable trade risk to Goulburn’s existing CBD. The area zoned B1 is currently 7ha and is located approximately 2.2km from the Goulburn CBD.</p> <p><b>Response</b></p> <p>The scale of development allowable under the recommendations of this report is far lower than what was proposed with the economic impact statement at approximately 3500m<sup>2</sup>, compared to the 4500m<sup>2</sup> originally proposed. Additionally, the previous economic impact statement provided was not accepted as it did not take into account cumulative future impacts from subsequent future commercial development, which was allowable across the whole of the subject area. It is also worth noting that while the economic impact statement was rejected on the grounds that it did not adequately take into account impacts on the CBD, it did genuinely identify a gap in supermarket floor space.</p> <p>It has also been considered that while any commercial development in Mistful Park will compete with the CBD, the level of commercial development proposed is suitable as it provides a much needed service to local residents within walking distance as well as future residents in the immediate surrounding areas. The scale of commercial development proposed only caters for between 10-15 commercial tenancies without requiring an economic impact assessment. This constitutes around 5% of all commercial tenancies existing along Auburn Street inclusive of the two (2) major shopping centres and is not in and of itself enough to justify the refusal of commercial development on the grounds that it will harm the CBD.</p> |
| <p>Mistful Park Could Become a Northern CBD</p>  | <p><b>Description</b></p> <p>Allowing a supermarket 1500 square metres would attract enough ancillary retail stores to compete directly with the CBD. This potential for competition was not an intended outcome of the commercial zoning around Mistful Park. Rejecting developments based on their impact on Goulburn’s CBD may also result in costly disputes in the Land and Environment Court.</p> <p><b>Response</b></p> <p>The recommendations listed in this report restricts the total amount of potential commercial development by limiting the area zoned for such uses, limiting the floor space ratio for land zoned for commercial development and provides a threshold for an acceptable level of development prior to further specific economic assessment being required. Should a more intense level of commercial development be sought, this would require an economic impact statement to be prepared, however and most importantly, more commercial development would not likely be possible due to the floor space restriction as proposed for this land, as would be legislated within the LEP.</p>   |
| <p>Goulburn’s CBD has Historically High Vacancy Rates</p>  | <p><b>Description</b></p> <p>Goulburn’s CBD has recently been recorded to have some of the highest retail vacancy rates since audits commenced in 2011. It must be considered that providing commercial tenancies elsewhere, that are not as constrained by heritage controls, high rent, parking and costs associated with building adaptability (e.g. accessibility, fire), would exacerbate this issue.</p>   |

| Issue   | Description/Response  |
|---|---|
|   | <p>Response</p> <p>It is acknowledged that Mistful Park may result in some trade loss in Goulburn’s established CBD. However the development allowable without further economic impact assessments is only sufficient to support local residents in the surrounding area and is not, in and of itself, large enough to significantly harm the economic viability of the CBD.</p> <p>It is also worth noting that the development of Mistful Park as a commercial centre will not divert Council’s attention away from the ongoing enhancement of the CBD.</p> <p>The proposed changes will also reduce the area within Mistful Park zoned for business/commercial uses, and thus prevent further unintended intensification.</p>  |
| <p>Permitting ‘Shops’ will Also Allow Other, Less Desirable Development</p> | <p>Description</p> <p>In order to allow for a supermarket of more than 1000 square metres in size, ‘shops’ must be permissible on that land under the LEP. Currently, there is no distinction between supermarkets of larger than 1000 square metres in size and other shops, such as large clothing retailers. It must be considered that allowing a larger supermarket may also allow for other, less desirable commercial activities there which may also compete with Goulburn’s CBD.</p> <p>Response</p> <p>Both the floor space ratio and site specific DCP chapter proposed in this report will act to prevent the scale or kind of commercial development mentioned above without providing sufficient evidence to prove that it will not pose an unacceptable trade risk to Goulburn’s CBD.</p>  |
| <p>Lack of retail hierarchy in Goulburn</p>                                 | <p>Description</p> <p>Goulburn’s population is growing and continuing to expand northwards. This is driving the demand for retail services elsewhere, beyond the current extent of the CBD. Currently development for the purposes of ‘neighbourhood shops’ with a retail floor space of 1000m<sup>2</sup> is permissible in the R1 General Residential, R2 Low Density Residential and B1 Neighbourhood Centre zones.</p> <p>This makes it almost impossible to provide for any significant commercial development outside of Goulburn’s CBD, yet at the same time also makes it impossible to consolidate commercial activity to any one area.</p> <p>The draft <i>Urban and Fringe Housing Strategy</i> also suggests that future residential land will be located further north again than both the CBD and Mistful Park in future (Figure 4). It is important to ensure that these areas are adequately provided for in terms of retail services so as to avoid lengthy commutes to services, excess traffic and parking shortages in the CBD in the long term.</p> <p>Response</p> <p>Unfortunately, without a retail hierarchy strategy in place, Council cannot definitively nominate the exact location of future neighbourhood shops or prohibit neighbourhood shops altogether in residential zones.</p> <p>Council can, however, confidently support limited commercial intensification of Mistful Park and limit the total floor space allowable for neighbourhood shops to between 80-250m<sup>2</sup> for the following reasons:</p> |

| Issue | Description/Response  |
|-------|---|
|       | <ul style="list-style-type: none"> <li>▪ Mistful Park is a prime location for a local centre, being on the intersection of both Marys Mount Road and Crookwell Road and within walking distance of much existing residential development and an aged care facility.</li> <li>▪ The commercial development at Mistful Park will be restricted to such a level that it would serve current and short term future demand at Marys Mount without absorbing all demand for commercial growth in the medium to long term future, which would require a retail hierarchy strategy.</li> <li>▪ A retail floor space restriction of 80-250m<sup>2</sup> for neighbourhood shops is consistent with other local government areas and existing development in Goulburn. This would also halt the ability for residentially zoned land to compete with commercially zoned land for commercial development.</li> <li>▪ The restrictions proposed for Mistful Park and 'neighbourhood shops' can always be reviewed at a later time.</li> </ul> |



**Figure 4:** Draft Urban and Fringe Housing Strategy recommendation for Mary’s Mount (Elton Consulting).

Recommendations for rezoning at Mistful Park

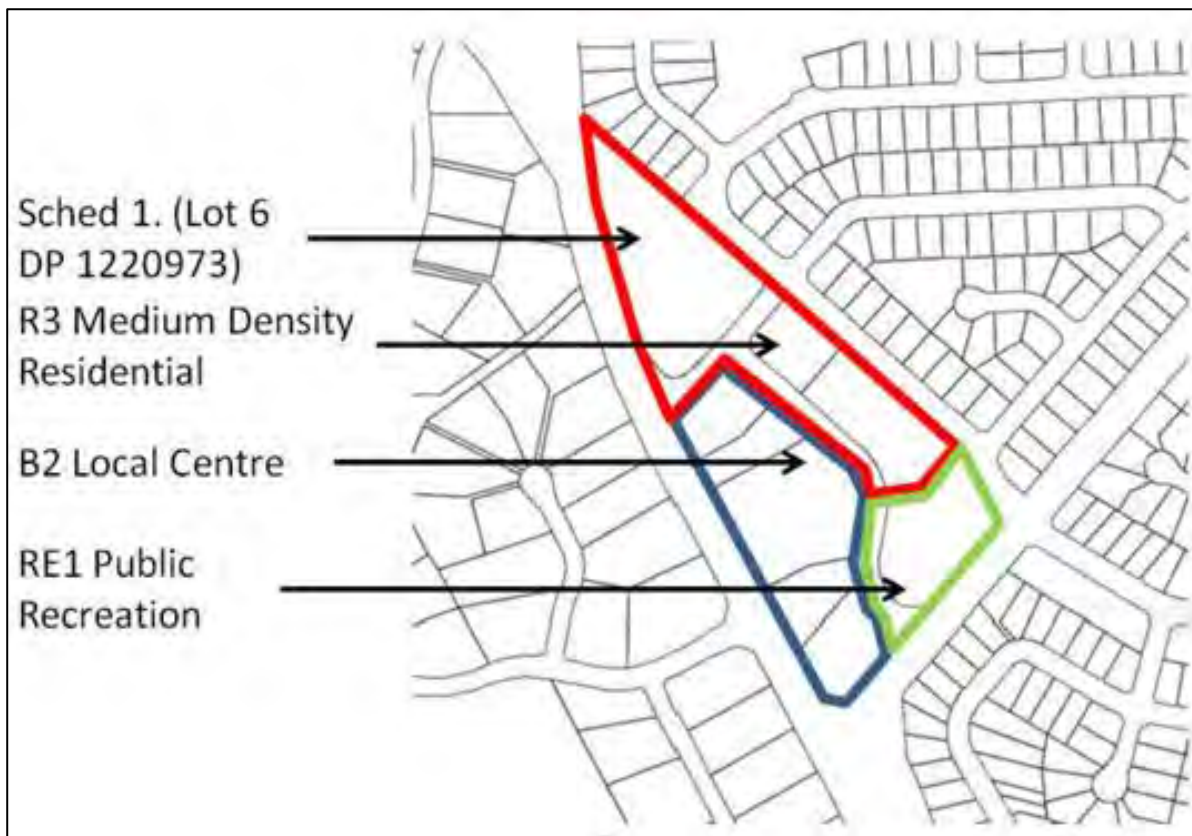
The recommendations in the report are set out and explained in Table 3 below. A site map showing the proposed zoning has also been provided (**Figure 5**).

**Table 3:** Recommendations

| Recommendation  | Explanation   |
|---|---|
| <p><b>Rezone Lots 6-8 DP 1220973 to either R3 Medium Density Residential with a minimum lot size of 1500m<sup>2</sup></b></p>   | <p>This would act to both limit the extent of commercially zoned land at Mistful Park as well as offer the possibility of developing medium density housing close to a small commercial centre.</p> <p>This may be achieved by rezoning to R3 Medium Density Residential. The 1500m<sup>2</sup> minimum lot size acts to prevent the fragmentation of land, so that it does not need to be consolidated to support medium density housing. Further subdivision of multi dwelling housing or residential flat building development can occur under a Strata or Community Title Scheme.</p>   |
| <p><b>Rezone Lot 9 DP 1220973 to RE1 Public Recreation</b></p>  | <p>This detention pond is already owned by Council and functions as a recreational open space. The RE1 Public Recreation zone is best suited to this purpose.</p>   |
| <p><b>Rezone Lots 1-5 DP 1220973 to B2 Local Centre</b></p>   | <p>This zone would allow Ganter Constructions to build a supermarket of larger than 1000m<sup>2</sup>, satisfying their request for a 1500m<sup>2</sup> supermarket.</p> <p>The B2 Local Centre zone is currently utilised in Marulan’s town centre and is suitable for enabling large local retail centres without enabling the scale of commercial activity that would be expected in Goulburn’s CBD.</p>   |
| <p><b>Include ‘<i>tourist and visitor accommodation</i>’, ‘<i>camping ground</i>’ and ‘<i>caravan park</i>’ as an additional permitted use for Lot 6 DP 1220973</b></p> | <p>During Councils negotiations with Ganter Constructions, they expressed the desire to develop motorsport friendly (i.e. van and trailer) and RV friendly accommodation on Lot 6 DP 1220973, featuring secure garage facilities for visitors. Ganter Constructions has proposed that ‘<i>tourist and visitor accommodation</i>’, ‘<i>camping ground</i>’ and ‘<i>caravan park</i>’ be added as an additional permitted use under Schedule 1 of the LEP for Lot 6 DP 1220973.</p> <p>Strategic Planning has considered that this could be of considerable benefit to the local motorsports industry given that the lack of secure storage for vehicles has consistently been identified as an industry impediment. It was also considered that the strategic location and value of the land at Lot 6 DP 1220973 would ensure that the use of the land as a ‘<i>camping ground</i>’ or ‘<i>caravan park</i>’ would be used as an RV friendly accommodation option in the short term with the opportunity to redevelop as either housing or ‘<i>tourist and visitor accommodation</i>’ in the future.</p> <p>The use of Schedule 1 of the LEP ensures that development for the purposes of a ‘<i>camping ground</i>’, ‘<i>caravan park</i>’ or ‘<i>tourist and visitor accommodation</i>’ will not occur elsewhere with the same residential zoning, where it may potentially incite land use conflict. While this is the preferred option, Strategic Planning will consider other methods of achieving the same outcome in the unlikely event that Council is advised that we are unable to use Schedule 1 for this purpose.</p> |

| Recommendation   | Explanation   |
|--|---|
| <p><b>Restrict the retail floor area for ‘neighbourhood shops’ to a maximum of 250sqm.</b></p>                 | <p>Currently, ‘<i>neighbourhood shops</i>’ with up to 1000m<sup>2</sup> of retail floor area are permitted in both the R1 General Residential and R2 Low Density Residential zones, in addition to other commercial zones. This makes it very difficult to plan for retail growth, as a large retail development can occur in almost any area of Goulburn.</p> <p>By restricting the retail floor area of ‘<i>neighbourhood shops</i>’ to a maximum of 250m<sup>2</sup>, Council can establish a clear retail hierarchy in Goulburn to facilitate orderly and planned commercial development without outright prohibiting small businesses from residential areas.</p> <p>The precise restriction on the retail floor area for ‘<i>neighbourhood shops</i>’ will be confirmed at the planning proposal stage.</p>   |
| <p><b>Introduce a floor space ratio of 0.5:1 for the land to be rezoned to B2 Local Centre</b></p>             | <p>This will ensure that commercial development can be allowed to develop to a size that is capable of servicing the community near Mistful Park whilst also ensuring that the site is not overdeveloped to the extent that it unduly competes with Goulburn’s established CBD.</p>   |
| <p><b>Amend the DCP to include a site specific chapter limiting commercial development at Mistful Park</b></p> | <p>The proposed amendment to the DCP acts as an additional measure to ensure that commercial development at Mistful Park is limited to serving the local community without unduly competing with the CBD. The site specific chapter (attached) achieves this by requiring an economic impact assessment to be prepared to the satisfaction of Council for any development that causes the cumulative commercial floor space of the Mistful Park Commercial Precinct to exceed 3500m<sup>2</sup>, or if it would result in commercial development in the precinct being substantially different than what is currently proposed and/or approved.</p> <p>The site specific chapter will also contain generic provisions relating to the provision of medium density housing.</p> <p>It is recommended that the draft amendment to the DCP is placed on public exhibition at the same time as the planning proposal as opposed to having two (2) separate exhibition periods for each. It is not likely that this will delay the delivery of the</p> |





**Figure 5:** Indicative zoning pattern

**Conclusion**

The Strategic Planning team concludes that a review of the B2 Local Centre provisions consistent with the recommendations of this report is both timely and necessary to facilitate orderly economic development at Marulan and retail development in Marys Mount.

This is an internally prepared planning proposal consistent with the Strategic Planning Program adopted on 7 August 2018 (resolved 2018/265) and the *Employment Lands Strategy* adopted on 20 December 2016 (resolved 16/566). As such, any fees associated with the preparation and processing of the planning proposal and development control plan should be waived.

## Draft Mistful Park Commercial Precinct DCP Section (Amendment 8)

### 8.8 Mistful Park Commercial Precinct

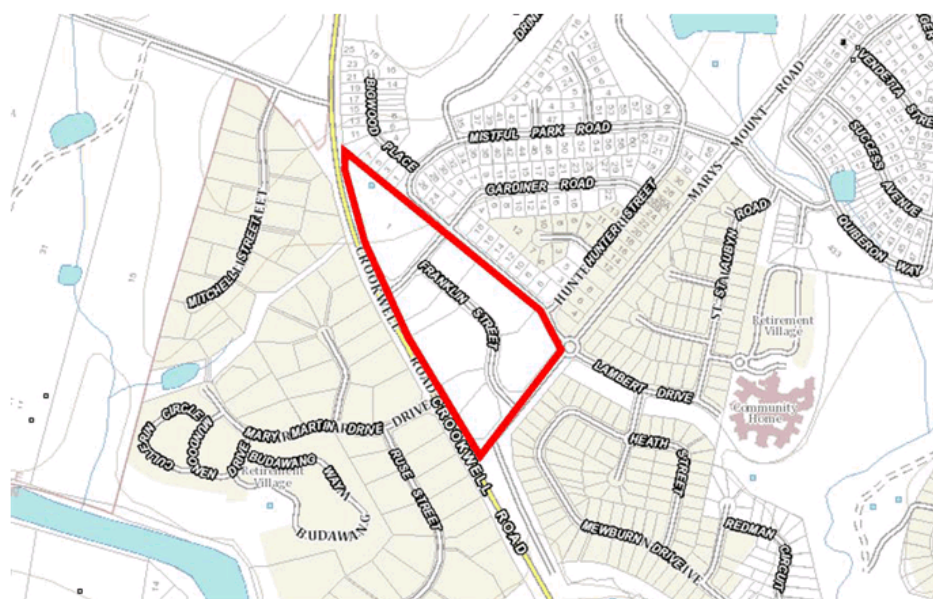
#### Objectives

- To facilitate the provision of commercial and retail services to the immediate surrounding community and commuters on Crookwell and Marys Mount Road.
- To ensure that Goulburn’s existing CBD remains the primary centre for business and commerce in Goulburn.
- To facilitate medium density living close to commercial services in Mistful Park.
- To ensure that medium density residential development adequately provides for landscaping, design and car parking

#### 8.8.1 Land to which Plan applies

This Plan applies to the land on the map shown as **Figure 8-8-1**.

**Figure 8-8-1:** Land to which Plan applies – *Mistful Park Commercial Precinct*



#### 8.8.2 Development Potential

The Land has been zoned to facilitate the development of a small commercial centre and medium density housing, with accommodation also allowed on Lot 6 DP1220973 (**Figure 8-8-2**).

Figure 8-8-2 Indicative zone map



Based on existing approvals, floor space ratio restrictions and current plans for the site, development identified as suitable for the land zoned as B2 Local Centre includes:

- a) A mid-size supermarket of around 1500m<sup>2</sup>;
- b) Three (3) retail tenancies ancillary to the supermarket which may not require trade waste with a combine floor space of approximately 250m<sup>2</sup>;
- c) Seven (7) commercial tenancies that do not require trade waste with a cumulative floor space of approximately 1000m<sup>2</sup>
- d) Two (2) medical tenancies of any size;
- e) A take-away food and drinks premises;
- f) A car wash; and
- g) A petrol/service station.

The land zoned R3 Medium Density Residential is suitable for medium density housing given that it would be within walking distance from future commercial services, Riverside Park and public transportation. Low density residential development would also constitute a highly inefficient use of the land.

Lot 6 DP 1220973 is suitable for the development of camping grounds or caravan park in the near term, whilst remaining open for the development of a more permanent tourist or visitor accommodation and medium density housing in the future.

**8.8.3 Restriction on commercial development**

Council will only grant consent to commercial development that is beyond or significantly different to the commercial development indicated in 8.8.2 if an economic impact assessment is prepared and demonstrates, to the satisfaction of Council, that the development does not pose a significant threat to the commercial viability of Goulburn’s CBD and its businesses. For the avoidance of doubt, an economic impact assessment is not required for development that does not cause the cumulative floor space of commercial development in the Mistful Park Commercial Precinct to exceed 3500m<sup>2</sup>, assuming that it consists primarily of:

- a) A mid-size supermarket of around 1500m<sup>2</sup>;
- b) Approximately three (3) retail tenancies, which may or may not require trade waste, with a combine floor space of approximately 250m<sup>2</sup>;
- c) Approximately seven (7) commercial tenancies that do not require trade waste with a cumulative floor space of approximately 1000m<sup>2</sup>; and
- d) A take-away food and drinks premises of approximately 550m<sup>2</sup>.

But not including:

- e) Two (2) medical tenancies;
- f) A childcare facility;
- g) A car wash;
- h) A petrol/service station;
- i) Any accommodation or residential development.

It is recommended that the developer liaise with Council prior to the preparation of an economic impact assessment in order ensure that it is completed to the satisfaction of Council. If the economic impact assessment fails to address any key concerns raised by Council, then it may not be accepted.

**8.8.4 Additional and alternative requirements for medium density residential development and tourist and visitor accommodation**

To facilitate the orderly development of medium density housing in Mistful Park the following alternative controls apply and exceed to the extent of any inconsistency with any other part of this Plan:

|  |   |
|--|---|
| Height                                 | Development for the purposes of medium density residential housing or tourist and visitor accommodation must not exceed three (3) storeys in height.  |
| Siting                                 | Accesses and entries to any dwellings or tourist and visitor accommodation proposed must face towards Box Avenue and/or Franklin Street.  |
| Private open space/communal open space | For multi storey residential flat buildings, dwellings on ground level should have private open space of at least 25m <sup>2</sup> with a minimum length and width of 4m.<br><br>For multi storey residential flat buildings, dwellings not on ground level must have access to balconies extending out of living areas in a northerly direction with a minimum depth of 2m.<br><br>Multi storey residential development should provide between 25 and 35% of the site area as communal open space. |

|                    |  |
|--------------------|--|
|                    | For attached or semi-detached residential development, between 40m <sup>2</sup> of private open space must be provided with a minimum length and width of 4m.  |
| Landscaping        | <p>Development for the purposes of tourist and visitor accommodation should set aside between 25 and 35% of the site area for landscaping.</p> <p>Landscaping for the purposes of communal open space must provide for a variety of plantings and must not consist of large impermeable surfaces so as to minimise run off and the heat island effect.</p>   |
| Parking and access | <p>Parking for the purposes of multi dwelling housing must be provided at the alternative rate of:</p> <ul style="list-style-type: none"> <li>• 1 space per 1 or 2 bedroom unit (including studio units)</li> <li>• 2 spaces per each unit with 3 bedrooms or more.</li> <li>• 0.25 spaces in visitor parking per dwelling.</li> </ul> <p>Where parking cannot be provided without non-compliance with open space or land scaping requirements, it must be provided either underground or under the building, provided that sufficient screening is provided.</p> <p>If secure parking or storage facilities are to be provided, they must be adequately screened from view from the street.</p> |

**12.3 AMENDMENT TO THE 2018/19 CAPITAL WORKS PROGRAM**

**Author:** Andrew Cartwright, Business Manager Works

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** Nil

|  |  |
|--|--|
| <b>Link to Community Strategic Plan:</b> | IN3.2 Implement Road Infrastructure Capital Works and Maintenance Programs   |
| <b>Cost to Council:</b>                  | The peroposed amendments in this report are to ensure allocated budgeted amounts are not exceeded. Therefore, there will be no additional budget allocation required beyond the approved 2018/19 budget. |
| <b>Use of Reserve Funds:</b>             | Nil  |

**RECOMMENDATION**

That

1. The report from the Business Manager of Works on the amendment to the 2018/19 Capital Works Program be received
2. Council approve the following revisions to the 2018/19 Capital Works program:
  - a) Auburn Street (Citizen to Shepherd) – footpath replacement
  - b) Auburn Street (Glebe to Walker) – footpath replacement
  - c) Addison Street (Rhoda to Duke) – footpath replacement
  - d) Auburn Street (Citizen to Shepherd) – kerb and gutter replacement
  - e) Memorial Road – new kerb and gutter
3. Council approval deferral of the following projects from the 2018/19 footpath replacement and kerb & gutter replacement projects to the 2019/20 financial year.
  - a) Mulwaree Street (Bradley Street End) – kerb & gutter replacement
  - b) Addison Street (Cooinda to Francis) – new footpath
  - c) Rhoda Street (Combermere to Garfield) – new footpath
  - d) Rhoda Street (Garfield to Addison) – new footpath
4. Council approve the transfer of \$85,000 from Sanctuary Drive budget to offset the over-expenditure on the Gurrundah Road project.

## BACKGROUND

This report is to seek Council approval for financial adjustments to the 2018/19 Capital Works Program as a result of actual project costs exceeding budgeted amounts. Proposed financial adjustments are for kerb and gutter replacement, footpath replacement and two road projects.

## REPORT

### Footpath replacement and Kerb and Gutter replacement financial adjustments

The 2018/19 capital works program included kerb and gutter replacement and footpath replacement works. The budgeted amount for new and replacement kerb and gutter was \$161,407 while the budgeted amount for new and replacement footpath was \$120,000. The following table outlines the individual projects included in the 2018/19 Capital Works Program:

- 2018/19 Footpath; New & Replacement Works
  - Auburn Street (Citizen to Shepherd)
  - Auburn Street (Glebe to Walker)
  - Addison Street (Cooinda to Francis)
  - Addison Street (Rhoda to Duke)
  - Rhoda Street (Combermere to Garfield)
  - Rhoda Street (Garfield to Addison)
- 2018/19 Kerb & Gutter; New & Replacement Works
  - Auburn Street (Citizen to Shepherd)
  - Mulwaree Street (Bradley Street End)
  - Memorial Road

Procurement for services to carry out these works resulted in costs exceeding allocated budget. The tendered amount for footpath replacement was \$232,000 and the tendered amount for kerb and gutter replacement was \$373,000.

Given the tendered amount for these works exceeded the budgeted amount it is recommended that the following works be deferred until 2019/20 to ensure the 2018/19 budget is not exceeded.

- Proposed 2019/20 Footpath Replacement Works
  - Addison Street (Cooinda to Francis)
  - Rhoda Street (Combermere to Garfield)
  - Rhoda Street (Garfield to Addison)
- Proposed 2019/20 Kerb and Gutter Replacement Works
  - Mulwaree Street (Bradley Street End)

This would allow the full scope of works to be undertaken on the following projects with revised budget allocations as follows:

- Revised 2018/19 Footpath Replacement Works
  - Auburn Street (Citizen to Shepherd)
  - Auburn Street (Glebe to Walker)
  - Addison Street (Rhoda to Duke)
- Revised 2018/19 Kerb & Gutter Replacement Works
  - Auburn Street (Citizen to Shepherd)

- Memorial Road

### **Roads projects**

Rural Road rehabilitation was undertaken on Gurrundah Road during November and December 2018. This work included a 700m section of gravel overlay, table drains and a full width bitumen seal. The budgeted amount for this work is \$205,000. These works have improved road conditions and drainage for this section of Gurrundah Road which adjoins the section of Gurrundah Road rehabilitated as part of the 2017/18 Capital Works program.

Unfortunately during construction works major pavement sub grade failures were discovered which were not identified during preliminary ground investigation works. This adversely impacted the overall budget for the project as the sub-standard areas required additional material to be excavated then replaced with suitable material which had to be compacted to provide a satisfactory pavement. The final cost for the additional plant, material and labour cost to address this substandard pavement issue was \$85,000. Therefore the final cost for this work was \$290,000.

This over expenditure can be met from under expenditure with the Sanctuary Drive project. The allocated budget for completion of works for the Sanctuary Drive project for the 2018/19 financial year is \$201,000. The estimated cost to complete the Sanctuary Drive works is \$60,000, therefore the \$85,000 shortfall for the Gurrundah Road project can be offset from the under-expenditure on the Sanctuary Drive project.

It is therefore recommended that \$85,000 be transferred from the Sanctuary Drive project to the Gurrundah Road project.



**12.4 REALLOCATION OF CAPITAL WORKS BUDGET 2018/19 - 2019/20**

**Author:** Andrew Cartwright, Business Manager Works

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** Nil

|  |   |
|--|---|
| <b>Link to Community Strategic Plan:</b> | IN3.2 Implement road infrastructure capital works and maintenance programs  |
| <b>Cost to Council:</b>                  | The 2019/20 budget allocation for Tait / Lockyer Street link road is \$900,000. The transfer of \$400,000 transfer will reduce the 2019/20 budget allocation for the Tait / Lockyer link road to \$500,000. |
| <b>Use of Reserve Funds:</b>             | Nil   |

**RECOMMENDATION**

That

- 1) The report from the Business Manager of Works on the Tait /Lockyer Street link road be received
- 2) Council approve the transfer of up to \$400,000 from the 2019/20 budget for Urban Road Construction Program for the Tait / Lockyer link road to the 2018/19 financial year.

**BACKGROUND**

This report will seek Council approval to bring forward \$400,000 from the 2019/20 Urban Road Construction Capital Works Project Tait / Lockyer to the current 2018/19 financial year.

**REPORT**

In the Ordinary Council Meeting held on the 20th of November Item 12.10 Council approved the deferral of the Urban Road Construction project Tait / Lockyer Street link road to the 2019/20 financial year. This deferral was prompted by land acquisition delays which has since been resolved.

The allocated budget for the Tait / Lockyer project in the 2019/20 financial year is \$900,000. The deferral was based on issues experienced with land acquisitions however these acquisitions have now been finalised. As such Council’s road construction crew can start works on the project in 2018/19.

Favourable weather has enabled Council’s current capital works program to proceed without undue delay. Therefore, there is capacity in 2018/19 to recommence construction works on the Tait / Lockyer link road. It has been estimated that up to \$400,000 of the allocated \$900,000 budget could be spent on bulk earthworks, stormwater drainage and road pavement construction prior to 30 June 2019. Any residual budget would be carried forward into the project for completion in the first quarter of the 2019/20 financial year.

The early completion of this project will assist Council’s construction crews to deliver a large Capital Works Program scheduled for 2019/20, including large scale grant funded projects on Mountain Ash Road, Range Road and Common Street.

**12.5 CONTRACT VARIATION TO VP129895 STABILISED HEAVY PATCHING**

**Author:** Andrew Cartwright, Business Manager Works

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Variations VP129895.pdf - Confidential

|  |  |
|--|--|
| <b>Link to Community Strategic Plan:</b> | IN3.2 Implement Road Infrastructure Capital Works and Maintenance Programs   |
| <b>Cost to Council:</b>                  | The variation amount of \$40,292.08 (excl. GST) can be funded from the Gunlake s94 Reserve (RA38154). The balance of this reserve is \$265,000, therefore after payment of the variation the remaining balance will be \$224,070.92. |
| <b>Use of Reserve Funds:</b>             | Gunlake s94 Reserve – RA38154.   |

**RECOMMENDATION**

That

1. The report from the Business Manager of Works on the variation of Stabilised Heavy Patching be received.
2. Council approve \$40,929.08 (excl. GST) as the variation amount to be paid to Downer EDI Works Pty Ltd following the completion of the stabilised heavy patching contract VP129895 undertaken on the Gunlake haulage route.

**BACKGROUND**

In the Ordinary Council Meeting held on the 18<sup>th</sup> of December 2018 Downer EDI Works Pty Ltd were awarded the contract VP129895 to undertake stabilised heavy patching on the Gunlake Haulage Route, specifically Brayton and Ambrose Roads. The works were completed in full during February 2019 under the supervision of Council staff.

**REPORT**

During the stabilising of the existing pavement the contractor Downer EDI Works Pty Ltd experienced on site latent conditions with the existing pavement. Downer EDI’s price submission to for the stabilisation works indicated that such conditions were not allowed for by and any costs associated with the latent conditions would constitute a variation.

It is acknowledged that latent conditions were experienced during the works prompting the variation from the Contractor to Council. Following is a brief summary of relevant points surrounding this variation.

- 1) During the works on the 29<sup>th</sup> of January 2019 a water main burst very close to the work zone in patch one (1) prompting a shutdown of the area until the water main was repaired.
- 2) Upon re commencement of works latent ground conditions were found in the form of underground springs that were not identified in the ground investigations that were undertaken prior to the commencement of the works.
- 3) The same issues were experienced in other patches.
- 4) This prompted Council to instruct the contractor to change the methodology and place 200mm aggregate under the patches to allow the springs to drain freely to the edges of the road.

Downer EDI Works Pty Ltd made a formal request for variation to Council on the 18<sup>th</sup> of February 2018. Downer’s Project Manager met with senior Works staff responsible for the supervision of the

works. Downer EDI Works Pty Ltd were able to substantiate their claim of \$40,929.08 excl. GST for costs incurred due to the above issues.

Contract provisions allow for extra costs to be paid when latent conditions are experienced. Therefore this variation request is considered reasonable and should be paid.

**12.6 PROPOSED ROAD REALIGNMENT - OALLEN FORD ROAD**

**Author:** Ken Wheeldon, Business Manager Property & Community Services

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Proposed Road Realignment - Oallen Ford Road Concept Plan  

|  |   |
|--|---|
| <b>Link to Community Strategic Plan:</b> | IN3.2 – Implement road infrastructure capital works and maintenance programs.   |
| <b>Cost to Council:</b>                  | Costs involved in this property dealing are \$1,000 in compensation for land acquisition, \$5,750 in survey fees (includes preparation of Plan of Subdivision and NSW LRS registration fees) and reinstatement of fencing on new property boundary.<br><br>These expenses will be paid out of the Road Widening project budget. |
| <b>Use of Reserve Funds:</b>             | Nil   |

**RECOMMENDATION**

That:

1. The report from the Business Manager Property & Community Services on a proposed road realignment of Oallen Ford Road, Oallen be received.
2. Council acquire approximately 540m<sup>2</sup> of 2202 Oallen Ford Road, Oallen (Lot 5 in DP 776199) for \$1,000 (exempt GST) and have this land dedicated for road realignment purposes.
3. Council meet all costs associated with preparing a Plan of Subdivision and registration fees with NSW LRS.
4. Council meet all costs associated with reinstatement of fencing on the new property boundary.
5. Council relocate any surplus landfill from this road project on to 2202 Oallen Ford Road, Oallen at the property owner’s request.
6. Council’s seal be affixed to all documentation necessary to complete this land acquisition and road realignment.

**BACKGROUND**

Council is scheduled to commence the minor realignment of a section of Oallen Ford Road, Oallen in May 2019. As part of this project, Council needs to acquire 540m<sup>2</sup> of land at 2202 Oallen Ford Road, Oallen (Lot 5 in DP 776199).

**REPORT**

Preparations are underway to prepare a Plan of Subdivision relating to acquisition of 540m<sup>2</sup> of land at 2202 Oallen Ford Road, Oallen (Lot 5 in DP 776199) to dedicate for road widening purposes (refer attached concept plan). As part of these preparations, negotiations have concluded with the property owner and an amount of \$1,000 (exempt GST) has been agreed to as compensation based on the following rationale;

| ITEM   | VALUE   |
|--|---|
| Land Area = 41.94 hectares or 419,400m <sup>2</sup>                          |   |
| Estimate of current market valuation based on comparable sales               | \$500,000 - \$550,000                         |
| Land Value per m <sup>2</sup> (rounded-up)                                   | \$1.20/m <sup>2</sup> - \$1.31/m <sup>2</sup> |
| Compensation calculations based on 540m <sup>2</sup> x \$1.20/m <sup>2</sup> | \$648   |
| Compensation calculations based on 540m <sup>2</sup> x \$1.31/m <sup>2</sup> | \$707   |
| Property Owner requested \$1,000 or \$1.85/m <sup>2</sup>                    | \$1,000                                       |

It was not considered necessary to engage a Valuation Consultant to provide a formal current market valuation report in this instance based on the following;

1. Small amount of privately owned land required for this road project
2. Comparable sales histories
3. Cost of engaging a registered valuation consultant (approximately \$1,250)

In addition to payment of the compensation, all costs associated with surveying, registration of Plan of Subdivision dedicating this land as public road, road boundary fencing and legal fees (if applicable) will be met by Council.

# OALLEN FORD ROAD

## PROPOSED NEW ROAD ALIGNMENT

### CONCEPT PLAN

TOTAL LENGTH = 300M

NOT FOR CONSTRUCTION

LOT/DP: 1//865730  
RURAL ADDRESS: 2263

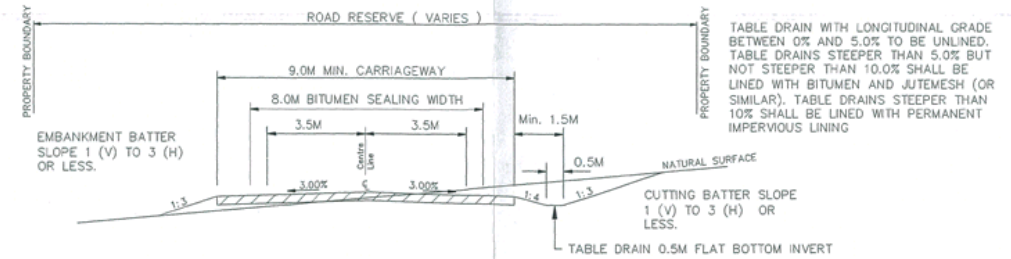
LOT/DP: 5//776199  
RURAL ADDRESS: 2202  
OWNER: M P Bright

540M<sup>2</sup> LAND ACQUISITION

NEW CURVE TO TRANSITION  
FROM CROSS FALL INTO  
SUPER ELEVATION

LOT/DP: 2//865730  
RURAL ADDRESS: 2217

PLAN VIEW  
NOT TO SCALE



TYPICAL CROSS SECTION  
NOT TO SCALE

DRAWING NUMBER DWGNO

| INDEX                   | NAME     | DATE     | AMENDMENTS |
|-------------------------|----------|----------|------------|
| SURVEYED                | S-NAME   | S-DATE   | AMEND1     |
| DESIGNED & DRAFTED      | D-NAME   | D-DATE   | AMEND2     |
| DESIGN REVIEWED         | R-NAME   | R-DATE   | AMEND3     |
| FINAL DESIGN CHECKED    | FDC-NAME | FDC-DATE | AMEND4     |
| ISSUED FOR CONSTRUCTION | IFC-NAME | IFC-DATE | AMEND5     |
| WORK AS EXECUTED        | WAE-NAME | WAE-DATE | AMEND6     |

**GOULBURN MULWAREE COUNCIL**

CIVIC CENTRE, 184-194 BOURKE STREET  
GOULBURN, NSW-2580  
LOCKED BAG 22, GOULBURN, NSW-2580  
PHONE: (02) 4823 4444  
FAX: (02) 4823 4456

AUSTRALIAN HEIGHT DATUM AS-1100 STANDARDS

If the actual work done differs from the original drawing the person performing the work must amend this copy accordingly and return it to the Design Office.

APPROVED  
DT-NAME  
DIRECTOR OF  
GOULBURN MULWAREE  
OPERATIONS  
DATE: DD/MM/YYYY

OALLEN FORD ROAD  
PROPOSED NEW ROAD ALIGNMENT  
CONCEPT PLAN

**SAFETY FIRST**  
PERSONAL PROTECTIVE EQUIPMENT  
MUST BE WORN ON SITE  
www.dialbeforeyoudig.com.au  
**DIAL 1100**  
BEFORE YOU DIG

A1 - SCALE  
AS SHOWN  
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REVISION  
GMC-VER-1  
RD: -/-/-

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1  
SHEET NUMBER  
1  
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**DWGNO**

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**12.7 REQUESTS FOR FINANCIAL ASSISTANCE**

**Author:** Brendan Hollands, Director Corporate & Community Services

**Authoriser:** Warwick Bennett, General Manager

- Attachments:**
1. **Rotary Club of Goulburn Inc.** [↓](#) 
  2. **Rotary Club of Goulburn Mulwaree** [↓](#) 
  3. **Tallong Apple Day Festival** [↓](#) 

|  |   |
|--|---|
| <b>Link to Community Strategic Plan:</b> | CSP Strategy C02 – Encourage and facilitate active and creative participation in community life.  |
| <b>Cost to Council:</b>                  | Funds are available in the budget for donations made under the Financial Assistance Policy. There is currently a budget of \$105,000 for grants issued under this policy. Approval of the recommendation would leave a remaining amount of \$15,466 for future contributions. |
| <b>Use of Reserve Funds:</b>             | Not Applicable. Budgeted amount funded from revenue.  |

**RECOMMENDATION**

That

The report of the Director of Business Services on Requests for Financial Assistance be received.

1. Council make a cash donation of \$1,000 towards the 2019 Southern Tablelands Science and Engineering Challenge from the Financial Assistance budget.
2. Council provide financial support totalling \$3,437 incl GST (\$3,129.72 excl GST) for the Rotary Club of Goulburn Mulwaree to fund the hire fees and associated costs for the Recreation Area for the annual Goulburn Swap Meeting with the amount being paid via a transfer from the financial assistance budget.
3. Council fund the support to the Tallong Apple Day Festival to the value of \$3,650 from the Financial Assistance budget:
4. Council fund the traffic control for the Tallong Apple Day Festival event out of the Operations – Events Support budget - estimated at \$850

**BACKGROUND**

At its meeting on 19 September 2017, Council adopted the new Financial Assistance Policy. Under the Policy, applications seeking funding for amounts greater than \$1,000 are reported to Council for approval.

**REPORT**

An application for financial assistance have been received from the following organisations:

- **Rotary Club of Goulburn Inc.**

The Rotary Club of Goulburn Inc. are seeking financial assistance for the 2019 Southern Tablelands Science and Engineering Challenge.

The University of Newcastle will be presenting the Science and Engineering Challenge in Goulburn on Friday 2 August 2019. The Challenge involves 8 selected, hands on activities for Year 10 students. This year, students from 7 High Schools in the Goulburn area including Braidwood, Crookwell and Yass will be competing. The activities are designed by the University of Newcastle and are not normally experienced in school. The event will be held in the Veolia Area, Braidwood Road Goulburn.

The amount of assistance the Rotary Club of Goulburn Inc. are seeking is \$3,000. A copy of their application is attached to this report. Council has provided donations of \$3,000 to the Engineering Challenge in each of the last three years. Given this, and taking into consideration the benefit that this Challenge provides to the students and the schools that participate it is recommended that Council makes a contribution of \$1,000. This contribution matches those provided by the individual rotary clubs.

- **Rotary Club of Goulburn Mulwaree Inc.**

The Rotary Club of Goulburn Mulwaree Inc. are seeking financial assistance in the form of “in-kind” support for the hire fees and associated costs for the use of the Goulburn Recreation Area for the annual Goulburn Swap Meeting to be held on the 7<sup>th</sup> April 2019.

The annual Goulburn Swap Meeting is the largest event of its type in NSW. The event attracts as many as 3,000 buyers and onlookers many of whom are from out of town and interstate. These visitors will often spend a night or two in Goulburn which is a great boost to the local economy.

The amount of assistance the Rotary Club of Goulburn Mulwaree Inc. are seeking is \$4,007 including GST. A copy of their application and a quote for hire fees is attached to this report. Given the economic benefit that this event provides to the area it is recommended that the hire fees and associated costs (with the exception of the bond) totalling \$3,437 (inc GST) for the use of the Recreation Area are provided in-kind via a transfer from the financial assistance budget. In effect this equates to a contribution of \$3,129.72 once the GST has been accounted for.

The bond has been left out of this contribution due to the fact that it is refundable to the Rotary Club should they meet all required conditions. The Rotary Club will need to pay this bond prior to the event.

- **The Tallong Community Focus Group**

The Tallong Community Focus Group are seeking “in-kind” support to assist with the Tallong Apple Day Festival which is being held on Sunday 5<sup>th</sup> May 2019. The value of these services is expected to be up to \$4,500. The traffic control portion of this amount will be funded from the Events Budget and will include the Traffic Control Plan, traffic controllers and traffic barriers.

| <b>Support Provided</b>  | <b>Cost</b>       |
|--|-------------------|
| Portaloos, waste services, amenity cleaning, generator hire, facility hire, stage hire | \$3,650.00        |
| Traffic Control*   | \$850.00          |
| <b>Total</b>   | <b>\$4,500.00</b> |

\*Traffic Control to be funded from Events budget.

It is important to note that prior to the event taking place, the Tallong Community Focus Group are required to submit a Traffic Management Plan to Council.



**SCANNED**

**Application for Financial Assistance**

| Applicant / Organisation Details |                             |
|----------------------------------|-----------------------------|
| <b>Name:</b>                     | ROTARY CLUB OF GOULBURN INC |
| <b>Address:</b>                  | PO BOX 66 GOULBURN NSW 2580 |
| <b>Contact Person:</b>           | ALEX OLIVER                 |
| <b>Telephone:</b>                | 0419 629 269                |
| <b>Email Address:</b>            | alexoliver50@hotmail.com    |

| Amount Applied for (Including GST if Applicable) |
|--|
| \$ 3,000   |

**Funding Principles:**

Funding is available under the following funding streams:

- **Financial Assistance for Community Events, Projects and Representation**  
*Financial contribution to assist with the cost of a community event and/or project or to assist individuals/groups representing their community.*

This stream is made available for:

- Funding requested by community and/or charitable organisations for events that do not satisfy the criteria under the *Event Development Funding Policy*.
- Funding requested by community and/or charitable organisations for projects that add value to the community.
- Financial support requested by members of the community to represent or participate in events (both sporting and cultural) at a national or international level.

Funding under this stream will be capped at \$10,000 and may be in the form of financial contribution, in-kind support or up to 50% fee waiver for Council venue hire.

- **Mayor's Discretionary Fund**  
*Financial assistance available at the discretion of the Mayor and Deputy Mayor to assist with small projects and community initiatives.*

This stream will be reserved for donations to charitable and "not for profit" organisations.

(Refer to Policy Document attached to this form for information on funding criteria)

Priority will be given to –

- Projects/events which support welfare activities
- Projects/events which support the priorities of the various plans adopted by Council
- Projects/events which have not previously received funding
- Areas where there is an obvious and documented community/local need
- Areas where the need is considered greatest

Application for Financial Assistance

**Other Grant Funding**

Please provide details of funding received from other sources either approved or pending

*Pending: The Rotary Clubs of Goulburn, Goulburn Mulwaree, Goulburn Argyle, Crookwell and Yass will contribute \$1000 each.*

**Description of the Project, Service or Event** *(attach additional pages if space is insufficient)*

When completing this section please provide as much information as possible including details on the following where applicable:

- What identified community need does this project seek to fulfil?
- If an event, what are the benefits to the Goulburn Mulwaree area e.g. number of visitors
- Who will benefit from the project/event (include target groups and/or users & attach letters of support if applicable)

*Please see the attached notes.*

Application for Financial Assistance

Rotary Club of Goulburn  
Southern Tablelands Science and Engineering Challenge

Attached notes:

The budget for the event is approximately \$10,500.

The invoice received from University of Newcastle this year is \$6,377

The logistics, based on the previous event, such as the venue hire, out of town buses, catering, trophy, certificates etc. will be approximately \$4,000

The University of Newcastle will be presenting the Science and Engineering Challenge in Goulburn on 2nd August 2019. The Challenge involves eight selected, hands on, activities for Year 10 students. This year we will have students from the seven High Schools in the Goulburn area, which includes Braidwood, Crookwell and Yass. These activities, designed by the University of Newcastle, are not normally experienced in schools. The event will be held in the Veolia Stadium.

The benefits of the event are that the students are encouraged to work as a team, discussing, designing, constructing, testing their activity and operating it to obtain a point score. Each activity is scored as per The University of Newcastle.

This event is designed to promote an interest in science and engineering within the students and to follow an education pathway, which includes STEM, that may give career pathways in those fields.

Approximately 200 students will participate in the activities. Assistance to the presenters from The University of Newcastle is given by volunteers from the Rotary Clubs in the Goulburn Area. Rotarians will be involved in the setting up and packing up of the activities and during the day will be at each activity, presenting, demonstrating and collating points scores.

Each high school is presented with a Certificate of Participation. Certificates of Participation are sent to the high schools to be presented to the participating students during days of significance. The winning High School is presented with the Southern Tablelands Science and Engineering Challenge Trophy. That High School is invited to participate in a Regional Science and Engineering Challenge culminating in the National S&E Challenge.

Application for Financial Assistance

|  |
|--|
| <b>Financial Information</b>   |
| For applications seeking funding of \$5,000 and above, the application <u>must</u> be accompanied by financial statements. |

|                                     |  |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <b>Application checklists – Please complete before signing the Declaration</b>           |
| <input checked="" type="checkbox"/> | Have you read and understood the guidelines?   |
| <input checked="" type="checkbox"/> | Have you completed <b>all</b> sections of the application form?                          |
| <input checked="" type="checkbox"/> | Have you attached all relevant support materials and letters of support?                 |
| <input checked="" type="checkbox"/> | Have you included all necessary documentation (e.g. Financial Information if applicable) |
| <input checked="" type="checkbox"/> | Has the application been signed?   |
| <input checked="" type="checkbox"/> | Have you kept a copy of your application for your own records?                           |

|   |  |           |  |
|---|--|-----------|--|
| <b>Declaration</b>  |  |           |  |
| I/We certify that, to the best of my/our knowledge, the information of this application is true and correct |  |           |  |
| Signature   | <i>Alex Oliver</i>                                 | Signature |  |
| Name  | ALEX OLIVER JP                                     | Name      |  |
| Position  | ROTARY CLUB OF GOULBURN<br>S&E CHALLENGE COMMITTEE | Position  |  |

|   |
|---|
| <b>NOTES</b>  |
| <ul style="list-style-type: none"> <li>▪ All applications are to be returned to Council's Business Services Department, Goulburn Mulwaree Council, Locked Bag 22 Goulburn NSW 2580</li> <li>▪ <b>Incomplete applications or applications with insufficient information will not be accepted.</b></li> </ul> |

BUSINESS SERVICES DEPARTMENT  
GOULBURN MULWAREE COUNCIL  
LOCKED BAG 22  
GOULBURN  
NSW

Goulburn Mulwaree Council

Date Received: .....7.2.19.....

Signature: *[Handwritten Signature]*

POSTCODE

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|---|---|---|---|
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|---|---|---|---|



**SCANNED**  
**Application for Financial Assistance**

Received: 18/3/19  
 Signature: [Signature]  
 Goulburn Mulwaree Council

| Applicant / Organisation Details |                                  |
|----------------------------------|----------------------------------|
| <b>Name:</b>                     | Rotary Club of Goulburn Mulwaree |
| <b>Address:</b>                  | PO BOX 140 Goulburn NSW 2580     |
| <b>Contact Person:</b>           | Graeme Hewett - President        |
| <b>Telephone:</b>                | 0487 332 595                     |
| <b>Email Address:</b>            | ghewett@ozemail.com.au           |

| Amount Applied for (Including GST if Applicable) |
|--|
| \$ awaiting final quote from GMC                 |

**Funding Principles:**

Funding is available under the following funding streams:

- **Financial Assistance for Community Events, Projects and Representation**  
*Financial contribution to assist with the cost of a community event and/or project or to assist individuals/groups representing their community.*

This stream is made available for:

- Funding requested by community and/or charitable organisations for events that do not satisfy the criteria under the *Event Development Funding Policy*.
- Funding requested by community and/or charitable organisations for projects that add value to the community.
- Financial support requested by members of the community to represent or participate in events (both sporting and cultural) at a national or international level.

Funding under this stream will be capped at \$10,000 and may be in the form of financial contribution, in-kind support or up to 50% fee waiver for Council venue hire.

- **Mayor's Discretionary Fund**  
*Financial assistance available at the discretion of the Mayor and Deputy Mayor to assist with small projects and community initiatives.*

This stream will be reserved for donations to charitable and "not for profit" organisations.

(Refer to Policy Document attached to this form for information on funding criteria)

Priority will be given to –

- Projects/events which support welfare activities
- Projects/events which support the priorities of the various plans adopted by Council
- Projects/events which have not previously received funding
- Areas where there is an obvious and documented community/local need
- Areas where the need is considered greatest

Civic Centre 184-194 Bourke Street Goulburn NSW Telephone 4823 4444 [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)  
 Correspondence to: Goulburn Mulwaree Council Locked Bag 22 Goulburn NSW 2580



Application for Financial Assistance

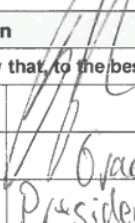
|  |
|--|
| <p><b>Other Grant Funding</b></p> <p>Please provide details of funding received from other sources either approved or pending</p> <p>Nil grant funding received from other sources</p> |
|--|

|   |
|---|
| <p><b>Description of the Project, Service or Event</b> <i>(attach additional pages if space is insufficient)</i></p> <p>When completing this section please provide as much information as possible including details on the following where applicable:</p> <ul style="list-style-type: none"> <li>▪ What identified community need does this project seek to fulfil?</li> <li>▪ If an event, what are the benefits to the Goulburn Mulwaree area e.g. number of visitors</li> <li>▪ Who will benefit from the project/event (include target groups and/or users &amp; attach letters of support if applicable)</li> </ul> <p>The annual Goulburn Swap Meet, held at the Recreation Area is the largest event of its type in NSW. Attracting approximately 4,000 buyers/lookers, this event draws visitors from the Eastern States, with regular site holders coming from as far as QLD and VIC to attend, utilising accommodation and other businesses houses while they are here.</p> <p>Now in its 31st year, and as the biggest fundraiser for the Rotary Club of Goulburn Mulwaree, all proceeds from the Swap Meet go back to the people that need it most through Rotary charities and projects, most of which service local issues and people in need. With our other community partners including the Tarlo Rural Fire Brigade, Tarago Rural Fire Brigade, Argyle Rotary Club, Soroptomists Goulburn, Goulburn Trinity Veterans Cricket Club and Goulburn St Johns Ambulance we are able to support this is a true community volunteer effort.</p> <p>In 2018 total donations to Goulburn based community groups and events totalled \$20,608.</p> <p>This year we were proud to receive a Service Commendation Award for Event of the Year at the Annual Australia Day Awards.</p> <p>Increasing event costs are reducing event profits and our ability to help those we serve. The Rotary Club of Goulburn Mulwaree would be very appreciative if Council could assist with the hire fees and associated costs for the Recreation Area for our event.</p> |
|---|

Application for Financial Assistance

|  |
|--|
| <b>Financial Information</b>   |
| For applications seeking funding of \$5,000 and above, the application <u>must</u> be accompanied by financial statements. |

|                          |  |
|--------------------------|--|
| ✓                        | <b>Application checklists – Please complete before signing the Declaration</b>           |
| <input type="checkbox"/> | Have you read and understood the guidelines?   |
| <input type="checkbox"/> | Have you completed <b>all</b> sections of the application form?                          |
| <input type="checkbox"/> | Have you attached all relevant support materials and letters of support?                 |
| <input type="checkbox"/> | Have you included all necessary documentation (e.g. Financial Information if applicable) |
| <input type="checkbox"/> | Has the application been signed?   |
| <input type="checkbox"/> | Have you kept a copy of your application for your own records?                           |

|   |   |           |  |
|---|---|-----------|--|
| <b>Declaration</b>  |   |           |  |
| I/We certify that, to the best of my/our knowledge, the information of this application is true and correct |   |           |  |
| Signature   |  | Signature |  |
| Name  | Graeme Hewett   | Name      |  |
| Position  | President   | Position  |  |

|   |
|---|
| <b>NOTES</b>  |
| <ul style="list-style-type: none"> <li>▪ All applications are to be returned to Council's Business Services Department, Goulburn Mulwaree Council, Locked Bag 22 Goulburn NSW 2580</li> <li>▪ <b>Incomplete applications or applications with insufficient information will not be accepted.</b></li> </ul> |

Booking Quote 972



Locked Bag No. 22  
GOULBURN NSW 2580

20 Feb 2019

GOULBURN MULWAREE ROTARY CLUB  
PO BOX 140  
GOULBURN NSW 2580

Dear Committee,

**Subject: Booking Enquiry & Quote**

Please find below the details and quote for your booking enquiry.

**Booking particulars**

|                          |                          |
|--------------------------|--------------------------|
| Booking Reference Number | 16757 to 22229 inclusive |
| Event Description        | Rotary Swap Meet         |
| Booking Status           | Confirmed                |
| Phone number on file     |                          |

**Booking Details**

| Facility Booked                          | Date        | From     | To       | Charges (inc GST) |
|--|-------------|----------|----------|-------------------|
| Area EE Cruise Circuit                   | 05 Apr 2019 | 08:00 AM | 05:00 PM | \$0.00            |
| Area G Day Stables                       | 05 Apr 2019 | 08:00 AM | 05:00 PM | \$0.00            |
| Area H and J                             | 05 Apr 2019 | 08:00 AM | 05:00 PM | \$0.00            |
| Area P and Q Peden Pavilion and Skillion | 05 Apr 2019 | 08:00 AM | 05:00 PM | \$0.00            |
| Area EE Cruise Circuit                   | 06 Apr 2019 | 08:00 AM | 05:00 PM | \$0.00            |
| Area G Day Stables                       | 06 Apr 2019 | 08:00 AM | 05:00 PM | \$0.00            |
| Area H and J                             | 06 Apr 2019 | 08:00 AM | 05:00 PM | \$0.00            |
| Area P and Q Peden Pavilion and Skillion | 06 Apr 2019 | 08:00 AM | 05:00 PM | \$0.00            |
| Area EE Cruise Circuit                   | 07 Apr 2019 | 08:00 AM | 05:00 PM | \$0.00            |
| Area G Day Stables                       | 07 Apr 2019 | 08:00 AM | 05:00 PM | \$0.00            |
| Area H and J                             | 07 Apr 2019 | 08:00 AM | 05:00 PM | \$480.00          |
| Area P and Q Peden Pavilion and Skillion | 07 Apr 2019 | 08:00 AM | 05:00 PM | \$775.00          |
| Grace Millsom Function Room              | 07 Apr 2019 | 08:00 AM | 05:00 PM | \$350.00          |

**Total Bookings \$: \$1 605.00**

**Other Booking Charges**

Booking Quote 972

| Additional Charges                                       | Qty | Hours | \$ per hour | Charges (inc GST) |
|--|-----|-------|-------------|-------------------|
| Recreation Area 240L Bin Empty                           | 30  |       | \$17.50     | \$525.00          |
| Recreation Area 240L Delivery & Pick Up Fee              | 1   |       | \$60.00     | \$60.00           |
| Recreation Area 1100L Bin Hire                           | 5   |       | \$10.40     | \$52.00           |
| Recreation Area 1100L Bin Empty                          | 5   |       | \$24.00     | \$120.00          |
| Recreation Area 1100L Delivery & Pick Up Fee             | 1   |       | \$100.00    | \$100.00          |
| Recreation Area Amenity Cleaning                         | 5   |       | \$160.00    | \$800.00          |
| Grace Millsom Function Centre Cleaning & Waste Removal   | 1   |       | \$175.00    | \$175.00          |
| Recreation Area - Security BOND Special and Major Events | 1   |       | \$350.00    | \$350.00          |
| Grace Millsom - Cleaning BOND No Food                    | 1   |       | \$220.00    | \$220.00          |

**Total Additional Charges: \$2 402.00**

**GRAND TOTAL GST \$364.28**  
**GRAND TOTAL (inc GST) \$4 007.00**

If you have any questions about this booking enquiry or any of Council's facilities, please call me on 02 4823 4901

Yours faithfully

ANNE RUDELL  
 Goulburn Mulwaree Council



## Application for Financial Assistance

| Applicant / Organisation Details |  |
|----------------------------------|--|
| <b>Name:</b>                     | Tauong Community Fovos Group - Apple Day |
| <b>Address:</b>                  | PO Box 141 Mardian 2579                  |
| <b>Contact Person:</b>           | Christine Wursten                        |
| <b>Telephone:</b>                | 0418648610                               |
| <b>Email Address:</b>            | wursten@bigpond.com.                     |

| Amount Applied for (Including GST if Applicable) |
|--|
| \$   |

**Funding Principles:**

Funding is available under the following funding streams:

- **Financial Assistance for Community Events, Projects and Representation**  
*Financial contribution to assist with the cost of a community event and/or project or to assist individuals/groups representing their community.*

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This stream will be reserved for donations to charitable and "not for profit" organisations.

(Refer to Policy Document attached to this form for information on funding criteria)

Priority will be given to –

- Projects/events which support welfare activities
- Projects/events which support the priorities of the various plans adopted by Council
- Projects/events which have not previously received funding
- Areas where there is an obvious and documented community/local need
- Areas where the need is considered greatest

**Other Grant Funding**  
 Please provide details of funding received from other sources either approved or pending

Boral annual sponsorship \$4000, Gunlake \$3,500  
 Submitted grants for Festivals Australia, Imb community grant-

**Description of the Project, Service or Event** (attach additional pages if space is insufficient)

When completing this section please provide as much information as possible including details on the following where applicable:

- What identified community need does this project seek to fulfil?
- If an event, what are the benefits to the Goulburn Mulwaree area e.g. number of visitors
- Who will benefit from the project/event (include target groups and/or users & attach letters of support if applicable)

The Tallong Apple Day festival brings our community together to celebrate our history of Apple Orchards. With the festival now bringing around 10,000 visitors to our area & through several towns & villages it brings tourism dollars & gives visitors an insight into what our area has to offer. Our festival gives many local groups and organisations the opportunity to fundraise and showcase their groups and what they do for our community. The Apple Day festival facilitates all costs for the festival allowing maximum opportunities for not only our community groups but giving small local businesses a chance to become involved and promoting their businesses. We have many visitors come from ACT using Goulburn as a stop off, we have tried to organise a train service from Goulburn to the festival (this is in progress). With funds from the festival it allows the TCFG to function and hold all our local community events and activities (Anzac Day, xmas party, Insurana ect). We also support the local school who are involved in the festival.

Which all local schools are invited to participate.  
The local Coultburn Library has been a pick up / drop off competition forms in previous years.  
Coultburn High School has had 2 successful years competing winning a new oven for their hospitality classes.  
Their Photography class has taken out Grand Champion for the last 2 years + The Grand Champion for the Bake-off was a young lady also from CHS.  
We also include pre-schools and playgroups to become involved. Our aim is to promote Creative Arts in all aspects - Art, Creative Writing, Photography, Create a Banner, Bake-off, Sculpture, Quilting, Fleece to Garment plus more. Last year we also invited many car enthusiasts and it was very successful. For 2019 we are also including Bikes in our show.  
Our festival bought over 70 market stalls for many areas to Tallong for the festival.  
We promote many other local business and have many visitors stay the weekend at local B&Bs, Local Motel and spend the weekend in Coultburn and surrounding areas.  
Our festival is of high standard and we are proud of the growth and development of all aspects.  
We are a family focused festival which keeps costs to a minimum for our visitors and this year we are promoting "green stall holders" as this is where we will focus in the future.  
Proceeds from 2019 festival will also go towards improving our community - the need for childrens activities (possible Basketball area, upgrade in Park + Picnic Area) and funds to contribute to a new toilet block in Memorial Park.

|  |
|--|
| <b>Financial Information</b>   |
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|                                     |  |
|-------------------------------------|--|
| ✓                                   | <b>Application checklists – Please complete before signing the Declaration</b>           |
| <input checked="" type="checkbox"/> | Have you read and understood the guidelines?   |
| <input checked="" type="checkbox"/> | Have you completed <b>all</b> sections of the application form?                          |
| <input checked="" type="checkbox"/> | Have you attached all relevant support materials and letters of support?                 |
| <input checked="" type="checkbox"/> | Have you included all necessary documentation (e.g. Financial Information if applicable) |
| <input checked="" type="checkbox"/> | Has the application been signed?   |
| <input checked="" type="checkbox"/> | Have you kept a copy of your application for your own records?                           |

|   |                                 |           |                    |
|---|---------------------------------|-----------|--------------------|
| <b>Declaration</b>  |                                 |           |                    |
| I/We certify that, to the best of my/our knowledge, the information of this application is true and correct |                                 |           |                    |
| Signature   | <i>CWursten</i>                 | Signature | <i>[Signature]</i> |
| Name  | Christine Wursten               | Name      | Kerry Lawrence     |
| Position  | TCFA President AD - Coordinator | Position  | Secretary          |

|  |
|--|
| <b>NOTES</b>   |
| <ul style="list-style-type: none"> <li>▪ All applications are to be returned to Goulburn Mulwaree Council, Locked Bag 22 Goulburn NSW 2580</li> <li>▪ <b>Incomplete applications or applications with insufficient information will not be accepted.</b></li> </ul> <p style="text-align: center;">Civic Centre 184-194 Bourke Street Goulburn NSW Telephone 4823 4444 <a href="http://www.goulburn.nsw.gov.au">www.goulburn.nsw.gov.au</a><br/>Correspondence to: Goulburn Mulwaree Council Locked Bag 22 Goulburn NSW 2580</p> |

*Council collects personal information only for a lawful purpose that is directly related to Council's functions and activities. Council is required under the Privacy and Personal Information Protection Act 1998 (PPIA) to collect, maintain and use your personal information in accordance with the Privacy Principles and other relevant requirements of the PPIPA. For further information or clarification please contact Council's Governance Office or refer to Council's Privacy Management Policy at [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)*



ABN 35-027-663-679 **Profit & Loss Statement**  
 Inc No-INCC9887110 **APPLE DAY ACCOUNT** For the financial year ending 30<sup>th</sup> June,2018

**EXPENSES**

|   |                                 |
|---|---------------------------------|
| Bank fees/charges                           | \$38.63                         |
| Web Site                                    | \$344.42                        |
| Alan Weston Signs                           | \$346.50                        |
| Avid Print [postcards,entry tickets]        | \$668.00                        |
| Advertising                                 | \$1,664.00                      |
| TCFG Stall                                  | \$1,788.00                      |
| Apples, bags/clips                          | \$1,884.84                      |
| Stall refunds [prior to day]                | \$185.00                        |
| Prizes/Gifts/Incidentals                    | \$634.80                        |
| Trophies/Ribbons/AD Shirts                  | \$799.70                        |
| ATM Hire                                    | \$450.00                        |
| St Johns Ambulance                          | \$250.00                        |
| Shuttle Bus                                 | \$1200.00                       |
| Camden Hire/oven hire                       | \$6,492.60                      |
| Grandstand Hire                             | \$400.00                        |
| Lease on crown land                         | \$132.80                        |
| Replace hall chairs [12]                    | \$348.00                        |
| Mobile Coolroom                             | \$280.00                        |
| Roll of Fabric                              | \$80.00                         |
| Committee expenses                          | \$1016.80                       |
| Bungonia RFS Lunch, Tallong RFS electricity | \$180.00                        |
| Traffic, Police VMB                         | \$2041.10                       |
| Entertainment                               | \$6,429.00                      |
|   | <b><u>Total \$27,674.19</u></b> |

I

ABN 35-027-663-679

## Profit & Loss Statement

Inc No-INCC9887110

**APPLE DAY ACCOUNT** For the financial year ending 30<sup>th</sup> June,2018

### INCOME

|                                   |                                 |
|-----------------------------------|---------------------------------|
| Bank Interest                     | .13                             |
| Donations & Sponsorship           | \$12,300.00                     |
| Stalls                            | \$3905.00                       |
| Gate 1                            | \$6,832.55                      |
| Gate 2                            | \$1,186.00                      |
| Gate 3                            | \$732.55                        |
| Gate 4                            | \$969.00                        |
| Apple Sales                       | \$2,559.00                      |
| TCFG Stall                        | \$3,681.10                      |
| Wood Auction                      | \$335.00                        |
| Bake-off                          | \$265.00                        |
| Matilda's Farmyard                | \$432.30                        |
| Pony Donation                     | \$50.00                         |
| Petrol Cars/Clowns/Jumping Castle | \$400.00                        |
|                                   | <b><u>TOTAL \$33,647.63</u></b> |

|                    |                          |                  |
|--------------------|--------------------------|------------------|
| ABN 35-027-663-679 | <b>Balance Sheet</b>     | as at 30/06/2018 |
| Inc No-INCC9887110 | <b>APPLE DAY ACCOUNT</b> |                  |

|   |                         |
|---|-------------------------|
| IMB TAD Account @ 30/06/2017                        | NIL                     |
| @ 29/11/2017  | \$120.00                |
| Cash in Hand @ 30/06/2017                           | NIL                     |
|   | <b>Total \$120.00</b>   |
| <br>IMB TAD Account @ 30/06/2018                    | <br>\$3,655.89          |
| Cash in Hand @30/06/2018                            | NIL                     |
|   | <b>Total \$3,655.89</b> |
| <br><b>Summary of bank transactions @30/06/2018</b> |                         |
| Total Credits                                       | \$35,167.58             |
| Total Debts   | \$ 31,671.70            |
| Unpresented cheques                                 | \$1173.00               |

**Notes: 2018 Apple Day Community Donations/payments**

Marulan RFS \$200

Bungonia RFS \$400

B & M Agren \$100

St Stephens Church \$500

Pie Oven Tallong Hall \$250

TCFG Insurance \$2185.45

TCFG Funds for expected community expenses \$2400 for 2018-2019

**Note:**

**Balance @30/09/2018 \$435.64**

Unpresented Cheques \$130.00

**Available Balance \$305.64**



**NSW RURAL FIRE SERVICE**  
Memorial Drive TALLONG NSW 2579

Goulburn Mulwaree Council.  
Civic Centre  
184-194 Bourke Street  
Goulburn, NSW 2580

29/12/2018

To whom it may concern,

**Tallong Apple Day**

This letter is confirm our support for the Tallong Apple Day Festival.  
We have had a very positive relationship with the Tallong Apple Day committee over many years and look forward to many more to come.  
For our brigade it is the major fundraising event of the year which goes towards ensuring the brigade has the funds to continue with equipping our station, training and outfitting our members as well as providing a professional level of fire and first responder support to the community.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Trevisiol'.

Michael Trevisiol  
Captain  
Tallong Rural Fire Brigade

Postal address  
NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

Street address  
NSW Rural Fire Service  
4 Murray Rose Ave  
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5103  
F (02) 9737 0170  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)



# Tallong Memorial Hall

---

Memorial Drive Tallong | 0429980545 | tallonghall@gmail.com

01/01/2019:

**To whom it may concern.**

As the chairperson of Tallong Memorial Trust, I would like to support the proposal for a grant for Tallong Apple Day festival.

Tallong Apple Day is a community event that brings our community every year to provide a great family day for the community and people that travel to come to this great festival.

Tallong Hall Trust is in support of the request for financial support to reinforce Tallong Apple Day Festival for 2019.

Sincerely,

**Kerry Lawrence**

Chairperson

Tallong Hall Trust



Parents & Citizens Association  
Tallong Public School  
Bumballa Street  
Tallong NSW 2579  
Phone : 4841 0292  
Fax : 4841 0240  
Email: tallong-pschool@det.nsw.edu.au

---

January 2019

To Goulburn Mulwarree Council.

On behalf of the Tallong School P&C committee we would like to offer our support in your application for support for Tallong Apple Day Festival on Sunday 5<sup>th</sup> May 2019.

The school P&C fundraisers on Apple Day and it's our major fundraiser for the year, and we are happy to work with the TCFG & Apple Day committees to ensure it's a successful event for our community

The school P&C supports the request for support to have this wonderful event in our community.

Kind regards,  
Stephanie Rawlings  
Tallong P&C President

**12.8 CODE OF MEETING PRACTICE**

**Author:** Warwick Bennett, General Manager

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Draft Model Code of Meeting Practice  

|  |   |
|--|---|
| <b>Link to Community Strategic Plan:</b> | CL1 Civic Leadership  |
| <b>Cost to Council:</b>                  | Cost of conducting meetings is part of Council’s operational budget |
| <b>Use of Reserve Funds:</b>             | Nil   |

**RECOMMENDATION**

That:

1. The report from the General Manager on the adoption of the Code of Meeting Practice be received.
2. Council adopts the attached draft Model Code of Meeting Practice and places the draft document on public exhibition for 14 days.
3. If any submissions and/or comments are received during the public exhibition period then those submissions and/or comments be reported back to Council for discussion and determination. If no submissions are received then the Code of Meeting Practice becomes the endorse document effective from the 7<sup>th</sup> May 2019 Council meeting.

**BACKGROUND**

The State Government has issued a Model Code of Meeting Practice for Council’s in NSW. The Code applies to all meetings of Council’s and committees of Council. The new Code contained a number of mandatory and/or optional provisions. The purpose of this report is for Council to determine which of the optional provisions it will add to the mandatory provisions to adopt the final code.

**REPORT**

Attached to this report is the draft Model Code of Meeting Practice. The attached draft code now reflects the feedback received from Councillors in a briefing session and has been re-numbered to reflect those changes. Also under separate cover is the model code as recommendation by the State Government. It contains clauses written in black which are mandatory and in red are the optional provisions. The blue provisions refer to Joint Organisations and have been removed from the code recommended to be endorsed.

Prior to addressing the optional provisions to the Code I wish to give a summary of the changes to the mandatory provisions of the Code which is a requirement of State Government.

Section 2 Meeting Principles

New mandatory provisions are included in the Code of Meeting Practice which sets out the principles of all Council and Committee Meetings.

Clause 5.19

The new Code of Meeting Practice requires all Council and committees of Council to be webcast live. As Council does webcast live for all full Council meetings then Council complies with this clause. However the committee meetings of which all members are Councillors such as General

Managers Performance Review Committee will now need to be held in the Council Chambers and webcast live for those parts of the meeting which are open to the public.

Clause 8.3 to 8.4

This confirms the normal practice of Council that if the order of business is to be altered it must be undertaken by resolution of Council.

Clause 9.6 to 9.9

These clauses clarify the use of Mayoral Minutes

Clause 14.9 to 14.17

Relates to how representations by members of the public are to occur when addressing Council.

Now I wish to address the optional provisions. These provisions relate to the separately printed document and the numbering maybe different in attached document which has been changes to reflect the suggested changes.

| Clause                               | Summary of Clause  | Recommendation to include in adopted Code of Meeting Practice |
|--------------------------------------|--|---|
| 3.1                                  | Specific time, date and place of meetings  | Yes   |
| 3.10                                 | Councillors to give notice of a new business and specify notice period required.                                       | Yes   |
| 3.12 & 3.13                          | General Manager to provide report on Notice Of Motion to include legal, strategic, financial or policy implications    | Yes   |
| 3.32 to 3.36                         | Pre meeting Briefing Sessions  | Yes   |
| Section 4<br>4.1 to 4.23             | Conduct of Public Forums   | Yes   |
| 5.14                                 | Cancellation of meetings   | Yes   |
| 5.18                                 | Notice to Cancellation of meetings   | Yes   |
| Section 7<br>7.1 to 7.4              | Modes of address   | Yes   |
| Section 8<br>8.1 & 8.2               | Order of Business  | Yes   |
| 9.10                                 | Mayoral Minute to identify sources of funding for expenditure  | Yes   |
| 10.9                                 | Motions requiring the expenditure of funds to identify where those funds are from                                      | Yes   |
| 11.11                                | Voting's of all resolutions to be recorded   | No  |
| Section 13<br>13.1 to 13.7           | Dealing with items by exception  | Yes   |
| 14.11,<br>14.13,<br>14.16 &<br>14.17 | Relates to times and dates of meetings being specified. If Council says yes to 3.1 than yes follows for these clauses. | Yes   |
| 15.14 to<br>15.16                    | Expulsion from meetings  | Yes   |
| 17.10                                | Rescission motion in regard to a development application   | Yes and the inserted time period                              |



|                            |  |             |
|----------------------------|--|-------------|
|                            |  | be 24 hours |
| 17.12 to 17.14             | Rescind a resolution of Council at the same meeting                  | Yes         |
| 17.15 to 17.20             | Recommitting resolution to correct an error                          | Yes         |
| Section 18<br>18.1 to 18.5 | Time limits on Council Meetings                                      | No          |
| 20.24                      | Record voting on resolutions passed and meeting closed to the public | No          |

If Councillors have any further suggested changes/amendments then please let us know prior to the meeting so that they can be circulated to Councillors prior to the meeting



**MODEL CODE OF MEETING PRACTICE  
FOR LOCAL COUNCILS IN NSW**

**2019**

**Goulburn Mulwaree  
Council**

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## 1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

This code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

## 2 MEETING PRINCIPLES

### 2.1 Council and committee meetings should be:

*Transparent:* Decisions are made in a way that is open and accountable.

*Informed:* Decisions are made based on relevant, quality information.

*Inclusive:* Decisions respect the diverse needs and interests of the local community.

*Principled:* Decisions are informed by the principles prescribed under Chapter 3 of the Act.

*Trusted:* The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

*Respectful:* Councillors, staff and meeting attendees treat each other with respect.

*Effective:* Meetings are well organised, effectively run and skilfully chaired.

*Orderly:* Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

### 3 BEFORE THE MEETING

#### Timing of ordinary council meetings

- 3.1 Ordinary meetings of the council will be held on the following occasions:  
The first and third Tuesday of every month with the exception of January where no ordinary meetings will be held. Meetings will commence at 6.00pm

**Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.**

**Note: Under section 396 of the Act, county councils are required to meet at least four (4) times each year.**

**Note: Under section 400T of the Act, boards of joint organisations are required to meet at least four (4) times each year, each in a different quarter of the year.**

#### Extraordinary meetings

- 3.2 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

**Note: Clause 3.2 reflects section 366 of the Act.**

#### Notice to the public of council meetings

- 3.3 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

**Note: Clause 3.3 reflects section 9(1) of the Act.**

- 3.4 For the purposes of clause 3.3, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.5 For the purposes of clause 3.3, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.6 The general manager must send to each councillor, at least three (3) business days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

**Note: Clause 3.6 reflects section 367(1) of the Act.**

- 3.7 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

**Note: Clause 3.7 reflects section 367(3) of the Act.**

Notice to councillors of extraordinary meetings

- 3.8 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

**Note: Clause 3.8 reflects section 367(2) of the Act.**

Giving notice of business to be considered at council meetings

- 3.9 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted three (3) business days before the meeting is to be held.
- 3.10 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.11 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.
- 3.12 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:
- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
  - (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer

consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

#### Questions with notice

- 3.13 A councillor may, by way of a notice submitted under clause 3.09, ask a question for response by the general manager about the performance or operations of the council.
- 3.14 A councillor is not permitted to ask a question with notice under clause 3.13 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.15 The general manager or their nominee may respond to a question with notice submitted under clause 3.13 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

#### Agenda and business papers for ordinary meetings

- 3.16 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.17 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
  - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
  - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
  - (d) any business of which due notice has been given under clause 3.09.
- 3.18 Nothing in clause 3.17 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.19 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.20 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:



- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

**Note: Clause 3.20 reflects section 9(2A)(a) of the Act.**

- 3.21 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

#### Availability of the agenda and business papers to the public

- 3.22 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

**Note: Clause 3.22 reflects section 9(2) and (4) of the Act.**

- 3.23 Clause 3.22 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

**Note: Clause 3.23 reflects section 9(2A)(b) of the Act.**

- 3.24 For the purposes of clause 3.22, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

**Note: Clause 3.24 reflects section 9(3) of the Act.**

- 3.25 A copy of an agenda, or of an associated business paper made available under clause 3.22, may in addition be given or made available in electronic form.

**Note: Clause 3.25 reflects section 9(5) of the Act.**

#### Agenda and business papers for extraordinary meetings

- 3.26 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.27 Despite clause 3.26, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:

- (a) a motion is passed to have the business considered at the meeting, and
  - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 3.28 A motion moved under clause 3.27(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.29 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.27(a) can speak to the motion before it is put.
- 3.30 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.27(b) on whether a matter is of great urgency.

#### Pre-meeting briefing sessions

- 3.31 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.33 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.34 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.36 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.37 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

#### 4 PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums are to be chaired by the mayor or their nominee.
- 4.3 To speak at a public forum, a person must first make a request in writing (e mail or letter) or telephone call direct to Council. Applications to speak at the public forum must be received by 5.00pm on the day of the meeting on which the public forum is to be held, and must identify the issue the person wishes to speak on. The Mayor may call for speakers who have not made the request if he chooses to do so.
- 4.4 A person may apply to speak on a number of issues but will be restricted to five (5) minutes.
- 4.5 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.6 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.7 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than one (1) business days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.8 The order of speakers at the public forum will be determined in the order the requests to speak are received. On request to the Mayor an applicant for a development application may request to speak after all other speakers on that subject.
- 4.9 Each speaker will be allowed five (5) minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.10 Speakers at public forums must not digress from the item(s) they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.11 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.

- 4.12 Speakers are under no obligation to answer a question put under clause 4.11. Answers by the speaker, to each question are to be limited to two (2)-minutes.
- 4.13 Speakers at public forums cannot ask questions of the council, councillors or council staff.
- 4.14 The general manager or their nominee may, with the concurrence of the chairperson, address the council as required in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.15 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.16 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.17 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.15, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.28 Clause 4.17 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.19 Where a speaker engages in conduct of the type referred to in clause 4.19, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.20 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

## 5 COMING TOGETHER

### Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

**Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.**

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting.
- 5.3 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.4 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.5 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.6 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

**Note: Clause 5.6 reflects section 234(1)(d) of the Act.**

- 5.7 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

### The quorum for a meeting

- 5.8 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

**Note: Clause 5.8 reflects section 368(1) of the Act.**

- 5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

**Note: Clause 5.9 reflects section 368(2) of the Act.**

- 5.10 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
  - (b) within half an hour after the time designated for the holding of the meeting, or
  - (c) at any time during the meeting.
- 5.11 In either case, the meeting must be adjourned to a time, date and place fixed:
- (a) by the chairperson, or
  - (b) in the chairperson's absence, by the majority of the councillors present, or
  - (c) failing that, by the general manager.
- 5.12 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.14 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

#### Entitlement of the public to attend council meetings

- 5.15 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

**Note: Clause 5.15 reflects section 10(1) of the Act.**

- 5.16 Clause 5.15 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.17 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:
- (a) by a resolution of the meeting, or
  - (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

**Note: Clause 5.17 reflects section 10(2) of the Act.**

**Note: Clauses 15.13 and 15.14 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. Clause 15.13 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, clause 15.14 authorises chairpersons to expel persons other than councillors from a council or committee meeting.**

#### Webcasting of meetings

- 5.18 All meetings of the council and committees of the council are to be webcast on the council's website.
- 5.19 Clause 5.18 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.
- 5.20 At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.
- 5.21 A recording of each meeting of the council and committee of the council is to be retained on the council's website for a period of twelve (12) months. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

#### Attendance of the general manager and other staff at meetings

- 5.22 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.
- Note: Clause 5.22 reflects section 376(1) of the Act.**
- 5.23 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

**Note: Clause 5.23 reflects section 376(2) of the Act.**

- 5.24 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

**Note: Clause 5.24 reflects section 376(3) of the Act.**

- 5.25 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.



## 6 THE CHAIRPERSON

### The chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

**Note: Clause 6.1 reflects section 369(1) of the Act.**

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

**Note: Clause 6.2 reflects section 369(2) of the Act.**

### Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

- 6.4 The election of a chairperson must be conducted:

- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

- 6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

### Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

## **7 MODES OF ADDRESS**

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor' or 'Mayor Surname' or Mayor Firstname'
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

## 8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

- 8.1 The general order of business for an ordinary meeting of the council shall be:
- 01 Opening meeting
  - 02 Acknowledgement of country – to be stated by The Mayor or General Manager only
  - 03 Prayer
  - 04 Apologies and applications for a leave of absence by councillors
  - 05 Late Items/Urgent Business
  - 06 Disclosures of interests
  - 07 Presentations
  - 08 Public Forum
  - 09 Confirmation of minutes
  - 10 Matters Arising
  - 11 Mayoral minute(s)
  - 12 Notice of Motion(s)
  - 13 Notice of Rescission(s)
  - 14 Reports to council for Determination
  - 15 Closed Session
  - 16 Conclusion of the meeting
- 8.2 The order of business as fixed under clause 8.2 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.
- Note: Part 13 allows council to deal with items of business by exception.**
- 8.3 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.2 may speak to the motion before it is put.

## **9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS**

### Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
  - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
  - (b) is the election of a chairperson to preside at the meeting, or
  - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
  - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
  - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

### Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.
- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.

- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

#### Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

#### Reports of committees of council

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

#### Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.

- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

## 10 RULES OF DEBATE

### Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

### Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
  - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

### Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

### Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.



Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
  - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

## 11 VOTING

### Voting entitlements of councillors

11.1 Each councillor is entitled to one (1) vote.

**Note: Clause 11.1 reflects section 370(1) of the Act.**

11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

**Note: Clause 11.2 reflects section 370(2) of the Act.**

11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

### Voting at council meetings

11.4 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

11.5 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.

11.6 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) councillor's rise and call for a division.

11.7 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.

11.8 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.4 of this code.

11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

### Voting on planning decisions

11.10 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are

taken to have opposed) the decision.

- 11.11 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.12 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.13 Clauses 11.10–11.12 apply also to meetings that are closed to the public.

**Note: Clauses 11.10–11.13 reflect section 375A of the Act.**

**Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.**

## 12 COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a committee to consider any matter before the council.

**Note: Clause 12.1 reflects section 373 of the Act.**

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

**Note: Clauses 10.20–10.30 limit the number and duration of speeches.**

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

**13 DEALING WITH ITEMS BY EXCEPTION**

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.2.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

## 14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

### Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
  - (b) the personal hardship of any resident or ratepayer,
  - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
  - (d) commercial information of a confidential nature that would, if disclosed:
    - (i) prejudice the commercial position of the person who supplied it, or
    - (ii) confer a commercial advantage on a competitor of the council, or
    - (iii) reveal a trade secret,
  - (e) information that would, if disclosed, prejudice the maintenance of law,
  - (f) matters affecting the security of the council, councillors, council staff or council property,
  - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
  - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
  - (i) alleged contraventions of the council's code of conduct.

**Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.**

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

**Note: Clause 14.2 reflects section 10A(3) of the Act.**

### Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
  - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

**Note: Clause 14.3 reflects section 10B(1) of the Act.**

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
- (a) are substantial issues relating to a matter in which the council or committee is involved, and
  - (b) are clearly identified in the advice, and
  - (c) are fully discussed in that advice.

**Note: Clause 14.4 reflects section 10B(2) of the Act.**

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

**Note: Clause 14.5 reflects section 10B(3) of the Act.**

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
  - (b) the discussion of the matter may:
    - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
    - (ii) cause a loss of confidence in the council or committee.

**Note: Clause 14.6 reflects section 10B(4) of the Act.**

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

**Note: Clause 14.7 reflects section 10B(5) of the Act.**

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
  - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
    - (i) should not be deferred (because of the urgency of the matter), and
    - (ii) should take place in a part of the meeting that is closed to the public.



**Note: Clause 14.8 reflects section 10C of the Act.**Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

**Note: Clause 14.9 reflects section 10A(4) of the Act.**

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form or in writing (e mail or letter) or telephone call direct to Council. Applications must be received by 5.00pm on the day of the meeting before the meeting at which the matter is to be considered.
- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than unlimited number of speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than a number determined by the Mayor at the meeting speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed five (5) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the

chairperson, the speaker will not be further heard.

#### Expulsion of non-councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

#### Information to be disclosed in resolutions closing meetings to the public

- 14.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
  - (b) the matter that is to be discussed during the closed part of the meeting,
  - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**Note: Clause 14.20 reflects section 10D of the Act.**

#### Resolutions passed at closed meetings to be made public

- 14.21 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.22 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 14.21 during a part of the meeting that is webcast.

## **15 KEEPING ORDER AT MEETINGS**

### Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

### Questions of order

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

### Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

### Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act or any regulation in force under the Act or this code, or
  - (b) assaults or threatens to assault another councillor or person present at the meeting, or
  - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
  - (d) insults or makes personal reflections on or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
  - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.
- 15.12 The chairperson may require a councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), or
  - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
  - (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

### How disorder at a meeting may be dealt with

- 15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

### Expulsion from meetings

- 15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.
- 15.15 Clause 15.14 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

- 15.16 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.
- 15.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.18 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.19 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

#### Use of mobile phones and the unauthorised recording of meetings

- 15.20 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.21 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.22 Any person who contravenes or attempts to contravene clause 15.21, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.23 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

**16 CONFLICTS OF INTEREST**

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

## 17 DECISIONS OF THE COUNCIL

### Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

**Note: Clause 17.1 reflects section 371 of the Act in the case of councils.**

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

### Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

**Note: Clause 17.3 reflects section 372(1) of the Act.**

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

**Note: Clause 17.4 reflects section 372(2) of the Act.**

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.09.

**Note: Clause 17.5 reflects section 372(3) of the Act.**

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

**Note: Clause 17.6 reflects section 372(4) of the Act.**

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

**Note: Clause 17.7 reflects section 372(5) of the Act.**

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

**Note: Clause 17.8 reflects section 372(7) of the Act.**

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.10 with the consent of all signatories to the notice of motion.
- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than twenty four (24) hours after the meeting at which the resolution was adopted.
- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

**Note: Clause 17.11 reflects section 372(6) of the Act.**

- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:
- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
  - (b) a motion to have the motion considered at the meeting is passed, and
  - (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.
- 17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

- 17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
  - (b) to confirm the voting on the resolution.
- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.
- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite



clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.

- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

## 18 AFTER THE MEETING

### Minutes of meetings

- 18.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

**Note: Clause 18.1 reflects section 375(1) of the Act.**

- 18.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) details of each motion moved at a council meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.

- 18.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

**Note: Clause 18.3 reflects section 375(2) of the Act.**

- 18.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 18.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

**Note: Clause 18.5 reflects section 375(2) of the Act.**

- 18.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

- 18.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

### Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 18.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

**Note: Clause 18.8 reflects section 11(1) of the Act.**

- 18.9 Clause 18.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

**Note: Clause 18.9 reflects section 11(2) of the Act.**

- 18.10 Clause 18.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

**Note: Clause 18.10 reflects section 11(3) of the Act.**

- 18.11 Correspondence or reports to which clauses 18.9 and 18.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

#### Implementation of decisions of the council

- 18.12 The general manager is to implement, without undue delay, lawful decisions of the council.

**Note: Clause 18.12 reflects section 335(b) of the Act.**

## **19 COUNCIL COMMITTEES**

### Application of this Part

- 19.1 This Part only applies to committees of the council whose members are all councillors.

### Council committees whose members are all councillors

- 19.2 The council may, by resolution, establish such committees as it considers necessary.
- 19.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 19.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
  - (b) if the council has not decided a number – a majority of the members of the committee.

### Functions of committees

- 19.5 The council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

### Notice of committee meetings

- 19.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
  - (b) the business proposed to be considered at the meeting.
- 19.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

### Attendance at committee meetings

- 19.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:
- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
  - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

- 19.9 Clause 19.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

- 19.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
  - (b) to move or second a motion at the meeting, or
  - (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

- 19.11 The chairperson of each committee of the council must be:
- (a) the mayor, or
  - (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
  - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 19.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 19.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 19.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 19.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.
- 19.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 19.15.

- 19.17 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

#### Closure of committee meetings to the public

- 19.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 19.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 19.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 19.19 during a part of the meeting that is webcast.

#### Disorder in committee meetings

- 19.21 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

#### Minutes of council committee meetings

- 19.22 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) details of each motion moved at a meeting and of any amendments moved to it,
  - (b) the names of the mover and seconder of the motion or amendment,
  - (c) whether the motion or amendment was passed or lost, and
  - (d) such other matters specifically required under this code.
- 19.23 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 19.24 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 19.25 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 19.26 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the

meeting.

- 19.27 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

## 20 IRREGULARITIES

20.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

**Note: Clause 20.1 reflects section 374 of the Act.**



**21 DEFINITIONS**

|                          |  |
|--------------------------|--|
| the Act                  | means the <i>Local Government Act 1993</i>   |
| act of disorder          | means an act of disorder as defined in clause 15.11 of this code   |
| amendment                | in relation to an original motion, means a motion moving an amendment to that motion   |
| audio recorder           | any device capable of recording speech   |
| business day             | means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales   |
| chairperson              | in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and<br>in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code  |
| this code                | means the council's adopted code of meeting practice   |
| committee of the council | means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1   |
| council official         | has the same meaning it has in the Model Code of Conduct for Local Councils in NSW   |
| day                      | means calendar day   |
| division                 | means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion  |
| foreshadowed amendment   | means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment   |
| foreshadowed motion      | means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion  |
| open voting              | means voting on the voices or by a show of hands or by a visible electronic voting system or similar means   |
| planning decision        | means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act |

|                               |   |
|-------------------------------|---|
| performance improvement order | means an order issued under section 438A of the Act   |
| quorum                        | means the minimum number of councillors or committee members necessary to conduct a meeting                                     |
| the Regulation                | means the <i>Local Government (General) Regulation 2005</i>   |
| webcast                       | a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time |
| year                          | means the period beginning 1 July and ending the following 30 June  |

**12.9 MODEL CODE OF CONDUCT**

**Authors:** Maria Timothy, Business Manager Governance

Warwick Bennett, General Manager

**Authoriser:** Warwick Bennett, General Manager

- Attachments:**
1. Model Code of Conduct for Local Councils in NSW 2018 [↓](#) 
  2. Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2018 [↓](#) 

|  |  |
|--|--|
| <b>Link to Community Strategic Plan:</b> | CL1 – Our Civic Leadership – effective and respectful leadership   |
| <b>Cost to Council:</b>                  | There are no financial implications in adopting the model code of conduct but of course Council would incur costs for complaint raised pursuant to the model code. |
| <b>Use of Reserve Funds:</b>             | Nil  |

**RECOMMENDATION**

That

1. The report of the General Manager on the Model Code of Conduct be received
2. Council endorse the draft Model Code of Conduct for Local Government and place the document on public exhibition for 28 days
3. If no submissions or comments are received on the draft Model Code of Conduct during the public consultation process then it becomes adopted policy of Council. If any submission or comments are received then the matter be reported back to Council at a future meeting for determination.

**BACKGROUND**

Under section 440 of the *Local Government Act 1993*, Council must adopt a code of conduct that incorporates the provisions of the Model Code of Conduct as prescribed by the regulations.

**REPORT**

The new 2018 Model Code of Conduct for Local Councils in NSW and Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW have been prescribed under the *Local Government (General) Regulation 2005*.

Please find attached the Model Code of Conduct and Procedures for Local Councils in NSW as issued by the Office of Local Government.



**MODEL CODE OF CONDUCT  
FOR LOCAL COUNCILS IN NSW**

**2019**

**Goulburn Mulwaree  
Council**

**MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW**

2018

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**Part 1:**

**Introduction**



This *Model Code of Conduct for Local Councils in NSW* ("the Model Code of Conduct") is made under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2005* ("the Regulation").

The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council's or joint organisation's adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not "council officials" for the purposes of the Model Code of Conduct (eg volunteers, contractors and members of wholly advisory committees).

A council's or joint organisation's adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a council's or joint organisation's adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Councillors, administrators, members of staff of councils, delegates of councils, (including members of council committees that are delegates of a council) and any other person a council's adopted code of conduct applies to, must comply with the applicable provisions of their council's code of conduct. It is the personal responsibility of council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the LGA. The LGA provides for a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office. A councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

Failure by a member of staff to comply with a council's code of conduct may give rise to disciplinary action.

Note: References in the Model Code of Conduct to councils are also to be taken as references to county councils and joint organisations.

Note: In adopting the Model Code of Conduct, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

Note: In adopting the Model Code of Conduct, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".



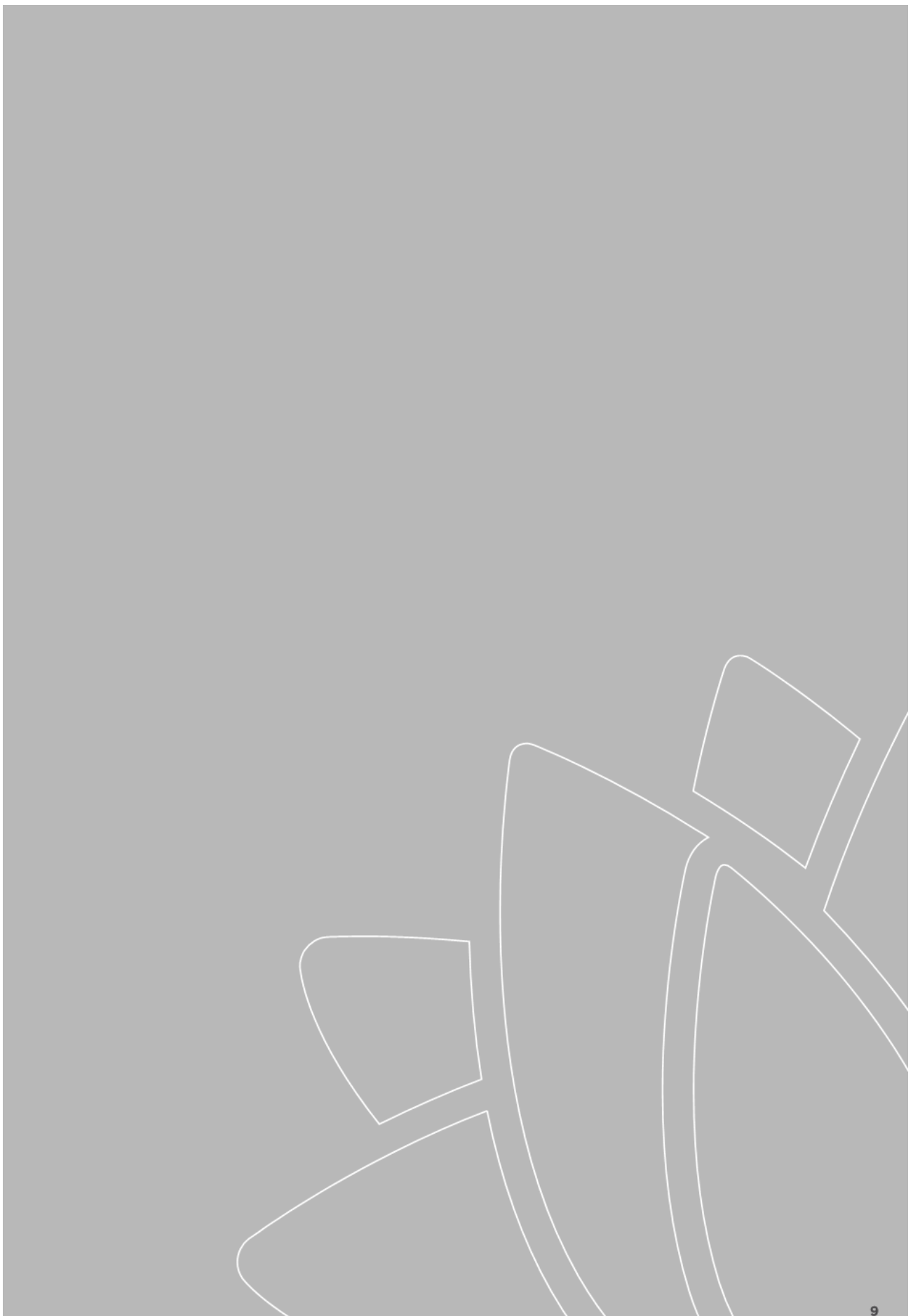
## Part 2:

## Definitions

In this code the following terms have the following meanings:

|                                   |   |
|-----------------------------------|---|
| administrator                     | an administrator of a council appointed under the LGA other than an administrator appointed under section 66  |
| committee                         | see the definition of "council committee"   |
| complaint                         | a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures  |
| council                           | includes county councils and joint organisations  |
| council committee                 | a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to  |
| council committee member          | a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee  |
| council official                  | includes councillors, members of staff of a council, administrators, council committee members, delegates of council and, for the purposes of clause 4.16, council advisers   |
| councillor                        | any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations |
| conduct                           | includes acts and omissions   |
| delegate of council               | a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated   |
| designated person                 | a person referred to in clause 4.8  |
| election campaign                 | includes council, state and federal election campaigns  |
| environmental planning instrument | has the same meaning as it has in the <i>Environmental Planning and Assessment Act 1979</i>   |
| general manager                   | includes the executive officer of a joint organisation  |
| joint organisation                | a joint organisation established under section 4000 of the LGA  |
| LGA                               | the <i>Local Government Act 1993</i>  |
| local planning panel              | a local planning panel constituted under the <i>Environmental Planning and Assessment Act 1979</i>  |
| mayor                             | includes the chairperson of a county council or a joint organisation  |

|                               |   |
|-------------------------------|---|
| members of staff of a council | includes members of staff of county councils and joint organisations  |
| the Office                    | Office of Local Government  |
| personal information          | information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion |
| the Procedures                | the <i>Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> prescribed under the Regulation   |
| the Regulation                | the <i>Local Government (General) Regulation 2005</i>   |
| voting representative         | a voting representative of the board of a joint organisation  |
| wholly advisory committee     | a council committee that the council has not delegated any functions to   |





**Part 3:**  
**General Conduct**  
**Obligations**

---

## General conduct

- 3.1 You must not conduct yourself in a manner that:
- a) is likely to bring the council or other council officials into disrepute
  - b) is contrary to statutory requirements or the council's administrative requirements or policies
  - c) is improper or unethical
  - d) is an abuse of power
  - e) causes, comprises or involves intimidation or verbal abuse
  - f) involves the misuse of your position to obtain a private benefit
  - g) constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.
- 3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act (*section 439*).

---

## Fairness and equity

- 3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.
- 3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

---

## Harassment and discrimination

- 3.6 You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of sex, pregnancy, breastfeeding, race, age, marital or domestic status, homosexuality, disability, transgender status, infectious disease, carer's responsibilities or political, religious or other affiliation.
- 3.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that:
- a) is not wanted by the person
  - b) offends, humiliates or intimidates the person, and
  - c) creates a hostile environment.

---

## Bullying

- 3.8 You must not engage in bullying behaviour towards others.
- 3.9 For the purposes of this code, "bullying behaviour" is any behaviour in which:
- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
  - b) the behaviour creates a risk to health and safety.
- 3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:
- a) aggressive, threatening or intimidating conduct
  - b) belittling or humiliating comments
  - c) spreading malicious rumours
  - d) teasing, practical jokes or 'initiation ceremonies'

- e) exclusion from work-related events
  - f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
  - g) displaying offensive material
  - h) pressure to behave in an inappropriate manner.
- 3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:
- a) performance management processes
  - b) disciplinary action for misconduct
  - c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
  - d) directing a worker to perform duties in keeping with their job
  - e) maintaining reasonable workplace goals and standards
  - f) legitimately exercising a regulatory function
  - g) legitimately implementing a council policy or administrative processes.
- a) take reasonable care for your own health and safety
  - b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
  - c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WH&S Act and any policies or procedures adopted by the council to ensure workplace health and safety
  - d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
  - e) report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations
  - f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WH&S Act in relation to the same matter.

---

## Work health and safety

- 3.12 All council officials, including councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WH&S Act). You must comply with your duties under the WH&S Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:

---

## Land use planning, development assessment and other regulatory functions

- 3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.

- 3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

### Binding caucus votes

- 3.15 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.16 For the purposes of clause 3.15, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.
- 3.17 Clause 3.15 does not prohibit councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting, or from voluntarily holding a shared view with other councillors on the merits of a matter.
- 3.18 Clause 3.15 does not apply to a decision to elect the mayor or deputy mayor, or to nominate a person to be a member of a council committee or a representative of the council on an external body.

### Obligations in relation to meetings

- 3.19 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.20 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.21 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.
- 3.22 If you are a councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the council, or of a committee of the council. Without limiting this clause, you must not:
- a) leave a meeting of the council or a committee for the purposes of depriving the meeting of a quorum, or
  - b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another councillor from submitting a rescission motion with respect to the same decision, or
  - c) deliberately seek to impede the consideration of business at a meeting.



**Part 4:**

**Pecuniary Interests**

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## What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- your interest, or
  - the interest of your spouse or de facto partner, your relative, or your partner or employer, or
  - a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- Your "relative" is any of the following:
    - your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
  - "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
- if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
  - just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
  - just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

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## What interests do not have to be disclosed?

- 4.6 You do not have to disclose the following interests for the purposes of this Part:
- your interest as an elector
  - your interest as a ratepayer or person liable to pay a charge
  - an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
  - an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code

- e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
  - f) if you are a council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the council committee
  - g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
  - h) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
  - i) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
    - i) the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
    - ii) security for damage to footpaths or roads
    - iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
  - j) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor)
  - k) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252 of the LGA
  - l) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor
  - m) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
  - n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or a council committee member
  - o) an interest arising from the appointment of a councillor to a body as a representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.
- 4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

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## What disclosures must be made by a designated person?

- 4.8 Designated persons include:
- a) the general manager
  - b) other senior staff of the council for the purposes of section 332 of the LGA
  - c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
  - d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.
- 4.9 A designated person:
- a) must prepare and submit written returns of interests in accordance with clauses 4.21, and
  - b) must disclose pecuniary interests in accordance with clause 4.10.

- 4.10 A designated person must disclose in writing to the general manager (or if the person is the general manager, to the council) the nature of any pecuniary interest the person has in any council matter with which the person is dealing as soon as practicable after becoming aware of the interest.
- 4.11 Clause 4.10 does not require a designated person who is a member of staff of the council to disclose a pecuniary interest if the interest relates only to the person's salary as a member of staff, or to their other conditions of employment.
- 4.12 The general manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.
- 4.13 A disclosure by the general manager must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and the council must deal with the matter to which the disclosure relates or refer it to another person to deal with.

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## What disclosures must be made by council staff other than designated persons?

- 4.14 A member of staff of council, other than a designated person, must disclose in writing to their manager or the general manager the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest.
- 4.15 The staff member's manager or the general manager must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.

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## What disclosures must be made by council advisers?

- 4.16 A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.
- 4.17 A person does not breach clause 4.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

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## What disclosures must be made by a council committee member?

- 4.18 A council committee member must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29.
- 4.19 For the purposes of clause 4.18, a "council committee member" includes a member of staff of council who is a member of the committee.

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## What disclosures must be made by a councillor?

- 4.20 A councillor:
- a) must prepare and submit written returns of interests in accordance with clause 4.21, and

- b) must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29 where it is applicable.

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## Disclosure of interests in written returns

- 4.21 A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in schedule 1 to this code within 3 months after:
- a) becoming a councillor or designated person, and
  - b) 30 June of each year, and
  - c) the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).
- 4.22 A person need not make and lodge a return under clause 4.21, paragraphs (a) and (b) if:
- a) they made and lodged a return under that clause in the preceding 3 months, or
  - b) they have ceased to be a councillor or designated person in the preceding 3 months.
- 4.23 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- 4.24 The general manager must keep a register of returns required to be made and lodged with the general manager.

- 4.25 Returns required to be lodged with the general manager under clause 4.21(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.
- 4.26 Returns required to be lodged with the general manager under clause 4.21(c) must be tabled at the next council meeting after the return is lodged.
- 4.27 Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the Government Information (Public Access) Act 2009, the Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

## Disclosure of pecuniary interests at meetings

- 4.28 A councillor or a council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.29 The councillor or council committee member must not be present at, or in sight of, the meeting of the council or committee:
  - a) at any time during which the matter is being considered or discussed by the council or committee, or
  - b) at any time during which the council or committee is voting on any question in relation to the matter.
- 4.30 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for

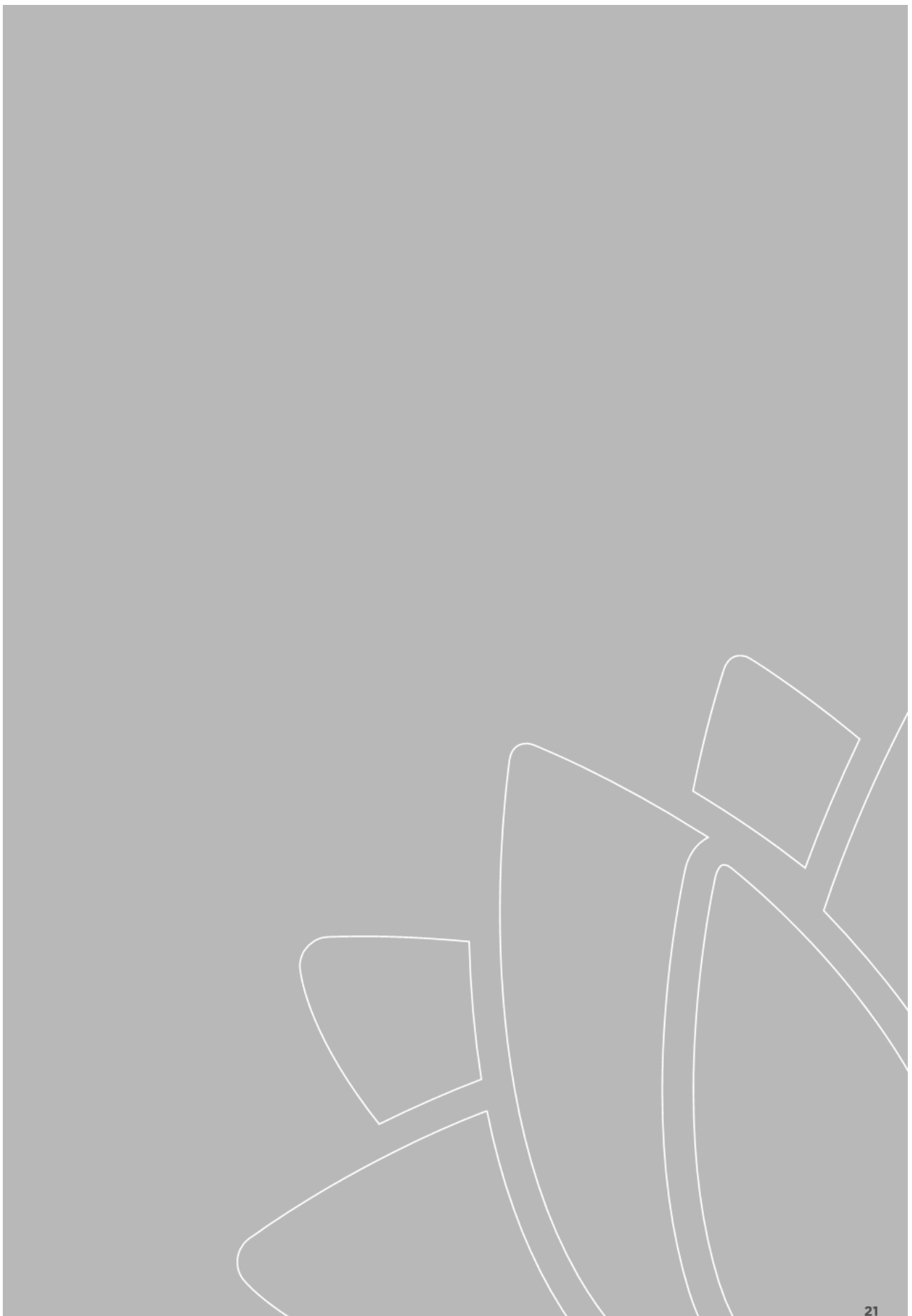
the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.

- 4.31 A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.
- 4.32 A general notice may be given to the general manager in writing by a councillor or a council committee member to the effect that the councillor or council committee member, or the councillor's or council committee member's spouse, de facto partner or relative, is:
  - a) a member of, or in the employment of, a specified company or other body, or
  - b) a partner of, or in the employment of, a specified person.

Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the councillor's or council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.

- 4.33 A councillor or a council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or council committee member has an interest in the matter of a kind referred to in clause 4.6.
- 4.34 A person does not breach clauses 4.28 or 4.29 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

- 4.35 Despite clause 4.29, a councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 4.36 Clause 4.29 does not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting if:
- a) the matter is a proposal relating to:
    - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
    - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
  - b) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
  - c) the councillor made a special disclosure under clause 4.37 in relation to the interest before the commencement of the meeting.
- 4.37 A special disclosure of a pecuniary interest made for the purposes of clause 4.36(c) must:
- a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
  - b) be laid on the table at a meeting of the council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.
- 4.38 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
  - b) that it is in the interests of the electors for the area to do so.
- 4.39 A councillor or a council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.38, must still disclose the interest they have in the matter in accordance with clause 4.28.





**Part 5:**

**Non-Pecuniary Conflicts**

**of Interest**

## What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

## Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as

practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.

- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
  - a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
  - b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship

- c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation
  - d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
  - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
  - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
  - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.
- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.
- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

## Political donations

- 5.15 Councillors should be aware that matters before council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 5.16 Where you are a councillor and have received or knowingly benefitted from a reportable political donation:
- a) made by a major political donor in the previous four years, and
  - b) the major political donor has a matter before council,
- you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29. A disclosure made under this clause must be recorded in the minutes of the meeting.
- 5.17 For the purposes of this Part:
- a) a “reportable political donation” has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
  - b) “major political donor” has the same meaning as it has in the *Electoral Funding Act 2018*.
- 5.18 Councillors should note that political donations that are not a “reportable political donation”, or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.
- 5.19 Despite clause 5.16, a councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

## Loss of quorum as a result of compliance with this Part

- 5.20 A councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:
- a) the matter is a proposal relating to:
    - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
    - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
  - b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and
  - c) the councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.
- 5.21 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
  - b) that it is in the interests of the electors for the area to do so.
- 5.22 Where the Minister exempts a councillor or committee member from complying with a requirement under this Part under clause 5.21, the councillor or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

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## Other business or employment

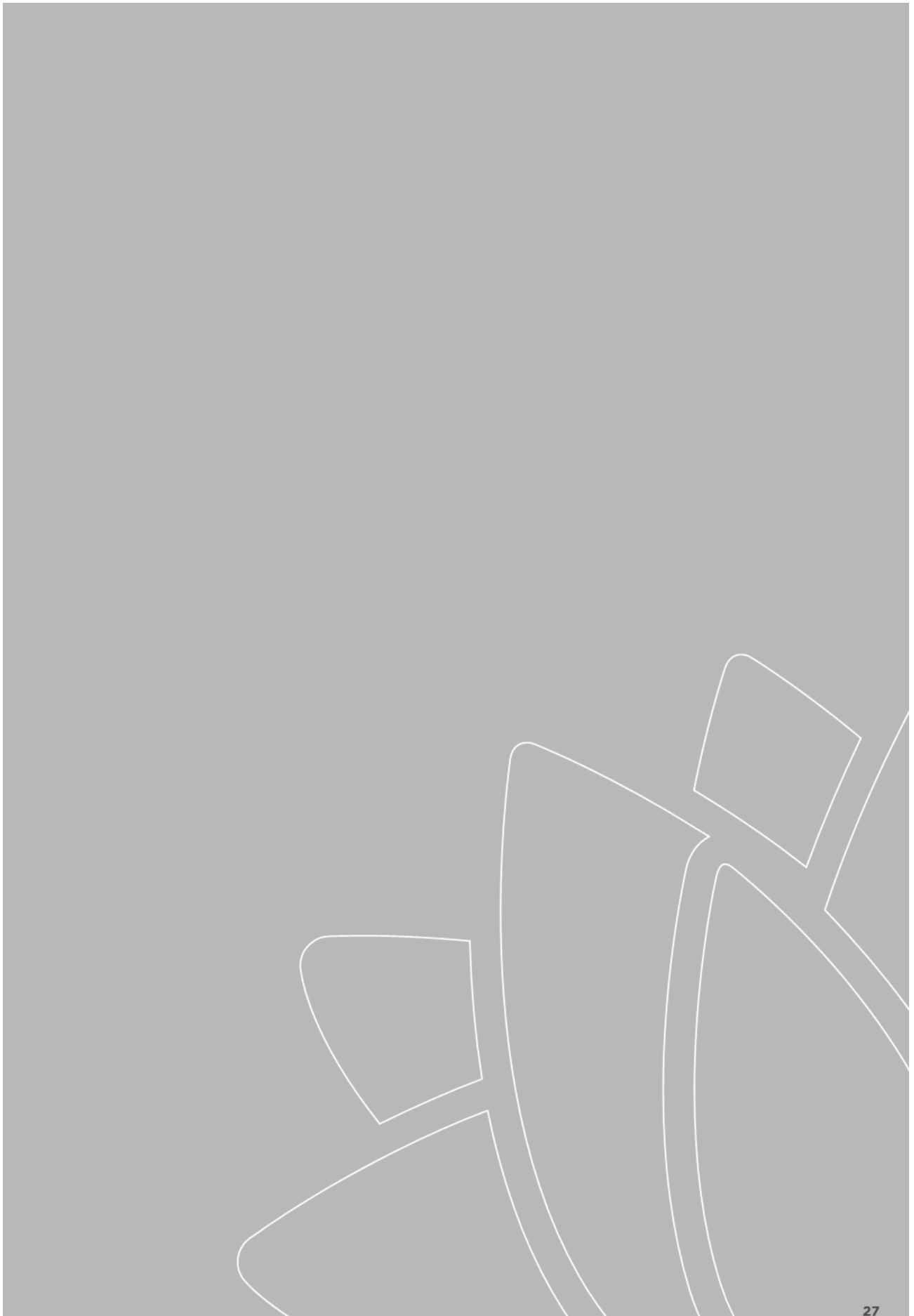
- 5.23 The general manager must not engage, for remuneration, in private employment, contract work or other business outside the service of the council without the approval of the council.
- 5.24 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council or that might conflict with the staff member's council duties unless they have notified the general manager in writing of the employment, work or business and the general manager has given their written approval for the staff member to engage in the employment, work or business.
- 5.25 The general manager may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council, or that might conflict with the staff member's council duties.

- 5.26 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council if prohibited from doing so.
- 5.27 Members of staff must ensure that any outside employment, work or business they engage in will not:
- a) conflict with their official duties
  - b) involve using confidential information or council resources obtained through their work with the council including where private use is permitted
  - c) require them to work while on council duty
  - d) discredit or disadvantage the council
  - e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

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## Personal dealings with council

- 5.28 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 5.29 You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.



**Part 6:**

**Personal Benefit**

- 6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment.
- 6.2 A reference to a gift or benefit in this Part does not include:
- a) a political donation for the purposes of the *Electoral Funding Act 2018*
  - b) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them
  - c) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
  - d) free or subsidised meals, beverages or refreshments of token value provided to council officials in conjunction with the performance of their official duties such as, but not limited to:
    - i) the discussion of official business
    - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops
    - iii) conferences
    - iv) council functions or events
    - v) social functions organised by groups, such as council committees and community organisations.

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## Gifts and benefits

- 6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.
- 6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

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## How are offers of gifts and benefits to be dealt with?

- 6.5 You must not:
- a) seek or accept a bribe or other improper inducement
  - b) seek gifts or benefits of any kind
  - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
  - d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9
  - e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
  - f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer-supplier relationship with the competition organiser
  - g) personally benefit from reward points programs when purchasing on behalf of the council.



6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the general manager in writing. The recipient, manager, or general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:

- a) the nature of the gift or benefit
- b) the estimated monetary value of the gift or benefit
- c) the name of the person who provided the gift or benefit, and
- d) the date on which the gift or benefit was received.

6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

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## Gifts and benefits of token value

6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$50. They include, but are not limited to:

- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$50
- b) gifts of alcohol that do not exceed a value of \$50
- c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
- d) prizes or awards that do not exceed \$50 in value.

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## Gifts and benefits of more than token value

6.9 Gifts or benefits that exceed \$50 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.

6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$50, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.

6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$50 in value.

6.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

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## **“Cash-like gifts”**

- 6.13 For the purposes of clause 6.5(e), “cash-like gifts” include but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

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## **Improper and undue influence**

- 6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials through the proper exercise of their role as prescribed under the LGA.
- 6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.



**Part 7:**  
**Relationships Between**  
**Council Officials**

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## Obligations of councillors and administrators

- 7.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy, and to keep the performance of the council under review.
- 7.2 Councillors or administrators must not:
- a) direct council staff other than by giving appropriate direction to the general manager by way of council or committee resolution, or by the mayor or administrator exercising their functions under section 226 of the LGA
  - b) in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the staff member or delegate
  - c) contact a member of the staff of the council on council-related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager
  - d) contact or issue instructions to any of the council's contractors, including the council's legal advisers, unless by the mayor or administrator exercising their functions under section 226 of the LGA.

- 7.3 Despite clause 7.2, councillors may contact the council's external auditor or the chair of the council's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

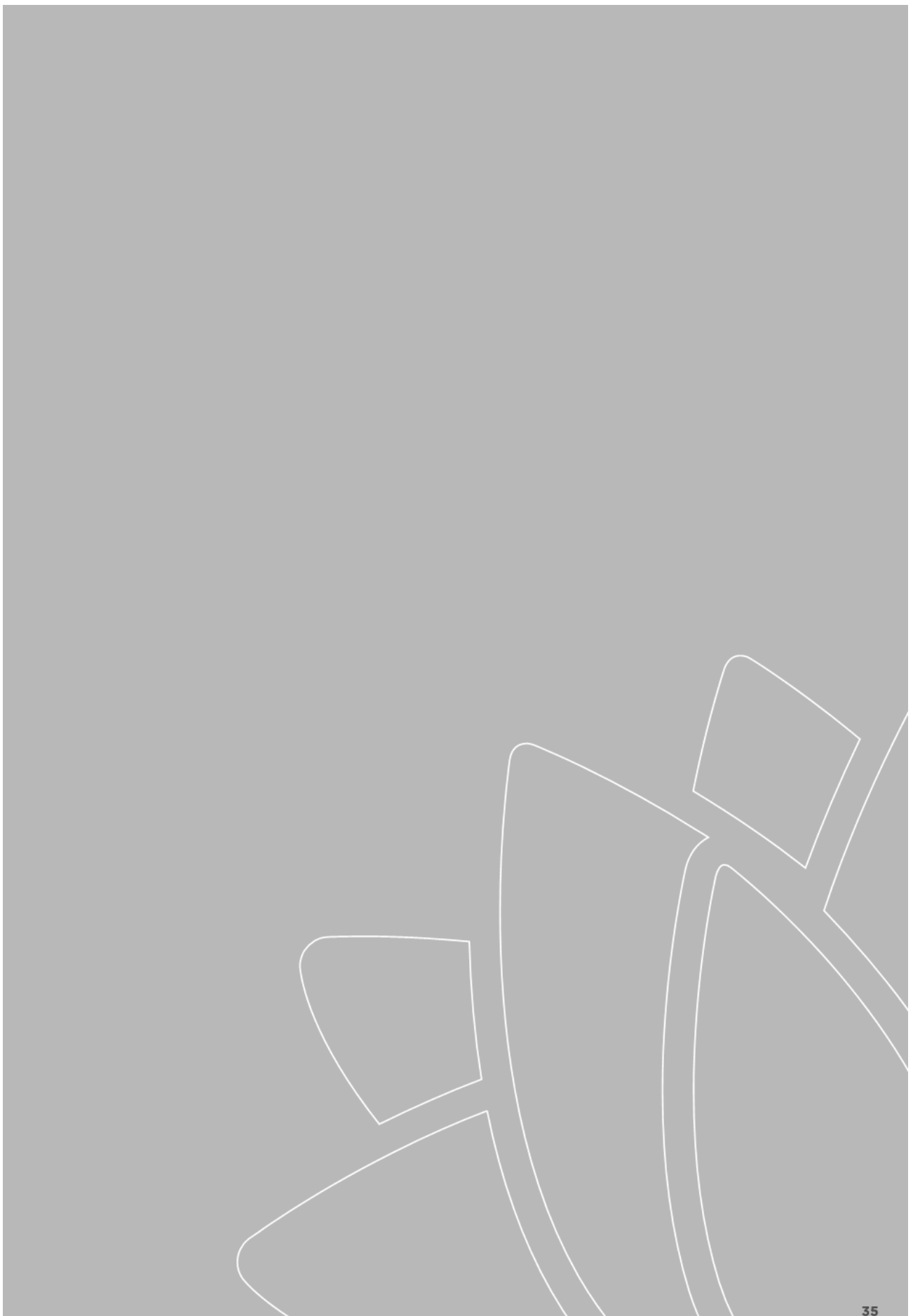
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## Obligations of staff

- 7.4 Under section 335 of the LGA, the role of the general manager includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.
- 7.5 Members of staff of council must:
- a) give their attention to the business of the council while on duty
  - b) ensure that their work is carried out ethically, efficiently, economically and effectively
  - c) carry out reasonable and lawful directions given by any person having authority to give such directions
  - d) give effect to the lawful decisions, policies and procedures of the council, whether or not the staff member agrees with or approves of them
  - e) ensure that any participation in political activities outside the service of the council does not interfere with the performance of their official duties.

## Inappropriate interactions

- 7.6 You must not engage in any of the following inappropriate interactions:
- a) councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
  - b) council staff approaching councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
  - c) subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
  - d) councillors and administrators who have lodged an application with the council, discussing the matter with council staff in staff-only areas of the council
  - e) councillors and administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the councillor has a right to be heard by the panel at the meeting
  - f) councillors and administrators being overbearing or threatening to council staff
  - g) council staff being overbearing or threatening to councillors or administrators
  - h) councillors and administrators making personal attacks on council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
  - i) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make
  - j) council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
  - k) council staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals
  - l) councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the council associated with current or proposed legal proceedings unless permitted to do so by the council's general manager or, in the case of the mayor or administrator, unless they are exercising their functions under section 226 of the LGA.



**Part 8:**

**Access to Information and  
Council Resources**

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## Councillor and administrator access to information

- 8.1 The general manager is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The general manager and public officer are also responsible for ensuring that members of the public can access publicly available council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 8.2 The general manager must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.
- 8.4 Members of staff of council who provide any information to a particular councillor in the performance of their official functions must also make it available to any other councillor who requests it and in accordance with council procedures.
- 8.5 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.
- 8.6 Despite clause 8.4, councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise

available to members of the public, or the council has determined to make the information available under the GIPA Act.

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## Councillors and administrators to properly examine and consider information

- 8.7 Councillors and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

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## Refusal of access to information

- 8.8 Where the general manager or public officer determine to refuse access to information requested by a councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the councillor or administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The general manager or public officer must state the reasons for the decision if access is refused.



## Use of certain council information

- 8.9 In regard to information obtained in your capacity as a council official, you must:
- a) subject to clause 8.14, only access council information needed for council business
  - b) not use that council information for private purposes
  - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with council
  - d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

## Use and security of confidential information

- 8.10 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.
- 8.11 In addition to your general obligations relating to the use of council information, you must:
- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
  - b) protect confidential information
  - c) only release confidential information if you have authority to do so
  - d) only use confidential information for the purpose for which it is intended to be used

- e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body
- g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

## Personal information

- 8.12 When dealing with personal information you must comply with:
- a) the *Privacy and Personal Information Protection Act 1998*
  - b) the *Health Records and Information Privacy Act 2002*
  - c) the Information Protection Principles and Health Privacy Principles
  - d) the council's privacy management plan
  - e) the Privacy Code of Practice for Local Government

## Use of council resources

- 8.13 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.

8.14 Union delegates and consultative committee members may have reasonable access to council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:

- a) the representation of members with respect to disciplinary matters
- b) the representation of employees with respect to grievances and disputes
- c) functions associated with the role of the local consultative committee.

8.15 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.

8.16 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.

8.17 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.

8.18 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:

- a) for the purpose of assisting your election campaign or the election campaign of others, or
- b) for other non-official purposes.

8.19 You must not convert any property of the council to your own use unless properly authorised.

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## Internet access

8.20 You must not use council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.

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## Council record keeping

8.21 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.

8.22 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.

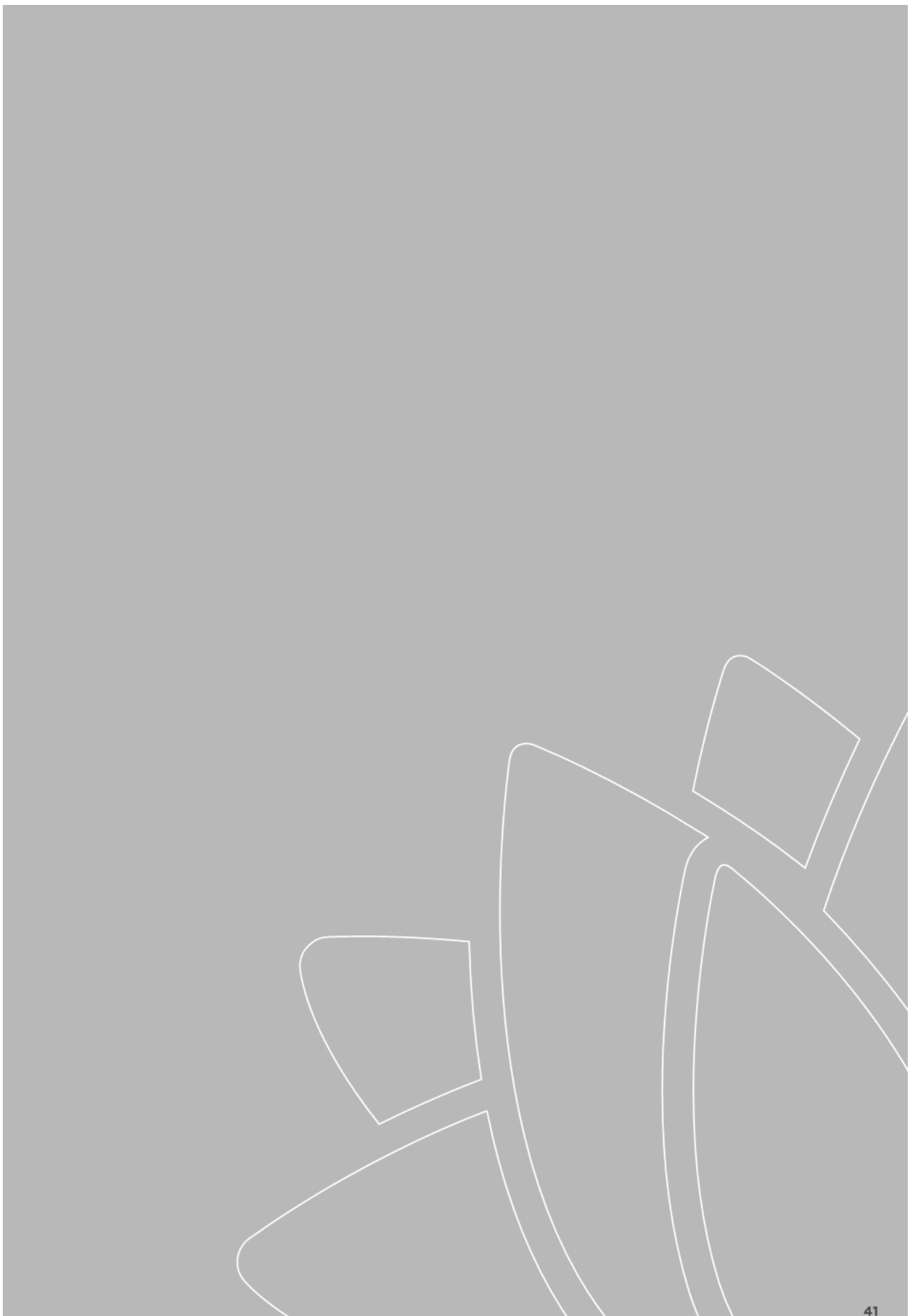
8.23 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of whether the original intention was to create the information for personal purposes.

8.24 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

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## Councillor access to council buildings

- 8.25 Councillors and administrators are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the general manager.
- 8.26 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or their delegate) or as provided for in the procedures governing the interaction of councillors and council staff.
- 8.27 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence council staff decisions.



**Part 9:**

**Maintaining the Integrity  
of this Code**

## Complaints made for an improper purpose

- 9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
  - a) to bully, intimidate or harass another council official
  - b) to damage another council official's reputation
  - c) to obtain a political advantage
  - d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
  - e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
  - f) to avoid disciplinary action under the Procedures
  - g) to take reprisal action against a person for making a complaint alleging a breach of this code
  - h) to take reprisal action against a person for exercising a function prescribed under the Procedures
  - i) to prevent or disrupt the effective administration of this code under the Procedures.

## Detrimental action

- 9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:
  - a) injury, damage or loss
  - b) intimidation or harassment
  - c) discrimination, disadvantage or adverse treatment in relation to employment
  - d) dismissal from, or prejudice in, employment
  - e) disciplinary proceedings.

## Compliance with requirements under the Procedures

- 9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.

- 
- 9.8 You must comply with a practice ruling made by the Office under the Procedures.
  - 9.9 Where you are a councillor or the general manager, you must comply with any council resolution requiring you to take action as a result of a breach of this code.

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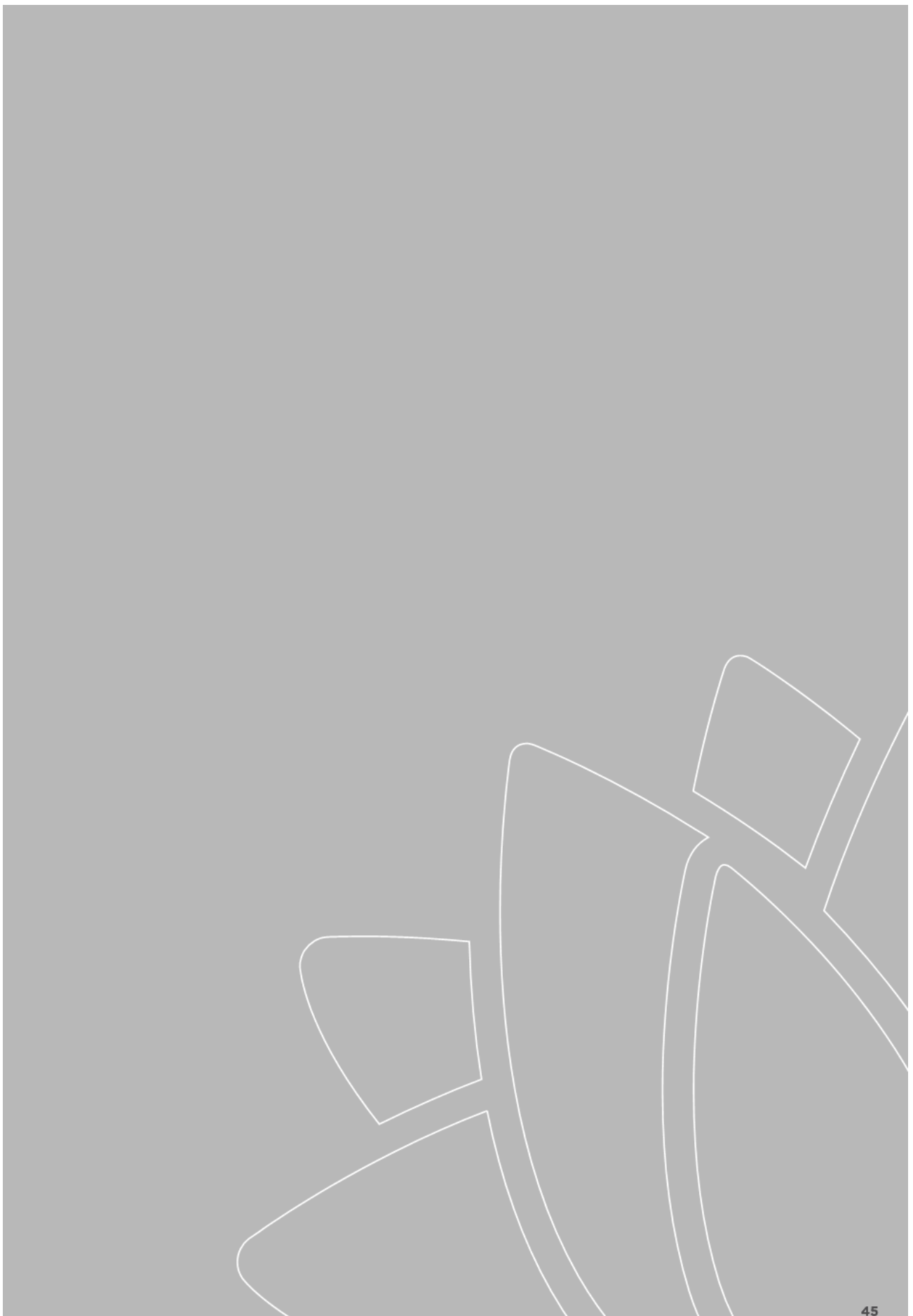
## Disclosure of information about the consideration of a matter under the Procedures

- 9.10 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 9.11 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 9.12 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 9.13 You must not disclose information about a complaint you have made alleging a breach of this code or a matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.
- 9.14 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

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## Complaints alleging a breach of this Part

- 9.15 Complaints alleging a breach of this Part by a councillor, the general manager or an administrator are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the council for consideration in accordance with the Procedures.
- 9.16 Complaints alleging a breach of this Part by other council officials are to be managed by the general manager in accordance with the Procedures.





**Schedule 1:**

**Disclosures of Interest and Other  
Matters in Written Returns  
Submitted Under Clause 4.21**

# Part 1: Preliminary

## Definitions

1. For the purposes of the schedules to this code, the following definitions apply:

*address* means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the councillor or designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

*de facto partner* has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

*disposition of property* means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property

- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

*gift* means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

*interest* means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

*listed company* means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

*occupation* includes trade, profession and vocation.

*professional or business association* means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

*property* includes money.

*return date* means:

- a) in the case of a return made under clause 4.21(a), the date on which a person became a councillor or designated person
- b) in the case of a return made under clause 4.21(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21(c), the date on which the councillor or designated person became aware of the interest to be disclosed.

*relative* includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).

*travel* includes accommodation incidental to a journey.

## Matters relating to the interests that must be included in returns

- 2. *Interests etc. outside New South Wales:* A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
- 3. *References to interests in real property:* A reference in this schedule or in schedule 2 to real property in which a councillor or designated person has an interest includes a reference to any real property situated in Australia in which the councillor or designated person has an interest.
- 4. *Gifts, loans etc. from related corporations:* For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

## Part 2: Pecuniary interests to be disclosed in returns

### Real property

5. A person making a return under clause 4.21 of this code must disclose:
  - a) the street address of each parcel of real property in which they had an interest on the return date, and
  - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
  - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a councillor or designated person.
8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

### Gifts

9. A person making a return under clause 4.21 of this code must disclose:
  - a) a description of each gift received in the period since 30 June of the previous financial year, and
  - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
  - c) the donor was a relative of the donee, or
  - d) subject to paragraph (a), it was received prior to the person becoming a councillor or designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

### Contributions to travel

12. A person making a return under clause 4.21 of this code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
  - b) the dates on which the travel was undertaken, and
  - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.

13. A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
  - e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a councillor or designated person.
14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

## Interests and positions in corporations

15. A person making a return under clause 4.21 of this code must disclose:
  - a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
  - a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a councillor or designated person.

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## Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.21 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.

20. For the purposes of clause 19 of this schedule:

*close associate*, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.

*property developer* has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

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## Positions in trade unions and professional or business associations

21. A person making a return under clause 4.21 of the code must disclose:
- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
  - b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.

22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a councillor or designated person.

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## Dispositions of real property

23. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.

24. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.

25. A disposition of real property need not be disclosed if it was made prior to a person becoming a councillor or designated person.

## Sources of income

26. A person making a return under clause 4.21 of this code must disclose:
  - a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
  - b) each source of income received by the person in the period since 30 June of the previous financial year.
27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
  - a) in relation to income from an occupation of the person:
    - i) a description of the occupation, and
    - ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
    - iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
  - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
29. The source of any income received by the person that they ceased to receive prior to becoming a councillor or designated person need not be disclosed.
30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

## Debts

31. A person making a return under clause 4.21 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
  - a) on the return date, and
  - b) at any time in the period since 30 June of the previous financial year.
32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
33. A liability to pay a debt need not be disclosed by a person in a return if:
  - a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:

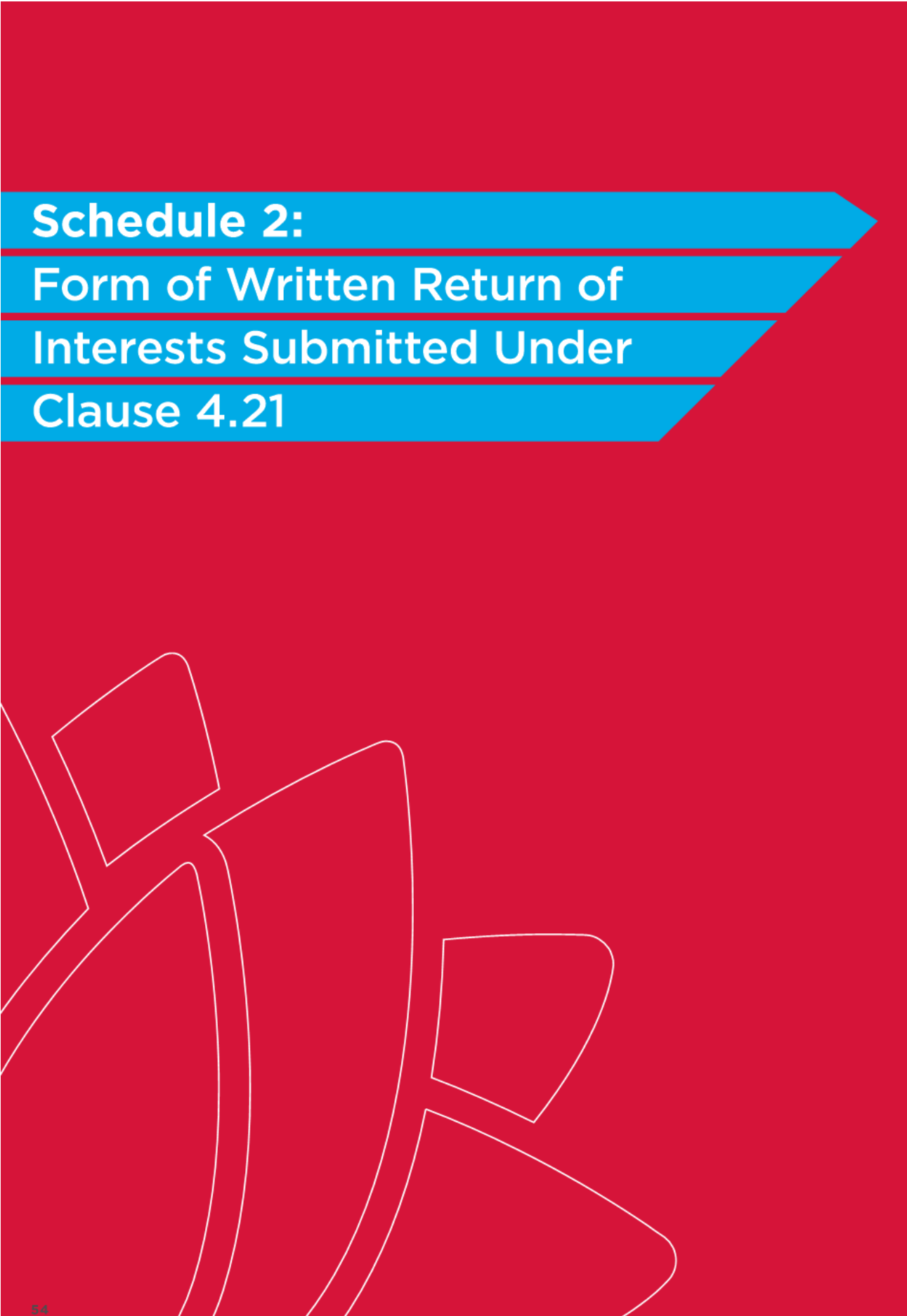
- i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
- ii) the amounts to be paid exceeded, in the aggregate, \$500, or
- b) the person was liable to pay the debt to a relative, or
- c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
- d) in the case of a debt arising from the supply of goods or services:
  - i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
  - ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
- e) subject to paragraph (a), the debt was discharged prior to the person becoming a councillor or designated person.

---

## Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.





**Schedule 2:  
Form of Written Return of  
Interests Submitted Under  
Clause 4.21**

## ‘Disclosures by councillors and designated persons’ return

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.

6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word “NIL” is to be placed in an appropriate space under that heading.

## Important information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

Disclosure of pecuniary interests and other matters by *[full name of councillor or designated person]*

as at *[return date]*

in respect of the period from *[date]* to *[date]*

*[councillor's or designated person's signature]*

*[date]*

**A. Real Property**

| Street address of each parcel of real property in which I had an interest at the return date/at any time since 30 June | Nature of interest |
|--|--------------------|
|--|--------------------|

**B. Sources of income**

1 Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from an occupation at any time since 30 June

| Description of occupation | Name and address of employer or description of office held (if applicable) | Name under which partnership conducted (if applicable) |
|---------------------------|--|--|
|---------------------------|--|--|

2 Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from a trust since 30 June

| Name and address of settlor | Name and address of trustee |
|-----------------------------|-----------------------------|
|-----------------------------|-----------------------------|

3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June

Sources of other income I received at any time since 30 June

*[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]*

**C. Gifts**

| Description of each gift I received at any time since 30 June | Name and address of donor |
|---|---------------------------|
|---|---------------------------|

**D. Contributions to travel**

| Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June | Dates on which travel was undertaken | Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken |
|---|--------------------------------------|---|
|---|--------------------------------------|---|

**E. Interests and positions in corporations**

| Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June | Nature of interest (if any) | Description of position (if any) | Description of principal objects (if any) of corporation (except in case of listed company) |
|---|-----------------------------|----------------------------------|---|
|---|-----------------------------|----------------------------------|---|

**F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)**

**G. Positions in trade unions and professional or business associations**

| Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June | Description of position |
|---|-------------------------|
|---|-------------------------|

**H. Debts**

| Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June |
|---|
|---|

**I. Dispositions of property**

- 1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time
- 2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

**J. Discretionary disclosures**

**Schedule 3:  
Form of Special Disclosure of  
Pecuniary Interest Submitted  
Under Clause 4.37**

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

---

## Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

**Special disclosure of pecuniary interests by** *[full name of councillor]*

in the matter of *[insert name of environmental planning instrument]*

which is to be considered at a meeting of the *[name of council or council committee (as the case requires)]*

to be held on the      day of      20 .

**Pecuniary interest**

**Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)**

Relationship of identified land to councillor  
*[Tick or cross one box.]*

- The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise).
- An associated person of the councillor has an interest in the land.
- An associated company or body of the councillor has an interest in the land.

**Matter giving rise to pecuniary interest<sup>1</sup>**

Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land)<sup>2</sup>

*[Tick or cross one box]*

- The identified land.
- Land that adjoins or is adjacent to or is in proximity to the identified land.

Current zone/planning control

*[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]*

1 Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

2 A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

---

*Proposed change of zone/planning control*

*[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]*

---

Effect of proposed change of zone/planning control on councillor or associated person

*[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]*

---

*[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]*

Councillor's signature

Date

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]







Procedures for the Administration of  
**THE MODEL CODE OF CONDUCT  
FOR LOCAL COUNCILS IN NSW**

**2019**

**Goulburn Mulwaree  
Council**

**PROCEDURES FOR THE ADMINISTRATION OF THE MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW**

2018

**ACCESS TO SERVICES**

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**Part 1:**

**Introduction**



These procedures (“the Model Code Procedures”) are prescribed for the administration of the *Model Code of Conduct for Local Councils in NSW* (“the Model Code of Conduct”).

The Model Code of Conduct is made under section 440 of the *Local Government Act 1993* (“the LGA”) and the *Local Government (General) Regulation 2005* (“the Regulation”). Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct.

The Model Code Procedures are made under section 440AA of the LGA and the Regulation. Section 440AA of the LGA requires every council (including county councils) and joint organisation to adopt procedures for the administration of their code of conduct that incorporate the provisions of the Model Code Procedures.

In adopting procedures for the administration of their adopted codes of conduct, councils and joint organisations may supplement the Model Code Procedures. However, provisions that are not consistent with those prescribed under the Model Code Procedures will have no effect.

Note: References in these procedures to councils are also to be taken as references to county councils and joint organisations.

Note: In adopting the Model Code Procedures, joint organisations should adapt them to substitute the terms “board” for “council”, “chairperson” for “mayor”, “voting representative” for “councillor” and “executive officer” for “general manager”.

Note: In adopting the Model Code Procedures, county councils should adapt them to substitute the term “chairperson” for “mayor” and “member” for “councillor”.

Note: Parts 6, 7, 8 and 11 of these procedures apply only to the management of code of conduct complaints about councillors (including the mayor) or the general manager.

**Part 2:**

**Definitions**

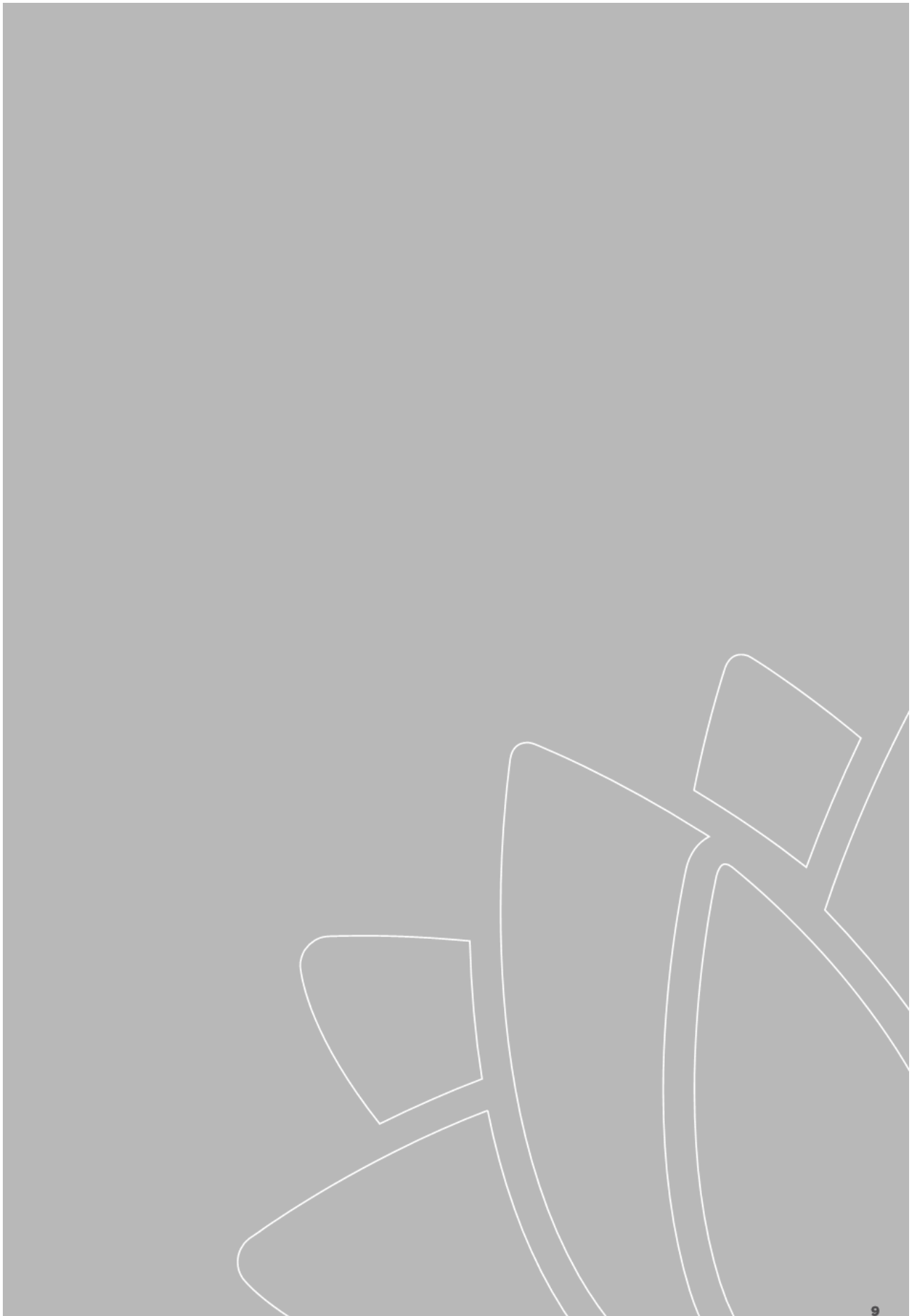



In these procedures the following terms have the following meanings:

|                           |  |
|---------------------------|--|
| administrator             | an administrator of a council appointed under the LGA other than an administrator appointed under section 66   |
| code of conduct           | a code of conduct adopted under section 440 of the LGA   |
| code of conduct complaint | a complaint that is a code of conduct complaint for the purposes of clauses 4.1 and 4.2 of these procedures  |
| complainant               | a person who makes a code of conduct complaint   |
| complainant councillor    | a councillor who makes a code of conduct complaint   |
| complaints coordinator    | a person appointed by the general manager under these procedures as a complaints coordinator   |
| conduct reviewer          | a person appointed under these procedures to review allegations of breaches of the code of conduct by councillors or the general manager   |
| council                   | includes county councils and joint organisations   |
| council committee         | a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to   |
| council committee member  | a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee   |
| councillor                | any person elected or appointed to civic office, including the mayor, and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations |
| council official          | any councillor, member of staff of council, administrator, council committee member, delegate of council and, for the purposes of clause 4.16 of the Model Code of Conduct, council adviser  |
| delegate of council       | a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated  |
| external agency           | a state government agency such as, but not limited to, the Office, the ICAC, the NSW Ombudsman or the police   |
| general manager           | includes the executive officer of a joint organisation   |
| ICAC                      | the Independent Commission Against Corruption  |
| investigator              | a conduct reviewer   |
| joint organisation        | a joint organisation established under section 4000 of the LGA   |



|                               |   |
|-------------------------------|---|
| LGA                           | the <i>Local Government Act 1993</i>  |
| mayor                         | includes the chairperson of a county council or a joint organisation                                |
| members of staff of a council | includes members of staff of county councils and joint organisations                                |
| the Office                    | the Office of Local Government  |
| the Regulation                | the <i>Local Government (General) Regulation 2005</i>   |
| respondent                    | a person whose conduct is the subject of investigation by a conduct reviewer under these procedures |
| wholly advisory committee     | a council committee that the council has not delegated any functions to                             |





**Part 3:**  
**Administrative**  
**Framework**

## The establishment of a panel of conduct reviewers

- 3.1 The council must by resolution establish a panel of conduct reviewers.
- 3.2 The council may by resolution enter into an arrangement with one or more other councils to share a panel of conduct reviewers including through a joint organisation or another regional body associated with the councils.
- 3.3 The panel of conduct reviewers is to be established following a public expression of interest process.
- 3.4 An expression of interest for members of the council's panel of conduct reviewers must, at a minimum, be advertised locally and in the Sydney metropolitan area.
- 3.5 To be eligible to be a conduct reviewer, a person must, at a minimum, meet the following requirements:
  - a) an understanding of local government, and
  - b) knowledge of investigative processes including but not limited to procedural fairness requirements and the requirements of the *Public Interest Disclosures Act 1994*, and
  - c) knowledge and experience of one or more of the following:
    - i) investigations
    - ii) law
    - iii) public administration
    - iv) public sector ethics
    - v) alternative dispute resolution, and
  - d) meet the eligibility requirements for membership of a panel of conduct reviewers under clause 3.6.
- 3.6 A person is not eligible to be a conduct reviewer if they are:
  - a) a councillor, or
  - b) a nominee for election as a councillor, or
  - c) an administrator, or
  - d) an employee of a council, or
  - e) a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
  - f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
  - g) a person who has a conviction for an indictable offence that is not an expired conviction.
- 3.7 A person is not precluded from being a member of the council's panel of conduct reviewers if they are a member of another council's panel of conduct reviewers.
- 3.8 An incorporated or other entity may be appointed to a council's panel of conduct reviewers where the council is satisfied that all the persons who will be undertaking the functions of a conduct reviewer on behalf of the entity meet the selection and eligibility criteria prescribed under this Part.
- 3.9 A panel of conduct reviewers established under this Part is to have a term of up to four years.
- 3.10 The council may terminate the panel of conduct reviewers at any time by resolution. Where a panel of conduct reviewers has been terminated, conduct reviewers who were members of the panel may continue to deal with any matter referred to them under these procedures prior to the termination of the panel until they have finalised their consideration of the matter.

- 3.11 When the term of the panel of conduct reviewers concludes or is terminated, the council must establish a new panel of conduct reviewers in accordance with the requirements of this Part.
- 3.12 A person who was a member of a previous panel of conduct reviewers established by the council may be a member of subsequent panels of conduct reviewers established by the council if they continue to meet the selection and eligibility criteria for membership of the panel.

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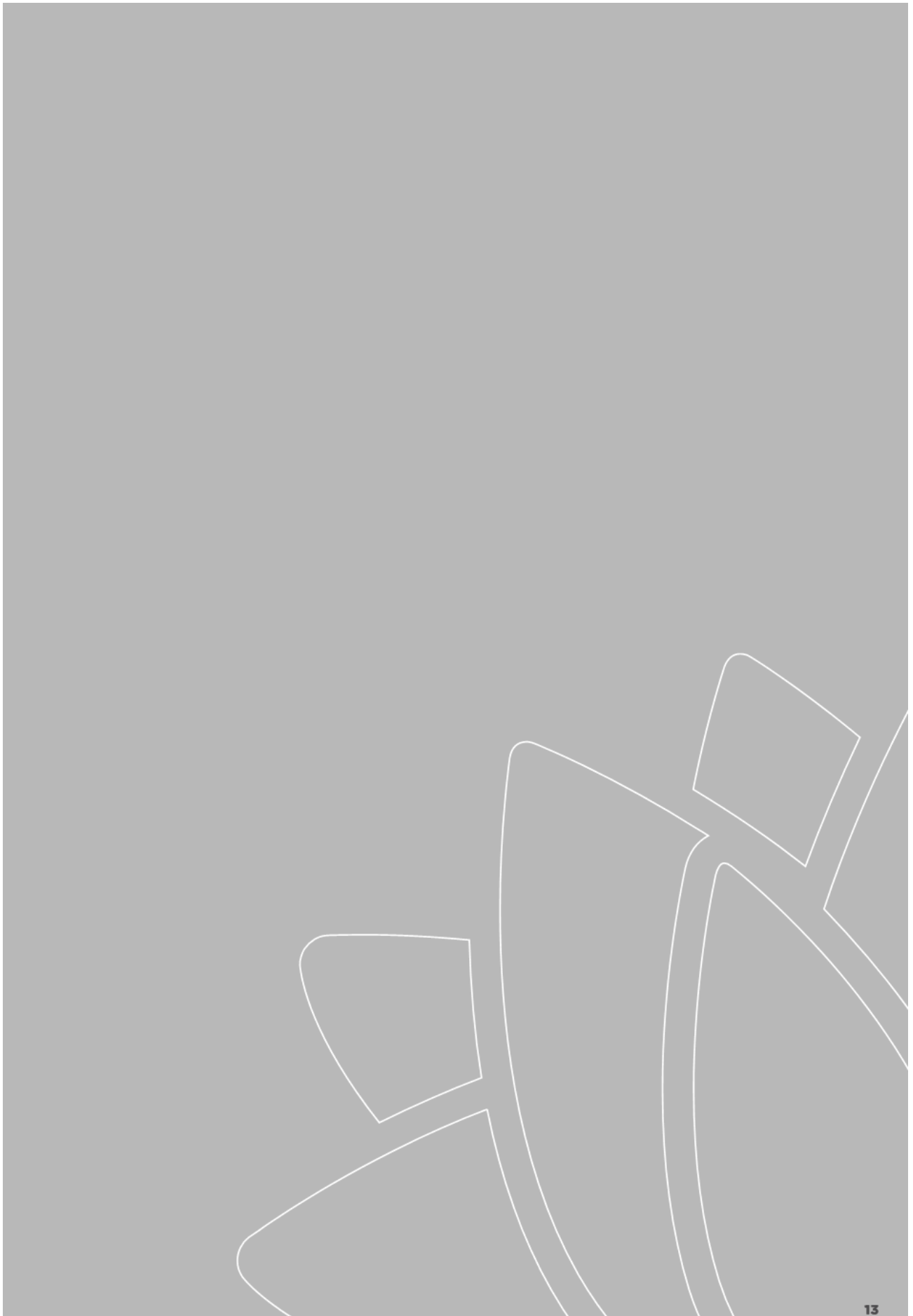
## The appointment of an internal ombudsman to a panel of conduct reviewers

- 3.13 Despite clause 3.6(d), an employee of a council who is the nominated internal ombudsman of one or more councils may be appointed to a council's panel of conduct reviewers with the Office's consent.
- 3.14 To be appointed to a council's panel of conduct reviewers, an internal ombudsman must meet the qualification requirements for conduct reviewers prescribed under clause 3.5 as modified by the operation of clause 3.13.
- 3.15 An internal ombudsman appointed to a council's panel of conduct reviewers may also exercise the functions of the council's complaints coordinator. For the purposes of clause 6.1, an internal ombudsman who is a council's complaints coordinator and has been appointed to the council's panel of conduct reviewers, may either undertake a preliminary assessment and investigation of a matter referred to them under clauses 5.26 or 5.33 or refer the matter to another conduct reviewer in accordance with clause 6.2.
- 3.16 Clause 6.4(c) does not apply to an internal ombudsman appointed to a council's panel of conduct reviewers.

---

## The appointment of complaints coordinators

- 3.17 The general manager must appoint a member of staff of the council or another person (such as, but not limited to, a member of staff of another council or a member of staff of a joint organisation or other regional body associated with the council), to act as a complaints coordinator. Where the complaints coordinator is a member of staff of the council, the complaints coordinator should be a senior and suitably qualified member of staff.
- 3.18 The general manager may appoint other members of staff of the council or other persons (such as, but not limited to, members of staff of another council or members of staff of a joint organisation or other regional body associated with the council), to act as alternates to the complaints coordinator.
- 3.19 The general manager must not undertake the role of complaints coordinator.
- 3.20 The person appointed as complaints coordinator or alternate complaints coordinator must also be a nominated disclosures coordinator appointed for the purpose of receiving and managing reports of wrongdoing under the *Public Interest Disclosures Act 1994*.
- 3.21 The role of the complaints coordinator is to:
  - a) coordinate the management of complaints made under the council's code of conduct
  - b) liaise with and provide administrative support to a conduct reviewer
  - c) liaise with the Office and
  - d) arrange the annual reporting of code of conduct complaints statistics.



**Part 4:**

**How May Code of Conduct  
Complaints be Made?**

## What is a code of conduct complaint?

- 4.1 For the purpose of these procedures, a code of conduct complaint is a complaint that shows or tends to show conduct on the part of a council official in connection with their role as a council official or the exercise of their functions as a council official that would constitute a breach of the standards of conduct prescribed under the council's code of conduct if proven.
- 4.2 The following are not "code of conduct complaints" for the purposes of these procedures:
- a) complaints about the standard or level of service provided by the council or a council official
  - b) complaints that relate solely to the merits of a decision made by the council or a council official or the exercise of a discretion by the council or a council official
  - c) complaints about the policies or procedures of the council
  - d) complaints about the conduct of a council official arising from the exercise of their functions in good faith, whether or not involving error, that would not otherwise constitute a breach of the standards of conduct prescribed under the council's code of conduct.
- 4.3 Only code of conduct complaints are to be dealt with under these procedures. Complaints that do not satisfy the definition of a code of conduct complaint are to be dealt with under the council's routine complaints management processes.

## When must a code of conduct complaint be made?

- 4.4 A code of conduct complaint must be made within three months of the alleged conduct occurring or within three months of the complainant becoming aware of the alleged conduct.
- 4.5 A complaint made after 3 months may only be accepted if the general manager or their delegate, or, in the case of a complaint about the general manager, the mayor or their delegate, is satisfied that the allegations are serious and compelling grounds exist for the matter to be dealt with under the code of conduct.

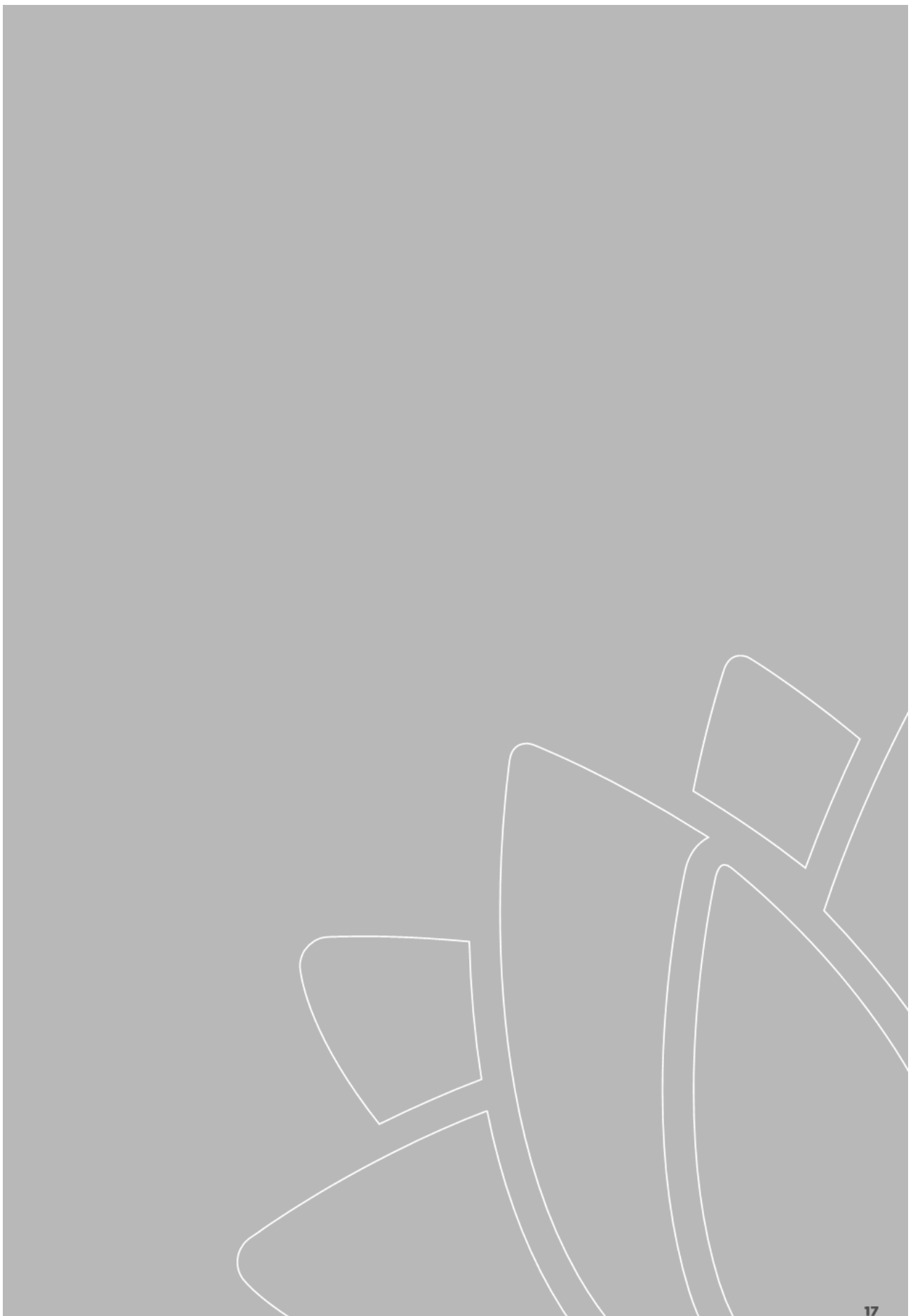


**How may a code of conduct complaint about a council official other than the general manager be made?**

- 4.6 All code of conduct complaints other than those relating to the general manager are to be made to the general manager in writing. This clause does not operate to prevent a person from making a complaint to an external agency.
- 4.7 Where a code of conduct complaint about a council official other than the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.8 In making a code of conduct complaint about a council official other than the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.9 The general manager or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.10 Notwithstanding clauses 4.6 and 4.7, where the general manager becomes aware of a possible breach of the council's code of conduct, they may initiate the process for the consideration of the matter under these procedures without a written complaint.

**How may a code of conduct complaint about the general manager be made?**

- 4.11 Code of conduct complaints about the general manager are to be made to the mayor in writing. This clause does not operate to prevent a person from making a complaint about the general manager to an external agency.
- 4.12 Where a code of conduct complaint about the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.13 In making a code of conduct complaint about the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.14 The mayor or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.15 Notwithstanding clauses 4.11 and 4.12, where the mayor becomes aware of a possible breach of the council's code of conduct by the general manager, they may initiate the process for the consideration of the matter under these procedures without a written complaint.



**Part 5:**

**How are Code of Conduct  
Complaints to be Managed?**

---

## Delegation by general managers and mayors of their functions under this Part

5.1 A general manager or mayor may delegate their functions under this Part to a member of staff of the council or to a person or persons external to the council other than an external agency. References in this Part to the general manager or mayor are also to be taken to be references to their delegates.

- d) relates to a matter the substance of which has previously been considered and addressed by the council and does not warrant further action, or
- e) is not made in a way that would allow the alleged conduct and any alleged breaches of the council's code of conduct to be readily identified.

---

## Consideration of complaints by general managers and mayors

5.2 In exercising their functions under this Part, general managers and mayors may consider the complaint assessment criteria prescribed under clause 6.31.

---

## How are code of conduct complaints about staff (other than the general manager) to be dealt with?

5.4 The general manager is responsible for the management of code of conduct complaints about members of staff of council (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.

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## What complaints may be declined at the outset?

5.3 Without limiting any other provision in these procedures, the general manager or, in the case of a complaint about the general manager, the mayor, may decline to deal with a complaint under these procedures where they are satisfied that the complaint:

- a) is not a code of conduct complaint, or
- b) subject to clause 4.5, is not made within 3 months of the alleged conduct occurring or the complainant becoming aware of the alleged conduct, or
- c) is trivial, frivolous, vexatious or not made in good faith, or

5.5 The general manager must refer code of conduct complaints about members of staff of council alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.

5.6 The general manager may decide to take no action in relation to a code of conduct complaint about a member of staff of council other than one requiring referral to the Office under clause 5.5 where they consider that no action is warranted in relation to the complaint.

5.7 Where the general manager decides to take no action in relation to a code of conduct complaint about a member of staff of council, the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.

- 5.8 Code of conduct complaints about members of staff of council must be managed in accordance with the relevant industrial instrument or employment contract and make provision for procedural fairness including the right of an employee to be represented by their union.
- 5.9 Sanctions for breaches of the code of conduct by staff depend on the severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

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## How are code of conduct complaints about delegates of council, council advisers and council committee members to be dealt with?

- 5.10 The general manager is responsible for the management of code of conduct complaints about delegates of council and council committee members (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.
- 5.11 The general manager must refer code of conduct complaints about council advisers, delegates of council and council committee members alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.
- 5.12 The general manager may decide to take no action in relation to a code of conduct complaint about a delegate of council or a council committee member other than one requiring referral to the Office

under clause 5.11 where they consider that no action is warranted in relation to the complaint.

- 5.13 Where the general manager decides to take no action in relation to a code of conduct complaint about a delegate of council or a council committee member, the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.14 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about delegates of council or council committee members, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.15 Where the general manager resolves a code of conduct complaint under clause 5.14 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.16 Sanctions for breaches of the code of conduct by delegates of council and/or council committee members depend on the severity, scale and importance of the breach and may include one or more of the following:
  - a) censure

- b) requiring the person to apologise to any person or organisation adversely affected by the breach in such a time and form specified by the general manager
  - c) prosecution for any breach of the law
  - d) removing or restricting the person's delegation
  - e) removing the person from membership of the relevant council committee.
- 5.17 Prior to imposing a sanction against a delegate of council or a council committee member under clause 5.16, the general manager or any person making enquiries on behalf of the general manager must comply with the requirements of procedural fairness. In particular:
- a) the substance of the allegation (including the relevant provision/s of the council's code of conduct that the alleged conduct is in breach of) must be put to the person who is the subject of the allegation, and
  - b) the person must be given an opportunity to respond to the allegation, and
  - c) the general manager must consider the person's response in deciding whether to impose a sanction under clause 5.16.

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## How are code of conduct complaints about administrators to be dealt with?

- 5.18 The general manager must refer all code of conduct complaints about administrators to the Office for its consideration.

- 5.19 The general manager must notify the complainant of the referral of their complaint in writing.

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## How are code of conduct complaints about councillors to be dealt with?

- 5.20 The general manager must refer the following code of conduct complaints about councillors to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
  - b) complaints alleging a failure to comply with a requirement under the code of conduct to disclose and appropriately manage conflicts of interest arising from political donations (see section 328B of the LGA)
  - c) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
  - d) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 5.21 Where the general manager refers a complaint to the Office under clause 5.20, the general manager must notify the complainant of the referral in writing.
- 5.22 The general manager may decide to take no action in relation to a code of conduct complaint about a councillor, other than one requiring referral to the Office under clause 5.20, where they consider that no action is warranted in relation to the complaint.

- 5.23 Where the general manager decides to take no action in relation to a code of conduct complaint about a councillor, the general manager must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.24 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about councillors, other than those requiring referral to the Office under clause 5.20, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.25 Where the general manager resolves a code of conduct complaint under clause 5.24 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.26 The general manager must refer all code of conduct complaints about councillors, other than those referred to the Office under clause 5.20 or finalised under clause 5.23 or resolved under clause 5.24, to the complaints coordinator.

## How are code of conduct complaints about the general manager to be dealt with?

- 5.27 The mayor must refer the following code of conduct complaints about the general manager to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
  - b) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
  - c) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 5.28 Where the mayor refers a complaint to the Office under clause 5.27, the mayor must notify the complainant of the referral in writing.
- 5.29 The mayor may decide to take no action in relation to a code of conduct complaint about the general manager, other than one requiring referral to the Office under clause 5.27, where they consider that no action is warranted in relation to the complaint.
- 5.30 Where the mayor decides to take no action in relation to a code of conduct complaint about the general manager, the mayor must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.

- 5.31 Where the mayor considers it to be practicable and appropriate to do so, the mayor may seek to resolve code of conduct complaints about the general manager, other than those requiring referral to the Office under clause 5.27, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.32 Where the mayor resolves a code of conduct complaint under clause 5.31 to the mayor's satisfaction, the mayor must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.33 The mayor must refer all code of conduct complaints about the general manager, other than those referred to the Office under clause 5.27 or finalised under clause 5.30 or resolved under clause 5.31, to the complaints coordinator.

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## How are complaints about both the general manager and the mayor to be dealt with?

- 5.34 Where the general manager or mayor receives a code of conduct complaint that alleges a breach of the code of conduct by both the general manager and the mayor, the general manager or mayor must either:
- a) delegate their functions under this part with respect to the complaint to a member of staff of the council other than the general manager where the allegation is not serious, or to a person external to the council, or
  - b) refer the matter to the complaints coordinator under clause 5.26 and clause 5.33.

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## Referral of code of conduct complaints to external agencies

- 5.35 The general manager, mayor or a conduct reviewer may, at any time, refer a code of conduct complaint to an external agency for its consideration, where they consider such a referral is warranted.
- 5.36 The general manager, mayor or a conduct reviewer must report to the ICAC any matter that they suspect on reasonable grounds concerns or may concern corrupt conduct.
- 5.37 Where the general manager, mayor or conduct reviewer refers a complaint to an external agency under clause 5.35, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.



5.38 Referral of a matter to an external agency shall finalise consideration of the matter under these procedures unless the council is subsequently advised otherwise by the referral agency.

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## Disclosure of the identity of complainants

5.39 In dealing with matters under these procedures, information that identifies or tends to identify complainants is not to be disclosed unless:

- a) the complainant consents in writing to the disclosure, or
- b) it is generally known that the complainant has made the complaint as a result of the complainant having voluntarily identified themselves as the person who made the complaint, or
- c) it is essential, having regard to procedural fairness requirements, that the identifying information be disclosed, or
- d) a conduct reviewer is of the opinion that disclosure of the information is necessary to investigate the matter effectively, or
- e) it is otherwise in the public interest to do so.

5.40 Clause 5.39 does not apply to code of conduct complaints made by councillors about other councillors or the general manager.

5.41 Where a councillor makes a code of conduct complaint about another councillor or the general manager, and the complainant councillor considers that compelling grounds exist that would warrant information that identifies or tends to identify them as the complainant not to be disclosed, they may request in writing that such information not be disclosed.

5.42 A request made by a complainant councillor under clause 5.41 must be made at the time they make a code of conduct complaint and must state the grounds upon which the request is made.

5.43 The general manager or mayor, and where the matter is referred to a conduct reviewer, the conduct reviewer, must consider a request made under clause 5.41 before disclosing information that identifies or tends to identify the complainant councillor, but they are not obliged to comply with the request.

5.44 Where a complainant councillor makes a request under clause 5.41, the general manager or mayor or, where the matter is referred to a conduct reviewer, the conduct reviewer, shall notify the councillor in writing of their intention to disclose information that identifies or tends to identify them prior to disclosing the information.

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## Code of conduct complaints made as public interest disclosures

5.45 These procedures do not override the provisions of the *Public Interest Disclosures Act 1994*. Code of conduct complaints that are made as public interest disclosures under that Act are to be managed in accordance with the requirements of that Act, the council's internal reporting policy, and any guidelines issued by the NSW Ombudsman that relate to the management of public interest disclosures.

5.46 Where a councillor makes a code of conduct complaint about another councillor or the general manager as a public interest disclosure, before the matter may be dealt with under these

procedures, the complainant councillor must consent in writing to the disclosure of their identity as the complainant.

- 5.47 Where a complainant councillor declines to consent to the disclosure of their identity as the complainant under clause 5.46, the general manager or the mayor must refer the complaint to the Office for consideration. Such a referral must be made under section 26 of the *Public Interest Disclosures Act 1994*.

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## Special complaints management arrangements

- 5.48 The general manager may request in writing that the Office enter into a special complaints management arrangement with the council in relation to code of conduct complaints made by or about a person or persons.
- 5.49 Where the Office receives a request under clause 5.48, it may agree to enter into a special complaints management arrangement if it is satisfied that the number or nature of code of conduct complaints made by or about a person or persons has:
- a) imposed an undue and disproportionate cost burden on the council's administration of its code of conduct, or
  - b) impeded or disrupted the effective administration by the council of its code of conduct, or
  - c) impeded or disrupted the effective functioning of the council.

- 5.50 A special complaints management arrangement must be in writing and must specify the following:

- a) the code of conduct complaints the arrangement relates to, and
- b) the period that the arrangement will be in force.

- 5.51 The Office may, by notice in writing, amend or terminate a special complaints management arrangement at any time.

- 5.52 While a special complaints management arrangement is in force, an officer of the Office (the assessing OLG officer) must undertake the preliminary assessment of the code of conduct complaints specified in the arrangement in accordance with the requirements of Part 6 of these procedures.

- 5.53 Where, following a preliminary assessment, the assessing OLG officer determines that a code of conduct complaint warrants investigation by a conduct reviewer, the assessing OLG officer shall notify the complaints coordinator in writing of their determination and the reasons for their determination. The complaints coordinator must comply with the recommendation of the assessing OLG officer.

- 5.54 Prior to the expiry of a special complaints management arrangement, the Office may, at the request of the general manager, review the arrangement to determine whether it should be renewed or amended.

- 5.55 A special complaints management arrangement shall expire on the date specified in the arrangement unless renewed under clause 5.54.

**Part 6:**

**Preliminary Assessment of  
Code of Conduct Complaints  
About Councillors or the  
General Manager by  
Conduct Reviewers**

## Referral of code of conduct complaints about councillors or the general manager to conduct reviewers

- 6.1 The complaints coordinator must refer all code of conduct complaints about councillors or the general manager that have not been referred to an external agency or declined or resolved by the general manager, mayor or their delegate and that have been referred to them under clauses 5.26 or 5.33, to a conduct reviewer within 21 days of receipt of the complaint by the general manager or the mayor.
- 6.2 For the purposes of clause 6.1, the complaints coordinator will refer a complaint to a conduct reviewer selected from:
- a) a panel of conduct reviewers established by the council, or
  - b) a panel of conduct reviewers established by an organisation approved by the Chief Executive of the Office.
- 6.3 In selecting a suitable conduct reviewer, the complaints coordinator may have regard to the qualifications and experience of members of the panel of conduct reviewers. Where the conduct reviewer is an incorporated or other entity, the complaints coordinator must also ensure that the person assigned to receive the referral on behalf of the entity meets the selection and eligibility criteria for conduct reviewers prescribed under Part 3 of these procedures.
- 6.4 A conduct reviewer must not accept the referral of a code of conduct complaint where:
- a) they have a conflict of interest in relation to the matter referred to them, or
  - b) a reasonable apprehension of bias arises in relation to their consideration of the matter, or
  - c) they or their employer has entered into one or more contracts with the council (other than contracts relating to the exercise of their functions as a conduct reviewer) in the 2 years preceding the referral, and they or their employer have received or expect to receive payments under the contract or contracts of a value that, when aggregated, exceeds \$100,000, or
  - d) at the time of the referral, they or their employer are the council's legal service provider or are a member of a panel of legal service providers appointed by the council.
- 6.5 For the purposes of clause 6.4(a), a conduct reviewer will have a conflict of interest in a matter where a reasonable and informed person would perceive that they could be influenced by a private interest when carrying out their public duty (see clause 5.2 of the Model Code of Conduct).
- 6.6 For the purposes of clause 6.4(b), a reasonable apprehension of bias arises where a fair-minded observer might reasonably apprehend that the conduct reviewer might not bring an impartial and unprejudiced mind to the matter referred to the conduct reviewer.
- 6.7 Where the complaints coordinator refers a matter to a conduct reviewer, they will provide the conduct reviewer with a copy of the code of conduct complaint and any other information relevant to the matter held by the council, including any information about previous proven

breaches and any information that would indicate that the alleged conduct forms part of an ongoing pattern of behaviour.

- 6.8 The complaints coordinator must notify the complainant in writing that the matter has been referred to a conduct reviewer, and advise which conduct reviewer the matter has been referred to.
- 6.9 Conduct reviewers must comply with these procedures in their consideration of matters that have been referred to them and exercise their functions in a diligent and timely manner.
- 6.10 The complaints coordinator may at any time terminate the referral of a matter to a conduct reviewer and refer the matter to another conduct reviewer where the complaints coordinator is satisfied that the conduct reviewer has failed to:
  - a) comply with these procedures in their consideration of the matter, or
  - b) comply with a lawful and reasonable request by the complaints coordinator, or
  - c) exercise their functions in a timely or satisfactory manner.
- 6.11 Where the complaints coordinator terminates a referral to a conduct reviewer under clause 6.10, they must notify the complainant and any other affected person in writing of their decision and the reasons for it and advise them which conduct reviewer the matter has been referred to instead.

## Preliminary assessment of code of conduct complaints about councillors or the general manager by a conduct reviewer

- 6.12 The conduct reviewer is to undertake a preliminary assessment of a complaint referred to them by the complaints coordinator for the purposes of determining how the complaint is to be managed.
- 6.13 The conduct reviewer may determine to do one or more of the following in relation to a complaint referred to them by the complaints coordinator:
  - a) to take no action
  - b) to resolve the complaint by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
  - c) to refer the matter back to the general manager or, in the case of a complaint about the general manager, the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
  - d) to refer the matter to an external agency
  - e) to investigate the matter.
- 6.14 In determining how to deal with a matter under clause 6.13, the conduct reviewer must have regard to the complaint assessment criteria prescribed under clause 6.31.

- 6.15 The conduct reviewer may make such enquiries the conduct reviewer considers to be reasonably necessary to determine what options to exercise under clause 6.13.
- 6.16 The conduct reviewer may request the complaints coordinator to provide such additional information the conduct reviewer considers to be reasonably necessary to determine what options to exercise in relation to the matter under clause 6.13. The complaints coordinator will, as far as is reasonably practicable, supply any information requested by the conduct reviewer.
- 6.17 The conduct reviewer must refer to the Office any complaints referred to them that should have been referred to the Office under clauses 5.20 and 5.27.
- 6.18 The conduct reviewer must determine to take no action on a complaint that is not a code of conduct complaint for the purposes of these procedures.
- 6.19 The resolution of a code of conduct complaint under clause 6.13, paragraphs (b) or (c) is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 6.20 Where the conduct reviewer completes their preliminary assessment of a complaint by determining to exercise an option under clause 6.13, paragraphs (a), (b) or (c), they must provide the complainant with written notice of their determination and provide reasons for it, and this will finalise consideration of the matter under these procedures.
- 6.21 Where the conduct reviewer refers a complaint to an external agency, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.
- 6.22 The conduct reviewer may only determine to investigate a matter where they are satisfied as to the following:
- a) that the complaint is a code of conduct complaint for the purposes of these procedures, and
  - b) that the alleged conduct is sufficiently serious to warrant investigation, and
  - c) that the matter is one that could not or should not be resolved by alternative means.
- 6.23 In determining whether a matter is sufficiently serious to warrant investigation, the conduct reviewer is to consider the following:
- a) the harm or cost that the alleged conduct has caused to any affected individuals and/or the council
  - b) the likely impact of the alleged conduct on the reputation of the council and public confidence in it
  - c) whether the alleged conduct was deliberate or undertaken with reckless intent or negligence
  - d) any previous proven breaches by the person whose alleged conduct is the subject of the complaint and/or whether the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.24 The conduct reviewer must complete their preliminary assessment of the complaint within 28 days of referral of the matter to them by the complaints coordinator and notify the complaints coordinator in writing of the outcome of their assessment.
- 6.25 The conduct reviewer is not obliged to give prior notice to or to consult with any person before making a determination in relation to their preliminary assessment of a complaint, except as may be specifically required under these procedures.

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## Referral back to the general manager or mayor for resolution

- 6.26 Where the conduct reviewer determines to refer a matter back to the general manager or to the mayor to be resolved by alternative and appropriate means, they must write to the general manager or, in the case of a complaint about the general manager, to the mayor, recommending the means by which the complaint may be resolved.
- 6.27 The conduct reviewer must consult with the general manager or mayor prior to referring a matter back to them under clause 6.13(c).
- 6.28 The general manager or mayor may decline to accept the conduct reviewer's recommendation. In such cases, the conduct reviewer may determine to deal with the complaint by other means under clause 6.13.
- 6.29 Where the conduct reviewer refers a matter back to the general manager or mayor under clause 6.13(c), the general manager or, in the case of a complaint about the general manager, the mayor, is responsible for implementing or overseeing the implementation of the conduct reviewer's recommendation.
- 6.30 Where the conduct reviewer refers a matter back to the general manager or mayor under clause 6.13(c), the general manager, or, in the case of a complaint about the general manager, the mayor, must advise the complainant in writing of the steps taken to implement the conduct reviewer's recommendation once these steps have been completed.

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## Complaints assessment criteria

- 6.31 In undertaking the preliminary assessment of a complaint, the conduct reviewer must have regard to the following considerations:
- a) whether the complaint is a code of conduct complaint for the purpose of these procedures
  - b) whether the complaint has been made in a timely manner in accordance with clause 4.4, and if not, whether the allegations are sufficiently serious for compelling grounds to exist for the matter to be dealt with under the council's code of conduct
  - c) whether the complaint is trivial, frivolous, vexatious or not made in good faith
  - d) whether the complaint discloses prima facie evidence of conduct that, if proven, would constitute a breach of the code of conduct
  - e) whether the complaint raises issues that would be more appropriately dealt with by an external agency
  - f) whether there is or was an alternative and satisfactory means of redress available in relation to the conduct complained of
  - g) whether the complaint is one that can be resolved by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
  - h) whether the issue/s giving rise to the complaint have previously been addressed or resolved

- i) any previous proven breaches of the council's code of conduct
- j) whether the conduct complained of forms part of an ongoing pattern of behaviour
- k) whether there were mitigating circumstances giving rise to the conduct complained of
- l) the seriousness of the alleged conduct (having regard to the criteria specified in clause 6.23)
- m) the significance of the conduct or the impact of the conduct for the council
- n) how much time has passed since the alleged conduct occurred
- o) such other considerations that the conduct reviewer considers may be relevant to the assessment of the complaint.



**Part 7:**

**Investigations of Code of  
Conduct Complaints About  
Councillors or the  
General Manager**

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## What matters may a conduct reviewer investigate?

- 7.1 A conduct reviewer (hereafter referred to as an “investigator”) may investigate a code of conduct complaint that has been referred to them by the complaints coordinator and any matters related to or arising from that complaint.
- 7.2 Where an investigator identifies further separate possible breaches of the code of conduct that are not related to or arise from the code of conduct complaint that has been referred to them, they are to report the matters separately in writing to the general manager, or, in the case of alleged conduct on the part of the general manager, to the mayor.
- 7.3 The general manager or the mayor or their delegate is to deal with a matter reported to them by an investigator under clause 7.2 as if it were a new code of conduct complaint in accordance with these procedures.

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## How are investigations to be commenced?

- 7.4 The investigator must at the outset of their investigation provide a written notice of investigation to the respondent. The notice of investigation must:
  - a) disclose the substance of the allegations against the respondent, and
  - b) advise of the relevant provisions of the code of conduct that apply to the alleged conduct, and
  - c) advise of the process to be followed in investigating the matter, and

- d) advise the respondent of the requirement to maintain confidentiality, and
  - e) invite the respondent to make a written submission in relation to the matter within at least 14 days or such other period specified by the investigator in the notice, and
  - f) provide the respondent the opportunity to address the investigator on the matter within such reasonable time specified in the notice.
- 7.5 The respondent may, within 7 days of receipt of the notice of investigation, request in writing that the investigator provide them with such further information they consider necessary to assist them to identify the substance of the allegation against them. An investigator will only be obliged to provide such information that the investigator considers reasonably necessary for the respondent to identify the substance of the allegation against them.
  - 7.6 An investigator may at any time prior to issuing a draft report, issue an amended notice of investigation to the respondent in relation to the matter referred to them.
  - 7.7 Where an investigator issues an amended notice of investigation, they must provide the respondent with a further opportunity to make a written submission in response to the amended notice of investigation within at least 14 days or such other period specified by the investigator in the amended notice.
  - 7.8 The investigator must also, at the outset of their investigation, provide written notice of the investigation to the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the complainant, the complaints coordinator and the mayor. The notice must:

- a) advise them of the matter the investigator is investigating, and
- b) in the case of the notice to the complainant, advise them of the requirement to maintain confidentiality, and
- c) invite the complainant to make a written submission in relation to the matter within at least 14 days or such other period specified by the investigator in the notice.

- 7.13 Where the respondent accepts the opportunity to address the investigator in person, they may have a support person or legal adviser in attendance. The support person or legal adviser will act in an advisory or support role to the respondent only. They must not speak on behalf of the respondent or otherwise interfere with or disrupt proceedings.
- 7.14 The investigator must consider all written and oral submissions made to them in relation to the matter.

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## Written and oral submissions

- 7.9 Where the respondent or the complainant fails to make a written submission in relation to the matter within the period specified by the investigator in their notice of investigation or amended notice of investigation, the investigator may proceed to prepare their draft report without receiving such submissions.
- 7.10 The investigator may accept written submissions received outside the period specified in the notice of investigation or amended notice of investigation.
- 7.11 Prior to preparing a draft report, the investigator must give the respondent an opportunity to address the investigator on the matter being investigated. The respondent may do so in person or by telephone or other electronic means.
- 7.12 Where the respondent fails to accept the opportunity to address the investigator within the period specified by the investigator in the notice of investigation, the investigator may proceed to prepare a draft report without hearing from the respondent.

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## How are investigations to be conducted?

- 7.15 Investigations are to be undertaken without undue delay.
- 7.16 Investigations are to be undertaken in the absence of the public and in confidence.
- 7.17 Investigators must make any such enquiries that may be reasonably necessary to establish the facts of the matter.
- 7.18 Investigators may seek such advice or expert guidance that may be reasonably necessary to assist them with their investigation or the conduct of their investigation.
- 7.19 An investigator may request that the complaints coordinator provide such further information that the investigator considers may be reasonably necessary for them to establish the facts of the matter. The complaints coordinator will, as far as is reasonably practicable, provide the information requested by the investigator.

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## Referral or resolution of a matter after the commencement of an investigation

- 7.20 At any time after an investigator has issued a notice of investigation and before they have issued a draft report, an investigator may determine to:
- a) resolve the matter by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
  - b) refer the matter to the general manager, or, in the case of a complaint about the general manager, to the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
  - c) refer the matter to an external agency.
- 7.21 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they must do so in accordance with the requirements of Part 6 of these procedures relating to the exercise of these options at the preliminary assessment stage.
- 7.22 The resolution of a code of conduct complaint under clause 7.20, paragraphs (a) or (b) is not to be taken as a determination that there has been a breach of the council's code of conduct.

- 7.23 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they may by written notice to the respondent, the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the respondent, the complainant, the complaints coordinator and the mayor, discontinue their investigation of the matter.
- 7.24 Where the investigator discontinues their investigation of a matter under clause 7.23, this shall finalise the consideration of the matter under these procedures.
- 7.25 An investigator is not obliged to give prior notice to or to consult with any person before making a determination to exercise any of the options under clause 7.20 or to discontinue their investigation except as may be specifically required under these procedures.

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## Draft investigation reports

- 7.26 When an investigator has completed their enquiries and considered any written or oral submissions made to them in relation to a matter, they must prepare a draft of their proposed report.
- 7.27 The investigator must provide their draft report to the respondent and invite them to make a written submission in relation to it within at least 14 days or such other period specified by the investigator.
- 7.28 Where the investigator proposes to make adverse comment about any other person (an affected person) in their report, they must also provide the affected person with relevant extracts of their draft report containing such comment and invite the affected person to make a written submission in relation to it within at least 14 days or such other period specified by the investigator.

7.29 The investigator must consider written submissions received in relation to the draft report prior to finalising their report in relation to the matter.

7.30 The investigator may, after consideration of all written submissions received in relation to their draft report, make further enquiries into the matter. If, as a result of making further enquiries, the investigator makes any material change to their proposed report that makes new adverse comment about the respondent or an affected person, they must provide the respondent or affected person as the case may be with a further opportunity to make a written submission in relation to the new adverse comment.

7.31 Where the respondent or an affected person fails to make a written submission in relation to the draft report within the period specified by the investigator, the investigator may proceed to prepare and issue their final report without receiving such submissions.

7.32 The investigator may accept written submissions in relation to the draft report received outside the period specified by the investigator at any time prior to issuing their final report.

## Final investigation reports

7.33 Where an investigator issues a notice of investigation they must prepare a final report in relation to the matter unless the investigation is discontinued under clause 7.23.

7.34 An investigator must not prepare a final report in relation to the matter at any time before they have finalised their consideration of the matter in accordance with the requirements of these procedures.

7.35 The investigator's final report must:

a) make findings of fact in relation to the matter investigated, and,

b) make a determination that the conduct investigated either,

i) constitutes a breach of the code of conduct, or

ii) does not constitute a breach of the code of conduct, and

c) provide reasons for the determination.

7.36 Where the investigator determines that the conduct investigated constitutes a breach of the code of conduct, the investigator may make one or more of the following recommendations:

a) that the council revise any of its policies, practices or procedures

b) that the respondent undertake any training or other education relevant to the conduct giving rise to the breach

c) that the respondent be counselled for their conduct

d) that the respondent be removed from membership of a committee of the council or any other body or organisation that the respondent serves on as the council's representative

e) that the respondent gives an undertaking not to repeat the offending behaviour in such time and form specified by the recommendation

f) that the respondent apologise to any person or organisation affected by the breach in such a time and form specified by the recommendation

g) that findings of inappropriate conduct be made public by publishing the investigator's findings and determination in the minutes of the council meeting at which the matter is considered

- h) in the case of a breach by the general manager, that action be taken under the general manager’s contract
  - i) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the LGA
  - j) in the case of a breach by a councillor, that the council resolves as follows:
    - i) that the councillor be formally censured for the breach under section 440G of the LGA, and
    - ii) that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.37 Where the investigator determines that the conduct investigated does not constitute a breach of the code of conduct, the investigator may make one or more of the following recommendations:
- a) that the council revise any of its policies, practices or procedures
  - b) that a person or persons undertake any training or other education.
- 7.38 In making a recommendation under clause 7.36, the investigator may have regard to the following:
- a) the seriousness of the breach
  - b) whether the breach can be easily remedied or rectified
  - c) whether the respondent has remedied or rectified their conduct
  - d) whether the respondent has expressed contrition
  - e) whether there were any mitigating circumstances
  - f) the age, physical or mental health or special infirmity of the respondent
- g) whether the breach is technical or trivial only
  - h) any previous proven breaches
  - i) whether the breach forms part of an ongoing pattern of behaviour
  - j) the degree of reckless intention or negligence of the respondent
  - k) the extent to which the breach has affected other parties or the council as a whole
  - l) the harm or potential harm to the reputation of the council or local government in general arising from the conduct
  - m) whether the findings and recommendations can be justified in terms of the public interest and would withstand public scrutiny
  - n) whether an educative approach would be more appropriate than a punitive one
  - o) the relative costs and benefits of taking formal disciplinary action as opposed to taking no action or taking informal action
  - p) what action or remedy would be in the public interest.
- 7.39 Where the investigator proposes to make a recommendation under clause 7.36(j), the investigator must first consult with the Office on their proposed findings, determination and recommendation prior to finalising their report, and must take any comments by the Office into consideration when finalising their report.
- 7.40 At a minimum, the investigator’s final report must contain the following information:
- a) a description of the allegations against the respondent

- b) the relevant provisions of the code of conduct that apply to the alleged conduct investigated
  - c) a statement of reasons as to why the matter warranted investigation (having regard to the criteria specified in clause 6.23)
  - d) a statement of reasons as to why the matter was one that could not or should not be resolved by alternative means
  - e) a description of any attempts made to resolve the matter by use of alternative means
  - f) the steps taken to investigate the matter
  - g) the facts of the matter
  - h) the investigator's findings in relation to the facts of the matter and the reasons for those findings
  - i) the investigator's determination and the reasons for that determination
  - j) any recommendations.
- 7.41 The investigator must provide a copy of their report to the complaints coordinator and the respondent.
- 7.42 At the time the investigator provides a copy of their report to the complaints coordinator and the respondent, the investigator must provide the complainant with a written statement containing the following information:
- a) the investigator's findings in relation to the facts of the matter and the reasons for those findings
  - b) the investigator's determination and the reasons for that determination
  - c) any recommendations, and
  - d) such other additional information that the investigator considers may be relevant.
- 7.43 Where the investigator has determined that there has not been a breach of the code of conduct, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the mayor, and this will finalise consideration of the matter under these procedures.
- 7.44 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 7.36, paragraph (a) only, the complaints coordinator must provide a copy of the investigator's report to the general manager. Where the general manager agrees with the recommendation/s, the general manager is responsible for implementing the recommendation/s.
- 7.45 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 7.36, paragraphs (b) or (c) only, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the mayor. The general manager is responsible for arranging the implementation of the recommendation/s where the report relates to a councillor's conduct. The mayor is responsible for arranging the implementation of the recommendation/s where the report relates to the general manager's conduct.
- 7.46 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 7.36, paragraphs (d) to (j) (whether or not in conjunction with recommendations made under clause 7.36, paragraphs (a) to (c)),

the complaints coordinator must, where practicable, arrange for the investigator's report to be reported to the next ordinary council meeting for the council's consideration, unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary council meeting following the election.

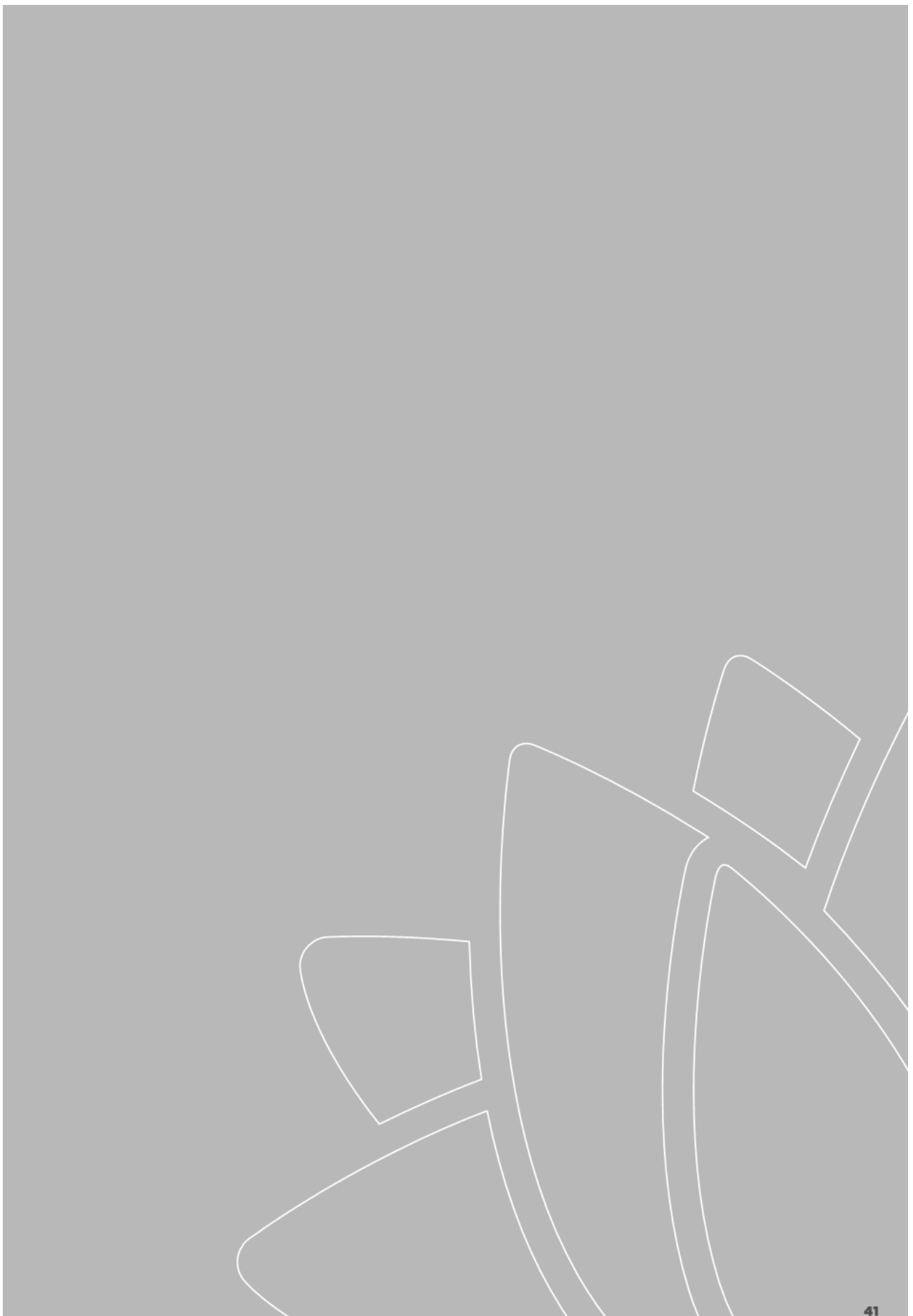
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## Consideration of the final investigation report by council

- 7.47 The role of the council in relation to a final investigation report is to impose a sanction if the investigator has determined that there has been a breach of the code of conduct and has made a recommendation in their final report under clause 7.36, paragraphs (d) to (j) (whether or not in conjunction with recommendations made under clause 7.36, paragraphs (a) to (c)).
- 7.48 The council is to close its meeting to the public to consider the final investigation report in cases where it is permitted to do so under section 10A of the LGA.
- 7.49 Where the complainant is a councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant councillor may absent themselves without making any disclosure of interest in relation to the matter unless otherwise required to do so under the code of conduct.
- 7.50 Prior to imposing a sanction, the council must provide the respondent with an opportunity to make a submission to the council. A submission may be made orally or in writing. The respondent is to confine their submission to addressing the investigator's recommendation/s.
- 7.51 Once the respondent has made their submission they must absent themselves from the meeting and, where they are a councillor, take no part in any discussion or voting on the matter.
- 7.52 The council must not invite submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.
- 7.53 Prior to imposing a sanction, the council may by resolution:
- a) request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
  - b) seek an opinion from the Office in relation to the report.
- 7.54 The council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the Office.
- 7.55 The investigator may make additional enquiries for the purpose of preparing a supplementary report.
- 7.56 Where the investigator prepares a supplementary report, they must provide copies to the complaints coordinator who shall provide a copy each to the council and the respondent.
- 7.57 The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the complaints coordinator.
- 7.58 The council is only required to provide the respondent a further opportunity to make an oral or written submission on a supplementary report if the supplementary report contains new information that is adverse to them.
- 7.59 A council may by resolution impose one or more of the following sanctions on a respondent:



- a) that the respondent undertake any training or other education relevant to the conduct giving rise to the breach
  - b) that the respondent be counselled for their conduct
  - c) that the respondent be removed from membership of a committee of the council or any other body or organisation that the respondent serves on as the council's representative
  - d) that the respondent gives an undertaking not to repeat the offending behaviour in such time and form specified by the resolution
  - e) that the respondent apologise to any person or organisation affected by the breach in such a time and form specified by the resolution
  - f) that findings of inappropriate conduct be made public by publishing the investigator's findings and determination in the minutes of the meeting
  - g) in the case of a breach by the general manager, that action be taken under the general manager's contract for the breach
  - h) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the LGA
  - i) in the case of a breach by a councillor:
    - i) that the councillor be formally censured for the breach under section 440G of the LGA, and
    - ii) that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.60 The council is not obliged to adopt the investigator's recommendation/s. Where the council proposes not to adopt one or more of the investigator's recommendation/s, the council must resolve not to adopt the recommendation/s and state in its resolution the reasons for its decision.
- 7.61 Where the council proposes to impose a sanction on the respondent under clause 7.59 that is different to the sanction recommended by the investigator in their final report, the council must state in its resolution the reasons for its decision.
- 7.62 Where the council resolves not to adopt the investigator's recommendation/s or imposes a sanction on the respondent under clause 7.59 that is different to the sanction recommended by the investigator, the complaints coordinator must notify the Office of the council's decision and the reasons for it.



**Part 8:**

**Oversight and Rights of Review**

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## The Office's powers of review

- 8.1 The Office may, at any time, whether or not in response to a request, review the consideration of a matter under a council's code of conduct where it is concerned that a person has failed to comply with a requirement prescribed under these procedures or has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct in their consideration of a matter.
- 8.2 The Office may direct any person, including the council, to defer taking further action in relation to a matter under consideration under the council's code of conduct pending the completion of its review. Any person the subject of a direction must comply with the direction.
- 8.3 Where the Office undertakes a review of a matter under clause 8.1, it will notify the complaints coordinator and any other affected persons, of the outcome of the review.

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## Complaints about conduct reviewers

- 8.4 The general manager or their delegate must refer code of conduct complaints about conduct reviewers to the Office for its consideration.
- 8.5 The general manager must notify the complainant of the referral of their complaint about the conduct reviewer in writing.
- 8.6 The general manager must implement any recommendation made by the Office as a result of its consideration of a complaint about a conduct reviewer.

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## Practice rulings

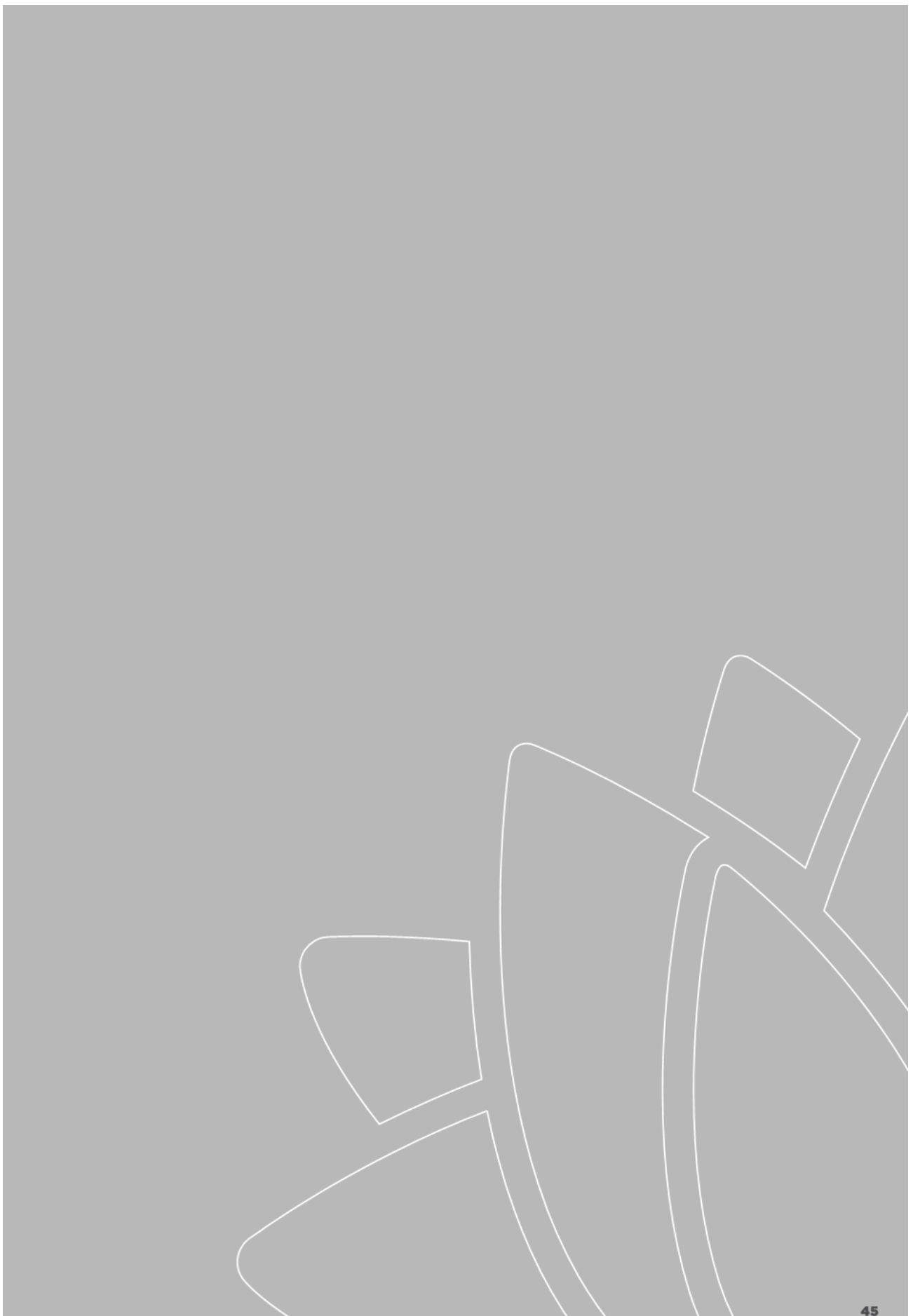
- 8.7 Where a respondent and an investigator are in dispute over a requirement under these procedures, either person may make a request in writing to the Office to make a ruling on a question of procedure (a practice ruling).
- 8.8 Where the Office receives a request in writing for a practice ruling, the Office may provide notice in writing of its ruling and the reasons for it to the person who requested it and to the investigator, where that person is different.
- 8.9 Where the Office makes a practice ruling, all parties must comply with it.
- 8.10 The Office may decline to make a practice ruling. Where the Office declines to make a practice ruling, it will provide notice in writing of its decision and the reasons for it to the person who requested it and to the investigator, where that person is different.

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## Review of decisions to impose sanctions

- 8.11 A person who is the subject of a sanction imposed under Part 7 of these procedures other than one imposed under clause 7.59, paragraph (i), may, within 28 days of the sanction being imposed, seek a review of the investigator's determination and recommendation by the Office.
- 8.12 A review under clause 8.11 may be sought on the following grounds:
- a) that the investigator has failed to comply with a requirement under these procedures, or
  - b) that the investigator has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct, or

- c) that in imposing its sanction, the council has failed to comply with a requirement under these procedures.
- 8.13 A request for a review made under clause 8.11 must be made in writing and must specify the grounds upon which the person believes the investigator or the council has erred.
- 8.14 The Office may decline to conduct a review, in cases where the grounds upon which the review is sought are not sufficiently specified.
- 8.15 The Office may undertake a review of a matter without receiving a request under clause 8.11.
- 8.16 The Office will undertake a review of the matter on the papers. However, the Office may request that the complaints coordinator provide such further information that the Office considers reasonably necessary for it to review the matter. The complaints coordinator must, as far as is reasonably practicable, provide the information requested by the Office.
- 8.17 Where a person requests a review under clause 8.11, the Office may direct the council to defer any action to implement a sanction. The council must comply with a direction to defer action by the Office.
- 8.18 The Office must notify the person who requested the review and the complaints coordinator of the outcome of the Office's review in writing and the reasons for its decision. In doing so, the Office may comment on any other matters the Office considers to be relevant.
- 8.19 Where the Office considers that the investigator or the council has erred, the Office may recommend that a decision to impose a sanction under these procedures be reviewed.
- 8.20 In the case of a sanction implemented by the general manager or mayor under clause 7.45, where the Office recommends that the decision to impose a sanction be reviewed:
- a) the complaints coordinator must provide a copy of the Office's determination in relation to the matter to the general manager or the mayor, and
  - b) the general manager or mayor must review any action taken by them to implement the sanction, and
  - c) the general manager or mayor must consider the Office's recommendation in doing so.
- 8.21 In the case of a sanction imposed by the council by resolution under clause 7.59, where the Office recommends that the decision to impose a sanction be reviewed:
- a) the complaints coordinator must, where practicable, arrange for the Office's determination to be tabled at the next ordinary council meeting unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case it must be tabled at the first ordinary council meeting following the election, and
  - b) the council must:
    - i) review its decision to impose the sanction, and
    - ii) consider the Office's recommendation in doing so, and
    - iii) resolve to either rescind or reaffirm its previous resolution in relation to the matter.
- 8.22 Where, having reviewed its previous decision in relation to a matter under clause 8.21, the council resolves to reaffirm its previous decision, the council must state in its resolution its reasons for doing so.



**Part 9:**

**Procedural Irregularities**

- 9.1 A failure to comply with these procedures does not, on its own, constitute a breach of the code of conduct, except as may be otherwise specifically provided under the code of conduct.
- 9.2 A failure to comply with these procedures will not render a decision made in relation to a matter invalid where:
- a) the non-compliance is isolated and/or minor in nature, or
  - b) reasonable steps are taken to correct the non-compliance, or
  - c) reasonable steps are taken to address the consequences of the non-compliance.





**Part 10:**  
**Practice Directions**

- 10.1 The Office may at any time issue a practice direction in relation to the application of these procedures.
- 10.2 The Office will issue practice directions in writing, by circular to all councils.
- 10.3 All persons performing a function prescribed under these procedures must consider the Office's practice directions when performing the function.

**Part 11:**

**Reporting Statistics on Code  
of Conduct Complaints  
About Councillors and the  
General Manager**

- 11.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:
- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)
  - b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period
  - c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints
  - d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period
  - e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period
  - f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and
  - g) the total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.
- 11.2 The council is to provide the Office with a report containing the statistics referred to in clause 11.1 within 3 months of the end of September of each year.

# Part 12: Confidentiality

- 12.1 Information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these procedures.
- 12.2 Where a complainant publicly discloses information on one or more occasions about a code of conduct complaint they have made or purported to make, the general manager or their delegate may, with the consent of the Office, determine that the complainant is to receive no further information about their complaint and any future code of conduct complaint they make or purport to make.
- 12.3 Prior to seeking the Office's consent under clause 12.2, the general manager or their delegate must give the complainant written notice of their intention to seek the Office's consent, invite them to make a written submission within at least 14 days or such other period specified by the general manager or their delegate, and consider any submission made by them.
- 12.4 In giving its consent under clause 12.2, the Office must consider any submission made by the complainant to the general manager or their delegate.
- 12.5 The general manager or their delegate must give written notice of a determination made under clause 12.2 to:
- a) the complainant
  - b) the complaints coordinator
  - c) the Office, and
  - d) any other person the general manager or their delegate considers should be notified of the determination.
- 12.6 Any requirement under these procedures that a complainant is to be provided with information about a code of conduct complaint that they have made or purported to make, will not apply to a complainant the subject of a determination made by the general manager or their delegate under clause 12.2.
- 12.7 Clause 12.6 does not override any entitlement a person may have to access to council information under the *Government Information (Public Access) Act 2009* or to receive information under the *Public Interest Disclosures Act 1994* in relation to a complaint they have made.



**12.10 29 CLINTON STREET GOULBURN DEVELOPER CONTRIBUTIONS AND FOOTPATH TREATMENT**

**Authors:** Marina Hollands, Director Utilities  
 Scott Martin, Director Planning & Environment

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. 29 Clinton Street Plans  

|  |  |
|--|--|
| <b>Link to Community Strategic Plan:</b> | IN5.1 Operate, maintain and upgrade water systems to provide high quality water to our customers.<br>IN6.1 Operate, maintain and upgrade the sewer system to maximise performance and minimise environmental, operational and capital project risks. |
| <b>Cost to Council:</b>                  | No cost to Council.  |
| <b>Use of Reserve Funds:</b>             | NA   |

**RECOMMENDATION**

That:

1. The report from the Director Utilities and Director Planning and Environment on 29 Clinton Street Developer Contributions and Footpath Treatment be received.
2. The Section 64 Developer contribution for the development at 29 Clinton Street Goulburn be charged at the current development servicing rates for Water, Sewer and Stormwater for this development according to the Council resolution (Resolution 2017/462) and Council’s current fees and Charges.
3. Council delegate the determination of the forthcoming modification which is to include the addition of a drop off zone to Clinton Street, landscaping changes, bathroom alterations and improved disabled pedestrian access from Clinton Street to the General Manager.
4. In delegating determination of the above mentioned modification for the footpath and landscaping on Council’s footpath and road reserve to the General Manager the following guiding principles will be followed:
  - a) The attached plans as provided by Ochre Landscape Architects be generally endorsed.
  - b) The design and materials for the proposed paving on Clinton Street must be complimentary to the paving in Auburn Street.
  - c) The Clinton Street paving treatment be focused upon the frontage of the development between the south western boundary (underground car park entrance) and the existing convent driveway entrance.
  - d) Council endorse the retention and improvements to the existing grass verges in Bourke Street provided that a minimum of six established street trees are provided.
  - e) Satisfactory arrangements be put in place to ensure that the improved Bourke Street footpath area be protected throughout construction of the villas located at the rear of the development site.

**BACKGROUND**

The developer of 29 Clinton Street Goulburn submitted their Development Application for their works prior to the introduction of the current developer charges. In November 2017, a 306 Certificate under the *Water Management Act 2000* was issued for the Development based on their



original application that detailed their contributions for Water, Sewer and Stormwater. The development has changed since the original application, increasing their loads and calculated charges. The developer did not pay for their developer charges before the 30 June 2018 deadline for the payment of these charges based on the old fees. They have made recent contact with Council requesting that their contributions for their development be based on the old rates prior to the changing of the Council Servicing Plan and not the current rates.

Further to the above, at its meeting held 16 October 2018, Council resolved to approve a Modification (MOD/0008/1819) relating to the subject development. The majority of issues contained within the modification were relatively simple and of little importance to the overall development. The one key issue to be addressed however related to a compliance matter whereby the building at its north-western corner had been modified and not constructed in accordance with the previously approved and endorsed plans. As a result there was a general consensus amongst Council that the heritage significance of the adjoining Convent had been negatively impacted upon.

Accordingly, Council resolved to impose a condition on the modified consent requiring the developer to extend the paving undertaken by Council in Auburn Street from the Tattersall’s Hotel on the corner of Auburn and Clinton Streets to Sts Peter & Paul’s Cathedral in Bourke Street.

**REPORT**

**Developer Contributions**

The developer of 29 Clinton Street was provided a Section 306 Certificate under the *Water Management Act 2000* in November 2017 for their development that detailed the Section 64 Developer Contributions for their development. This was based on their initial DA and the previous contribution rates. The fees were based on the construction of:

| Standard Unit    | Number             |
|------------------|--------------------|
| 1 Bedroom Units  | 28                 |
| 2 Bedroom Units  | 23                 |
| 3 Bedroom Villas | 17                 |
| Mixed Use Area   | 995 m <sup>2</sup> |
| Common Area      | 180 m <sup>2</sup> |

Credits were calculated based on the previous use of the site as a school and convent and were applied to the calculation of these fees. The components of the development (the various sized units and mixed commercial areas) were converted to Equivalent Tenements (ET’s) and stormwater m<sup>2</sup> based on the water directorate guidelines. Their assessment was as follows and the costs calculated as:

|            | ETs                | Cost      |
|------------|--------------------|-----------|
| Water      | 30.29              | \$106,797 |
| Sewer      | 34.13              | \$159,933 |
| Stormwater | 2101m <sup>2</sup> | \$7,290   |
| Total      |                    | \$274,020 |

On 8 November 2017, Council adopted the latest Development Servicing Plan for Water Supply, Sewerage and Stormwater (Resolution 2017/462). The Development Application for 29 Clinton Street was received prior to the adoption of the latest Development Servicing Plan and the new rates in that plan. Accordingly, the resolution stated:

*The existing DSP charges will apply for all DA's received prior to the adoption of the new DSP – provided that the DSP charges are paid for in the current 17/18 financial year. If the DSP charges are paid after 30 June 2018, the new charges for 18/19 financial year will apply*

*The proposed new DSP charges will apply to all DA's with existing Section 306 conditions that are not paid for in the current 17/18 financial year.*

Therefore, as the developer contribution fees were not paid upfront prior by 30 June 2018, the new fees are applicable to this development in accordance with the Council Resolution. This has been applied to all developments that commenced prior to the change of the developer charges that did not pay the contribution in full by 30 June 2018. All DA's outstanding prior to the adoption of the New Servicing Plan, dated 8 November 2017, were all subject to this clause where the former rate was applicable if paid by 30 June 2018. Many developers paid the fees upfront to lock in these rates.

The developer of 29 Clinton Street recently contacted Council to get a copy of their revised contribution for the development as a result of the various modifications submitted during construction. Following a review of the modifications to the DA and a confirmation of the number and types of units constructed, the updated charges were calculated. The fees were based on the construction of:

| Standard Unit    | Number             |
|------------------|--------------------|
| 1 Bedroom Units  | 11                 |
| 2 Bedroom Units  | 52                 |
| 3 Bedroom Villas | 17                 |
| Commercial Area  | 964 m <sup>2</sup> |

The calculation included the credits calculated for the original application based on the previous use of the site as a school and convent.

The changes submitted through the modifications are substantial compared to the original DA submitted. These changes were the reduction of one bedroom units and the increase in two bedroom units. The modifications have increased the ET's for Water by 6.77 to 37.06 and for Sewer by 11.14 to 45.27 ETs.

The assessment for the developer charges for this development at the current rates is:

|            | ETs                | Cost         |
|------------|--------------------|--------------|
| Water      | 37.06              | \$212,909.70 |
| Sewer      | 45.27              | \$470,310.03 |
| Stormwater | 2101m <sup>2</sup> | \$7,353.50   |
| Total      |                    | \$690,573.23 |

Given the changes to the development, if the developer had submitted this current configuration originally, prior to the rates changing, the contributions would have been \$350,199.34.

Had the developer paid these fees upfront prior to 30 June 2018, the charge would have been a total of \$428,768.80. This is based on the initial payment of 30.29 ET for Water at the old rate, 34.13 ET of Sewer at the old rate based on the original DA, Stormwater at the old rate and the additional ET's for both water and sewer at the new rate.

|  | ETs | Cost |
|--|-----|------|
|  |     |      |

|                              |                    |              |
|------------------------------|--------------------|--------------|
| Water (original DA/old rate) | 30.29              | \$106,797.56 |
| Sewer (original DA/old rate) | 34.13              | \$159,933.18 |
| Water (modified DA/new rate) | 6.78               | 38,951.10    |
| Sewer (modified DA/new rate) | 11.14              | 115,733.46   |
| Stormwater                   | 2101m <sup>2</sup> | \$7,353.50   |
| Total                        |                    | \$428,768.80 |

Many developers that had a DA lodged before the change of contribution fees paid their fees by 30 June 2018. This locked in their fees for their development. Many of these developers were not ready to pay these fees but made the necessary arrangements to make this payment to lock in these rates, including arranging loans to pay for these fees. The deadline of the old rates has passed and to ensure fairness to the developers that paid up front, this developer should be charged at the current rate as per the Council resolution for the serving plan and the current fees and charges.

### Footpath

At its meeting held 16 October 2018, Council resolved to approve a Modification (MOD/0008/1819) relating to the subject development. The majority of issues contained within the modification were relatively simple and of little importance to the overall development. The one key issue to be addressed however related to a compliance matter whereby the building at its north-western corner had been modified and not constructed in accordance with the previously approved and endorsed plans. As a result there was a general consensus amongst Council that the heritage significance of the adjoining Convent had been negatively impacted upon.

Council resolved to impose a condition on the modified consent requiring the developer to extend the paving undertaken by Council in Auburn Street from the Tattersall's Hotel on the corner of Auburn and Clinton Streets to Sts Peter & Paul's Cathedral in Bourke Street. Condition 169 specifically states:

*The applicant or developer will be required to extend the paving consistent and comparable with the design in Auburn Street. The paving shall be extended commencing from the paving outside the Tatts Hotel in Auburn Street to the end of the subject site on Bourke Street. (Including all footpaths adjacent to the subject site). The design shall be submitted to Council for approval and to the satisfaction of Council as the roads authority prior to issue of an Occupation Certificate for either the Commercial/Residential (Stage 2). The paving is to be completed at no expense to Council.*

Since this time a number of Council officers, including the General Manager and Senior Management, have met with the developer in order to negotiate and finalise a design that is considered suitable. Accordingly, these plans were finalised on 8 March 2019 (refer Attachment).

It must be noted that the outcome that has been negotiated has attempted to capture the essence of the condition imposed by Council, which is ultimately to improve the amenity of the streetscape to offset the visual of the new multi-level structure's impact upon the Convent. As such the plan being put forward does not strictly comply with the condition, particularly with regards to the absence of paving to Bourke Street. With this in mind the following points are made:

- The design is *complimentary* and comparable rather *consistent* and comparable with the paving in Auburn Street, to distinguish that this development lays just outside of the Auburn Street CBD rather than directly within. The result seeks to maintain the Auburn and Clinton Street intersection as the formal "gateway" to the CBD.

This has been achieved by using the same materials albeit with a reduction in the repeated geometric pattern as seen in Auburn Street.

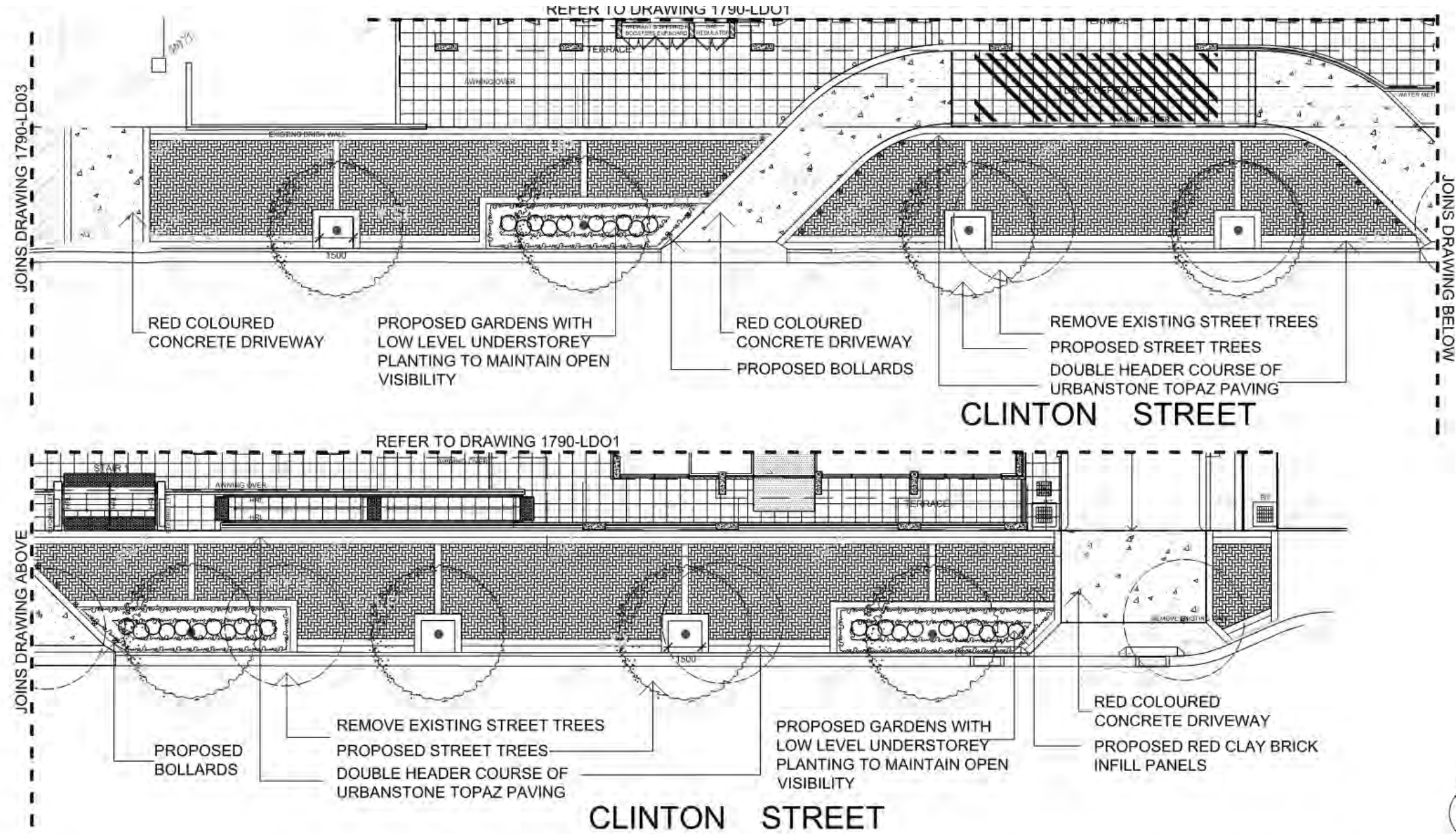
- The formality of the Bourke Street frontage (beginning at the north-western side of the Convent driveway entry) has been further eased to incorporate the existing path but with sympathetic landscaping treatments such as grass and street trees, again in recognition of the fact that we are now semi-removed from the Auburn Street CBD precinct.

A closer analysis of this area suggested that additional paving in this specific area would negatively contrast with the imposing brick wall, the brick wall of the Chapel and the brick wall of the Convent that combine to dominate the Bourke Street frontage as well as the Bourke & Clinton Street intersection. As a result the inclusion of street trees and the renovation, aeration, fertilisation and top dressing of the existing grass would in fact compliment and positively highlight the red-brick walls whilst contributing to a reduction in the 'hot, dry and sterile' feel to the area.

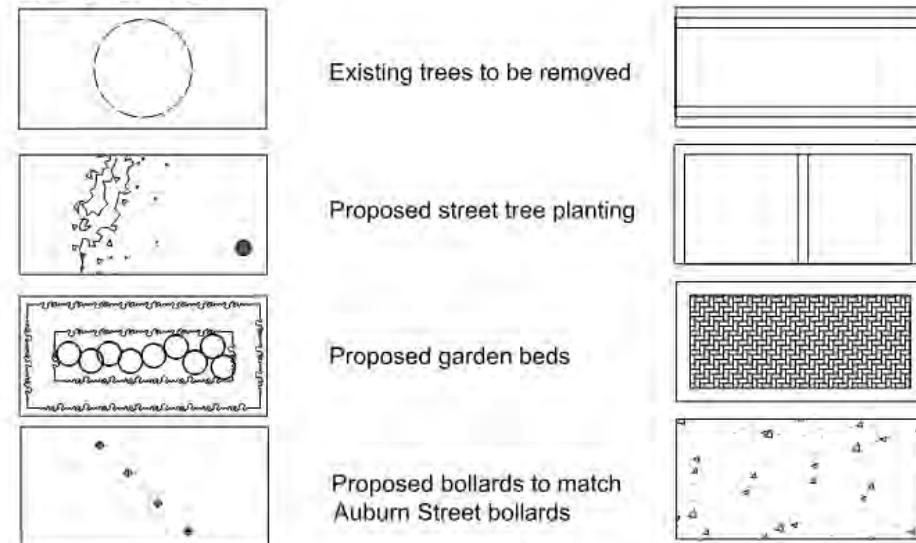
The above mentioned streetscape plans do differ from the requirements as imposed by the above mentioned condition of consent, particularly in relation to the Bourke Street frontage. The applicant is therefore required to modify the consent in order to have the plans endorsed.

The applicant has lodged a modification to address a number of other matters, including the provision of a driveway/drop-off area on the Clinton Street frontage which can be seen upon the attached streetscape plans. This modification is currently being assessed by staff but has not progressed to a point in which Council would be able to make a determination.

Therefore, in terms of time efficiency and in recognition that the development is fast approaching its occupation phase, it is recommended that Council delegate the determination of this modification to the General Manager. Doing so will enable the timely processing of the modification and ensure that any further amendments required prior to occupation can be addressed without the delays that would be encountered in seeking the endorsement of Council.



**LEGEND**



Proposed double header course of Urbanstone, 'River Topaz' paver. Milled Finish 300x300x50mmmm

Proposed single header course of Urbanstone, 'River Topaz' paver. Milled Finish 300x300x50mmmm

Proposed paving in herringbone pattern by Austral, 'Firestone Red'. 230x114x50mm

Proposed concrete paving coloured with red oxide

**RECOMMENDED PLANT SPECIES**

| BOTANICAL NAME                    | COMMON NAME          |
|-----------------------------------|----------------------|
| <b>STREET TREES</b>               |                      |
| Lagerstroemia indica 'Natchez'    | Crepe Myrtle         |
| Pyrus calleryana 'Bradford'       | Ornamental pear      |
| Pyrus calleryana 'Capital'        | Ornamental pear      |
| Quercus pallustris 'Green Pillar' | Pin Oak              |
| Sophora japonica                  | Japanese Pagoda Tree |
| Ulmus parvifolia 'Todd'           | Chinese Elm          |
| Zelcova serrata 'Green Vase'      | Japanese Zelkova     |
| <b>SHRUBS AND GROUND COVERS</b>   |                      |
| Gardenia augusta 'Florida'        | Gardenia             |
| Lavendula angustifolia 'Hidcote'  | English Lavender     |
| Lavendula stoechas                | Lavender             |
| Nandina 'Blush'                   | Dwarf Sacred Bamboo  |
| Rapheolepis 'Snow Maiden'         | Dwarf Hawthorn       |
| Juniperus conferta                | Shore Juniper        |
| Liriope muscari 'Evergreen Giant' | Lily Turf            |
| Gardenia radicans                 | Dwarf Gardenia       |



ISSUE: Amended Development Application 04.03.19, 05.1  
 ISSUE: For Development Application 28.02.19  
 ISSUE: For Co-ordination 25.02.19  
 REV A: Add note 04.03.19

**ochre** ochre landscape architects  
 P.O. Box 395  
 Wollongong NSW 2500  
 Tel: 0452 576427  
 Email: design@ochre.net.au

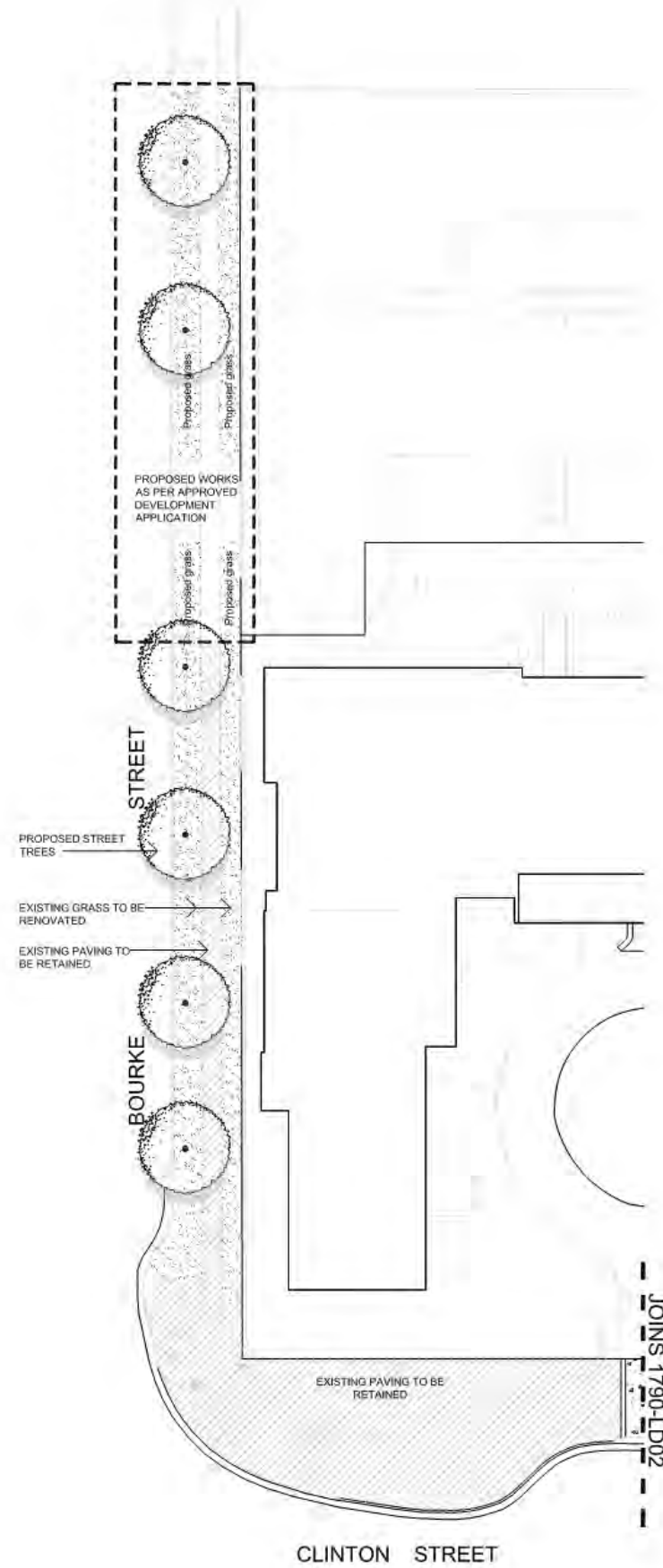
PROJECT  
 Proposed Streetscape  
 Clinton Street  
 GOULBURN

DRAWING TITLE  
 Landscape Concept Plan





CLIENT  
 Nicholas Daoud and Co. Pty Ltd

DRAWING REF  
 1790-LD02A

SCALE 1:200 @ A1, 1:400 @ A3  
 CHECKED: TW  
 DATE: 25.02.19



LEGEND

-  Works approved as per previous DA
-  Proposed street tree planting
-  Existing grass to be renovated, aerated, fertilized and topdressed if necessary
-  Existing paving to be retained

RECOMMENDED PLANT SPECIES

| BOTANICAL NAME                 | COMMON NAME  |
|--------------------------------|--------------|
| LAGERSTROEMIA INDICA 'NATCHEZ' | CREPE MYRTLE |



ISSUE: Amended Development Application 04.03.19, 05.11.19  
 ISSUE: For Development Application 28.02.19  
 ISSUE: For Co-ordination 25.02.19  
 REV B: Add Bourke Street works 05.03.19  
 REV A: Add note 04.03.19

**ochre** ochre landscape architects  
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 Wollongong NSW 2500  
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 Email: design@ochre.net.au

|               |  |
|---------------|--|
| PROJECT       | Proposed Streetscape<br>Clinton Street<br>GOULBURN |
| DRAWING TITLE | Landscape Concept Plan                             |
| CLIENT        | Nicholas Daoud and Co. Pty Ltd                     |
| DRAWING NO.   | 1790-LD03  |
| SCALE         | 1:200 @ A1, 1:400 @ A3                             |
| CHECKED       | TW   |
| DATE          | 25.02.19   |

**12.11 AUSTRALIAN BLUES MUSIC FESTIVAL**

**Author:** Sarah Ruberto, Business Manager Marketing, Events & Culture

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** Nil

|  |  |
|--|--|
| <b>Link to Community Strategic Plan:</b> | Strategy EC2 – Jointly develop appropriate tourism opportunities and promote the region as a destination.<br>Strategy CO2 – Encourage and facilitate active and creative participation in community life.<br>Strategy CO4 – Recognise and celebrate our diverse cultural identities, and protect and maintain our community’s natural and built cultural heritage. |
| <b>Cost to Council:</b>                  | \$30,000 allocated in the 19/20 draft budget for the 2020 Australian Blues Music Festival, and for each year in the four year budget.  |
| <b>Use of Reserve Funds:</b>             | Not Applicable. Budgeted amount funded from revenue.   |

**RECOMMENDATION**

1. That the report from the Business Manager Marketing, Events & Culture on the Australian Blues Music Festival be received and noted.
  
2. Council undertake an Expression of Interest process requesting respondents to outline what could be achieved within a \$30,000 plus GST and CPI budget per annum for the organisation, management and promotion of the Australian Blues Music Festival for a five year period.

**BACKGROUND**

The Australian Blues Music Festival (ABMF) has been held annually on the second weekend in February since 1997. For the first three years, the Festival was held at the Recreation Area and was subject to inclement weather and significant financial loss and liability for the organisers. In 2000, the ABMF was moved into multiple venues around the Goulburn CBD, and in September of that year, Council finalised a purchase agreement to assume responsibility for management of the event from the three founders. From the 2001 Festival through to 2009, the event was coordinated by Council’s Tourism Business Unit, with the exception of 2005 when it was operated under licence by private enterprise. In the early years under Council management, the venues made a financial contribution equivalent to the cost borne by Council for performer fees and production costs for their venue, with Council contracting an Artistic Director to engage talent and develop the program. This model was problematic for the venues, primarily because they felt they were unable to recoup their expenditure through food and beverage sales, and was resource intensive for Council staff, further complicated by the break-even budget for the Festival.

Over the years, the ABMF has been significantly hindered by the lack of long-term Council commitment to the Festival, with it often not receiving the final budget commitment until May/June of each year, allowing for a short lead time to plan and prepare the Festival. A number of operating models were considered and some pursued in the coming years, with varying levels of success for Council, the venues and the community. Following an Expression of Interest process undertaken in 2009, Laing Entertainment, a local entertainment company were successful in securing the contract to organise, promote and manage all aspects of the Festival for a five year term (2010 to 2014 Festivals). This was extended for a further five year term (2015 to 2019 Festivals), with the

February 2019 ABMF the last under the current agreement. This report presents to Council the options for the future of the Australian Blues Music Festival.

## REPORT

The Australian Blues Music Festival (ABMF) is a boutique 4-day, multi-venue festival celebrating and showcasing Australian blues music. It is held annually on the second weekend in February and has done so since its inception in 1997. The Festival is considered a flagship event on Goulburn's annual event calendar, drawing people from across Australia to the Festival and our community. The Festival caters for all visitors and the Goulburn Mulwaree community, as a free multi-venue Festival held in the Goulburn CBD.

Council has a Deed of Agreement (Agreement) with Laing Entertainment (Laing) to organise and conduct the Australian Blues Music Festival (ABMF) for the period 2015-2019. Following the 2019 Festival held in February and the finalisation of event reporting, this Agreement will conclude. As part of the Agreement, Council has paid Laing \$20,000 plus GST annually for the management and marketing of the Festival. This Management Fee was increased from \$15,000 plus GST after the 2014 Festival, when the current Agreement was established. Following a request from Laing Entertainment for additional funding, at the 7 August 2018 Council Meeting, Council resolved:

### *12.23 2019 AUSTRALIAN BLUES MUSIC FESTIVAL FUNDING REQUEST RESOLUTION 2018/285*

*Moved: Cr Peter Walker*

*Seconded: Cr Denzil Sturgiss*

- 1. That the report from the Business Manager Marketing, Events & Culture on the 2019 Australian Blues Music Festival Funding Request be noted.*
- 2. That Council provide additional funding of \$2,500 + GST for the 2019 Australian Blues Music Festival.*
- 3. Council fund the purchase of replacement/additional street banners for the Australian Blues Music Festival up to \$3,600 +GST.*
- 4. At the completion of the 2019 Australian Blues Music Festival and the current Agreement period, Council assess the options for the future of the Australian Blues Music Festival, including the level of investment required to maintain and or grow the event.*
- 5. Council to coordinate and provide \$1,000 for television advertising of the event. The Television advertising to occur in the Illawarra & Canberra Regions.*

*CARRIED*

For many years through their formal event reporting and conversations with Council staff, Laing Entertainment have raised the issue of increasing costs associated with running the ABMF, and the difficulty in obtaining cash sponsorship and grant funding to offset these increased operating costs. With the Festival in its 23<sup>rd</sup> year, the ABMF is unlikely to attract festival related grant funding over less established festivals and events still in their early development. Whilst some funding may be able to be sourced through local sponsorships and partnerships, this is resource intensive and unlikely to result in a total figure sufficient enough to fulfil the apparent funding shortfall. It has been raised on many occasions that the business community benefits widely from the economic impact of bringing this and other events to Goulburn, yet a solution to engage and attract financial buy-in from the business community has not yet been realised.

The changing nature of Festivals and the increase of music events nationally has resulted in the ABMF needing to secure its place on the Festival calendar, and in turn re-position itself as the niche event that it is. It was never the intention of the ABMF to become as large an event as the Tamworth Country Music Festival, as Goulburn does not have the capacity to facilitate events of this size. What the Festival does have through design and intent, is a very strong patron loyalty, attracting hundreds of visitors, many spending 2-3 days in Goulburn enjoying the entertainment and frequenting businesses throughout the City. While patron numbers may remain relatively small, the potential is for this to grow and continue to be a high-yield event with recurring year-round visitation. The demographics of the existing patron base are highly desirable. They are



predominantly of the baby-boomer generation, have a high disposable income and have a good record of responsible behaviour. This demographic is closely followed by Generation X.

Since transitioning from a ticketed multi-venue Festival, to a free Festival, attendance numbers at the event have been difficult to measure, with no detailed surveys undertaken to capture this information. Observations of staff, the promoter, attendees and the community have indicated that attendance numbers have fluctuated over the years, which can be attributed to many factors including competing events, financial pressures and extreme weather conditions. In a time when Festivals across Australia are being shut down due to security concerns, health and safety risks, financial pressures and other concerns, the AMBF has an unblemished police record and presents very little risk to Council and the community.

The Australian Blues Music Festival contributes to the economic, social and cultural fabric of the Goulburn Mulwaree region, and should continue to be supported by Council and the community to ensure its longevity. A number of options have been considered in this report for Council in relation to the Festival and are presented below for consideration:

1. Sell – Whilst there is goodwill attached to the Festival, there is very little that would be gained from the purchase, with a logo, name, database and street banners the only assets attached to the Festival. It is also very likely that Council would be unable to find a buyer for the Festival given the lack of tangible materials and ownership associated with the purchase.
2. Do nothing and cease to run the Festival – the ABMF attracts significant cultural and economic returns for the community. Goulburn also achieves considerable exposure and recognition from its involvement in the festival, and benefits from return visitation and positive word of mouth from Festival patrons. The loss of the Festival would be a significant cultural and economic loss for Goulburn. Whilst it is acknowledged that very few local businesses financially support the Festival, the impact of ceasing the event would be felt by accommodation providers, businesses in the CBD and ancillary businesses serving the tourism and hospitality industry.
3. Council run – Whilst this model has worked well previously, much has changed with the organisation of the Festival and the staffing within the former Tourism Business Unit. Based on the current resourcing and budget provisions this is not considered an option.
4. Sub-contract – Sub-contracting the organisation/management of the ABMF presents the least risk to Council and ensures the continuation of the Festival. Due to local government procurement regulations, this would need to be undertaken through an Expression of Interest process. Upon selecting an appropriate contactor/promoter, this arrangement would be managed through a Deed of Agreement between Council and the contractor/promoter. This arrangement has worked well for the last ten years, despite a budget that has not reflected the changing nature of Festivals and the increased financial pressures. An increased budget would be required in order to attract sufficient interest from the market to take on the management of the Festival. To facilitate this, an additional \$10,000 has been allocated in the draft 2019/20 budget, providing a total allocation of \$30,000 towards the organisation, management and promotion of the Festival. Council staff are aware of a number of parties who have expressed an informal interest in running and managing the ABMF.

Based on the information provided in this report and the options available to Council, this report recommends that Council undertake an immediate Expression of Interest process for the organisation, management and promotion of the Australian Blues Music Festival for a five year period, with a total funding allocation of \$30,000 per annum, plus CPI, to be managed through a Deed of Agreement.

**12.12 BUSINESS DEVELOPMENT UPDATE**

**Author:** Jackson Reardon, Communications & Business Development Officer  
**Authoriser:** Warwick Bennett, General Manager  
**Attachments:** Nil

|  |  |
|--|--|
| <b>Link to Community Strategic Plan:</b> | Strategy EC1: Capiltlise on the region’s close proximity to Canberra and its position as a convenient location to attract industry and investment. |
| <b>Cost to Council:</b>                  | Nil  |
| <b>Use of Reserve Funds:</b>             | Nil  |

**RECOMMENDATION**

That the report from the Communications & Business Development Officer be received and noted for information.

**BACKGROUND**

The purpose of this report is to provide an update on Business Development activities that have been undertaken in the last two months.

**REPORT**

Throughout December and the first two months of 2019 Council has been dealing with a number of different business development enquiries, projects and events that highlight how our region is growing and thriving.

Our business development activities are guided by the Goulburn Mulwaree Employment Land Strategy and the Southern Tablelands Regional Economic Development Strategy. It is important to note that business development works as a ‘whole of council’ approach with projects being undertaken by the Executive Department, Marketing & Events unit and the Strategic Planning unit all having a positive effect in this area.

The report below summarises events, projects and enquiries over the past two months for Councillors to provide a picture of our ever-changing City and region.

***Goulburn Region Innovation Network:***

- Goulburn Connect

Council continues to work closely with the Goulburn Region Innovation Network which includes members from the Goulburn Chamber of commerce, Workspace 2580, The Collective, Regional Development Australia Southern Inland and the Southern Region Business Enterprise Centre. The group has established a monthly networking event called ‘Goulburn Connect’ which is held at The Collective on the first Tuesday of each month. This is not a typical networking or chamber of commerce style event, but a different take.

Each month around 5 local businesses have the chance to pitch to attendees for one minute; this is not allowed to be a sales focused pitch, but must be focused on an obstacle the business is facing or an area they are looking to collaborate with other local businesses. Goulburn Connect is regularly attracting strong numbers of diverse local business people and is providing an environment that is conducive to networking that our attendees are reporting enjoying.

Our first event in February 2019 attracted a crowd of over 35 locals, and included pitches from four local businesses along with a talk from Chief Inspector John Sheehan from Goulburn Police who spoke to the group about security for their business.

Goulburn Connect was also used as an opportunity to promote important consultation we are currently undertaking, with a 'pitch' delivered by the Communications & Business Development Officer highlighting the CBD Enhancement and Goulburn Mulwaree Housing Strategy.

The second event, held in the first week of March, was focused around collaboration between businesses. Goulburn Connect will continue to be held on the first Tuesday of each month throughout the year.

### **Goulburn Australia Campaign**

Throughout February the next stage of the business relocation focused 'Goulburn Australia' advertising and marketing campaign has been planned in conjunction with members of the Marketing & Events team.

In the second half of 2018 this campaign was focused on 2GB Radio in Sydney as a sponsorship arrangement with the 'Money News' segment. The Goulburn Australia advertisements were also included as a pre-cursor to the popular Money News podcast. We found this campaign to provide excellent value for money, and statistics show that this form of communication is a great way to reach our target market (business owners and employees in management roles).

This was renewed in February and we hope to have further success with relocating businesses from this key market.

Throughout the coming months we will also be advertising online My Business ([www.mybusiness.com.au](http://www.mybusiness.com.au)). The My Business website was chosen due to the statistics below:

- 81% of readers are business owners, business leaders or senior executives
- 53% of readers' businesses are between 4-100 people
- 52% of readers' businesses have an annual revenue of over \$1 million per year

Our campaign with My Business will begin in April.

### **Chicago Freight**

In December staff met with Chicago Freight "CF" along with staff from NSW Government Department of Premier and Cabinet. While rolling stock maintenance is the major part of the Goulburn business, they are also looking to grow the intermodal terminal. Companies that currently use the CF Goulburn maintenance facility are LINX Rail, Pacific National, Crawford's Freightliners, John Holland & and Qube Rail. CF also maintain their own rolling stock.

CF is looking for further opportunities to utilise their site in a better way by unlocking land on the south-western end of the site.

CF is a strong contributor to our local economy and a business that is continuing to expand. They have 20 employees and are looking to continue building upon this number.

As an organisation, they are looking to continue to build the freight hub side of their business while maintaining their log exporting arm. CF is the preferred terminal to co-ordinate the Heron Resources by exporting mineral concentrates in closed containers by rail from their mine at Woodlawn, south of Goulburn. Also, CF has been having discussions with Dragon Glass (see below in this report) in regards to importing the glass they will need; this will be a great success story for Goulburn if the partnership comes to fruition.

**Dragon Glass**

In late February we got an update on the progress of Dragon Glass, an innovative business being established in Goulburn. Dragon Glass is owned and operated by Kate Wendt, and is manufacturing hardened, glazed glass that will be mainly utilised in luxury building projects.

This is a business that Council has been working with for nearly a year, and it is fantastic to see them rolling their first glass through the production line for testing. The company is based in the Bradfordville Industrial area and already employs 5 locals with plans for continued expansion of their operation which will lead to further employment opportunities.

Dragon Glass chose Goulburn due to our location, affordability and rail links.

**Tribe Breweries**

After a number of years and multiple redesigns, Tribe Breweries have built a truly outstanding brewery right here in Goulburn.

Staff along with the Mayor and GM were able to walk through the business in late January and by now we expect they will be well into testing their equipment and brewing the first beers.

This is a wonderful success story for our region with over ten local staff already employed and plans for future expansion and employment.

**Other opportunities**

Over the first two months of 2019 Council staff have also met with organisations who operate in the fields of renewable energy, aged care and waste to energy. Each of these areas presents a great opportunity for Goulburn Mulwaree in terms of employment.

These discussions are in the early stages, but if they progress further staff will provide updates to council.

Staff are also working with two smaller scale drinks manufacturers, one of which brews kombucha while the other makes non-alcoholic cocktails. These are exciting opportunities with potential for growth, and we look forward to providing further updates and hopefully welcoming these companies to Goulburn during 2019.

**12.13 MONTHLY FINANCIAL REPORT**

**Author:** Kylie Newton, Business Manager Finance & Customer Service

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Monthly Financial Report [↓](#) 

|  |  |
|--|--|
| <b>Link to Community Strategic Plan:</b> | Delivery Plan Action CL1.2 - Ensure the long term financial sustainability of Council through effective and prudent financial management (CSP Strategy CL1 - Effect resourceful and respectful leadership and attentive representation of the community) |
| <b>Cost to Council:</b>                  | Nil  |
| <b>Use of Reserve Funds:</b>             | Nil  |

**RECOMMENDATION**

That the report by the Director Corporate & Community Services and the Business Manager Finance & Customer Service on the Financial Statements to 28 February 2019 be received and noted for information.

**BACKGROUND**

To provide details on Council’s actual income and expenditure compared to the estimate of Council’s income and expenditure.

This report is made in compliance with the requirements of the *Local Government (General) Regulation 2005 – Reg 202 (a)*, relating to Council's responsible accounting officer to maintain a system for budgetary control.

**REPORT**

The Attachment includes the Capital Expenditure Year-to-Date Reports by Directorate along with Directorate reports comparing Council’s year-to-date income and expenditure against the annual budget.

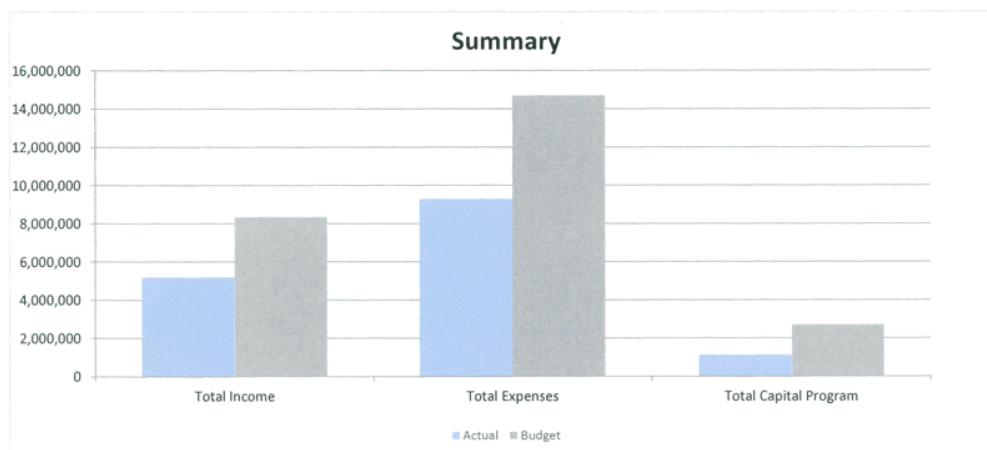


Council Directorate Summary Report for 2018/19  
for YTD Period Ending February

Date Report Run: 01-Mar-2019

Corporate and Community Services

| Description                                      | Original Budget 19PJOB | Actual YTD        | PJ Commit       | Works Commit    | Total Actual YTD  | Current Budget 19PJQ2 | % of Time:        |             |
|--|------------------------|-------------------|-----------------|-----------------|-------------------|-----------------------|-------------------|-------------|
|  |                        |                   |                 |                 |                   |                       | \$ Variance       | % of Budget |
| <b>Income</b>                                    |                        |                   |                 |                 |                   |                       |                   |             |
| User Charges & Fees                              | 334,529                | 222,639           | 0               | 0               | 222,639           | 334,529               | 111,890           | 67%         |
| Interest & Investment Revenue                    | 35,000                 | 19,171            | 0               | 0               | 19,171            | 35,000                | 15,829            | 55%         |
| Other Revenues                                   | 627,382                | 398,200           | 0               | 0               | 398,200           | 637,382               | 239,182           | 62%         |
| Operating Grants & Contributions                 | 473,600                | 408,967           | 0               | 0               | 408,967           | 495,350               | 86,383            | 83%         |
| Internal Income                                  | 5,834,152              | 3,889,416         | 0               | 0               | 3,889,416         | 5,869,152             | 1,979,736         | 66%         |
| <b>Total Income</b>                              | <b>7,304,663</b>       | <b>4,938,394</b>  | <b>0</b>        | <b>0</b>        | <b>4,938,394</b>  | <b>7,371,413</b>      | <b>2,433,019</b>  | <b>67%</b>  |
| <b>Expense</b>                                   |                        |                   |                 |                 |                   |                       |                   |             |
| Employee costs                                   | 6,181,923              | 3,746,534         | 7,217           | 0               | 3,753,752         | 6,076,923             | 2,323,171         | 62%         |
| Materials & Contracts                            | 2,502,623              | 1,624,799         | 333,865         | 0               | 1,958,665         | 2,665,753             | 707,088           | 73%         |
| Depreciation & Impairment                        | 860,761                | 577,290           | 0               | 0               | 577,290           | 979,621               | 402,331           | 59%         |
| Other Expenses                                   | 2,179,900              | 1,624,231         | 80,705          | 0               | 1,704,936         | 2,165,100             | 460,164           | 79%         |
| Internal Expenses                                | 2,815,989              | 1,736,763         | 0               | 0               | 1,736,763         | 2,815,989             | 1,079,226         | 62%         |
| <b>Total Expense</b>                             | <b>14,541,196</b>      | <b>9,309,618</b>  | <b>421,788</b>  | <b>0</b>        | <b>9,731,406</b>  | <b>14,703,386</b>     | <b>4,971,980</b>  | <b>66%</b>  |
| <b>Operating Surplus/(Deficit) before Capi</b>   | <b>-7,236,533</b>      | <b>-4,371,224</b> | <b>-421,788</b> | <b>0</b>        | <b>-4,793,012</b> | <b>-7,331,973</b>     | <b>-2,538,961</b> | <b>65%</b>  |
| <b>Capital Income</b>                            |                        |                   |                 |                 |                   |                       |                   |             |
| Capital Grants & Contributions                   | 250,000                | 276,048           | 0               | 0               | 276,048           | 386,803               | 110,755           | 71%         |
| <b>Operating Surplus/(Deficit) after Capital</b> | <b>-6,986,533</b>      | <b>-4,095,176</b> | <b>-421,788</b> | <b>0</b>        | <b>-4,516,964</b> | <b>-6,945,170</b>     | <b>-2,428,206</b> | <b>65%</b>  |
| <b>Non Cash</b>                                  |                        |                   |                 |                 |                   |                       |                   |             |
| Depreciation & Impairment                        | 860,761                | 577,290           | 0               | 0               | 577,290           | 979,621               | 402,331           | 59%         |
| WDV of Asset Disposals                           | 0                      | 231,012           | 0               | 0               | 231,012           | 0                     | -231,012          | 0%          |
| <b>Total Non Cash</b>                            | <b>860,761</b>         | <b>808,302</b>    | <b>0</b>        | <b>0</b>        | <b>808,302</b>    | <b>979,621</b>        | <b>0</b>          | <b>83%</b>  |
| <b>Investing Fund Flows</b>                      |                        |                   |                 |                 |                   |                       |                   |             |
| Capital Works                                    | -1,723,200             | -1,131,191        | -370            | -262,037        | -1,393,598        | -2,706,845            | -1,313,247        | 51%         |
| Asset Sales                                      | 1,500                  | 571,726           | 0               | 0               | 571,726           | 1,500                 | -570,226          | 38115%      |
| <b>Total Investing Fund Flows</b>                | <b>-1,721,700</b>      | <b>-559,466</b>   | <b>-370</b>     | <b>-262,037</b> | <b>-821,873</b>   | <b>-2,705,345</b>     | <b>-1,883,473</b> | <b>30%</b>  |
| <b>Financing Fund Flows</b>                      |                        |                   |                 |                 |                   |                       |                   |             |
| <b>Total Financing Fund Flows</b>                | <b>0</b>               | <b>0</b>          | <b>0</b>        | <b>0</b>        | <b>0</b>          | <b>0</b>              | <b>0</b>          | <b>0%</b>   |
| <b>Net Inc/(Dec) in Funds before Transfer:</b>   | <b>-7,847,472</b>      | <b>-3,846,340</b> | <b>-422,158</b> | <b>-262,037</b> | <b>-4,530,534</b> | <b>-8,670,894</b>     | <b>-4,140,360</b> | <b>52%</b>  |
| <b>Reserve Movements</b>                         |                        |                   |                 |                 |                   |                       |                   |             |
| Transfers to Other External Reserves             | -80,000                | 0                 | 0               | 0               | 0                 | -90,000               | -90,000           | 0%          |
| Transfers from Internal Reserves                 | 600,679                | 0                 | 0               | 0               | 0                 | 1,206,544             | 1,206,544         | 0%          |
| Transfers from Other External Reserves           | 185,000                | 0                 | 0               | 0               | 0                 | 258,255               | 258,255           | 0%          |
| <b>Total Reserve Movements</b>                   | <b>705,679</b>         | <b>0</b>          | <b>0</b>        | <b>0</b>        | <b>0</b>          | <b>1,374,799</b>      | <b>1,374,799</b>  | <b>0%</b>   |
| <b>Net Inc/(Dec) in Unrestricted Funds</b>       | <b>-7,141,793</b>      | <b>-3,846,340</b> | <b>-422,158</b> | <b>-262,037</b> | <b>-4,530,534</b> | <b>-7,296,095</b>     | <b>-2,765,560</b> | <b>62%</b>  |



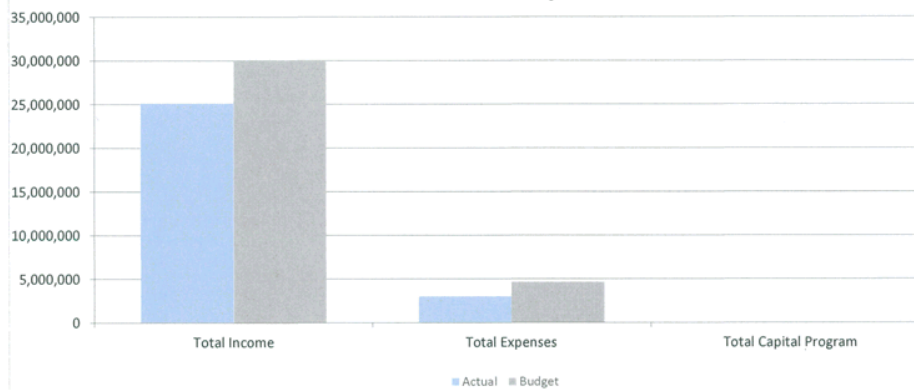


Council Directorate Summary Report for 2018/19  
for YTD Period Ending February

Date Report Run: 01-Mar-2019

| Description                                       | Original Budget 19PJ0B | Actual YTD        | PJ Commit      | Works Commit | Total Actual YTD  | Current Budget 19PJQ2 | % of Time:       |             |
|---|------------------------|-------------------|----------------|--------------|-------------------|-----------------------|------------------|-------------|
|   |                        |                   |                |              |                   |                       | \$ Variance      | % of Budget |
| <b>Executive Services</b>                         |                        |                   |                |              |                   |                       |                  |             |
| <b>Income</b>                                     |                        |                   |                |              |                   |                       |                  | <b>67%</b>  |
| Rates & Annual Charges                            | 19,551,040             | <u>19,529,043</u> | 0              | 0            | 19,529,043        | 19,551,040            | 21,997           | 100%        |
| User Charges & Fees                               | 5,942                  | <u>8,157</u>      | 0              | 0            | 8,157             | 5,942                 | -2,215           | 137%        |
| Interest & Investment Revenue                     | 650,000                | <u>127,375</u>    | 0              | 0            | 127,375           | 650,000               | 522,625          | 20%         |
| Other Revenues                                    | 69,802                 | <u>132,478</u>    | 0              | 0            | 132,478           | 82,975                | -49,503          | 160%        |
| Operating Grants & Contributions                  | 5,678,500              | <u>2,556,010</u>  | 0              | 0            | 2,556,010         | 5,683,500             | 3,127,490        | 45%         |
| Internal Income                                   | 4,139,447              | <u>2,759,640</u>  | 0              | 0            | 2,759,640         | 4,139,447             | 1,379,807        | 67%         |
| <b>Total Income</b>                               | <b>30,094,731</b>      | <b>25,112,704</b> | <b>0</b>       | <b>0</b>     | <b>25,112,704</b> | <b>30,112,904</b>     | <b>5,000,200</b> | <b>83%</b>  |
| <b>Expense</b>                                    |                        |                   |                |              |                   |                       |                  |             |
| Employee costs                                    | 3,112,114              | <u>2,117,484</u>  | 49,100         | 0            | 2,166,584         | 3,235,287             | 1,068,703        | 67%         |
| Materials & Contracts                             | 222,350                | <u>148,639</u>    | 10,198         | 0            | 158,836           | 257,941               | 99,105           | 62%         |
| Depreciation & Impairment                         | 1,709                  | <u>862</u>        | 0              | 0            | 862               | 1,723                 | 861              | 50%         |
| Other Expenses                                    | 696,240                | <u>409,515</u>    | 17,306         | 0            | 426,821           | 660,908               | 234,087          | 65%         |
| Internal Expenses                                 | 489,194                | <u>321,244</u>    | 0              | 0            | 321,244           | 489,194               | 167,950          | 66%         |
| <b>Total Expense</b>                              | <b>4,521,607</b>       | <b>2,997,743</b>  | <b>76,604</b>  | <b>0</b>     | <b>3,074,346</b>  | <b>4,645,053</b>      | <b>1,570,707</b> | <b>66%</b>  |
| <b>Operating Surplus/(Deficit) before Capital</b> | <b>25,573,124</b>      | <b>22,114,962</b> | <b>-76,604</b> | <b>0</b>     | <b>22,038,358</b> | <b>25,467,851</b>     | <b>3,429,493</b> | <b>87%</b>  |
| <b>Capital Income</b>                             |                        |                   |                |              |                   |                       |                  |             |
| <b>Operating Surplus/(Deficit) after Capital</b>  | <b>25,573,124</b>      | <b>22,114,962</b> | <b>-76,604</b> | <b>0</b>     | <b>22,038,358</b> | <b>25,467,851</b>     | <b>3,429,493</b> | <b>87%</b>  |
| <b>Non Cash</b>                                   |                        |                   |                |              |                   |                       |                  |             |
| Depreciation & Impairment                         | 1,709                  | 862               | 0              | 0            | 862               | 1,723                 | 861              | 50%         |
| <b>Total Non Cash</b>                             | <b>1,709</b>           | <b>862</b>        | <b>0</b>       | <b>0</b>     | <b>862</b>        | <b>1,723</b>          | <b>0</b>         | <b>50%</b>  |
| <b>Investing Fund Flows</b>                       |                        |                   |                |              |                   |                       |                  |             |
| Capital Works                                     | 0                      | 0                 | 0              | 0            | 0                 | 0                     | 0                | 0%          |
| Asset Sales                                       | 0                      | 0                 | 0              | 0            | 0                 | 0                     | 0                | 0%          |
| <b>Total Investing Fund Flows</b>                 | <b>0</b>               | <b>0</b>          | <b>0</b>       | <b>0</b>     | <b>0</b>          | <b>0</b>              | <b>0</b>         | <b>0%</b>   |
| <b>Financing Fund Flows</b>                       |                        |                   |                |              |                   |                       |                  |             |
| <b>Total Financing Fund Flows</b>                 | <b>0</b>               | <b>0</b>          | <b>0</b>       | <b>0</b>     | <b>0</b>          | <b>0</b>              | <b>0</b>         | <b>0%</b>   |
| <b>Net Inc/(Dec) in Funds before Transfers</b>    | <b>25,574,833</b>      | <b>22,115,823</b> | <b>-76,604</b> | <b>0</b>     | <b>22,039,220</b> | <b>25,469,574</b>     | <b>3,430,354</b> | <b>87%</b>  |
| <b>Reserve Movements</b>                          |                        |                   |                |              |                   |                       |                  |             |
| Transfers to Internal Reserves                    | -696,690               | 0                 | 0              | 0            | 0                 | -696,690              | -696,690         | 0%          |
| Transfers from Internal Reserves                  | 211,690                | 0                 | 0              | 0            | 0                 | 341,949               | 341,949          | 0%          |
| <b>Total Reserve Movements</b>                    | <b>-485,000</b>        | <b>0</b>          | <b>0</b>       | <b>0</b>     | <b>0</b>          | <b>-354,741</b>       | <b>-354,741</b>  | <b>0%</b>   |
| <b>Net Inc/(Dec) in Unrestricted Funds</b>        | <b>25,089,833</b>      | <b>22,115,823</b> | <b>-76,604</b> | <b>0</b>     | <b>22,039,220</b> | <b>25,114,833</b>     | <b>3,075,613</b> | <b>88%</b>  |

Summary

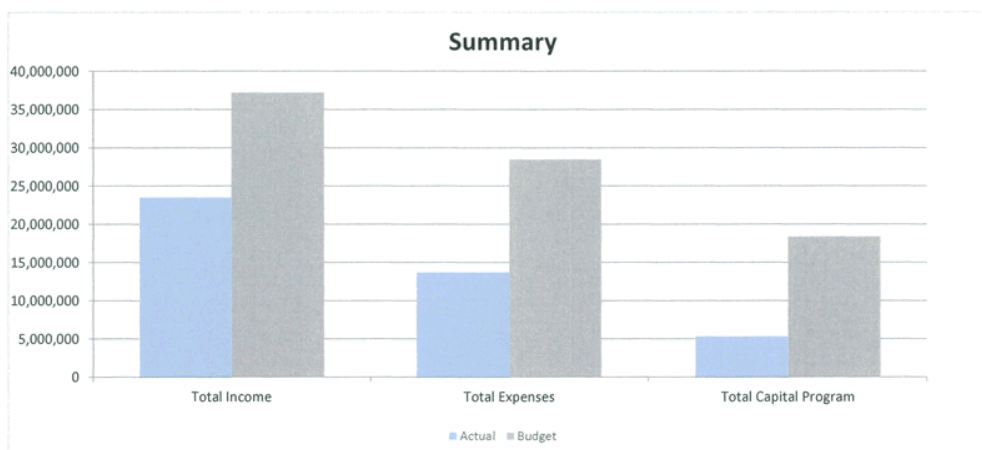




Council Directorate Summary Report for 2018/19  
for YTD Period Ending February

Date Report Run: 01-Mar-2019

| Utilities                                       |                        |                   |               |                   |                   |                       | % of Time:         | 67%         |
|---|------------------------|-------------------|---------------|-------------------|-------------------|-----------------------|--------------------|-------------|
| Description                                     | Original Budget 19PJOB | Actual YTD        | PJ Commit     | Works Commit      | Total Actual YTD  | Current Budget 19PJQ2 | \$ Variance        | % of Budget |
| <b>Income</b>                                   |                        |                   |               |                   |                   |                       |                    |             |
| Rates & Annual Charges                          | 14,872,946             | 12,501,254        | 0             | 0                 | 12,501,254        | 14,872,946            | 2,371,692          | 84%         |
| User Charges & Fees                             | 12,080,929             | 8,021,085         | 0             | 0                 | 8,021,085         | 12,085,468            | 4,064,383          | 66%         |
| Interest & Investment Revenue                   | 705,000                | 206,948           | 0             | 0                 | 206,948           | 705,000               | 498,052            | 29%         |
| Other Revenues                                  | 59,300                 | 243,763           | 0             | 0                 | 243,763           | 59,300                | -184,463           | 411%        |
| Operating Grants & Contributions                | 291,175                | 465,674           | 0             | 0                 | 465,674           | 291,175               | -174,499           | 160%        |
| Internal Income                                 | 2,908,000              | 1,305,328         | 0             | 0                 | 1,305,328         | 2,895,736             | 1,590,408          | 45%         |
| <b>Total Income</b>                             | <b>30,917,350</b>      | <b>22,744,052</b> | <b>0</b>      | <b>0</b>          | <b>22,744,052</b> | <b>30,909,625</b>     | <b>8,165,573</b>   | <b>74%</b>  |
| <b>Expense</b>                                  |                        |                   |               |                   |                   |                       |                    |             |
| Employee costs                                  | 6,119,833              | 3,513,327         | 0             | 0                 | 3,513,327         | 6,119,833             | 2,606,506          | 57%         |
| Materials & Contracts                           | 4,946,183              | 1,605,923         | 4,681         | 993,750           | 2,604,355         | 5,163,269             | 2,558,914          | 50%         |
| Borrowing Costs                                 | 1,253,502              | 767,360           | 0             | 0                 | 767,360           | 1,253,502             | 486,142            | 61%         |
| Depreciation & Impairment                       | 6,299,147              | 2,371,450         | 0             | 0                 | 2,371,450         | 6,322,739             | 3,951,289          | 38%         |
| Other Expenses                                  | 1,581,000              | 483,963           | 0             | 839               | 484,802           | 1,581,000             | 1,096,198          | 31%         |
| Internal Expenses                               | 8,021,207              | 4,991,310         | 0             | 0                 | 4,991,310         | 8,043,943             | 3,052,633          | 62%         |
| <b>Total Expense</b>                            | <b>28,220,872</b>      | <b>13,733,332</b> | <b>4,681</b>  | <b>994,590</b>    | <b>14,732,603</b> | <b>28,484,286</b>     | <b>13,751,683</b>  | <b>52%</b>  |
| <b>Operating Surplus/(Deficit) before Capit</b> | <b>2,696,478</b>       | <b>9,010,720</b>  | <b>-4,681</b> | <b>-994,590</b>   | <b>8,011,449</b>  | <b>2,425,339</b>      | <b>-5,586,110</b>  | <b>330%</b> |
| <b>Capital Income</b>                           |                        |                   |               |                   |                   |                       |                    |             |
| Capital Grants & Contributions                  | 2,400,000              | 808,277           | 0             | 0                 | 808,277           | 2,436,506             | 1,628,229          | 33%         |
| <b>Operating Surplus/(Deficit) after Capit</b>  | <b>5,096,478</b>       | <b>9,818,997</b>  | <b>-4,681</b> | <b>-994,590</b>   | <b>8,819,726</b>  | <b>4,861,845</b>      | <b>-3,957,881</b>  | <b>181%</b> |
| <b>Non Cash</b>                                 |                        |                   |               |                   |                   |                       |                    |             |
| Depreciation & Impairment                       | 6,299,147              | 2,371,450         | 0             | 0                 | 2,371,450         | 6,322,739             | 3,951,289          | 38%         |
| <b>Total Non Cash</b>                           | <b>6,299,147</b>       | <b>2,371,450</b>  | <b>0</b>      | <b>0</b>          | <b>2,371,450</b>  | <b>6,322,739</b>      | <b>0</b>           | <b>38%</b>  |
| <b>Investing Fund Flows</b>                     |                        |                   |               |                   |                   |                       |                    |             |
| Capital Works                                   | -17,195,847            | -5,400,408        | 0             | -2,176,366        | -7,576,774        | -18,386,994           | -10,810,220        | 41%         |
| Asset Sales                                     | 0                      | 0                 | 0             | 0                 | 0                 | 0                     | 0                  | 0%          |
| <b>Total Investing Fund Flows</b>               | <b>-17,195,847</b>     | <b>-5,400,408</b> | <b>0</b>      | <b>-2,176,366</b> | <b>-7,576,774</b> | <b>-18,386,994</b>    | <b>-10,810,220</b> | <b>41%</b>  |
| <b>Financing Fund Flows</b>                     |                        |                   |               |                   |                   |                       |                    |             |
| Loan Principal                                  | -951,669               | -646,295          | 0             | 0                 | -646,295          | -951,669              | -305,374           | 68%         |
| Proceeds from Borrowings                        | 3,000,000              | 0                 | 0             | 0                 | 0                 | 0                     | 0                  | 0%          |
| <b>Total Financing Fund Flows</b>               | <b>2,048,331</b>       | <b>-646,295</b>   | <b>0</b>      | <b>0</b>          | <b>-646,295</b>   | <b>-951,669</b>       | <b>-305,374</b>    | <b>68%</b>  |
| <b>Net Inc/(Dec) in Funds before Transfers</b>  | <b>-3,751,891</b>      | <b>6,143,744</b>  | <b>-4,681</b> | <b>-3,170,956</b> | <b>2,968,107</b>  | <b>-8,154,079</b>     | <b>-11,122,186</b> | <b>-36%</b> |
| <b>Reserve Movements</b>                        |                        |                   |               |                   |                   |                       |                    |             |
| Transfers to Developer Contributions            | -1,150,000             | -581,299          | 0             | 0                 | -581,299          | -1,150,000            | -568,701           | 51%         |
| Transfers from Internal Reserves                | 637,736                | 0                 | 0             | 0                 | 0                 | 867,855               | 867,855            | 0%          |
| Transfers from Developer Contributions          | 1,501,877              | 0                 | 0             | 0                 | 0                 | 1,501,877             | 1,501,877          | 0%          |
| Transfers from Other External Reserves          | 3,237,856              | 0                 | 0             | 0                 | 0                 | 7,434,509             | 7,434,509          | 0%          |
| <b>Total Reserve Movements</b>                  | <b>4,227,469</b>       | <b>-581,299</b>   | <b>0</b>      | <b>0</b>          | <b>-581,299</b>   | <b>8,654,241</b>      | <b>9,235,540</b>   | <b>-7%</b>  |
| <b>Net Inc/(Dec) in Unrestricted Funds</b>      | <b>475,578</b>         | <b>5,562,445</b>  | <b>-4,681</b> | <b>-3,170,956</b> | <b>2,386,808</b>  | <b>500,162</b>        | <b>-1,886,647</b>  | <b>477%</b> |





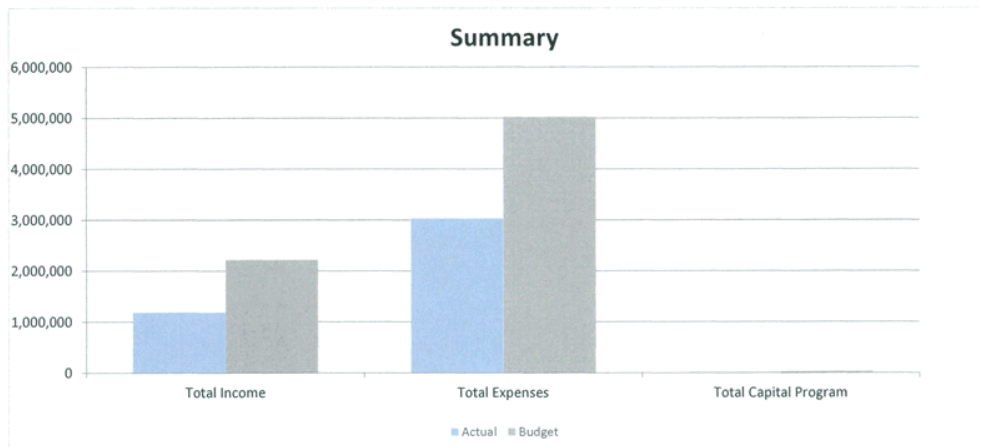


Council Directorate Summary Report for 2018/19  
for YTD Period Ending February

Date Report Run: 01-Mar-2019

Planning & Environment

| Description                                    | Original Budget 19PJ0B | Actual YTD        | PJ Commit       | Works Commit | Total Actual YTD  | Current Budget 19PJQ2 | % of Time:       |              |
|--|------------------------|-------------------|-----------------|--------------|-------------------|-----------------------|------------------|--------------|
|  |                        |                   |                 |              |                   |                       | \$ Variance      | % of Budget  |
| <b>Income</b>                                  |                        |                   |                 |              |                   |                       |                  |              |
| User Charges & Fees                            | 1,632,828              | 803,280           | 0               | 0            | 803,280           | 1,632,828             | 829,548          | 49%          |
| Other Revenues                                 | 70,320                 | 69,688            | 0               | 0            | 69,688            | 65,320                | -4,368           | 107%         |
| Operating Grants & Contributions               | 506,333                | 314,497           | 0               | 0            | 314,497           | 506,333               | 191,836          | 62%          |
| <b>Total Income</b>                            | <b>2,209,481</b>       | <b>1,187,466</b>  | <b>0</b>        | <b>0</b>     | <b>1,187,466</b>  | <b>2,204,481</b>      | <b>1,017,015</b> | <b>54%</b>   |
| <b>Expense</b>                                 |                        |                   |                 |              |                   |                       |                  |              |
| Employee costs                                 | 2,738,641              | 1,675,026         | 0               | 0            | 1,675,026         | 2,735,903             | 1,060,877        | 61%          |
| Materials & Contracts                          | 656,700                | 400,237           | 247,772         | 0            | 648,009           | 873,550               | 225,541          | 74%          |
| Depreciation & Impairment                      | 18,496                 | 10,028            | 0               | 0            | 10,028            | 20,057                | 10,029           | 50%          |
| Other Expenses                                 | 45,900                 | 39,764            | 0               | 0            | 39,764            | 45,900                | 6,136            | 87%          |
| Internal Expenses                              | 1,354,399              | 903,996           | 0               | 0            | 903,996           | 1,354,399             | 450,403          | 67%          |
| <b>Total Expense</b>                           | <b>4,814,136</b>       | <b>3,029,051</b>  | <b>247,772</b>  | <b>0</b>     | <b>3,276,824</b>  | <b>5,029,809</b>      | <b>1,752,985</b> | <b>65%</b>   |
| <b>Operating Surplus/(Deficit) before Capi</b> | <b>-2,604,655</b>      | <b>-1,841,586</b> | <b>-247,772</b> | <b>0</b>     | <b>-2,089,358</b> | <b>-2,825,328</b>     | <b>-735,970</b>  | <b>74%</b>   |
| <b>Capital Income</b>                          |                        |                   |                 |              |                   |                       |                  |              |
| Capital Grants & Contributions                 | 0                      | 598               | 0               | 0            | 598               | 0                     | -598             | 0%           |
| <b>Operating Surplus/(Deficit) after Capit</b> | <b>-2,604,655</b>      | <b>-1,840,988</b> | <b>-247,772</b> | <b>0</b>     | <b>-2,088,760</b> | <b>-2,825,328</b>     | <b>-736,568</b>  | <b>74%</b>   |
| <b>Non Cash</b>                                |                        |                   |                 |              |                   |                       |                  |              |
| Depreciation & Impairment                      | 18,496                 | 10,028            | 0               | 0            | 10,028            | 20,057                | 10,029           | 50%          |
| <b>Total Non Cash</b>                          | <b>18,496</b>          | <b>10,028</b>     | <b>0</b>        | <b>0</b>     | <b>10,028</b>     | <b>20,057</b>         | <b>0</b>         | <b>50%</b>   |
| <b>Investing Fund Flows</b>                    |                        |                   |                 |              |                   |                       |                  |              |
| Capital Works                                  | -30,000                | -16,632           | -157            | 0            | -16,789           | -30,000               | -13,212          | 56%          |
| Asset Sales                                    | 0                      | 0                 | 0               | 0            | 0                 | 0                     | 0                | 0%           |
| <b>Total Investing Fund Flows</b>              | <b>-30,000</b>         | <b>-16,632</b>    | <b>-157</b>     | <b>0</b>     | <b>-16,789</b>    | <b>-30,000</b>        | <b>-13,212</b>   | <b>56%</b>   |
| <b>Financing Fund Flows</b>                    |                        |                   |                 |              |                   |                       |                  |              |
| <b>Total Financing Fund Flows</b>              | <b>0</b>               | <b>0</b>          | <b>0</b>        | <b>0</b>     | <b>0</b>          | <b>0</b>              | <b>0</b>         | <b>0%</b>    |
| <b>Net Inc/(Dec) in Funds before Transfers</b> | <b>-2,616,159</b>      | <b>-1,847,591</b> | <b>-247,929</b> | <b>0</b>     | <b>-2,095,520</b> | <b>-2,835,271</b>     | <b>-739,751</b>  | <b>74%</b>   |
| <b>Reserve Movements</b>                       |                        |                   |                 |              |                   |                       |                  |              |
| Transfers to Developer Contributions           | -300,000               | -225,534          | 0               | 0            | -225,534          | -300,000              | -74,466          | 75%          |
| Transfers from Internal Reserves               | 176,320                | 0                 | 0               | 0            | 0                 | 366,320               | 366,320          | 0%           |
| Transfers from Other External Reserves         | 0                      | 0                 | 0               | 0            | 0                 | 7,182                 | 7,182            | 0%           |
| <b>Total Reserve Movements</b>                 | <b>-123,680</b>        | <b>-225,534</b>   | <b>0</b>        | <b>0</b>     | <b>-225,534</b>   | <b>73,502</b>         | <b>299,035</b>   | <b>-307%</b> |
| <b>Net Inc/(Dec) in Unrestricted Funds</b>     | <b>-2,739,839</b>      | <b>-2,073,124</b> | <b>-247,929</b> | <b>0</b>     | <b>-2,321,054</b> | <b>-2,761,769</b>     | <b>-440,715</b>  | <b>84%</b>   |

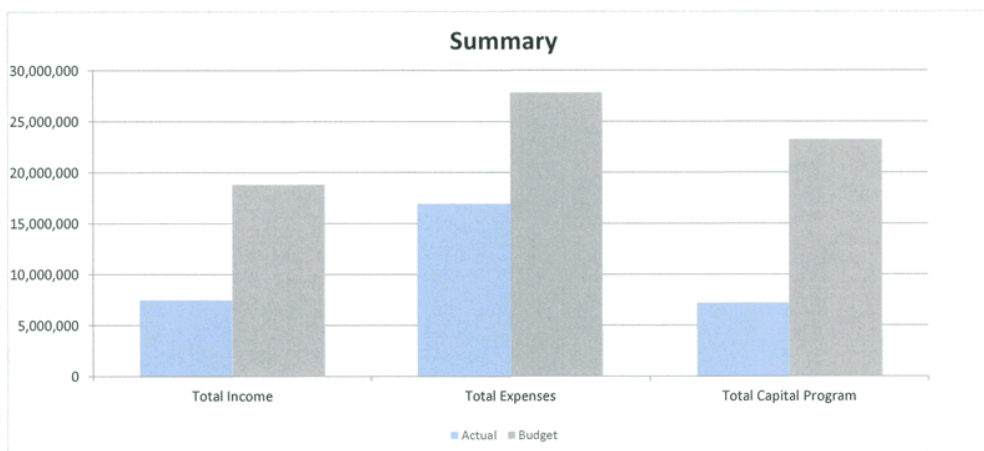




Council Directorate Summary Report for 2018/19  
for YTD Period Ending February

Date Report Run: 01-Mar-2019

| Description                                    | Original Budget 19PJ0B | Actual YTD         | PJ Commit     | Works Commit      | Total Actual YTD   | Current Budget 19PJQ2 | % of Time:        |              |
|--|------------------------|--------------------|---------------|-------------------|--------------------|-----------------------|-------------------|--------------|
|  |                        |                    |               |                   |                    |                       | \$ Variance       | % of Budget  |
| <b>Operations</b>                              |                        |                    |               |                   |                    |                       |                   |              |
| <b>Income</b>                                  |                        |                    |               |                   |                    |                       |                   |              |
| User Charges & Fees                            | 1,157,401              | 790,625            | 0             | 0                 | 790,625            | 1,157,401             | 366,776           | 68%          |
| Other Revenues                                 | 35,184                 | 31,093             | 0             | 0                 | 31,093             | 56,184                | 25,091            | 55%          |
| Operating Grants & Contributions               | 1,872,119              | 1,393,369          | 0             | 0                 | 1,393,369          | 2,263,372             | 870,003           | 62%          |
| Internal Income                                | 4,569,029              | 2,995,875          | 0             | 0                 | 2,995,875          | 4,569,029             | 1,573,154         | 66%          |
| <b>Total Income</b>                            | <b>7,633,733</b>       | <b>5,210,961</b>   | <b>0</b>      | <b>0</b>          | <b>5,210,961</b>   | <b>8,045,986</b>      | <b>2,835,025</b>  | <b>65%</b>   |
| <b>Expense</b>                                 |                        |                    |               |                   |                    |                       |                   |              |
| Employee costs                                 | 6,162,803              | 4,355,478          | 0             | 11,603            | 4,367,081          | 6,109,166             | 1,742,085         | 71%          |
| Materials & Contracts                          | 3,795,552              | 2,903,164          | 4,791         | 633,657           | 3,541,613          | 4,491,775             | 950,162           | 79%          |
| Borrowing Costs                                | 206,632                | 108,803            | 0             | 0                 | 108,803            | 206,632               | 97,829            | 53%          |
| Depreciation & Impairment                      | 10,920,587             | 5,287,661          | 0             | 0                 | 5,287,661          | 10,776,560            | 5,488,899         | 49%          |
| Other Expenses                                 | 1,699,020              | 1,138,871          | 0             | 681               | 1,139,552          | 1,699,020             | 559,468           | 67%          |
| Internal Expenses                              | 4,544,143              | 3,164,874          | 0             | 0                 | 3,164,874          | 4,546,055             | 1,381,181         | 70%          |
| <b>Total Expense</b>                           | <b>27,328,737</b>      | <b>16,958,851</b>  | <b>4,791</b>  | <b>645,941</b>    | <b>17,609,584</b>  | <b>27,829,208</b>     | <b>10,219,624</b> | <b>63%</b>   |
| <b>Operating Surplus/(Deficit) before Capi</b> | <b>-19,695,004</b>     | <b>-11,747,890</b> | <b>-4,791</b> | <b>-645,941</b>   | <b>-12,398,622</b> | <b>-19,783,222</b>    | <b>-7,384,600</b> | <b>63%</b>   |
| <b>Capital Income</b>                          |                        |                    |               |                   |                    |                       |                   |              |
| Capital Grants & Contributions                 | 12,291,522             | 2,280,708          | 0             | 0                 | 2,280,708          | 8,026,868             | 5,746,160         | 28%          |
| <b>Operating Surplus/(Deficit) after Capit</b> | <b>-7,403,482</b>      | <b>-9,467,182</b>  | <b>-4,791</b> | <b>-645,941</b>   | <b>-10,117,914</b> | <b>-11,756,354</b>    | <b>-1,638,440</b> | <b>86%</b>   |
| <b>Non Cash</b>                                |                        |                    |               |                   |                    |                       |                   |              |
| Depreciation & Impairment                      | 10,920,587             | 5,287,661          | 0             | 0                 | 5,287,661          | 10,776,560            | 5,488,899         | 49%          |
| WDV of Asset Disposals                         | 0                      | 223,300            | 0             | 0                 | 223,300            | 0                     | -223,300          | 0%           |
| <b>Total Non Cash</b>                          | <b>10,920,587</b>      | <b>5,510,961</b>   | <b>0</b>      | <b>0</b>          | <b>5,510,961</b>   | <b>10,776,560</b>     | <b>0</b>          | <b>51%</b>   |
| <b>Investing Fund Flows</b>                    |                        |                    |               |                   |                    |                       |                   |              |
| Capital Works                                  | -40,213,874            | -7,230,264         | 0             | -7,713,213        | -14,943,477        | -23,257,094           | -8,313,617        | 64%          |
| Asset Sales                                    | 2,449,500              | 118,948            | 0             | 0                 | 118,948            | 2,449,500             | 2,330,552         | 5%           |
| <b>Total Investing Fund Flows</b>              | <b>-37,764,374</b>     | <b>-7,111,316</b>  | <b>0</b>      | <b>-7,713,213</b> | <b>-14,824,529</b> | <b>-20,807,594</b>    | <b>-5,983,065</b> | <b>71%</b>   |
| <b>Financing Fund Flows</b>                    |                        |                    |               |                   |                    |                       |                   |              |
| Loan Principal                                 | -677,498               | -418,835           | 0             | 0                 | -418,835           | -677,498              | -258,663          | 62%          |
| Proceeds from Borrowings                       | 11,760,000             | 0                  | 0             | 0                 | 0                  | 1,000,000             | 1,000,000         | 0%           |
| <b>Total Financing Fund Flows</b>              | <b>11,082,502</b>      | <b>-418,835</b>    | <b>0</b>      | <b>0</b>          | <b>-418,835</b>    | <b>322,502</b>        | <b>741,337</b>    | <b>-130%</b> |
| <b>Net Inc/(Dec) in Funds before Transfers</b> | <b>-23,164,767</b>     | <b>-11,486,372</b> | <b>-4,791</b> | <b>-8,359,154</b> | <b>-19,850,317</b> | <b>-21,464,886</b>    | <b>-1,614,569</b> | <b>92%</b>   |
| <b>Reserve Movements</b>                       |                        |                    |               |                   |                    |                       |                   |              |
| Transfers to Internal Reserves                 | -525,018               | 0                  | 0             | 0                 | 0                  | -1,497,806            | -1,497,806        | 0%           |
| Transfers to Developer Contributions           | -1,005,000             | -688,881           | 0             | 0                 | -688,881           | -1,005,000            | -316,119          | 69%          |
| Transfers to Other External Reserves           | 0                      | 0                  | 0             | 0                 | 0                  | -221,057              | -221,057          | 0%           |
| Transfers from Internal Reserves               | 3,674,174              | 0                  | 0             | 0                 | 0                  | 3,506,158             | 3,506,158         | 0%           |
| Transfers from Developer Contributions         | 2,048,094              | 0                  | 0             | 0                 | 0                  | 1,862,358             | 1,862,358         | 0%           |
| Transfers from Other External Reserves         | 694,230                | 0                  | 0             | 0                 | 0                  | 1,051,582             | 1,051,582         | 0%           |
| <b>Total Reserve Movements</b>                 | <b>4,886,480</b>       | <b>-688,881</b>    | <b>0</b>      | <b>0</b>          | <b>-688,881</b>    | <b>3,696,235</b>      | <b>4,385,116</b>  | <b>-19%</b>  |
| <b>Net Inc/(Dec) in Unrestricted Funds</b>     | <b>-18,278,287</b>     | <b>-12,175,253</b> | <b>-4,791</b> | <b>-8,359,154</b> | <b>-20,539,199</b> | <b>-17,768,651</b>    | <b>2,770,547</b>  | <b>116%</b>  |



Operations Capital Report by Business Unit for 2018/19  
for YTD Period Ending February



Date Report Run: 01-Mar-2019

| List By               | Description                                   | Renewal %    | Original Budget 19PJ08 | Actual YTD | Total Actual YTD | Current Budget 19PJQ2 | \$ Variance | % of Budget | Status                         | Comments  |
|-----------------------|---|--------------|------------------------|------------|------------------|-----------------------|-------------|-------------|--------------------------------|---|
| <b>200 - Projects</b> |   |              |                        |            |                  |                       |             |             |                                |   |
| 190021                | Rocky Hill Museum Extension - Construct (G)   | Renewal 0%   | 1,658,671              | 364,511    | 364,511          | 2,517,504             | 2,152,993   | 14%         | On time, on budget             | GeoTech issues, redo footing design                                 |
| 190026                | Performing Arts Centre (G)                    | Renewal 0%   | 9,395,000              | 204,393    | 204,393          | 800,000               | 595,607     | 26%         | On time, on budget             | STI phase underway with tenders closing 2 April 19                  |
| 190027                | Sandstone Restoration McDermott Centre (G)    | Renewal 100% | 100,000                | 0          | 0                | 100,000               | 100,000     | 0%          | Not due to commence            | Scope to be identified  |
| 190029                | Nadigomar Bridge Replacement (G)              | Renewal 100% | 0                      | 392,145    | 392,145          | 468,710               | 76,565      | 84%         | Completed                      |   |
| 190030                | Community Centre (G)                          | Renewal 0%   | 1,100,000              | 0          | 0                | 0                     | 0           | 0%          | Not commenced                  | Project has been deferred   |
| 190031                | Growing Local Economies (G)                   | Renewal 0%   | 6,200,000              | 20,416     | 20,416           | 422,355               | 401,939     | 5%          | On time, on budget             | Traffic modelling awarded   |
| 190049                | Aquatic Centre Renewal                        | Renewal 100% | 2,350,000              | 357,236    | 357,236          | 750,000               | 392,764     | 48%         | Late, expected to be overspent | Design completed to 75%, awaiting planning approvals                |
| 190052                | Aquatic Centre Upgrade (G)                    | Renewal 0%   | 3,000,000              | 43,917     | 43,917           | 0                     | -43,917     | 0%          | Late, expected to be overspent | Design completed to 75%, awaiting planning approvals                |
| 190084                | Nadigomar Realignment                         | Renewal 100% | 0                      | 223,476    | 223,476          | 188,038               | -35,438     | 119%        | Completed                      |   |
| 190121                | Blackspot - Roundabout (G)                    | Renewal 0%   | 0                      | 12,715     | 12,715           | 260,000               | 247,285     | 5%          | On time, on budget             | Services relocated, works to commence 15th March 2019               |
| 190132                | SCC Riverside Park Project (G)                | Renewal 0%   | 0                      | 7,532      | 7,532            | 50,000                | 42,468      | 15%         | On time, on budget             | Commenced site clean-up, including fence removal and site levelling |
| 190133                | Woolldilly River/Trail - Stage2 (G)           | Renewal 0%   | 1,735,000              | 535,029    | 535,029          | 1,936,302             | 1,401,273   | 28%         | Late, expected to be on budget | Bridge contractor commenced late Feb 19, Pier design reworked       |
| 190143                | BR May St Bridge replacement                  | Renewal 100% | 1,000,000              | 37,226     | 37,226           | 150,000               | 112,774     | 25%         | Not due to commence            |   |
| 190163                | Blackspot Sandy Point Road (G)                | Renewal 60%  | 0                      | 13,381     | 13,381           | 445,000               | 431,619     | 3%          | Not due to commence            | Site establishment in March 19                                      |
| 190164                | Oatlen Ford Rd Fatal Crash Response (G)       | Renewal 0%   | 0                      | 77,159     | 77,159           | 75,686                | -3,473      | 105%        | Completed                      |   |
| 190205                | NSW Safer Roads Flashing Signs (G)            | Renewal 0%   | 0                      | 11,608     | 11,608           | 11,608                | 0           | 100%        | Completed                      |   |
| 190207                | SCC - Tarago Playground Equip (G)             | Renewal 0%   | 0                      | 14,610     | 14,610           | 33,772                | 19,162      | 43%         | On time, on budget             | Playground in production  |
| 190208                | SCC - Marulan Amenities Block (G)             | Renewal 0%   | 0                      | 2,708      | 2,708            | 87,124                | 84,416      | 3%          | On time, on budget             | Toilet ordered  |
| 190222                | Woolldilly Walking & Cycle Trail Lighting (G) | Renewal 0%   | 0                      | 0          | 0                | 444,087               | 444,087     | 0%          | Not due to commence            | Funding approved, RFT to be advertised in March 19                  |
|                       |   |              | 27,078,671             | 2,318,064  | 2,318,064        | 8,738,186             | 6,420,122   | 27%         |                                |   |

Date Report Run: 01-Mar-2019

Operations Capital Report by Business Unit for 2018/19  
for YTD Period Ending February



| List by | Description  | Renewal %    | Original Budget 19/10/18 | Actual YTD | Total Actual YTD | Current Budget 19/10/18 |            | % of Budget | Status                         | Comments  |
|---------|--|--------------|--------------------------|------------|------------------|-------------------------|------------|-------------|--------------------------------|---|
|         |  |              |                          |            |                  | 19/10/18                | % Variance |             |                                |   |
| 190079  | 210 - Operations                                   |              |                          | 11         | 11               | 264,217                 | 264,206    | 68%         | Not due to commence            |   |
| 190080  | RRBG - Highland Way (G)                            | Renewal 100% | 364,462                  | 68,944     | 68,944           | 118,843                 | 49,899     | 58%         | Late, expected to be on budget | Construction to commence in April 20                  |
| 190081  | RRBG - Taralga Road - Rural (G)                    | Renewal 100% | 68,277                   | 6,678      | 6,678            | 68,277                  | 61,599     | 10%         | Not due to commence            | Construction to commence in February 19               |
| 190082  | RRBG - Taralga Road - Urban (G)                    | Renewal 100% | 15,000                   | 11,331     | 11,331           | 15,000                  | 3,669      | 76%         | Completed                      |   |
| 190083  | Bus Shelters Renewal                               | Renewal 100% | 0                        | 23,653     | 23,653           | 8,000                   | -15,653    | 296%        | Completed                      | Overspend to be adjusted in quarterly review          |
| 190084  | Drainage Racecourse Drive CO                       | Renewal 0%   | 0                        | 162,860    | 162,860          | 98,000                  | -64,860    | 166%        | Completed                      | Overspend to be adjusted in quarterly review          |
| 190085  | Drainage Slocombe St - Loder to Stewart Sts CO     | Renewal 100% | 80,000                   | 6,700      | 6,700            | 88,000                  | 81,300     | 8%          | Not due to commence            |   |
| 190086  | Drainage Church Street Roundabout                  | Renewal 100% | 120,000                  | 612        | 612              | 120,000                 | 119,388    | 1%          | On time, on budget             |   |
| 190087  | Drainage General Urban                             | Renewal 100% | 300,000                  | 72,709     | 72,709           | 300,000                 | 227,291    | 24%         | Pending Council agreement      |   |
| 190088  | CBD Masterplan Implementation                      | Renewal 0%   | 0                        | 12,276     | 12,276           | 13,367                  | 1,091      | 92%         | Not commenced                  | Deferred to 19-20                                     |
| 190089  | FP Auburn St - Walker to Mundy Sts CO              | Renewal 100% | 0                        | 13,054     | 13,054           | 14,215                  | 1,161      | 92%         | Not commenced                  | Deferred to 19-20                                     |
| 190091  | FP Auburn St - Mundy to Eldon Sts CO               | Renewal 100% | 0                        | 2,714      | 2,714            | 2,955                   | 241        | 92%         | Not commenced                  | Deferred to 19-20                                     |
| 190092  | FP Addison St - Deccan to College Sts CO           | Renewal 100% | 45,001                   | 886        | 886              | 0                       | -886       | 0%          | Not commenced                  | Deferred to 19-20                                     |
| 190093  | FP Clinton Street (Bourke - Auburn) Replacement    | Renewal 100% | 45,953                   | 6,111      | 6,111            | 45,953                  | 39,842     | 13%         | Late, expected to be on budget |   |
| 190094  | FP Auburn Street (Citizen - Shepherds) Replacement | Renewal 100% | 20,476                   | 1,565      | 1,565            | 20,476                  | 18,911     | 8%          | Not due to commence            |   |
| 190095  | FP Auburn Street (Glebe - Walkers) Replacement     | Renewal 100% | 103,540                  | 997        | 997              | 0                       | -997       | 0%          | Not due to commence            |   |
| 190096  | FP May Street (Park Rd - bridge)                   | Renewal 0%   | 30,290                   | 232        | 232              | 30,290                  | 30,058     | 1%          | Not commenced                  | Deferred to 19-20                                     |
| 190097  | FP Rhoda Street (Combermere - Garfield)            | Renewal 0%   | 40,950                   | 8,411      | 8,411            | 40,950                  | 32,539     | 21%         | Not commenced                  | Deferred to 19-20                                     |
| 190098  | FP Rhoda Street (Garfield - Addison)               | Renewal 0%   | 13,260                   | 2,556      | 2,556            | 13,260                  | 10,704     | 19%         | Not commenced                  | Deferred to 19-20                                     |
| 190099  | FP Addison Street (Rhoda - Duke)                   | Renewal 0%   | 11,960                   | 1,346      | 1,346            | 11,960                  | 10,614     | 11%         | Not due to commence            |   |
| 190100  | FP Addison Street (Coolinda Cl - Francis)          | Renewal 0%   | 451,554                  | 420,723    | 420,723          | 451,554                 | 30,831     | 93%         | On time, on budget             |   |
| 190101  | Gravel Resurfacing                                 | Renewal 100% | 42,797                   | 219        | 219              | 42,797                  | 42,578     | 1%          | Not due to commence            | Awaiting program                                      |
| 190102  | Guardrails - Sealed Rural - Local                  | Renewal 100% | 41,671                   | 2,364      | 2,364            | 41,671                  | 39,307     | 6%          | Late, expected to be on budget | Awaiting program                                      |
| 190103  | K&G Memorial Road (Southbound toward War Memorial) | Renewal 100% | 8,000                    | 0          | 0                | 8,000                   | 8,000      | 0%          | Late, expected to be on budget | Delay in program, awaiting gas services to be lowered |
| 190104  | K&G Mulvaees Street (Bradley St end)               | Renewal 100% | 28,000                   | 6,216      | 6,216            | 28,000                  | 21,784     | 22%         | Late, expected to be on budget | Delay in program, awaiting gas services to be lowered |
| 190107  | K&G Auburn Street (Citizen - Shepherds)            | Renewal 100% | 84,000                   | 0          | 0                | 84,000                  | 84,000     | 0%          | Late, expected to be on budget | Delay in program, awaiting gas services to be lowered |
| 190108  | RHL Collector Rd - Veolia Sec34                    | Renewal 100% | 43,686                   | 22,375     | 22,375           | 43,686                  | 21,311     | 51%         | Completed                      |   |
| 190109  | RHL Bungendore Rd - Veolia Sec 94                  | Renewal 100% | 131,058                  | 20,832     | 20,832           | 131,058                 | 110,226    | 16%         | Not due to commence            | Scope has been reduced                                |
| 190110  | RTR Dallen Ford Road - RR Rehab (G)                | Renewal 100% | 235,712                  | 25,954     | 25,954           | 235,712                 | 209,758    | 11%         | On time, on budget             | For completion in early March 19                      |
| 190111  | RTR Currawang Road - RR Rehab (G)                  | Renewal 100% | 223,520                  | 86,975     | 86,975           | 123,520                 | 36,545     | 70%         | Late, expected to be on budget |   |
| 190112  | RTR Mountain Ash Road - RR Rehab (G)               | Renewal 100% | 48,768                   | 468,870    | 468,870          | 471,970                 | 3,100      | 99%         | Completed                      |   |
| 190113  | Rural Resealing                                    | Renewal 100% | 600,000                  | 94,510     | 94,510           | 357,924                 | 263,414    | 26%         | On time, on budget             | To be completed mid April 19                          |
| 190114  | Urban Resealing                                    | Renewal 100% | 600,000                  | 186,468    | 186,468          | 430,812                 | 244,344    | 43%         | On time, on budget             | To be completed mid April 20                          |
| 190115  | UR Rehab - Brayton Rd (Wollondilly - George)       | Renewal 100% | 147,445                  | 67         | 67               | 147,445                 | 147,378    | 0%          | On time, on budget             | To be completed this week                             |
| 190116  | UR Rehab - Sowerby St                              | Renewal 100% | 126,605                  | 813        | 813              | 126,605                 | 125,792    | 1%          | Completed                      | Awaiting contractor invoices                          |
| 190117  | UR Rehab - Old Sydney Rd (Old Hume Hwy - end)      | Renewal 100% | 58,251                   | 0          | 0                | 58,251                  | 58,251     | 0%          | Late, expected to be on budget | Scheduled for completion at the end of March 19       |
| 190118  | UR Rehab - Wheeto Rd                               | Renewal 100% | 126,147                  | 3,227      | 3,227            | 126,147                 | 122,920    | 3%          | Completed                      | Awaiting contractor invoices                          |
| 190119  | UR Rehab - Mary St                                 | Renewal 100% | 558,630                  | 62,413     | 62,413           | 558,630                 | 496,217    | 11%         | Late, expected to be on budget | Contractors commenced on 28 Feb 19                    |
| 190120  | K&G May Street (Existing - Bridge)                 | Renewal 0%   | 128,000                  | 40         | 40               | 0                       | -40        | 0%          | Not due to commence            |   |
| 190122  | Norwood Rd SRR Construction (G)                    | Renewal 0%   | 46,000                   | 22,264     | 22,264           | 22,264                  | 0          | 100%        | Completed                      |   |

Date Report Run: 01-Mar-2019

Operations Capital Report by Business Unit for 2018/19  
for YTD Period Ending February



| List By | Description  | Renewal %    | Original Budget 19PQ0 | Actual YTD | Total Actual YTD | Current Budget 19PQ2 | \$ Variance | % of Time | % of Budget | Status                            | Comments   |
|---------|--|--------------|-----------------------|------------|------------------|----------------------|-------------|-----------|-------------|-----------------------------------|--|
| 190123  | Parkbourne Road SRR Construction                   | Renewal 0%   | 346,000               | 296,500    | 296,500          | 310,695              | 14,195      | 95%       | 68%         | Completed                         |  |
| 190124  | Windellama Rd - Widening                           | Renewal 0%   | 396,500               | 101,265    | 101,265          | 296,500              | 195,235     | 34%       |             | On time, on budget                | Deferred to 19-20  |
| 190125  | Widening - Range Rd                                | Renewal 0%   | 195,940               | 2,543      | 2,543            | 0                    | -2,543      | 0%        |             | Not commenced                     | Combined with RTR, widening and reselling                      |
| 190126  | Widening - Mountain Ash Rd                         | Renewal 0%   | 161,514               | 14         | 14               | 0                    | -14         | 0%        |             | Completed                         |  |
| 190128  | St Lighting and Traffic facilities                 | Renewal 0%   | 24,000                | 827        | 827              | 24,000               | 23,173      | 3%        |             | Late, expected to be on budget    |  |
| 190129  | UR Con Sanctuary Dr - complete to River St         | Renewal 0%   | 6,965                 | 36,965     | 36,965           | 20,000               | 16,935      | 18%       |             | On time, on budget                | Underspend to be adjusted in quarterly review                  |
| 190130  | UR Con Lockyer - Tail Extension                    | Renewal 0%   | 1,000,000             | 117,210    | 117,210          | 100,000              | -17,210     | 117%      |             | Not commenced                     | Project not required   |
| 190135  | Riverside Walkway - Tree Planting CO               | Renewal 0%   | 700,000               | 0          | 0                | 0                    | 0           | 0%        |             | Not commenced                     | Budget review required   |
| 190136  | City Wide Exercise Equipment                       | Renewal 0%   | 40,000                | 45,000     | 45,000           | 40,000               | -5,000      | 113%      |             | Completed                         |  |
| 190137  | Other Parks/Reserves Replacements                  | Renewal 100% | 20,000                | 0          | 0                | 20,000               | 20,000      | 0%        |             | Not commenced                     |  |
| 190138  | Upgrade Leggett Park (G)                           | Renewal 100% | 0                     | 50,526     | 50,526           | 50,000               | -526        | 101%      |             | Late, expected to be overspent    | Playground completed, skate ramp to commence March 19          |
| 190140  | City Wide Creek Bed Improvements                   | Renewal 100% | 35,000                | 0          | 0                | 41,000               | 41,000      | 0%        |             | On time, on budget                | Willow removal below the Weir to commence in April 19          |
| 190144  | Light Fleet Replacements                           | Renewal 0%   | 500,000               | 182,590    | 277,360          | 500,000              | 222,640     | 55%       |             | Late, expected to be on budget    |  |
| 190145  | Minor Plant Replacements                           | Renewal 0%   | 45,000                | 64,042     | 64,042           | 45,000               | -19,042     | 142%      |             | On time, on budget                |  |
| 190146  | Heavy Fleet Replacements                           | Renewal 0%   | 1,210,000             | 486,482    | 486,482          | 1,597,400            | 1,110,918   | 30%       |             | Late, expected to be on budget    |  |
| 190147  | RRP - Bungendore Rd SRR Repair (G)                 | Renewal 100% | 52,895                | 2,006      | 2,006            | 52,000               | 49,994      | 4%        |             | Not due to commence               | Construction to commence in April 19                           |
| 190148  | RRP - Tanalga Rd SRR Repair (G)                    | Renewal 100% | 31,171                | 1,382      | 1,382            | 36,000               | 34,618      | 4%        |             | Late, expected to be on budget    | Construction to commence in January 19                         |
| 190149  | RRP - Tanalga Urban Repair (G)                     | Renewal 100% | 75,934                | 64,438     | 64,438           | 72,000               | 7,562       | 89%       |             | On time, on budget                |  |
| 190155  | Blackspot Highlands Way (G)                        | Renewal 100% | 0                     | 88,413     | 88,413           | 117,870              | 29,457      | 75%       |             | Completed                         |  |
| 190157  | FP Mundy St - Sloane to Auburn St CO               | Renewal 100% | 0                     | 13,282     | 13,282           | 14,464               | 1,182       | 92%       |             | Not commenced                     | Underspend to be adjusted in quarterly review                  |
| 190160  | UR Rehab - Sloane St CO                            | Renewal 100% | 0                     | 9,672      | 9,672            | 25,200               | 15,528      | 38%       |             | Not commenced                     | Budget to be transferred to R2R Mountain Ash Road              |
| 190161  | K&G Ruby St Renewal CO                             | Renewal 100% | 0                     | 6,150      | 6,150            | 0                    | -6,150      | 0%        |             | Not commenced                     | Deferred to 19-20  |
| 190165  | CPTIGS Bus Shelters (G)                            | Renewal 70%  | 0                     | 0          | 0                | 128,000              | 128,000     | 0%        |             | Not due to commence               | Project to commence in March 19, awaiting delivery of shelters |
| 190166  | Gurndah Rd SRR Reconstruction                      | Renewal 100% | 0                     | 253,248    | 253,248          | -204,290             | -48,958     | 126%      |             | On time, expected to be overspent | Transfers to occur in quarterly review                         |
| 190168  | K&G Foster St Renewal                              | Renewal 100% | 0                     | 21,709     | 21,709           | 0                    | -21,709     | 0%        |             | Not commenced                     | Deferred to 19-20  |
| 190169  | K&G Opal St Renewal                                | Renewal 100% | 0                     | 1,567      | 1,567            | 0                    | -1,567      | 0%        |             | Not commenced                     | Deferred to 19-20  |
| 190184  | Jerrara Rd / Oullen Ford Rd Rural/Seal/Local Rehab | Renewal 100% | 0                     | 8,138      | 8,138            | 0                    | -8,138      | 0%        |             | Not due to commence               | Pending completion of works for Mulliquip                      |
| 190185  | Brayton Rd / Ambrose Rd Rural/Seal/Local Rehab     | Renewal 100% | 0                     | 104,576    | 104,576          | 0                    | -104,576    | 0%        |             | On time, on budget                | Project expenditure to be included in 190215                   |
| 190186  | Mayfield Rd SRR Construction (1km)                 | Renewal 0%   | 0                     | 20,498     | 20,498           | 29,772               | 9,274       | 69%       |             | Completed                         |  |
| 190191  | Drainage Hetherington St Depot                     | Renewal 0%   | 0                     | 75,175     | 75,175           | 23,736               | -51,439     | 317%      |             | On time, expected to be overspent | Transfer budget from Drainage Urban                            |
| 190192  | UR Rehab - Chilton St (Aurburn to Victoria)        | Renewal 0%   | 0                     | 0          | 0                | 214,704              | 214,704     | 0%        |             | Not commenced                     | Deferred to 19-20  |
| 190193  | UR Bugonia Rd Reconstruction                       | Renewal 100% | 0                     | 6,500      | 6,500            | 800,000              | 793,500     | 1%        |             | Not due to commence               |  |
| 190209  | UR Rehab - Union/Grafton St                        | Renewal 100% | 0                     | 377        | 377              | 0                    | -377        | 0%        |             | Completed                         | Expenditure to be transferred                                  |
| 190210  | Range Road - Fixing Country Roads (G)              | Renewal 40%  | 0                     | 0          | 0                | 80,000               | 80,000      | 0%        |             | Not due to commence               | RFQ has been released  |
| 190215  | RHL Brayton Rd - Gunlake Sec 94                    | Renewal 100% | 0                     | 239        | 239              | -268,000             | -267,761    | 0%        |             | Late, expected to be on budget    | 2 week delay in construction commencing                        |
| 190216  | RHL Ambrose Rd - Gunlake Sec 94                    | Renewal 100% | 0                     | 19,000     | 19,000           | 402,060              | 383,060     | 5%        |             | Late, expected to be on budget    | 3 week delay in construction commencing                        |
|         |  |              | 10,009,810            | 3,908,308  | 4,003,078        | 10,457,500           | 6,549,192   | 37%       |             |                                   |  |

Operations Capital Report by Business Unit for 2018/19  
for YTD Period Ending February



Date Report Run: 01-Mar-2019

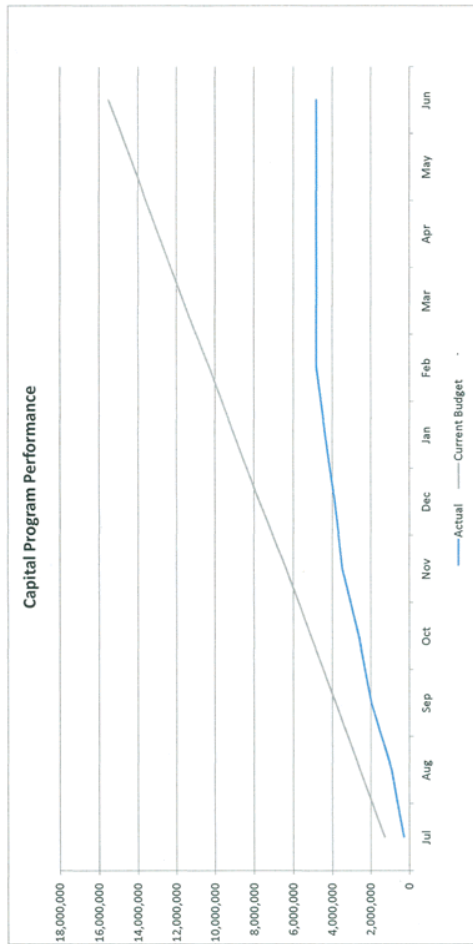
| List By | Description                             | Renewal %    | Original Budget 19/19/08 | Actual YTD       | Total Actual YTD | Current Budget 19/19/02 | % of Time:        |             | Status                            | Comments  |
|---------|---|--------------|--------------------------|------------------|------------------|-------------------------|-------------------|-------------|-----------------------------------|---|
|         |   |              |                          |                  |                  |                         | \$ Variance       | % of Budget |                                   |   |
| 190050  | 220 - Community Facilities              |              |                          |                  |                  |                         |                   |             |                                   |   |
| 190051  | Outdoor/Indoor Ancillary Area Renewals  | Renewal 100% | 30,000                   | 14,939           | 14,939           | 30,000                  | 15,061            | 50%         | On time, on budget                | Upgrading plant and equipment                                   |
| 190052  | Plant & Equipment - Aquatic Centre      | Renewal 100% | 50,000                   | 18,910           | 18,910           | 50,000                  | 31,090            | 38%         | On time, on budget                | Upgrading plant and equipment                                   |
| 190053  | Recreation Area Improvements            | Renewal 100% | 50,000                   | 15,327           | 15,327           | 50,000                  | 34,673            | 31%         | On time, on budget                |   |
| 190054  | Electrical Renewal Rec Area             | Renewal 100% | 50,000                   | 12,801           | 12,801           | 50,000                  | 37,199            | 26%         | Not commenced                     | Project slipped due to job upgrade, due to commence in April 19 |
| 190055  | Security Renewal Rec Area               | Renewal 100% | 40,000                   | 0                | 0                | 40,000                  | 40,000            | 0%          | Not commenced                     | Project to commence in April 19                                 |
| 190056  | Belmore Park Improvements               | Renewal 100% | 145,000                  | 1,437            | 1,437            | 145,000                 | 143,563           | 1%          | Late, expected to be on budget    | Construction due to commence in June 19                         |
| 190057  | Avenues of Honour - Tree Planting       | Renewal 0%   | 50,000                   | 13,300           | 13,300           | 83,269                  | 69,969            | 16%         | On time, on budget                |   |
| 190059  | Slate Park Upgrade (G)                  | Renewal 0%   | 366,671                  | 638              | 638              | 366,671                 | 366,033           | 0%          | Not due to commence               |   |
| 190060  | CEB Asset Renewals                      | Renewal 100% | 20,000                   | 19,758           | 19,758           | 20,000                  | 242               | 99%         | On time, on budget                |   |
| 190061  | Playground Facility Renewals            | Renewal 100% | 70,000                   | 5,192            | 5,192            | 70,000                  | 64,809            | 7%          | On time, on budget                |   |
| 190062  | Seiffert Oval Lighting Renewal (G)      | Renewal 100% | 528,174                  | 2,890            | 2,890            | 578,174                 | 575,284           | 0%          | Not due to commence               | Council have requested change to scope                          |
| 190063  | Seiffert Oval pavillion (G)             | Renewal 100% | 830,000                  | 50,332           | 50,332           | 830,103                 | 779,771           | 6%          | On time, on budget                | Manufacturing commenced, 12 week build time                     |
| 190064  | Rage Cage (G)                           | Renewal 0%   | 260,526                  | 42,443           | 42,443           | 260,526                 | 218,083           | 16%         | Late, expected to be on budget    | Project to commence in May 19                                   |
| 190066  | Memorial Gardens Beams                  | Renewal 0%   | 25,000                   | 0                | 0                | 25,000                  | 25,000            | 0%          | Not due to commence               | Project to commence in April 19                                 |
| 190067  | Irrigation & Turfing - General Cemetery | Renewal 0%   | 100,000                  | 0                | 0                | 100,000                 | 100,000           | 0%          | Not commenced                     |   |
| 190068  | Building Asset Replacement              | Renewal 100% | 40,000                   | 432              | 432              | 40,000                  | 39,568            | 1%          | On time, on budget                |   |
| 190069  | Civic Centre Furniture & Fittings       | Renewal 100% | 10,000                   | 7,352            | 7,352            | 10,000                  | 2,648             | 74%         | On time, on budget                |   |
| 190070  | Civic Centre Landscaping                | Renewal 100% | 30,000                   | 160,818          | 160,818          | 51,500                  | -109,318          | 312%        | On time, expected to be overspent | Budget review required  |
| 190071  | Civic Centre Office Renovations         | Renewal 100% | 0                        | 204,479          | 204,479          | 200,000                 | -4,479            | 102%        | On time, expected to be overspent | Budget review required  |
| 190072  | Visitor Information Centre Renewals     | Renewal 100% | 0                        | 14,805           | 14,805           | 0                       | -14,805           | 0%          | Not Operations project            |   |
| 190073  | Civic Centre Upgrade                    | Renewal 0%   | 80,000                   | 0                | 0                | 118,500                 | 118,500           | 0%          | Not commenced                     |   |
| 190074  | Clinton St Offices Upgrade              | Renewal 100% | 0                        | 137,114          | 137,114          | 132,800                 | -4,314            | 103%        | On time, expected to be overspent | Budget review required  |
| 190075  | Civic Centre Carpet Renewal             | Renewal 100% | 20,000                   | 4,288            | 4,288            | 20,000                  | 15,713            | 21%         | On time, on budget                | Budget review required  |
| 190076  | City Entrances - Welcome Signs          | Renewal 0%   | 50,000                   | 11,186           | 11,186           | 50,000                  | 38,814            | 22%         | On time, on budget                | Budget review required  |
| 190077  | Hetherington St Depot Amenities Block   | Renewal 0%   | 30,000                   | 28,141           | 28,141           | 30,000                  | 1,859             | 94%         | On time, on budget                | Duplicate project   |
| 190141  | CRIFP Rec Area Amenities - Renewal (G)  | Renewal 100% | 100,000                  | 0                | 0                | 0                       | 0                 | 0%          | Completed                         | Project to commence in March 19                                 |
| 190142  | Tarago Toilet/RV Dump Point (G)         | Renewal 0%   | 123,022                  | 100,154          | 100,154          | 92,260                  | -7,894            | 109%        | Completed                         | Council resolved to proceed to DA                               |
| 190154  | Civic Centre Security Renewal           | Renewal 100% | 0                        | 0                | 0                | 21,850                  | 21,850            | 0%          | Late, expected to be on budget    |   |
| 190156  | Goulburn Hockey Fields - Design         | Renewal 0%   | 0                        | 18,608           | 18,608           | 136,000                 | 117,393           | 14%         | On time, on budget                | Completed   |
| 190158  | Goodhue Park Renewal (G) CO             | Renewal 100% | 0                        | 49,656           | 49,656           | 43,992                  | -5,664            | 113%        | Late, expected to be overspent    | Budget review required  |
| 190159  | Hudson Park Playground Renewal (G) CO   | Renewal 100% | 0                        | 58,314           | 58,314           | 58,727                  | 413               | 99%         | Late, expected to be on budget    | Project to commence in March 19                                 |
| 190167  | CRIFP Rec Area Amenities Renewal (G)    | Renewal 100% | 0                        | 765              | 765              | 153,022                 | 152,257           | 0%          | Late, expected to be on budget    |   |
| 190190  | Victoria park Lighting                  | Renewal 0%   | 0                        | 0                | 0                | 25,000                  | 25,000            | 0%          | Not due to commence               |   |
| 190206  | SCC Hudson park Toilet Block (G)        | Renewal 0%   | 0                        | 1,196            | 1,196            | 152,014                 | 150,818           | 1%          | Not due to commence               | RFT evaluation completed, successful respondent to be advised   |
| 190032  | 230 - Asset & Design                    | Renewal 100% | 3,098,393                | 995,473          | 995,473          | 4,034,408               | 3,038,935         | 25%         | On time, on budget                |   |
|         | Survey Equipment                        | Renewal 100% | 27,000                   | 8,419            | 8,419            | 27,000                  | 18,581            | 31%         | On time, on budget                |   |
|         |   |              | 27,000                   | 8,419            | 8,419            | 27,000                  | 18,581            | 31%         |                                   |   |
|         | <b>Total Capital Program</b>            |              | <b>26,869,249</b>        | <b>4,830,376</b> | <b>4,883,355</b> | <b>15,504,729</b>       | <b>10,684,954</b> | <b>31%</b>  |                                   |   |



Operations Capital Report by Business Unit for 2018/19  
for YTD Period Ending February

Date Report Run: 01-Mar-2019

| List By | Description | Renewal % | Original Budget 19P10B | Actual YTD | Total Actual YTD | Current Budget 19PQ2 | % of Time: \$ Variance | % of Budget | Status | Comments |
|---------|-------------|-----------|------------------------|------------|------------------|----------------------|------------------------|-------------|--------|----------|
|         |             |           |                        |            |                  |                      |                        | 68%         |        |          |



Utilities Capital Report by Business Unit for 2018/19  
for YTD Period Ending February



Date Report Run: 01-Mar-2019

| Description   | Renewal %    | Original Budget 19PJOB | Actual YTD | PJ Commit | Works Commit | Total Actual YTD | Current Budget 19PJ02 | \$ Variance | % of Budget | Status                                       | Comments   |
|---|--------------|------------------------|------------|-----------|--------------|------------------|-----------------------|-------------|-------------|--|--|
|   |              |                        |            |           |              |                  |                       |             |             |  |  |
| <b>240 - Waste Management</b>                         |              |                        |            |           |              |                  |                       |             |             |  |  |
| Environmental Improvement Works Goulburn              | Renewal 100% | 150,000                | 16,805     | 0         | 0            | 16,805           | 150,000               | 133,195     | 11%         | On time, underspent                          | All funds may not be needed this year due to works completed last financial year. If not fully spent, funds to be transferred to reserve for other projects (eg RUG upgrade, compost, fencing or drill mud). |
| Environmental Improvement Works Manildra              | Renewal 100% | 200,000                | 14,694     | 0         | 0            | 14,694           | 200,000               | 185,306     | 7%          | On time, on budget                           | Spray cover machine being purchased for site   |
| Goulburn WMC Improvements - Renewal CO                | Renewal 100% | 0                      | 0          | 0         | 0            | 0                | 0                     | 0           | 0%          | Late, not expected to be completed this year | Refer 190046 Funds won't be required until next financial year   |
| Replacement Bins & Lifters                            | Renewal 100% | 80,000                 | 3,839      | 0         | 0            | 3,839            | 175,000               | 171,161     | 5%          | On time, on budget                           | Bins purchased   |
| Tarago WMC Improvements - Amenities CO                | Renewal 100% | 20,000                 | 58,355     | 0         | 0            | 58,355           | 70,000                | 11,645      | 83%         | On time, on budget                           | Amenities installed  |
| Tarago WMC Environmental Works                        | Renewal 100% | 20,000                 | 0          | 0         | 0            | 0                | 20,000                | 0           | 0%          | Not commenced                                | Reviewing site requirements  |
| Green Waste Processing                                | Renewal 0%   | 200,000                | 464        | 0         | 0            | 464              | 200,000               | 199,536     | 0%          | Late, not expected to be completed this year | Grant received for compost pad upgrade. Work will be completed this year or carried over to next year dependant on grant time frames   |
| Tarago WMC Improvements - Power CO                    | Renewal 0%   | 0                      | 11,600     | 0         | 0            | 11,600           | 60,000                | 48,400      | 19%         | On time, on budget                           | DA process underway. Construction process to commence following DA approval and receipt of EPA Licence Variation.  |
| Goulburn WMC Liquid Waste Facilities                  | Renewal 0%   | 450,000                | 0          | 0         | 0            | 0                | 525,000               | 525,000     | 0%          | Late, not expected to be completed this year | A grant has become available to assist with litter fencing so these funds may be carried over to form part of a contribution toward this grant if successful in 19/20  |
| WMC Fencing - Cont to illegal CO                      | Renewal 100% | 0                      | 0          | 0         | 0            | 0                | 0                     | 0           | 0%          | Late, not expected to be completed this year | Design underway. Construction will be dependant on DA approval.  |
| Goulburn WMC Improvements - New                       | Renewal 0%   | 4,000,000              | 285,984    | 0         | 0            | 285,984          | 19,361                | 514,016     | 36%         | Late, not expected to be completed this year |  |
| Commercial Waste Tubs - Renew                         | Renewal 100% | 35,000                 | 29,423     | 0         | 0            | 29,423           | 35,000                | 5,577       | 84%         | On time, on budget                           |  |
| Commercial Waste Tubs - New                           | Renewal 0%   | 5,000                  | 0          | 0         | 0            | 0                | 5,000                 | 0           | 0%          | On time, on budget                           |  |
| Community Recycling Facility (G)                      | Renewal 0%   | 0                      | 0          | 0         | 0            | 0                | 20,000                | 20,000      | 0%          | Late, not expected to be completed this year | As per 190046, part of upgrade   |
| <b>250 - Water Services</b>                           |              |                        |            |           |              |                  |                       |             |             |  |  |
| Goulburn WTP Ladder Hatch Renewal                     | Renewal 100% | 100,000                | 421,164    | 0         | 0            | 421,164          | 2,359,361             | 1,938,197   | 88%         | On time, on budget                           |  |
| Goulburn Telemetry Upgrade - Water                    | Renewal 100% | 250,000                | 0          | 0         | 0            | 0                | 100,000               | 100,000     | 0%          | On time, on budget                           | 360 Engineering engaged to undertake works.  |
| Goulburn WTP Mechanical Works and Entrance            | Renewal 100% | 150,000                | 3,372      | 0         | 0            | 3,372            | 250,000               | 250,000     | 0%          | On time, underspent                          |  |
| Manildra Renewable Energy Project - Water             | Renewal 100% | 100,000                | 0          | 0         | 0            | 0                | 150,000               | 146,628     | 2%          | On time, on budget                           |  |
| Goulburn WTP Raw Water Augmentation                   | Renewal 0%   | 900,000                | 17,052     | 0         | 0            | 17,052           | 100,000               | 973,848     | 2%          | On time, underspent                          | Consultant ARUP engaged to undertake detailed feasibility study for solar systems at Goulburn WWTP and Manildra WTP.   |
| Re-wiring Utility Wing                                | Renewal 100% | 15,000                 | 0          | 0         | 0            | 0                | 15,000                | 15,000      | 0%          | On time, on budget                           | Safe and secure grant application submitted.   |
| Retooling Renewal                                     | Renewal 100% | 2,500,000              | 0          | 0         | 0            | 0                | 2,500,000             | 2,500,000   | 0%          | Late, expected to be on budget               | Tenders closed, design to commence 11/03/2019  |
| Water Connections - Private Works                     | Renewal 100% | 155,847                | 156,947    | 0         | 0            | 156,947          | 155,847               | -800        | 101%        | On time, on budget                           | Quotations received  |
| Chlorine Dosing Trailer                               | Renewal 100% | 75,000                 | 0          | 0         | 0            | 0                | 75,000                | 75,000      | 0%          | On time, on budget                           | Quotations received  |
| Hetherington St Depot Improvements                    | Renewal 100% | 80,000                 | 0          | 0         | 0            | 0                | 80,000                | 80,000      | 0%          | On time, on budget                           |  |
| Water Meter Replacement                               | Renewal 100% | 100,000                | 26,495     | 0         | 0            | 26,495           | 100,000               | 73,505      | 26%         | On time, on budget                           | Construction begins 11/03/2019   |
| Potable Low Level Standpipes                          | Renewal 0%   | 150,000                | 0          | 0         | 0            | 0                | 150,000               | 150,000     | 0%          | On time, on budget                           |  |
| Water Quality Sampling System                         | Renewal 0%   | 160,000                | 66,499     | 0         | 0            | 66,499           | 160,000               | 93,501      | 42%         | On time, on budget                           |  |
| Goulburn WTP Soda Ash Feeder Replacement CO           | Renewal 100% | 0                      | 3,368      | 0         | 0            | 3,368            | 41,000                | 37,632      | 8%          | On time, on budget                           |  |
| Manildra WTP & Balance Tank - Hatch/Ladder Renewal CO | Renewal 100% | 0                      | 0          | 0         | 0            | 0                | 26,000                | 26,000      | 0%          | On time, on budget                           |  |
| Craig's Hill Reservoir Renewal CO                     | Renewal 100% | 4,735,847              | 273,433    | 0         | 0            | 273,433          | 67,000                | 4,667,414   | 6%          | On time, on budget                           |  |
| <b>260 - Waste Water Services</b>                     |              |                        |            |           |              |                  |                       |             |             |  |  |
| Bonnet Park FS Augmentation                           | Renewal 100% | 500,000                | 0          | 0         | 0            | 0                | 500,000               | 500,000     | 0%          | On time, on budget                           |  |
| Manildra Pump Station Improvements                    | Renewal 100% | 60,000                 | 0          | 0         | 0            | 0                | 60,000                | 60,000      | 0%          | On time, on budget                           |  |
| Pump Replacements                                     | Renewal 100% | 45,000                 | 0          | 0         | 0            | 0                | 45,000                | 45,000      | 0%          | On time, on budget                           |  |
| Goulburn Mains Rehabilitation                         | Renewal 100% | 2,000,000              | 1,442,976  | 0         | 0            | 1,442,976        | 2,000,000             | 557,024     | 72%         | On time, on budget                           | Completed  |
| Performing Arts Centre Rehabilitation                 | Renewal 100% | 0                      | 48,630     | 0         | 0            | 48,630           | 131,904               | 83,275      | 37%         | Completed                                    |  |
| Manildra WWTP - Feasibility & Concept Des             | Renewal 100% | 100,000                | 0          | 0         | 0            | 0                | 100,000               | 100,000     | 0%          | On time, on budget                           |  |
| STWRIS Stage 1 Design and Construction (G)            | Renewal 100% | 0                      | 3,112,218  | 0         | 0            | 3,112,218        | 3,614,882             | 502,664     | 86%         | On time, on budget                           | Sealing continuing   |
| Demolition of Old WWTP                                | Renewal 100% | 500,000                | 20,197     | 0         | 0            | 20,197           | 500,000               | 479,804     | 4%          | On time, on budget                           |  |





Utilities Capital Report by Business Unit for 2018/19  
for YTD Period Ending February

Date Report Run: 01-Mar-2019

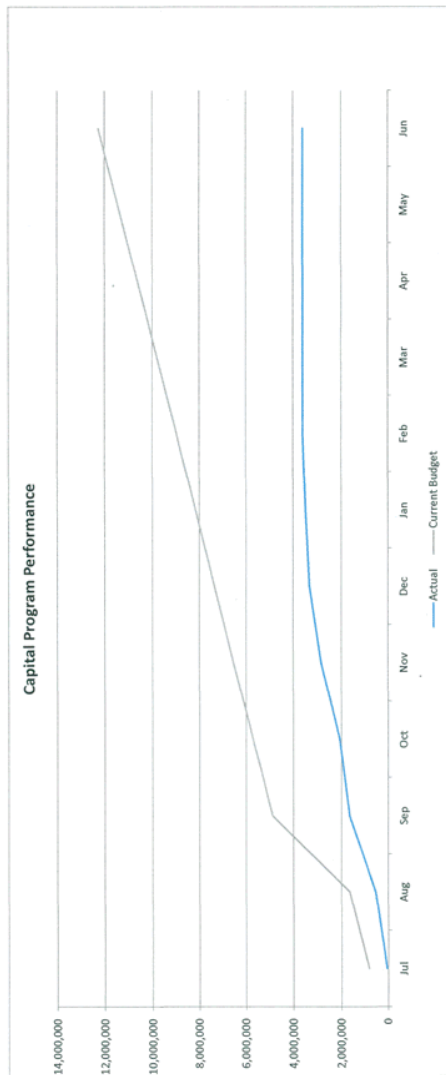
| Description                                     | Renewal %    | Original Budget 19PJ08 | Actual YTD       | PJ Commit | Works Commit | Total Actual YTD | Current Budget 19PJ02 | % of Time:       |             | Status                                       | Comments   |
|---|--------------|------------------------|------------------|-----------|--------------|------------------|-----------------------|------------------|-------------|--|--|
|   |              |                        |                  |           |              |                  |                       | \$ Variance      | % of Budget |  |  |
| STWRIS Stage 2 Reuse Irrigation Scheme (C)      | Renewal 0%   | 2,500,000              | 81,361           | 0         | 0            | 81,361           | 2,500,000             | 2,418,639        | 3%          | On time, underspent                          | Consultant Cardno engaged to undertake concept design and detailed design of reuse transfer and irrigation system. Funds carryover expected for construction in 19/20. |
| Chyde St SPS Access Road                        | Renewal 100% | 100,000                | 0                | 0         | 0            | 0                | 100,000               | 100,000          | 0%          | Completed                                    |  |
| Kenmore Bridge Pump Station Upgrade             | Renewal 100% | 500,000                | 430              | 0         | 0            | 430              | 500,000               | 499,570          | 0%          | Late, expected to be on budget               |  |
| Nth Gbn PS Rising Main-Capacity & Storage       | Renewal 100% | 250,000                | 0                | 0         | 0            | 0                | 250,000               | 250,000          | 0%          | On time, on budget                           |  |
| Kenmore Hospital SPS Power Supply               | Renewal 0%   | 200,000                | 0                | 0         | 0            | 0                | 200,000               | 200,000          | 0%          | Late, not expected to be completed this year |  |
| Re-wiring Utility Wring                         | Renewal 100% | 15,000                 | 0                | 0         | 0            | 0                | 15,000                | 15,000           | 0%          | On time, on budget                           | Power supply subject to land matters that are unable to be resolved at this time.  |
| Hume St - Filfillay to Duicks Ln New Sewer Line | Renewal 0%   | 300,000                | 0                | 0         | 0            | 0                | 300,000               | 300,000          | 0%          | Late, not expected to be completed this year |  |
| Goulburn WWTP Telemetry Upgrade                 | Renewal 100% | 250,000                | 0                | 0         | 0            | 0                | 250,000               | 250,000          | 0%          | On time, underspent                          | 360 Engineering engaged to undertake works.  |
| <b>Total Capital Program</b>                    |              | <b>11,463,898</b>      | <b>4,705,812</b> | <b>0</b>  | <b>0</b>     | <b>4,705,812</b> | <b>11,066,796</b>     | <b>8,697,724</b> | <b>43%</b>  |  |  |
|   |              |                        | <b>3,600,272</b> | <b>0</b>  | <b>0</b>     | <b>3,600,272</b> | <b>12,257,996</b>     | <b>8,697,724</b> | <b>79%</b>  |  |  |

Utilities Capital Report by Business Unit for 2018/19  
for YTD Period Ending February



Date Report Run: 01-Mar-2019

| Description | Renewal % | Original Budget 19P/08 | Actual YTD | PJ Commit | Works Commit | Total Actual YTD | Current Budget 19P/02 | % Variance | % of Budget | Status | Comments |
|-------------|-----------|------------------------|------------|-----------|--------------|------------------|-----------------------|------------|-------------|--------|----------|
|             |           |                        |            |           |              |                  |                       |            | 68%         |        |          |





Planning & Environment Capital Report by Business Unit for 2018/19  
for YTD Period Ending February

Date Report Run: 01-Mar-2019

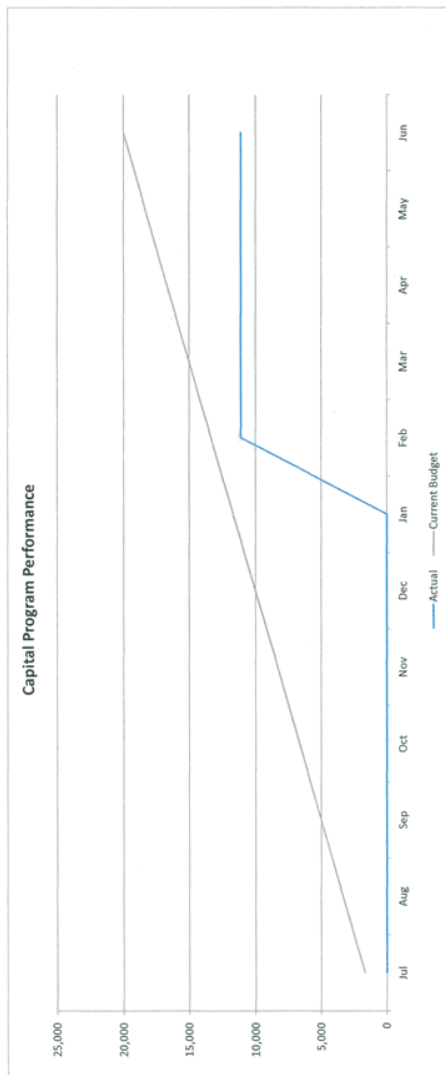
| Description                                       | Renewal %    | Original Budget 19P/08 | Actual YTD    | PJ Commit | Works Commit | Total Actual YTD | Current Budget 19P/Q2 | % of Time:   |             | Status                            | Comments  |
|---|--------------|------------------------|---------------|-----------|--------------|------------------|-----------------------|--------------|-------------|-----------------------------------|---|
|   |              |                        |               |           |              |                  |                       | \$ Variance  | % of Budget |                                   |   |
| 190 - Environment & Health<br>Linstead Park/Fence | Renewal 100% | 30,000                 | 16,632        | 0         | 0            | 16,632           | 30,000                | 13,369       | 55%         | On time, expected to be overspent | Reallocated to be conducted in March quarterly review from saving from other projects |
| <b>Total Capital Program</b>                      |              | <b>20,000</b>          | <b>11,068</b> | <b>0</b>  | <b>0</b>     | <b>11,068</b>    | <b>20,000</b>         | <b>8,932</b> | <b>55%</b>  |                                   |   |



Planning & Environment Capital Report by Business Unit for 2018/19  
for YTD Period Ending February

Date Report Run: 01-Mar-2019

| Description | Renewal % | Original Budget 19PJ08 | Actual YTD | PJ Commit | Works Commit | Total Actual YTD | Current Budget 19PJ02 | % of Time: \$ Variance | % of Budget | Status | Comments |
|-------------|-----------|------------------------|------------|-----------|--------------|------------------|-----------------------|------------------------|-------------|--------|----------|
|             |           |                        |            |           |              |                  |                       |                        | 67%         |        |          |



Corporate and Community Services Capital Report by Business Unit for 2018/19  
for YTD Period Ending February



Date Report Run: 01-Mar-2019

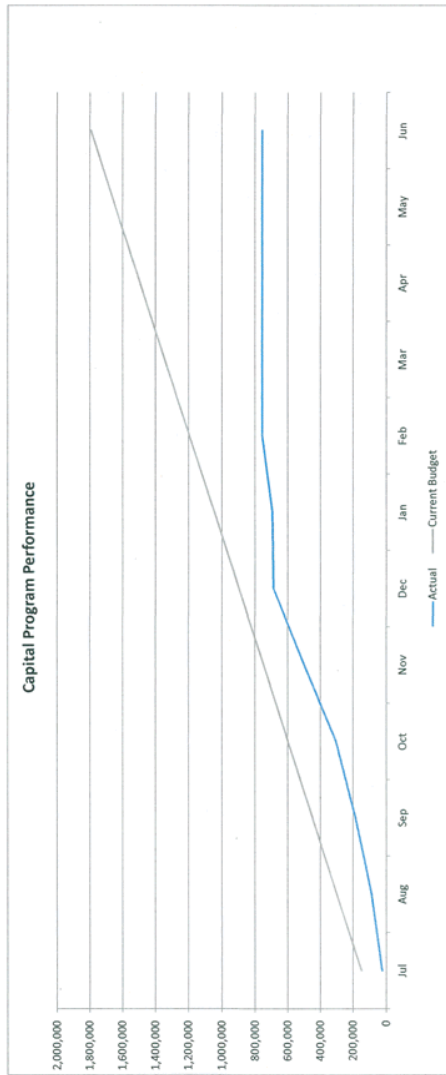
| Description                                    | Renewal %    | Original Budget 19PJ0B |                | Actual YTD |          | PJ Commit      |            | Works Commit |          | Total Actual YTD |                | Current Budget 19PJ0Z |                  | % of Budget | Status                            | Comments  |
|--|--------------|------------------------|----------------|------------|----------|----------------|------------|--------------|----------|------------------|----------------|-----------------------|------------------|-------------|-----------------------------------|---|
|  |              |                        |                |            |          |                |            |              |          |                  |                |                       |                  |             |                                   |   |
| <b>140 - Innovation &amp; Technology</b>       |              |                        |                |            |          |                |            |              |          |                  |                |                       |                  | 68%         |                                   |   |
| IT Renewal Assets                              | Renewal 100% | 300,000                | 333,001        | 0          | 0        | 333,001        | 0          | 0            | 0        | 0                | 333,001        | 400,000               | 66,999           | 83%         | On time, on budget                |   |
| Telephone Upgrade                              | Renewal 100% | 200,000                | 55,614         | 0          | 0        | 55,614         | 0          | 0            | 0        | 0                | 55,614         | 200,000               | 144,386          | 28%         | On time, expected to be overspent | Discussed with Director, working on solution  |
| Contingency                                    | Renewal 0%   | 100,000                | 95,933         | 0          | 0        | 95,933         | 0          | 0            | 0        | 0                | 95,933         | 135,000               | 41,067           | 70%         | On time, on budget                | Waiting on Quotes.  |
| Floor Coverings- Records Storage Area          | Renewal 0%   | 27,000                 | 0              | 0          | 0        | 0              | 0          | 0            | 0        | 0                | 0              | 27,000                | 27,000           | 0%          | On time, on budget                |   |
| CCTV Belmore Park (G)                          | Renewal 0%   | 0                      | 91,010         | 0          | 0        | 91,010         | 0          | 0            | 0        | 0                | 91,010         | 91,010                | 100%             | Completed   |                                   |   |
|  |              | 627,000                | 573,558        | 0          | 0        | 573,558        | 0          | 0            | 0        | 0                | 573,558        | 853,010               | 279,452          | 67%         |                                   |   |
| <b>180 - Marketing &amp; Culture</b>           |              |                        |                |            |          |                |            |              |          |                  |                |                       |                  |             |                                   |   |
| W/C Replacement Assets                         | Renewal 100% | 2,500                  | 0              | 0          | 0        | 0              | 0          | 0            | 0        | 0                | 0              | 2,500                 | 2,500            | 0%          | Not due to commence               |   |
| W/C New Assets                                 | Renewal 0%   | 2,000                  | 0              | 0          | 0        | 0              | 0          | 0            | 0        | 0                | 0              | 2,000                 | 2,000            | 0%          | Not due to commence               |   |
| Library Renewal Assets                         | Renewal 100% | 2,500                  | 902            | 0          | 0        | 902            | 0          | 0            | 0        | 0                | 902            | 2,500                 | 1,598            | 36%         | On time, on budget                |   |
| Book Resources-Gbn Library                     | Renewal 100% | 118,500                | 80,230         | 0          | 0        | 80,230         | 370        | 0            | 0        | 0                | 80,600         | 118,500               | 37,900           | 68%         | On time, on budget                | Purchases already allocated for full year.  |
| Courtyard Shade Sail                           | Renewal 0%   | 0                      | 0              | 0          | 0        | 0              | 0          | 0            | 0        | 0                | 0              | 80,000                | 80,000           | 0%          | Not due to commence               | Alternative options being explored for this project   |
| Gallery Inv & Design CO                        | Renewal 0%   | 0                      | 19,650         | 0          | 0        | 19,650         | 0          | 0            | 0        | 0                | 19,650         | 30,000                | 10,350           | 66%         | On time, on budget                | Nearing completion  |
| Art Gallery Acquisitions                       | Renewal 0%   | 10,000                 | 9,400          | 0          | 0        | 9,400          | 0          | 0            | 0        | 0                | 9,400          | 10,000                | 600              | 94%         | Completed                         |   |
| Public Art and Street Art                      | Renewal 0%   | 135,000                | 22,500         | 0          | 0        | 22,500         | 0          | 0            | 0        | 0                | 22,500         | 65,000                | 42,500           | 35%         | On time, on budget                | 2 of 3 artists commissioned to undertake works  |
| Collection Store                               | Renewal 100% | 90,700                 | 72,000         | 0          | 0        | 72,000         | 0          | 0            | 0        | 0                | 72,000         | 110,700               | 38,700           | 65%         | On time, expected to be overspent | Project nearing completion, overspenditure to be covered by transfer from Gallery           |
| Art Gallery - P&E Renewal                      | Renewal 100% | 5,000                  | 7,471          | 0          | 0        | 7,471          | 0          | 0            | 0        | 0                | 7,471          | 5,000                 | -2,471           | 149%        | On time, on budget                | Renewal works project.  |
| Gallery Renewal Works                          | Renewal 100% | 60,000                 | 40,889         | 0          | 0        | 40,889         | 0          | 0            | 0        | 0                | 40,889         | 60,000                | 19,111           | 68%         | On time, underspent               | Savings in this project to be transferred to Collections Store                              |
| Museum Capital Works - Renewal                 | Renewal 100% | 5,000                  | 0              | 0          | 0        | 0              | 0          | 0            | 0        | 0                | 0              | 5,000                 | 5,000            | 0%          | Not due to commence               | Works on Jetty reinstatement to commence in the next 2-4 weeks                              |
| St Clair Museum Restoration Works (G)          | Renewal 100% | 600,000                | 54,193         | 0          | 0        | 54,193         | 0          | 0            | 0        | 0                | 54,193         | 1,039,865             | 985,672          | 5%          | On time, on budget                | Fascia works completed. Other works pending final approval.                                 |
| Power Bollards at Waterworks                   | Renewal 0%   | 5,000                  | 0              | 0          | 0        | 0              | 0          | 0            | 0        | 0                | 0              | 5,000                 | 5,000            | 0%          | Not due to commence               | Recommended to reallocate budget to museum capital works renewal for reinstatement of Jetty |
| Art Gallery Website Design                     | Renewal 0%   | 0                      | 23,283         | 0          | 0        | 23,283         | 0          | 0            | 0        | 0                | 23,283         | 30,000                | 6,718            | 78%         | Completed                         |   |
|  |              | 1,036,200              | 330,517        | 370        | 0        | 330,887        | 370        | 0            | 0        | 0                | 330,887        | 1,566,065             | 1,235,548        | 21%         |                                   |   |
| <b>270 - Property &amp; Community Services</b> |              |                        |                |            |          |                |            |              |          |                  |                |                       |                  |             |                                   |   |
| Lockyer St & Tait Cr                           | Renewal 0%   | 0                      | 227,023        | 0          | 0        | 227,023        | 0          | 0            | 0        | 0                | 227,023        | 254,000               | 26,977           | 89%         | Completed                         | Awaiting final invoices. Will come in under budget.   |
|  |              | 0                      | 227,023        | 0          | 0        | 227,023        | 0          | 0            | 0        | 0                | 227,023        | 254,000               | 26,977           | 89%         | Completed                         |   |
| <b>Total Capital Program</b>                   |              | <b>1,108,800</b>       | <b>754,065</b> | <b>247</b> | <b>0</b> | <b>754,312</b> | <b>247</b> | <b>0</b>     | <b>0</b> | <b>0</b>         | <b>754,312</b> | <b>1,782,050</b>      | <b>1,027,985</b> | <b>42%</b>  |                                   |   |



Corporate and Community Services Capital Report by Business Unit for 2018/19  
for YTD Period Ending February

Date Report Run: 01-Mar-2019

| Description | Renewal % | Original Budget 19PJ08 | Actual YTD | PJ Commit | Works Commit | Total Actual YTD | Current Budget 19PJQ2 | % of Time: \$ Variance | % of Budget | Status | Comments |
|-------------|-----------|------------------------|------------|-----------|--------------|------------------|-----------------------|------------------------|-------------|--------|----------|
|             |           |                        |            |           |              |                  |                       | 68%                    |             |        |          |



**12.14 STATEMENT OF INVESTMENTS AND BANK BALANCES**

**Author:** Kylie Newton, Business Manager Finance & Customer Service

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Statement of Investments [↓](#) 

|  |  |
|--|--|
| <b>Link to Community Strategic Plan:</b> | Delivery Plan Action CL1.2 - Ensure the long term financial sustainability of Council through effective and prudent financial management (CSP Strategy CL1 - Effect resourceful and respectful leadership and attentive representation of the community) |
| <b>Cost to Council:</b>                  | Nil  |
| <b>Use of Reserve Funds:</b>             | Nil  |

**RECOMMENDATION**

That the report by the Director Corporate & Community Services and the Business Manager Finance & Customer Service on the Statement of Investments and Bank Balances report for the month of February 2019 be received.

**BACKGROUND**

To report on the Investment Performance and Bank balances as at 28 February 2019.

**REPORT**

**1. Monthly Investment Performance Indicators**

Attached are the Investment Performance Indicators which compares Council’s portfolio against the Investment Policies Term Mix and Benchmark Interest Rates Performance indicators. Also attached is Council’s Investment Portfolio. Please note all interest rates and market values quoted in the Investment Portfolio Attachment are based on the latest available data.

**2. Statement of Investments and Bank Balances**

The amount of investments and bank balances reported to Council as at the end of January 2019 was \$89,657,797 meaning that this month’s balance of \$92,462,109 equates to an increase of \$2,804,312 in investments and cash held.

The table on the following page outlines the reasons for this increase.

|   |           |                  |
|---|-----------|------------------|
| <b>Receipts</b>   |           |                  |
| Rates and Water Receipts                                  | 4,852,942 |                  |
| Financial Assistance Grant                                | 634,440   |                  |
| Sundry Debtors  | 1,035,727 |                  |
| Investment Redeemed                                       |           |                  |
| S64/94 Income   | 301,189   |                  |
| Other Income (including interest, term deposits redeemed) | 374,159   |                  |
| <b>Total Receipts</b>                                     |           | <b>7,198,457</b> |
| <b>Payments</b>   |           |                  |
| Salaries and Wages  | 1,648,688 |                  |
| Payments to Creditors                                     | 2,745,457 |                  |
| <b>Total Payments</b>                                     |           | <b>4,394,145</b> |
| <b>Increase/(Decrease) in cash and investments</b>        |           | <b>2,804,312</b> |

**3. Investments matured/defaulted this financial year**

No investments have matured or defaulted in the 2018/19 financial year.



Performance Indicators - Investments and Interest Earned - As at 01 March 2019

| Diversification & Credit Risk |                          |                     |                   |                   |                   |                |      |
|-------------------------------|--------------------------|---------------------|-------------------|-------------------|-------------------|----------------|------|
| Rating                        | Long Term Ratings        | Short Term Rating   | Long Term         | Short Term        | Total             | Total %        | Max  |
| Scale                         | (Standard & Pooers)      | (Standard & Pooers) | Actual            | Actual            | Actual            | Actual         |      |
| 1                             | AA+ to AA-               | A1+                 | 0                 | 18,141,362        | 18,141,362        | 20.09%         | 100% |
| 2                             | A+ to A                  | A1                  | 0                 | 23,000,000        | 23,000,000        | 25.48%         | 75%  |
| 3                             | BBB+ to BBB-             | A2                  | 0                 | 31,015,131        | 31,015,131        | 34.35%         | 60%  |
| 4                             | Hourglass                |                     | 0                 | 0                 | 0                 | 0.00%          | 60%  |
| 5                             | Other                    |                     | 18,000,000        | 124,147           | 18,124,147        | 20.08%         | 25%  |
|                               |                          |                     | <b>18,000,000</b> | <b>72,280,641</b> | <b>90,280,641</b> | <b>100.00%</b> |      |
| 1                             | Within Policy Guidelines |                     |                   |                   |                   |                |      |
| 2                             | Within Policy Guidelines |                     |                   |                   |                   |                |      |
| 3                             | Within Policy Guidelines |                     |                   |                   |                   |                |      |
| 4                             | Within Policy Guidelines |                     |                   |                   |                   |                |      |
| 5                             | Within Policy Guidelines |                     |                   |                   |                   |                |      |

| Portfolio - Term Mix |                          |               |                   |         |         |
|----------------------|--------------------------|---------------|-------------------|---------|---------|
|                      |                          | Actual        | Actual %          | Maximum |         |
| A                    | At Call                  | (Current)     | 6,280,641         | 6.96%   | 100.00% |
| B                    | Working Capital          | (0-3 Months)  | 19,000,000        | 21.05%  | 90.00%  |
| C                    | Short Term               | (3-12 Months) | 57,000,000        | 63.14%  | 80.00%  |
| D                    | Medium Term              | (1-3 Years)   | 8,000,000         | 8.86%   | 30.00%  |
| E                    | Medium To Long Term      | (3-5 Years)   | 0                 | 0.00%   | 30.00%  |
| F                    | Long Term                | (5+ Years)    | 0                 | 0.00%   | 0.00%   |
|                      |                          |               | <b>90,280,641</b> |         |         |
| A                    | Within Policy Guidelines |               |                   |         |         |
| B                    | Within Policy Guidelines |               |                   |         |         |
| C                    | Within Policy Guidelines |               |                   |         |         |
| D                    | Within Policy Guidelines |               |                   |         |         |
| E                    | Within Policy Guidelines |               |                   |         |         |
| F                    | Within Policy Guidelines |               |                   |         |         |

| Benchmark Interest Rates Performance |  |                   |                |
|--------------------------------------|--|-------------------|----------------|
| <b>1</b>                             | <b>Benchmark Rate - Average for 2017/2018</b>            |                   |                |
|                                      | Benchmark Rate -Average for 2017/2018                    |                   | 1.9453%        |
|                                      | Portfolio Over Benchmark                                 | 83,875,853        | 99.85%         |
|                                      | Portfolio under Benchmark                                | 124,147           | 0.15%          |
|                                      | <b>Total</b>   | <b>84,000,000</b> |                |
|                                      | Excludes At Call   | 6,280,641         |                |
|                                      | Total including At Call                                  | 90,280,641        |                |
| <b>2</b>                             | <b>Average Benchmark Rate for Financial Year</b>         |                   |                |
|                                      | Benchmark - 90 Day BBSW Average for July 2018            |                   | 2.0179%        |
|                                      | Benchmark - 90 Day BBSW Average for August 2018          |                   | 1.9576%        |
|                                      | Benchmark - 90 Day BBSW Average for September 2018       |                   | 1.9576%        |
|                                      | Benchmark - 90 Day BBSW Average for October 2018         |                   | 1.9283%        |
|                                      | Benchmark - 90 Day BBSW Average for November 2018        |                   | 1.9399%        |
|                                      | Benchmark - 90 Day BBSW Average for December 2018        |                   | 2.0185%        |
|                                      | Benchmark - 90 Day BBSW Average for January 2019         |                   | 2.0682%        |
|                                      | Benchmark - 90 Day BBSW Average for February 2019        |                   | 1.9595%        |
|                                      | Benchmark - 90 Day BBSW Average for March 2018           |                   | 1.7924%        |
|                                      | Benchmark - 90 Day BBSW Average for April 2018           |                   | 1.7924%        |
|                                      | Benchmark - 90 Day BBSW Average for May 2018             |                   | 1.9557%        |
|                                      | Benchmark - 90 Day BBSW Average for June 2018            |                   | 1.9557%        |
|                                      | <b>Average Benchmark Rate for Financial Year to Date</b> |                   | <b>1.9453%</b> |

**Summary by Credit Rating**

| Rating          | Percentage |
|-----------------|------------|
| AA+ to AA- A1+  | 20%        |
| A+ to A A1      | 26%        |
| BBB+ to BBB- A2 | 34%        |
| Other           | 20%        |
| Hourglass       | 0%         |

**Portfolio Allocation by Investment Horizon**

| Horizon       | Percentage |
|---------------|------------|
| (3-12 Months) | 63%        |
| (0-3 Months)  | 21%        |
| (1-3 Years)   | 9%         |
| (3-5 Years)   | 0%         |
| (5+ Years)    | 0%         |
| (Current)     | 7%         |

### Statement of Investment and Bank Balances as at 01 March 2019

| <i>Description</i>  | <i>Maturity Date</i> | <i>Investment Type</i> | <i>Rating</i> | <i>Current Interest Rate</i> | <i>Amount Invested</i> |
|---|----------------------|------------------------|---------------|------------------------------|------------------------|
| Comm Bank - Cash Management Account                       |                      | AC                     | A1+           | 0.95%                        | \$ 6,141,362           |
| Lehman Global Property Note (Jun-09)                      | 15/06/2009           | CAPNOTE                | UNRATED       | 0.00%                        | \$ 124,147             |
| Rabo 1462 Day TD - Curve                                  | 9/09/2019            | TD                     | A1            | 3.25%                        | \$ 3,000,000           |
| Bendigo & Adelaide Snr FRN                                | 18/08/2020           | FRN                    | A2            | 3.24%                        | \$ 2,000,000           |
| Rabo 1826 Day TD - Curve                                  | 1/06/2021            | TD                     | A1            | 3.30%                        | \$ 3,000,000           |
| Police & Nurses 1827 Day TD - RimSec                      | 8/06/2021            | TD                     | A2            | 3.50%                        | \$ 2,000,000           |
| Bendigo & Adelaide Bank Ltd 735 Day TD - RimSec           | 26/06/2019           | TD                     | A2            | 2.85%                        | \$ 2,000,000           |
| ING Bank Australia 735 Day TD - RimSec                    | 10/09/2019           | TD                     | A1            | 2.75%                        | \$ 2,000,000           |
| ING Bank Australia 735 Day TD - RimSec                    | 18/09/2019           | TD                     | A1            | 2.75%                        | \$ 3,000,000           |
| Bank Of Queensland 730D TD - Curve                        | 18/09/2019           | TD                     | A2            | 2.80%                        | \$ 3,000,000           |
| ING Bank Australia 551 Day TD - RimSec                    | 2/04/2019            | TD                     | A1            | 2.70%                        | \$ 3,000,000           |
| ING Bank Australia 730 Day TD - RimSec                    | 17/10/2019           | TD                     | A1            | 2.94%                        | \$ 2,000,000           |
| IMB Cash Management Account                               |                      | AC                     | A2            | 0.50%                        | \$ 15,131              |
| Defence Bank 730D TD - Curve                              | 25/10/2019           | TD                     | A2            | 2.95%                        | \$ 3,000,000           |
| Bendigo & Adelaide Bank Ltd 553 Day TD - RimSec           | 4/09/2019            | TD                     | A2            | 2.72%                        | \$ 2,000,000           |
| Defence Bank 364D TD - Curve                              | 7/03/2019            | TD                     | A2            | 2.67%                        | \$ 1,000,000           |
| Defence Bank 364D TD - Curve                              | 14/03/2019           | TD                     | A2            | 2.70%                        | \$ 2,000,000           |
| Banana Coast Community CU 365 Day TD - RimSec             | 14/03/2019           | TD                     | UNRATED       | 2.75%                        | \$ 1,000,000           |
| The Capricornian 365D TD - Curve                          | 14/03/2019           | TD                     | UNRATED       | 2.75%                        | \$ 1,000,000           |
| Commonwealth Bank of Australia 365 Day TD - CBA           | 14/03/2019           | TD                     | A1+           | 2.70%                        | \$ 6,000,000           |
| Wodonga & Wangaratta CU 487 D TD - Curve                  | 22/07/2019           | TD                     | UNRATED       | 2.75%                        | \$ 1,000,000           |
| My State Financial Credit Union 369 Day TD - RimSec       | 18/06/2019           | TD                     | A2            | 2.83%                        | \$ 2,000,000           |
| SA Police Credit Union 371 Day TD - RIMSec                | 20/06/2019           | TD                     | UNRATED       | 2.90%                        | \$ 1,000,000           |
| Qbank 371 Day Term Deposit - RimSec                       | 20/06/2019           | TD                     | UNRATED       | 2.85%                        | \$ 1,000,000           |
| Auswide Bank Ltd 365D TD - RimSec                         | 25/06/2019           | TD                     | A2            | 2.88%                        | \$ 3,000,000           |
| Queensland Country Credit Union Ltd - 365 Day TD - RIMsec | 26/06/2019           | TD                     | UNRATED       | 2.88%                        | \$ 1,000,000           |
| Coastline CU 365 Day TD - RimSec                          | 26/06/2019           | TD                     | UNRATED       | 2.88%                        | \$ 1,000,000           |
| Hunter UECU 365 Day TD - RimSec                           | 26/06/2019           | TD                     | UNRATED       | 2.90%                        | \$ 1,000,000           |
| Heritage Bank Ltd 365 Day TD - FIIG                       | 27/06/2019           | TD                     | UNRATED       | 3.05%                        | \$ 1,000,000           |
| Bankwest 365 Day TD - Bankwest                            | 27/06/2019           | TD                     | A1+           | 2.80%                        | \$ 4,000,000           |
| AMP 368 Day TD - RimSec                                   | 7/08/2019            | TD                     | A1            | 2.85%                        | \$ 2,000,000           |
| Warwick 365 Day TD - RIMSec                               | 16/08/2019           | TD                     | UNRATED       | 2.85%                        | \$ 1,000,000           |
| G & C Mutual Bank 365 Day TD - FIIG                       | 16/08/2019           | TD                     | UNRATED       | 2.85%                        | \$ 1,000,000           |
| AMP 365 Day TD - RimSec                                   | 12/09/2019           | TD                     | A1            | 2.80%                        | \$ 3,000,000           |

|  |               |         |       |    |                   |
|--|---------------|---------|-------|----|-------------------|
| My State Financial Credit Union 371 Day TD - RimSec      | 22/10/2019 TD | A2      | 2.75% | \$ | 2,000,000         |
| Move 365 Day TD - RimSec (Railways Credit Union l/as)    | 24/10/2019 TD | UNRATED | 2.90% | \$ | 1,000,000         |
| Maitland Mutual Building Society 365 Day TD - RimSec     | 31/10/2019 TD | UNRATED | 2.85% | \$ | 1,000,000         |
| Peoples Choice Credit Union 187 Day TD - RIMsec          | 14/05/2019 TD | A2      | 2.70% | \$ | 3,000,000         |
| Credit Union Australia 181 Day TD - Curve                | 13/05/2019 TD | A2      | 2.70% | \$ | 2,000,000         |
| Bank of Sydney Ltd 188 Day TD - RimSec                   | 28/05/2019 TD | UNRATED | 2.80% | \$ | 1,000,000         |
| NAB 365 Day TD - NAB 9295 1144                           | 28/11/2019 TD | A1+     | 2.75% | \$ | 2,000,000         |
| AMB 180 Day TD - Curve                                   | 28/05/2019 TD | UNRATED | 2.80% | \$ | 1,000,000         |
| Summerland CU 370 Day TD - RimSec                        | 10/12/2019 TD | UNRATED | 2.93% | \$ | 518,931           |
| Summerland CU 370 Day TD - RimSec                        | 10/12/2019 TD | UNRATED | 2.93% | \$ | 481,069           |
| Bank of Us 174 Day TD - Curve                            | 5/06/2019 TD  | UNRATED | 2.90% | \$ | 1,000,000         |
| Bank Of Queensland 365D TD - Curve                       | 14/02/2020 TD | A2      | 2.73% | \$ | 2,000,000         |
| Goldfields Money 369 Day TD - RimSec                     | 26/02/2020 TD | UNRATED | 2.80% | \$ | 1,000,000         |
| AMP 273 Day TD - RimSec                                  | 27/11/2019 TD | A1      | 2.80% | \$ | 2,000,000         |
| <b>Total Investments Held (excl. pipeline)</b>           |               |         |       | \$ | <u>90,280,641</u> |
|  |               | 0       | 0.00% | \$ | -                 |
| <b>Total Highland Source (pipeline) Loan Investments</b> |               |         |       | \$ | <u>-</u>          |

|   |              |    |                      |
|---|--------------|----|----------------------|
| <b>Total Investments Held (Incl pipeline)</b>     |              | \$ | <u>90,280,641</u>    |
| Balance as per Passbook-Commonwealth Bank         | 1,589,992.21 |    |                      |
| Add: Outstanding deposits                         | 278,375.02   |    |                      |
| Less: Unpresented cheques                         | 24,190.26    |    |                      |
| <b>Balance as per Cash Book-Commonwealth Bank</b> |              |    | <u>1,844,176.97</u>  |
| <b>Add-Library</b>                                |              |    | <u>0.00</u>          |
| <b>Add- Trust Fund-Other</b>                      |              |    | <u>337,291.52</u>    |
| <b>Add- Trust Fund</b>                            |              |    |                      |
| <b>Total Cash &amp; Investments @ 01/03/2019</b>  |              |    | <u>92,462,109.31</u> |

**12.15 UTILITIES DEPARTMENTAL REPORT - FEBRUARY 2019**

**Author:** Marina Hollands, Director Utilities

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Utilities Departmental Report [↓](#) 

|  |  |
|--|--|
| <b>Link to Community Strategic Plan:</b> | CSP Strategy CL1 - Effect resourceful and respectful leadership and attentive representation of the community. |
| <b>Cost to Council:</b>                  | Nil  |
| <b>Use of Reserve Funds:</b>             | Nil  |

**RECOMMENDATION**

That the report from the Director Utilities regarding the operational and capital performance of the Utilities Department be received

**BACKGROUND**

To provide information on the operational and capital performance of Goulburn Mulwaree Utilities.

**REPORT**

Please find attached the monthly report on the operational and capital performance of the Goulburn Mulwaree Utilities business unit.



February 2019

# Goulburn Mulwaree Utilities



Departmental Report

GOULBURN MULWAREE UTILITIES

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GOULBURN MULWAREE UTILITIES

**1.0 Utilities Performance**

**1.1 Finance**

The following table provides a list of current Goulburn Mulwaree Utilities Job Numbers that are either over expended or under pressure to be over expended.

| Job number | Description | Initial Allocation | Current Expenditure | Comment |
|------------|-------------|--------------------|---------------------|---------|
|            |             |                    |                     |         |

**1.2 WHS Incidents**

| Incident Number | Time & Date | Incident Location & Description  | Treatment         | Lost Time (hours) |
|-----------------|-------------|--|-------------------|-------------------|
| 203             | 22/02/2019  | Hit gas main with backhoe ripper   | No treatment      | Nil               |
| 204             | 21/02/2019  | Customer unloads otto bins onto chain, pulling down chain and dislodging the rail                  | No treatment      | Nil               |
| 208             | 26/02/2019  | Contractor using vac truck vacuum had the hose come apart & hitting the contractor                 | Medical treatment | Nil               |
| 212             | 24/02/2019  | Vehicle (Rego: xx xx xx) collided with the weighbridge at the Goulburn Waste Management Centre     | No treatment      | Nil               |
| 214             | 27/02/2019  | A collection driver drove into a light pole resulting in damages to the vehicle and the light post | No treatment      | Nil               |

GOULBURN MULWAREE UTILITIES

1.3 Outstanding SRP's December 2018

| Work Group        | Primary Category        | New Requests | Completed Requests | % Completed |
|-------------------|-------------------------|--------------|--------------------|-------------|
| Water Services    | Private works           | 6            | 4                  | 66%         |
| Water Services    | Water quality           | 8            | 8                  | 100%        |
| Water Services    | Meter                   | 2            | 2                  | 100%        |
| Water Services    | Minor water leak        | 21           | 21                 | 100%        |
| Water Services    | Major water break       | 4            | 4                  | 100%        |
| Water Services    | Water pressure          | 2            | 2                  | 100%        |
| Water Services    | Water maintenance       | 15           | 15                 | 100%        |
| Water Services    | Sewer blockage          | 18           | 18                 | 100%        |
| Water Services    | Sewer overflow          | 4            | 4                  | 100%        |
| Water Services    | Sewer odour             | 11           | 11                 | 100%        |
| Water Services    | Sewer maintenance       | 4            | 4                  | 100%        |
| Waste & Recycling | Missed bins             | 69           | 69                 | 100%        |
| Waste & Recycling | Bin maintenance         | 28           | 28                 | 100%        |
| Waste & Recycling | New or replacement bins | 24           | 24                 | 100%        |
| Waste & Recycling | Extra commercial pickup | 10           | 10                 | 100%        |
| Waste & Recycling | Street sweeping         | 9            | 9                  | 100%        |

1.4 Water Revenue

Income raised from 01/07/2018 to 28/2/2019

|                                 |                        |
|---------------------------------|------------------------|
| Water Usage                     | \$4,387,415.15         |
| Water Availability              | \$1,822,963.01         |
| <b>Water Total</b>              | <b>\$6,210,378.16</b>  |
| Sewer Usage                     | \$912,918.17           |
| Sewer Availability              | \$6,881,669.82         |
| Liquid Trade Waste Usage        | \$201,930.06           |
| Liquid Trade Waste Availability | \$15,443.03            |
| <b>Sewer Total</b>              | <b>\$8,011,961.08</b>  |
| <b>TOTAL INCOME</b>             | <b>\$14,222,339.24</b> |

Total income raised from 01/07/2017 to 30/06/2018 was \$19,510,300.09

Total water balance as at 30/06/2018 is \$623,395.17

Total water balance as at 28/2/2019 is \$3,183,841.29



**GOULBURN MULWAREE UTILITIES**

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Currently there are:

22 properties that have a restrictor in place

5 properties that have been disconnected from Council's water supply

0 account that is in bankruptcy/receivership

3 accounts that have legal action started

5 accounts that are for deceased estates

GOULBURN MULWAREE UTILITIES

## 2.0 Water Services Operational Performance

### 2.1 Water Performance

#### 2.1.1 GOULBURN STORAGES

The following table shows the status of the water storages at 28 February 2019:

| Storage | Capacity (ML) | Depth (m) TWL | Volume |       | Estimated Dead Storage |      | Usable Storage |       |
|---------|---------------|---------------|--------|-------|------------------------|------|----------------|-------|
|         |               |               | (ML)   | (%)   | (ML)                   | (%)  | (ML)           | (%)   |
| Pejar   | 9000          | -0.93         | 7724   | 85.8% | 90                     | 1%   | 7634           | 84.8% |
| Sooley  | 6250          | -2.17         | 3373   | 54.0% | 300                    | 5%   | 3073           | 49.2% |
| Rossi   | 330           | -0.36         | 267    | 80.9% | 100                    | 30%  | 167            | 50.6% |
| Total   | 15580         |               | 11364  | 72.9% | 490                    | 3.1% | 10874          | 69.8% |

#### 2.1.2 CONSUMPTION

Consumption in January 2019

|          | Total Consumption (ML) | Daily Average (ML) |
|----------|------------------------|--------------------|
| Goulburn | 246.8                  | 8.8                |
| Marulan  | 7.4                    | 0.265              |

#### 2.1.3 SOURCE OF WATER TREATED/DAM RELEASES

During February water was sourced from the Highlands Source Pipeline and Rossi Weir with nine days of Sooley Dam release for supply in Goulburn. The Highlands Source Pipeline was operated transferring a total of 2.9ML

During February in Marulan, water was drawn directly from the onsite raw water storage. 13.2ML was pumped from the Wollondilly River during the period to the onsite storage.

#### 2.1.4 ESTIMATED LOSSES

Total estimated evaporation losses were calculated using the daily data for the Class A Pan evaporation at Goulburn TAFE, rainfall and the surface areas of the Sooley and Pejar storages.

|            | Total Estimated Evaporation Loss for February 2019 (ML) |
|------------|---|
| Sooley Dam | 111   |
| Pejar Dam  | 109   |
| TOTAL      | 220   |

#### 2.1.5 RAINFALL

Goulburn received 16.4 mm of rainfall during February.

**GOULBURN MULWAREE UTILITIES**

**2.1.6 WATER QUALITY**

**a) Raw Water Quality**

Raw water quality was generally good during February with no issues in the water sourced preventing effective treatment.

Soluble manganese remained present in the raw water being drawn from Rossi Weir. Potassium Permanganate is in use to treat the manganese present in the raw water. No manganese has been detected in the treated water leaving the Goulburn water treatment plant.

Blue green algae levels remained low at Rossi Weir and Marulan. We have seen increases in blue green algae levels at Sooley and Pejar Dams with both of these locations moving from the low to medium alert levels in the NSW Drinking Water Guidelines.

On 11 February the combined microcystin at DWI1 in the Wingecarribee Reservoir recorded 1.31 and 1.35 µg/L (duplicate samples analysed). This was above the ADWG drinking water guideline of 1.3 µg/L. In the following weeks the microcystin at DWI1 was lower at 0.5 µg/L and 0.69 µg/L (18 and 25 February respectively). PAC continues to be used at the Goulburn water treatment plant at all times when the highlands source pipeline is in operation to ensure effective treatment of the algae is provided.

**b) Reticulated Water Quality**

Some critical aesthetic drinking water results taken from samples in the reticulation system are shown below.

| Parameter     | Unit  | Guideline Value Aesthetic | Guideline Value Health | Goulburn Drinking Water Quality | Marulan Drinking Water Quality |
|---------------|-------|---------------------------|------------------------|---------------------------------|--------------------------------|
| Colour (true) | HU    | 15                        | N/A                    | 3                               | 4                              |
| Iron          | mg/L  | 0.3                       | N/A                    | 0.03                            | 0.02                           |
| Manganese     | mg /L | 0.1                       | 0.5                    | 0.022                           | 0.004                          |
| pH            |       | 6.5-8.5                   | N/A                    | 7.7                             | 7.94                           |
| Turbidity     | NTU   | 5                         | N/A                    | 0.3                             | 0.2                            |
| Hardness      | mg/L  | 200                       | N/A                    | 156                             | 190                            |
| Aluminium     | mg/L  | 0.2                       | N/A                    | 0.080                           | *                              |

\* Coagulants not currently in use at Marulan, Aluminium analysis not required.

## 3.0 Water and Sewer Capital Works

### 3.1 Sewer Rehabilitation



Interflow Relining crew

#### 3.1.1 OVERVIEW

Goulburn Mulwaree Council’s Contractor Interflow will be carrying out the last year of its 5 year contract. This year’s focus will be on Cleaning and CCTV of the CBD, and Relining of the large diameter trunk mains in Sloane St Goulburn. There is also some ongoing works on Hume St that will need to be completed.

#### 3.1.2 TIMETABLE

| Task                    | Due to be completed by | Task Status |
|-------------------------|------------------------|-------------|
| Cleaning and assessment | November 2018          | Completed   |
| Relining                | December 2018          | Completed   |
| Sealing                 | June 2019              | ongoing     |
| Practical Completion    | June 2019              | Ongoing     |

#### 3.1.3 BUDGET

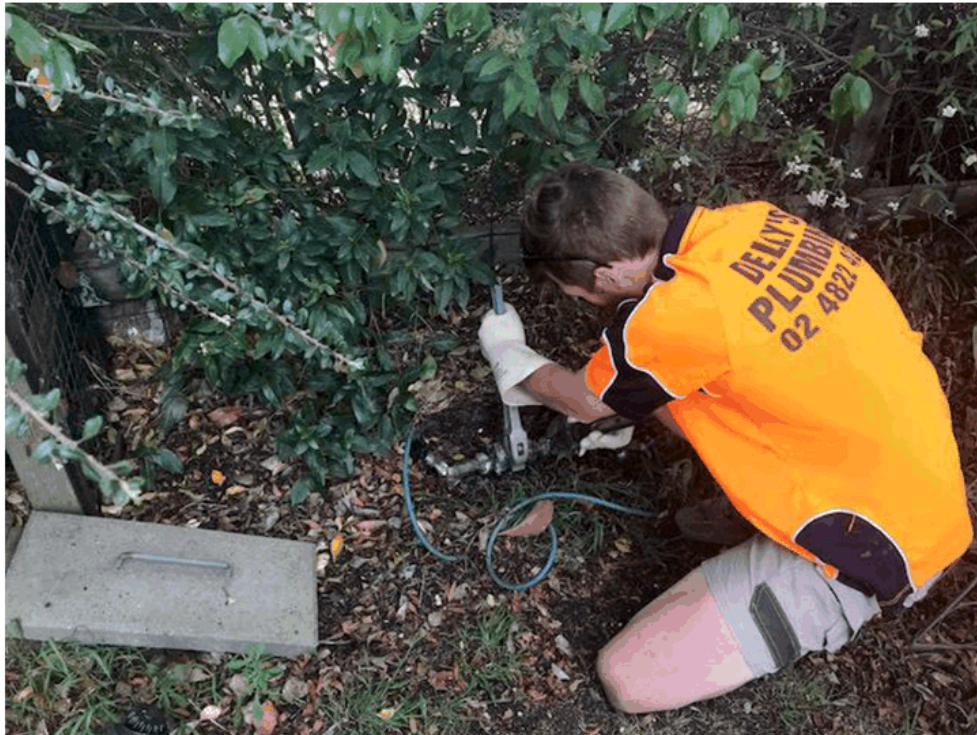
| Item                               | Value       |
|------------------------------------|-------------|
| Contract Value                     | \$2,000,000 |
| General Manager variation Approval | Nil         |
| Variations to date                 | Nil         |
| Contracts Payment to date          | \$1,384,755 |

#### 3.1.4 PROJECT STATUS

Relining of Trunk mains are complete, relining of reticulation mains is still ongoing. Cleaning of CBD is complete. Sealing is ongoing.

GOULBURN MULWAREE UTILITIES

3.2 Water Meter Replacement



Contractor on site

3.2.1 OVERVIEW

Goulburn Mulwaree Council’s Contractor, Dellys Plumbing, will be carrying out the water meter replacement throughout Goulburn. The water meters changed will be domestic 20mm and 25mm sized water meters.

3.2.2 TIMETABLE

| Task                       | Due to be completed by | Task Status |
|----------------------------|------------------------|-------------|
| <b>Establishment</b>       | November 2018          | Complete    |
| <b>Replacement Program</b> | December 2018          | Ongoing     |
| <b>Completion</b>          | June 2019              |             |

3.2.3 BUDGET

| Item                                      | Value     |
|---|-----------|
| <b>Contract Value</b>                     | \$100,000 |
| <b>General Manager variation Approval</b> | Nil       |
| <b>Variations to date</b>                 | Nil       |
| <b>Contracts Payment to date</b>          | \$25,000  |

3.2.4 PROJECT STATUS

Currently Replacing 20mm Water meters, approximately 450 replaced this year with 550 still to be completed.

**GOULBURN MULWAREE UTILITIES**

**3.3 Clyde St SPS Access Road**



New Access road turning pad

**3.3.1 OVERVIEW**

Goulburn Mulwaree Council’s Contractors will be constructing an access road for the Clyde St pump station. This will allow easy access for the operators and trucks for maintenance purposes.

**3.3.2 TIMETABLE**

| Task             | Due to be completed by | Task Status |
|------------------|------------------------|-------------|
| Concrete Layback | November 2018          | Complete    |
| Access Road      | November 2018          | Complete    |
| Fencing          | December 2018          | Completed   |
| Completion       | January 2019           | Completed   |

**3.3.3 BUDGET**

| Item                               | Value     |
|------------------------------------|-----------|
| Contract Value                     | \$150,000 |
| General Manager variation Approval | Nil       |
| Variations to date                 | Nil       |
| Contracts Payment to date          | \$45,600  |

**3.3.4 PROJECT STATUS**

Completed

GOULBURN MULWAREE UTILITIES

## 4.0 Waste and Recycling Initiatives

### 4.1 Goulburn Waste Management Centre Waste Streams Received

February 2019

| Product  | Number/Tonne |
|--|--------------|
| Mattress   | 95           |
| Clean Fill   | 2903t        |
| Green Waste (self-haul to centre)  | 44t          |
| General Waste  | 678t         |
| Asbestos   | 3t           |
| Concrete   | 28t          |
| Metal  | 3t           |
| Commercial Waste Collections (Council)   | 249t         |
| Domestic Waste Collections (Council)   | 351t         |
| Green Waste Collections (Council)  | 128t         |
| Large Street Sweeper (Council)   | 38t          |
| Residual waste from Endeavour Industries<br>(waste collected in recycling bins and not recycled) | 103t         |

### 4.2 Endeavour Industries Domestic Recycling Contract

The following table outlines Endeavour Industries' Recycling Statistics provided for 2018/19:

| Goulburn Mulwarree Council & Endeavour Industries Monthly Recycling Meeting 2018-2019 |  |               |               |               |               |               |               |             |             |             |             |             |                 |
|---|--|---------------|---------------|---------------|---------------|---------------|---------------|-------------|-------------|-------------|-------------|-------------|-----------------|
| Service Performance   | Jul  | Aug           | Sept          | Oct           | Nov           | Dec           | Jan           | Feb         | Mar         | Apr         | May         | Jun         | TOTAL           |
| Total No. of Services   | 11,017   | 11,017        | 11,017        | 11,017        | 11,017        | 11,017        |               |             |             |             |             |             | 66,102          |
| Total No. of services missed  | 2  | 8             | 3             | 11            | 18            | 7             |               |             |             |             |             |             | 45              |
| Reasons for Missed Services   | Jul  | Aug           | Sept          | Oct           | Nov           | Dec           | Jan           | Feb         | Mar         | Apr         | May         | Jun         | TOTAL           |
| Contaminated  | 2  | 8             | 3             | 16            | 18            | 7             | 0             | 0           | 0           | 0           | 0           | 0           | 54              |
| Overloaded  | 0  | 0             | 0             | 0             | 0             | 0             | 0             | 0           | 0           | 0           | 0           | 0           | 0               |
| Missed  | 0  | 0             | 0             | 0             | 0             | 0             | 0             | 0           | 0           | 0           | 0           | 0           | 0               |
| Other   | 0  | 0             | 0             | 0             | 0             | 0             | 0             | 0           | 0           | 0           | 0           | 0           | 0               |
| Contamination Comments  | Cloths, Needles, Dirty Nappies, Bricks, Household Rubbish, Dirt, Furniture-TV, Building Products, Pillows/Sheets, Grass/Greenwaste<br>Food Scraps, Car Parts, Toys, Hose, Greenwaste |               |               |               |               |               |               |             |             |             |             |             |                 |
| Materials Out   | Jul  | Aug           | Sept          | Oct           | Nov           | Dec           | Jan           | Feb         | Mar         | Apr         | May         | Jun         | TOTAL           |
| Cardboard   | 181.64   | 226.46        | 229.33        | 226.74        | 192.60        | 187.96        | 219.60        |             |             |             |             |             | 1464.33         |
| Glass   |  |               |               | 86.54         |               |               | 29.44         |             |             |             |             |             | 115.98          |
| Plastic Film  |  |               |               |               |               |               |               |             |             |             |             |             | 0.00            |
| White Paper   | 18.22  |               |               | 18.86         |               |               |               |             |             |             |             |             | 37.08           |
| Other Paper   |  |               |               |               |               |               |               |             |             |             |             |             | 0.00            |
| Steel Cans  |  |               |               |               |               |               |               |             |             |             |             |             | 0.00            |
| Scrap Metal   |  |               |               |               |               |               |               |             |             |             |             |             | 0.00            |
| Printers  |  |               |               |               |               |               |               |             |             |             |             |             | 0.00            |
| PET   |  |               | 10.32         |               |               |               |               |             |             |             |             |             | 10.32           |
| LDPE  |  |               |               |               |               |               |               |             |             |             |             |             | 0.00            |
| HDPE  |  |               | 13.72         | 7.92          |               |               |               |             |             |             |             |             | 21.64           |
| Aluminum  |  |               |               |               |               |               |               |             |             |             |             |             | 0.00            |
| Mixed Plastic   |  |               |               |               |               |               |               |             |             |             |             |             | 0.00            |
| Other   |  |               |               |               |               |               |               |             |             |             |             |             | 0.00            |
| <b>Total Tonnage</b>  | <b>199.86</b>  | <b>226.46</b> | <b>253.37</b> | <b>340.06</b> | <b>192.60</b> | <b>187.96</b> | <b>249.04</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> | <b>1,649.35</b> |
| Materials In  | Jul  | Aug           | Sept          | Oct           | Nov           | Dec           | Jan           | Feb         | Mar         | Apr         | May         | Jun         | TOTAL           |
| Commercial Cardboard Collection   | 118.92   | 173.59        | 142.94        | 148.34        | 170.85        | 152.75        | 133.03        |             |             |             |             |             | 1,040.42        |
| Commercial Plastic Collection   | 2.54   | 2.22          | 2.18          | 2.31          | 2.42          | 3.04          | 2.984         |             |             |             |             |             | 17.69           |
| Combined Comingled Pick up  | 133.55   | 112.51        | 121.24        | 145.2         | 142.5         | 125.34        | 128.7         |             |             |             |             |             | 909.04          |
| <b>Total Tonnage</b>  | <b>255.01</b>  | <b>288.32</b> | <b>266.36</b> | <b>295.85</b> | <b>315.77</b> | <b>281.13</b> | <b>264.71</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> | <b>1,967.15</b> |

## 5.0 Interesting News, Facts and Information

### Upcycling to fibre-reinforced plastic

A new recycling process to transform polyethylene terephthalate (PET) plastic into a more valuable material with better properties has been developed by US researchers, who aim for the new technique to help with the serious and urgent problem of ever-increasing amounts of plastic waste in our oceans and the environment.

The process combines PET plastic with renewable sources, such as waste plant biomass, to create a type of fibre-reinforced plastic (FRP) that is longer lasting, more versatile and more valuable, while also being more energy-efficient to produce than recycled PET or conventional FRPs.

While work on the scalability of this process is still ongoing, the research team from the Department of Energy's National Renewable Energy Laboratory (NREL) in Denver, Colorado, is confident its approach can overcome one of the biggest stumbling blocks to mass recycling, which is the economics.

"Most PET recycling today is mechanical and results in materials that have a lower value than the virgin plastic, so it is actually downcycling," said Gregg Beckham, NREL study leader.

"Our process takes reclaimed PET and combines it with non-food plant-based building blocks to make materials that are much more valuable, and hence upcycled, have different functions and a longer life than the starting single-use plastic.

"Indeed, the FRP produced could be used in car parts, wind turbine blades, surfboards and snowboards."

In a paper published in the Journal Joule, the researchers report that by combining PET with sustainably-sourced, bio-based molecules they produced two types of FRPs that are two to three times more valuable than the original PET.

Their analysis also suggests these composite products would require 57 per cent less energy to produce than standard reclaimed PET, using the current recycling process, and would emit 40 per cent fewer greenhouse gases than current petroleum-based FRPs.

"Supply-chain energy calculations reveal that this strategy for plastics upcycling could save significant total manufacture energy, mainly from savings in associated energy from petroleum feedstocks and could also reduce greenhouse gas emissions," the researchers wrote.

"Overall, this approach provides an economic incentive for plastics recycling and renewable feedstock use through the creation of long-lifetime, performance-advantaged materials.

"The next step is to produce materials that can themselves be recycled. The current composites can last years, even decades, but are not necessarily recyclable in the end."



GOULBURN MULWAREE UTILITIES



<https://www.insidewaste.com.au/index.php/2019/03/03/upcycling-to-fibre-reinforced-plastic/>

**12.16 CORPORATE & COMMUNITY SERVICES DIRECTORATE REPORT FEBRUARY 2019**

**Author:** Brendan Hollands, Director Corporate & Community Services

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. **CCS Directorate Report - February 2019** [↓](#) 

|  |   |
|--|---|
| <b>Link to Community Strategic Plan:</b> | CSP Strategy CL1 - Effect resourceful and respectful leadership and attentive representation of the community |
| <b>Cost to Council:</b>                  | Nil   |
| <b>Use of Reserve Funds:</b>             | Nil   |

**RECOMMENDATION**

That the activities report by the Director Corporate & Community Services be received and noted for information.

**BACKGROUND**

The purpose of this report is to provide an update on the monthly activities of the Corporate & Community Services Directorate

**REPORT**

Please find attached the monthly report on the activities of the Corporate & Community Services Directorate for the month of February 2019.



# *Corporate & Community Services*

*Directorate Report  
February 2019*

**PRIDE**

*Passion Respect Innovation Dedication Excellence*

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## 1. Innovation & Technology

Listed below are some of the projects/activities currently underway in Innovation & Technology:

- The upgrade of the Tech 1 system continues. The new software is loaded. "User Acceptance Testing" is about to start.
- The section 138 process is being reviewed. This will allow the process to be managed by the Tech 1 system.
- IT is working with the Library on the installation of the new library system. This is due to go live end of June.
- Version 2 of the Rural Waste Card has gone live.

## 2. Finance

Finance activities currently underway include:

- The draft 2019/20 budget has been presented to the first Councilor Workshop excluding fees and charges.
- Recruitment is underway to fill a temporary position in Accounts Payable whilst a staff member enjoys a period of Long Service Leave. Legal action and debt collection processes continue for outstanding rates and debtors.
- Procurement training continues for relevant Council staff members.
- The Grants Officers continue to identify relevant grant funding opportunities to fund Council projects.

## 3. Governance

Governance continues to be very busy with the following tasks being undertaken during February:

- 52 property file requests were received
- 15 requests for information were received and processed
- Unreasonable Complaint Conduct/Complaint Handling Training rolled out to staff in customer focused roles and relevant outdoor teams
- Code of Conduct inductions for 3 new employees

**4. Customer Service**

**4.1 Customer Service**

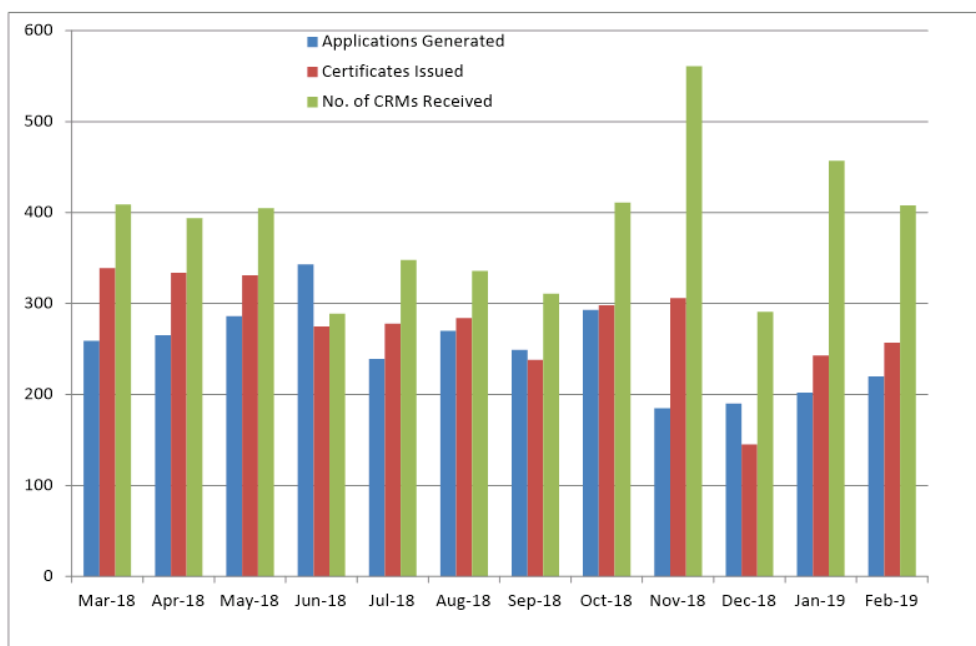
February has been a very busy month with staff banding together to support each other to complete work loads, well done team!

Our mystery shopper program has started and the Customer Service Team are very excited, and very competitive. We are sitting on a 68% average at the moment, which is very promising the average for our industry was 48%. Last year the GMC team was ranked 1<sup>st</sup> with a 64% average.

Our survey testing is complete with tablets being available at the front counter by next week. These will be used by the customer to complete the survey. The team are looking forward to improving on last year’s results.

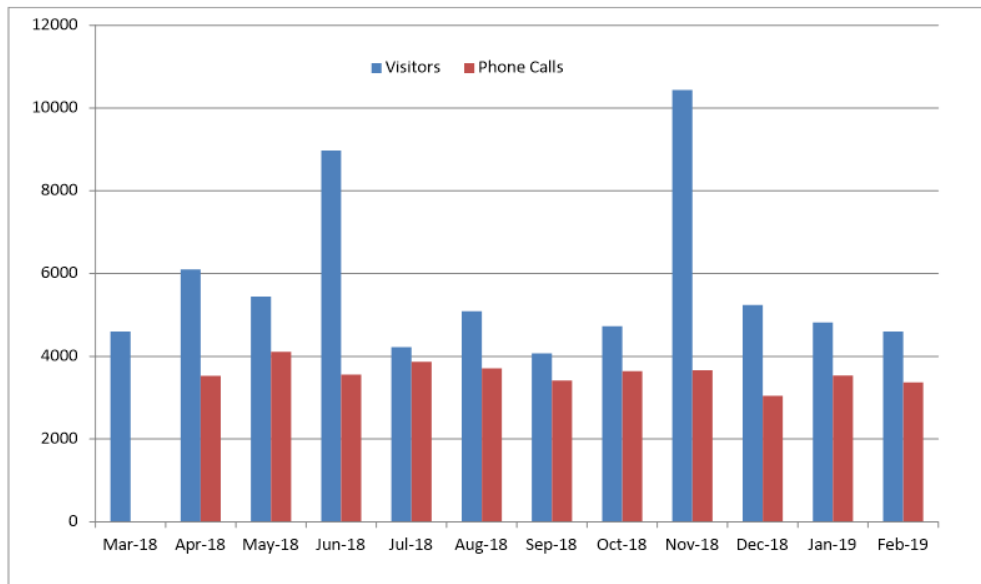
Please refer to the graphs below for detailed information regarding Customer Service productivity.

**Productivity – February 2019**



Corporate & Community Services

Visitors and Phone Calls – February 2019



Corporate & Community Services

**9. Property & Community Services**

The Property & Community Services Business Unit is responsible for providing a broad range of property and community related services.


Property services provided include strategic advice, property management (including Crown Land), conveyancing, preparing legal agreements for property matters, providing legal support services for property matters and maintaining data integrity within Council’s property system.

In addition to the above property related responsibilities, this unit also provides a central point of contact for major and minor investors to access information, support and assist in respect of prospective investment and property related enquiries. A summary of some of the projects and property matters dealt with in February 2019 is provided at the end of this report.

Coordination of s10.7 Planning Certificates and GIS Sewer Main Diagrams was transferred back to the Planning & Development Business Unit at the end of January however coordination of New Road and Place Names will continue to be managed by this Business Unit until early April 2019.

Community services provided by this Business Unit include Neighbour Aid, Respite Programs, Leisure Link and Youth Services. The delivery of these services would not be humanly possible without the wonderful assistance from our many volunteers. A summary of activities undertaken by the Neighbour Aid and Respite Programs Coordinator, Leisure Link Coordinator and Youth Services Coordinator in February 2019 is provided at end of this report.

**9.1 Projects / Property Matters**

| Project / Property Matter   | Status  | February 2019 Activities   |
|---|---|--|
| <p>Land &amp; Property Audit</p> <p>Proposed sale of the following properties:</p> <ul style="list-style-type: none"> <li>- 10 Ben Bullen Place, Goulburn</li> <li>- 8 Lanigan Lane, Goulburn</li> <li>- 23 Hercules Street, Goulburn</li> <li>- 163-167 Hume Street, Goulburn (with full disclosure of biodiversity offset obligations)</li> <li>- 43 Finlay Road, Goulburn and part adjoining road reserve (titles to be consolidated)</li> <li>- 38 George Street, Marulan</li> <li>- 1 Portland Avenue, Marulan</li> <li>- 2/1 Dossie Street, Goulburn &amp; Finlay Road, Goulburn (Lot 1 DP 1034565 and Lot 3 DP 1008818)</li> <li>- 59-61 Hovell Street, Goulburn</li> <li>- Part 30 Albert Street, Goulburn</li> <li>- 20 Hercules Street, Goulburn</li> </ul> |  | <ul style="list-style-type: none"> <li>• Marketing of first round of properties (excluding 43 Finlay Road) commences in March with auction scheduled for mid-April.</li> <li>• Market Valuations obtained and will be considered in Closed Session report at 2 April 2019 Council Meeting to determine individual Reserve Prices for auction.</li> <li>• Road Closure Application underway for part Hovell Street road reserve.</li> <li>• Negotiations ongoing with Anglicare regarding Marulan Preschool at 38 George Street, Marulan.</li> <li>• Negotiations underway with adjoining property owner for sale of 1 Portland Avenue, Marulan</li> <li>• Planning Proposal (re-zoning of Dossie St/ Finlay Road parcels of land) considered at 19 February 2019 Council Meeting.</li> <li>• Public Notice prepared for proposed land re-classification of Part 30 Albert Street, 20 Hercules St and 59-61 Hovell Street from ‘Community’ land to ‘Operational’ land. Notice to be advertised in March with a Public Hearing scheduled for April.</li> </ul> |



Corporate & Community Services

| Project / Property Matter  | Status | February 2019 Activities   |
|--|--------|--|
| Acquisition of land in Foord Street and Mary Street, Goulburn area for proposed intersection and road extension works  | ●      | <ul style="list-style-type: none"> <li>• Negotiations completed with property owner and report considered at 5 February 2019 Council Meeting.</li> <li>• Plan of Subdivision for Road Widening Purposes currently being prepared.</li> </ul>   |
| Acquisition of land required for construction of proposed extension of Shannon Drive to Pockley Road, Goulburn   | ●      | Negotiations still underway with property owners.  |
| Goulburn Mulwaree Pre-Approved Names List for Roads and Places   | ●      | <ul style="list-style-type: none"> <li>• Ongoing regular enquiries seeking clarification on rural and urban addressing, road names and localities and consultations with NSW Geographical Names Board (GNB)</li> <li>• Proposed changes to address numbering in Braidwood Road and Bungonia Road. Letters sent to affected property owners / tenants on 22 February 2019</li> <li>• Taralga Road to Chantry Street. Changes published in NSW Government Gazette on 8 February 2019.</li> <li>• Ongoing consultation with developer / owner of 133 Marys Mount Road, Goulburn 'Teneriffe' Subdivision for New Road Naming requests having regard to the Goulburn Mulwaree Pre-approved Road &amp; Place Naming List versus new names associated with the developer's family.</li> </ul> |
| Easements for Goulburn Performing Arts Centre (GPAC)   | ●      | <ul style="list-style-type: none"> <li>• Plan of Easement finalised for PAC to include sewer and intercom relocation at rear of Goulburn Courthouse.</li> <li>• Plan and Essential Energy Deeds for Customer and Land Owner currently being reviewed before execution by all parties.</li> <li>• Report on Acquisition of Easements adopted at 4 December 2018 Council Meeting and arrangements underway with NSW OLG and NSW DPI for compulsory acquisition of easements.</li> </ul>  |
| Acquisition / Transfer of various parcels of land for Locker Street and Tait Crescent, Goulburn road connection project + Part Road Closure Application for section of cul-de-sac at end of Lockyer Street | ●      | <ul style="list-style-type: none"> <li>• Plan of Subdivision, Road Closure and Title Creation lodged with NSW Land Registry Service and still awaiting registration to enable publication of the road closure (i.e. two sections of Lockyer St cul-de-sac) in NSW Government Gazette notices.</li> </ul>   |

Corporate & Community Services

| Project / Property Matter   | Status | February 2019 Activities  |
|---|--------|---|
| Acquisition of private lane in Bourke Street, Goulburn dedicating it as Public Road, Closing it as Public Road and transferring to developer. All associated costs to be met by developer. Matter relates to DA approved in 1988. | ●      | <ul style="list-style-type: none"> <li>Deed of Agreement executed with developer.</li> <li>Private Lane No.88 known as 118A Bourke Street off public exhibition in terms of Notice of Intention to Dedicate Land as Public Road. No objections received and now dedicated as public road via publication of NSW Government Gazette notice.</li> <li>One objection received to proposed Road Closure and transfer to adjoining property owner/developer</li> <li>Continuing to deal with objector's legal representative.</li> <li>Other surrounding property owners seeking assurance of registered Right of Carriageway providing legal access to rear of their properties.</li> </ul> |
| Investigating suitable sites in Goulburn for installation of a NSW Office of Environment and Heritage (OEH) Air Quality Monitoring facility   | ●      | <ul style="list-style-type: none"> <li>Report on proposed site at Leggett Park endorsed at 19 February 2019 Council Meeting.</li> <li>Proposal placed on public exhibition on 28 February 2019 and submissions close on 28 March 2019</li> <li>Draft Lease preparations underway</li> </ul>   |
| Management of former Workspace2580 – First Floor, 56 Clinton St, now re-badged as Workspace Goulburn  |        | <ul style="list-style-type: none"> <li>Council's Part Time Property Coordinator temporarily relocated to Clinton St as first point of contact for tenants.</li> <li>Business Manager Property &amp; Community Services overseeing management until new Community Services Team Leader appointed.</li> </ul>   |
| Multiple tenants at former Works Depot - 2 Bourke Street, Goulburn  |        | <ul style="list-style-type: none"> <li>Draft leases prepared for 16 local community groups, mostly for storage purposes.</li> <li>Awaiting outcome of WHS Audit before any groups permitted to start using facilities.</li> </ul>   |
| Reviewing licences at Goulburn Recreation Area and various other Crown Reserves for which Council is Trust Manager  | ●      | <ul style="list-style-type: none"> <li>All Licence Agreements reviewed prior to maturity and renewed to include current market rates and identify facility maintenance requirements.                             <ul style="list-style-type: none"> <li>Goulburn Harness Racing Club Inc. (Zantis Stables) Licence reviewed and report to be considered at 5 March 2019 Council Meeting.</li> </ul> </li> </ul>   |
| Providing property conveyance and property related advice to various Business Units   | ●      | <ul style="list-style-type: none"> <li>Ongoing</li> </ul>   |

**Key:**

- Monitor for future attention and action
- Proceeding in accordance to project requirements
- Issue requires immediate action

## 5.2 *Neighbour Aid and Respite Programs*

February was huge with the Seniors Week Festival events happening. The Official Opening was well attended with some great moves from the 'Dancing for Wellbeing' group joining us.

Our Wednesday program was full with Yoga, Tai Chi, a travel presentation and a full war on waste workshop including making our own beeswax wraps. Everyone had a great time and it was great to hear the memories that people had of having school lunches wrapped in beeswax wraps.

Tracey Norberg ran another successful road safety day at Veolia. We also had a 'Tech Buddies' day at the Community Centre and we had a huge response.

Discussions have commenced with the library to consider working together and running some more regular sessions as the demand is high.

The photos entered into the Senior Week Photo Competition were of a very high standard and thanks to Hannah Gee from the Gallery for judging. We also participated in the floor talk at the Gallery with Jane and it was great; well done to the Goulburn Regional Art Gallery staff.

We travelled to Sydney to be part of the studio audience of 'This Time Next Year'. This was a huge day leaving at 8.30am and returning at 8.30pm but everyone had a great day. We also started our Mixed Media Art Classes on Friday afternoons. This class has been well attended from its inception so we are confident it will be very successful.

Each month includes a variety of fun activities to enjoy. Some of these activities include, but are not limited to, the following:

- Craft & Chat sessions and Cooking & Chat sessions at the Goulburn Community Centre
- Aqua Aerobics classes at the Aquatic Centre
- Friday Friendlies and Community Garden
- Mixed Media Art Classes started in February

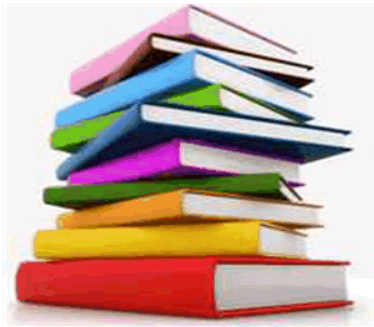
## 5.3 *Leisure Link Programs*

February was a very busy month for the Leisure Link unit with all programmes resuming for the year. Mates Group, Girls Group, Saturday Fun Club, swimming, basketball, bowling and choir have all been well attended and all individual programs are also continuing.

Our staff took clients to the Big Bash Cricket, movies, rodeo and the Canberra Show and also went shopping, visited the Goulburn Gem & Lapidary Club at the former Bourke Street Depot, the Goulburn Aquatic & Leisure Centre and received a presentation from the NSW Police about how to avoid being scammed. One staff member also accompanied and supported 2 of our clients on a 10 day holiday.

Our basketball team played in Round 1 of the Leon Burrell Shield in Bathurst on the weekend of 23/24 February and were great representatives for Goulburn.

### 5.3 Youth Services Programs



One of Council's latest Youth Services initiatives is opening of the new Paperback Cafe in the Library from 10am to 5pm - Monday to Friday. This project has already attracted 23 participants ranging from school students, youth who are looking for work and finished school, disability clients and young parents looking at up-skilling to get back into the work force.

The first week of trading was amazing. The program's participants have grown and learnt so much in such a short amount of time. The objective of this project is to gain a qualification in making awesome coffee and more importantly, it provides an excellent opportunity to learning other new skills such as customer service, communication, team work and money handling. This program is providing opportunities to some of our more disengaged community members providing opportunities to gain skills in the hospitality industry as well as life skills.

The official opening of Paperback Café took place on Monday, 25 February and was well attended by keen coffee goers and aspiring baristas. There are some amazing yummy local baked goods to go with your coffee, tea, chai or hot chocolate. A 'Hot Drinks Happy Hour' has also been introduced between 11am-12pm and 3.30pm-4.30pm daily which is already proving very popular.

The feedback from the community has been very positive so far as demonstrated by the volume of sales of coffee and also conversations with the participants and the Youth Services Coordinator. In Week 1 we achieved \$864 in sales; that's a profit of nearly \$500. The profits from the Paperback Café will contribute to paying for formal training and qualification through TAFE NSW. It is forecast that by June, the café will pay for itself and all training, with possibly a small operating surplus. We encourage all library members and the community to pop into the Paperback Café and say hello to the participants and ask them why they are participating in this program and what they hope to get out of it. Some of these young people's stories are amazing. By providing this simple concept, it will open up so many opportunities for young people moving forward in their lives. We encourage you to support this program through visiting the Paperback Café and testing the coffee and yummy treats.

**6. Marketing, Events & Culture**

**6.1 Marketing & Events**

**Marketing & Public Relations**

- Designed the Autumn ‘What’s On’ e-newsletter ready to send out to our 1,200 subscribers.
- Published 14 posts to the Goulburn Australia Facebook page reaching 16,344 people.
- Published 8 posts to the Goulburn Australia Instagram page reaching 5,802 people.
- Goulburn Australia listings were viewed 119,875 times via Google Search.
- The Goulburn Australia website had 47,009 page views during February.
- Wrote and distributed 2 Media Releases:
  - Phil Jamieson to headline Vibesfest 2019, and
  - The Country Championships Gallop into Goulburn
- The current 3 month campaign with News Corp will end on 5<sup>th</sup> March. We are liaising with our campaign manager to discuss options moving forward. We continue to see great results from this campaign, which received:
  - 96,362 impressions and 112 clicks on display advertisements from 1 – 28 February.
  - 85,268 impressions and 2,009 clicks on Facebook advertisements from 1 – 28 February. (Impressions = number of times advertisements were shown to users. Clicks = number of times advertisements were clicked).
- Goulburn Australia Membership Program – New Member: Fletchers Ark Farmyard and Alpacas
- Reviewing each section of the Goulburn Australia website to update copy ensuring a more colloquial narrative (in line with the Goulburn Australia brand), testing/updating links and refreshing images. This work is being done in preparation for the upgrade of the Goulburn Australia website which will be completed this financial year.
- We have had 44 new ‘Welcome’ Street Banners produced, to be displayed on all banner poles in Goulburn throughout the year. The design of the banners (pictured) matches the new signs at all entrances to Goulburn.
- NSW Police Attestation Broadcast Sponsorship:
  - We have entered a sponsorship agreement for the 2019 Police Attestation Parades. As a result of this we have worked closely with their production team to create a 30 second TV Commercial (TVC) on destination Goulburn Australia. The TVC was shown at the first parade can be viewed at the following link: <https://vimeo.com/nswpf/review/318359164/41558d4529>
  - The first broadcast of 2019 had the following stats from the live broadcast:
    - Facebook
      - Audience reach (those who could see the live production in their feed) **91,200**
      - Views **42,000**
      - Unique engagements of the post of the live feed **17,950**, and
      - **445** comments and 'likes'
    - Twitter
      - **2,920** viewers
    - Instagram
      - The NSW Police Force series of Instagram stories promoting the attestation and encouraging live Q&A during programming saw **30,960** views and **4,222** 'likes'. Viewers of the Q&A session via 'Insta Story' during live programming via Instagram totalled **40,459**
  - We have also liaised with the Police Academy to have the Mobile VIC attend these Parades, and if this goes well, we plan to attend their Open Days and Intake Days to assist new cadets with what to see and do whilst they are here, and hopefully entice them to be posted here and relocate to Goulburn.



Corporate & Community Services

**Groups Liaison**

- Recent advertisements placed in the *Seniors* paper and *Active Retirees* Probus Magazine have had a great response, with 16 phone calls being received from people who have seen the ads. Details from these enquiries have been recorded so that follow-ups can be made to obtain bookings. We have now had two direct group bookings as a result of this specific advertising.
- Filming permits have been issued for a HCF Television Commercial, we have also had a film crew shooting 'The End, The Beginning' short film in Goulburn recently on private property.
- The Groups Liaison Officer has been actively involved in developing the Filming Application Process as part of the S138 Road Reserve Occupancy project.
- Assisted with booking attractions and planning the itinerary for the visiting Mongolian Delegation on 27<sup>th</sup> and 28<sup>th</sup> February.
- New *Cruzin* Magazine advertisement designed for issue 223, pictured below.



**Events – Sports:**

- **Rugby Union:** Council’s Events Officer worked closely with the ACT Brumbies and the Goulburn Rugby Union Club to host the Plus 500 pre-season match between ACT Brumbies and NSW Waratahs on 7 February. Over 1,500 people were in attendance with rugby union fans from Goulburn, ACT, Southern Highlands, Sydney and the South Coast. The skies opened up with a huge storm immediately prior to and at the conclusion of the match.
- **Masters Swimming NSW:** Council has signed an agreement to host a Masters Swimming NSW Regional Swim Stroke Technique Clinic on Sunday 16 June in the indoor pool at the Goulburn Aquatic Centre. The goal of this event is to promote masters swimming and provide swim technique classes for the local and regional NSW community.

**Events – Other:**

- **Goulburn Multicultural Festival:** Council’s Events Officer assisted the Goulburn Multicultural Centre with various aspects of this event, including promotion both on social media and radio, event logistics including sourcing food stalls, a site plan, lighting, power arrangements, bumping in and keeping to the run sheet for the festival. The day was very successful and an event debrief will be held next week with the Goulburn Multicultural Centre.

**Corporate & Community Services**

- **Vibesfest 2019:** Vibesfest was held on Saturday 23<sup>rd</sup> February, 2019. Staff along with the Goulburn Regional Conservatorium selected the local artists and organised the program for the event.

The workshops and Fire Show were well attended. The crowd and support for local artists was pleasing with many family and friends, however the crowd dwindled by the time the headliner came on and this is something that will be addressed in the event debrief.



Photo credit: Peregrine\_x



- **Pictures and Popcorn:** The date has now been set for the next Pictures and Popcorn – at the Arena which will be held on Saturday 6 July. Planning has now commenced for this event and an announcement will be made in March of the movie choice.

**Visitor Services**

**Mobile Visitor Information Centre (MVIC)**

The MVIC recorded 101 visitor interactions during the month of February, up from a total of 22 interactions for the same period last year.

The MVIC attended the Brumbies v Waratahs pre-season game, steaming at the Goulburn Historic Waterworks and the Police Attestation Parade (pictured). When not in attendance at events, the MVIC is parked at Lake George, Wheatley VC, Rest Area.



Corporate & Community Services

**Goulburn Visitor Information Centre (VIC)**

**Walk-in customers:**

| Month   | 2018  | 2019  | Variance (#) | Variance (%) |
|---|-------|-------|--------------|--------------|
| January   | 3,267 | 2,653 | -614         | -18.8%       |
| February  | 2,905 | 2,816 | -89          | -3.01%       |
| <b>Yearly Total<br/>(to 28<sup>th</sup> February)</b> | 6,172 | 5,469 | -703         | -11.4%       |

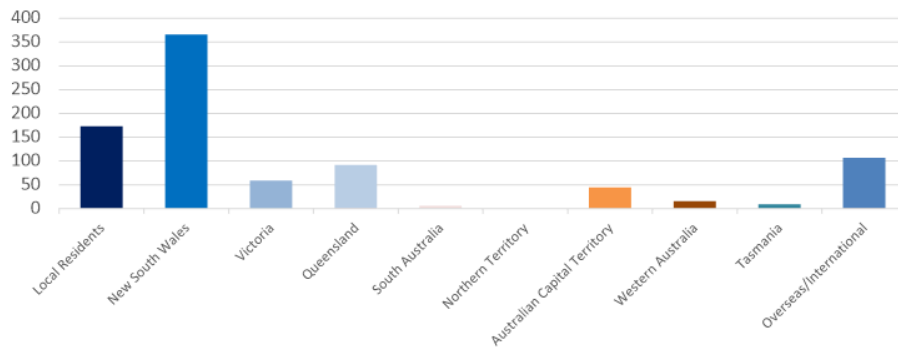
**Postcodes collected during January**

| Total Postcode Collected     |     |
|------------------------------|-----|
| TOTAL                        | 646 |
| Local Residents              | 76  |
| New South Wales              | 255 |
| Victoria                     | 91  |
| Queensland                   | 61  |
| South Australia              | 13  |
| Northern Territory           | 2   |
| Australian Capital Territory | 13  |
| Western Australia            | 44  |
| Tasmania                     | 2   |
| Overseas/International       | 89  |

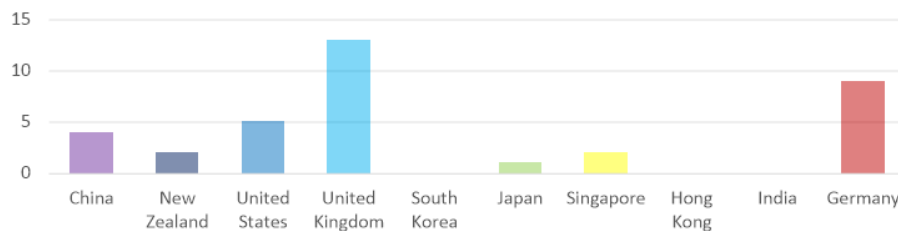
**Postcodes collected during February**

| Total Postcode Collected     |     |
|------------------------------|-----|
| TOTAL                        | 873 |
| Local Residents              | 173 |
| New South Wales              | 366 |
| Victoria                     | 59  |
| Queensland                   | 92  |
| South Australia              | 6   |
| Northern Territory           | 0   |
| Australian Capital Territory | 45  |
| Western Australia            | 16  |
| Tasmania                     | 9   |
| Overseas/International       | 107 |

February Visitors by Region of Origin



February International Visitors from Top Source Markets





Corporate & Community Services

**6.2 Goulburn Historic Waterworks Museum**

Our first “steaming” for 2019 was held on 10 February. Over 100 visitors enjoyed some blues music (left), glorious weather and beautiful scenery.



A one-day workshop, *How to Curate Your Collection*, was held at Riversdale Homestead on Wednesday 20 February 2019. This was a very popular workshop with numbers reaching capacity. The workshop was designed for regional organisations which provided participants with the basic skills necessary to curate exhibitions and develop collections. Topics included acquisition, promotion, identifying significant objects and writing statements of significance and labels. Council’s Museum Team were pleased to secure this workshop which benefited many heritage museums and collections in the district.



Above: volunteers at the workshop provided by the Damian McDonald, curator at the Museum of Applied Arts & Sciences, Powerhouse Museum.

**Steaming dates for 2019 are:**

- 10 March
- 21 April
- 26 May (this coincides with 150<sup>th</sup> Anniversary of the Arrival of the Railway into Goulburn)
- 8 September
- 19 & 20 October (Steampunk Victoriana Fair)

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**Corporate & Community Services**

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**6.3 Rocky Hill War Memorial and Museum and St Clair Villa Museum****Rocky Hill works**

Works are currently underway at Rocky Hill on the new museum building. This work is expected to continue until October 2019.

**Grant funding success!**

We are very pleased to announce that our grant application to Museums and Galleries NSW for funding towards the development of a strategic plan for the Rocky Hill War Memorial Museum was successful. Sue Boaden, a cultural planner, has been engaged to develop a Strategic Plan for the Museum which will look at the collection, integration of the two Museums and develop strategies to best present the Museum and provide a coordinated and cohesive experience across the site. The Plan will also integrate the City's broad cultural heritage, tourism and arts planning.

**Acquisitions**

Our wonderful Rocky Hill Museum Volunteers continue to acquire new and exciting items into the War Memorial Museum collection. A media release will be issued shortly about our latest acquisitions.

**6.4 St. Clair Villa Museum and Archives****Final approvals**

All documentation has been submitted to the NSW Office Environment & Heritage (OEH) to obtain final approvals. The extensive documentation prepared as part of the Section 57 and Section 60 applications are expected to be the final documentation required to obtain full approvals.

Once approvals are received tender documentation for the works to the St Clair Villa and Coach House will be developed.

Council has been advised that we have been assigned an assessing officer, but OEH are not able to provide an indicative assessment timeframe.

**Caring for State Heritage Grant**

We await the outcome of our grant application through the Caring for State Heritage grant program. The aim of this grant is to engage a consultant to prepare an Interpretation Plan for St Clair Villa Museum and Archives. The Interpretation Plan will provide a framework for engaging the community with the site following its reopening, and take into account the many recommendations endorsed by Council in the Conservation Management Plan.

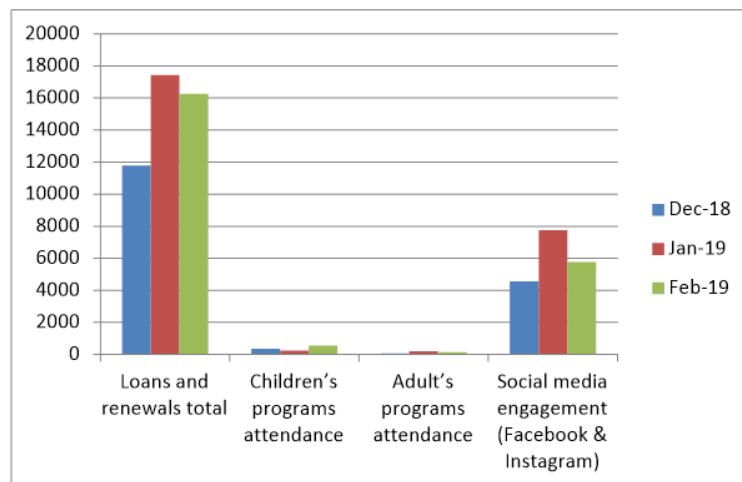
**St. Clair Villa publication**

Council's Business Manager Marketing, Events & Culture is working closely with Peter Freeman to finalise the publication *St. Clair Villa 1842-2017: 175 Years of Goulburn History*. The development of the publication is now complete, with printing quotes being finalised. The publication will be published in the first half of 2019 thanks to financial support from Council and the Royal Australian Historical Society. A launch event will be held mid-year for this existing historical publication.

Corporate & Community Services

6.5 Library Services

| Activity                                       | Dec 2018     | Jan 2019     | Feb 2019     |
|--|--------------|--------------|--------------|
| Loans and renewals main library                | 9720         | 15348        | 14117        |
| Loans and renewals mobile library              | 287          | 134          | 321          |
| eBook, eAudio, eMagazine downloads             | 1779         | 1959         | 1831         |
| <b>Loans and renewals total</b>                | <b>11786</b> | <b>17441</b> | <b>16269</b> |
| Visitors                                       | 4848         | 7992         | 8607         |
| Internet sessions                              | 863          | 1346         | 1417         |
| New members                                    | 70           | 134          | 135          |
| New collection items received                  | 382          | 1225         | 730          |
| Local studies enquiries                        | 10           | 35           | 43           |
| Children’s programs attendance                 | 363          | 255          | 550          |
| Adult’s programs attendance                    | 65           | 202          | 148          |
| Interlibrary loans requested                   | 3            | 9            | 8            |
| Interlibrary loans supplied                    | 10           | 24           | 33           |
| Book club kits supplied                        | 0            | 6            | 9            |
| Social media engagement (Facebook & Instagram) | 4553         | 7759         | 5773         |



**Thanks and Feedback**

*“Thank you for having Borrow Box. It’s like a dream come true. I don’t have time to go to the Library, with working full time and young children, but it’s lovely to have this available. I felt disjointed once I discovered I preferred eBooks to hardcopy, but this service has set me back on my reading track again!!”*

*“A fantastic range of books and events. The staff are friendly and attentive.”*

*“What a wonderful idea!!! Well done!!!”*

*“Perfect Library, books, coffee, cake, what more could you ask for, congratulations!!!”*

**Corporate & Community Services**

**Library Activities**

- The Library’s regular programs and activities re-commenced for Term One in February. Regular children’s programs include story time, rhyme time, Giggle Wiggle, code club, and Lego club. Regular adult’s programs continue throughout the year, and include yarn n tea time, adult colouring in, and computer basics classes for seniors.
- The Library was thrilled to welcome Paperback Café to the Library, with the official opening on Monday 25 February. The café is being run by Council’s Youth Services Coordinator and being staffed by a number of young volunteers, who are also gaining valuable skills and training. Paperback Café has been popular with all Library patrons since its opening, and we look forward to continuing this wonderful program in the Library.



*Library Manager Erin Williams, Youth Services Coordinator Luke Wallace and some of the young volunteers at Paperback Café in the Library*

- Final preparations for Goulburn Comic 2019 are underway, with over 60 stallholders confirmed, and several workshops and live performances. All spaces at the Recreation Area are being utilised for Goulburn Comic Con – the Main Arena and Main Stage in the Veolia Arena, Artist Alley in the Grace Millsom Function Centre, and a gaming hall in the basketball courts, as well as the Aussie Night Markets and a large number of performances and demonstrations from the Society of Creative Anachronisms (Medieval Society) outside. The Library Team is confident that Goulburn Comic Con is going to be a wonderful day for the whole family!



**Corporate & Community Services**

- Work has commenced on a grant application to Festivals Australia for a new program to run in the Library and at the 2020 Goulburn Reader Writer Festival. The program, tentatively called ‘Mighty Playwrights’, will enable Primary School students to work with a professional arts practitioner in a mentoring capacity to create and write a short play script, which would then be performed at the Goulburn Reader Writer Festival. This is a fantastic program, focussing on literacy and confidence building in children, and on enabling young people to have their voices and opinions heard and taken seriously by professional arts workers and the whole community.
- The Library’s upgrade to the Spydus Library Management System commenced officially in February, with work now being undertaken to extract and map existing data to the new Library system. The new system expects to go live in early July, and will create huge improvements in workflows and usability for Library patrons.

**Adult’s Services**

The Library celebrated Library Lovers Day on 14<sup>th</sup> February with a special adult’s craft session to make personalised ‘library lovers’ cushions. All 3 sessions were fully booked, and the participants took great joy in taking their new home décor home with them.



*A library lover cushion made in the Library*

The Library’s Urban Homesteading series continued in February with a fully booked talk on soap making at home. Over 60 attended the talk on how to make cold-pressed soaps at home, and how to create beautiful natural soaps for the family. Our talks on self-sufficiency and sustainability at home have proved extremely popular, and will continue throughout 2019.



*Learning to make cold-pressed soaps at home*

In February the Library launched a new adult’s book club, focussing on genre reading. 30 people registered to join the book club, and all attended the first successful meeting. This month’s genre is ‘crime read’, and members of the club will report back on their chosen book at the next monthly meeting. The Library expects to launch a second book club later in the year as demand for this social and educational service is very high.

**Corporate & Community Services**

**Children’s Services**

The Library celebrated Harry Potter Book Night, an international celebration of the famous children’s books, in February, with a fun night for children. 60 young people dressed up as their favourite Harry Potter characters, and enjoyed an evening full of trivia, treasure hunts, craft, and pizza.



*Some young wizards enjoying the fun and frivolities at Harry Potter Book Night in the Library*

The Library is working with the Smith Family to host a new homework help club for Primary School Children in the Library. Members of the homework help club will meet in the Library every week during school term to work on their projects and homework, with help from Library staff and volunteer tutors.

The Library celebrated Bus Safety Week with a special story time session during February. Children read some books about bus driving, created a fun mini bus, and visited the bus driver. Bus Safety Week teaches children about being safe around school buses and in traffic, and the Library is pleased to participate in this important activity each year.



*Learning all about bus safety at a special Library story time during Bus Safety Week*

**Home and Mobile Library**

The Mobile Library has added two new locations to its regular visits in February. The bus will now be visiting Orana Pre-School and Marulan Primary School. When visiting pre-schools and primary schools, Library staff add to the school’s curriculum by providing story time and craft sessions based on the curriculum, and stocking the bus with related reading material for the students and teachers to borrow. The Mobile Library’s visits to the young members of our community are always highly anticipated and enjoyed by both the children and Library staff.

The Mobile Library visited the monthly Windellama Markets and also dropped in at the Windellama General Store in February. Several new members were found, and many Windellama residents were excited to see the bus and learn about the Library’s mobile services. Previously, the bus only visited Windellama Primary School, so staff were pleased to be able to share information about the Library to the wider Windellama community.

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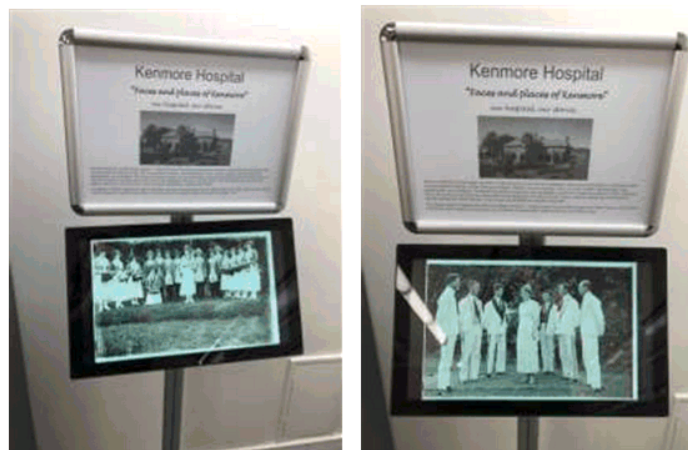
**Corporate & Community Services**

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Mobile Library staff are also now contributing book reviews to the Wollondilly Whisperer, a newsletter published for the residents at Wollondilly Gardens. Many residents are members of the Library, and the bus visits Wollondilly Gardens once every 3 weeks. Staff will now contribute regular books reviews, and provide copies of reviewed books for loan to residents.

**Local Studies**

The Local Studies area in the Library has a new permanent digital exhibition. The exhibition is currently featuring recently digitised images from the Kenmore Photo Collection, and will feature other digital images and objects in future months. The digital exhibition is a fantastic way to highlight parts of the Local Studies collection that are not often seen, and will further enable access to our digital and online collections.



*The Library's new digital exhibition, featuring digitised photos from the Kenmore Photo Collection*

The Library is also working on created access to our other digitised collections, including a Flickr page for online photos, and an increasing number of digitised historical publications, all available on the Library website: [www.gmlibrary.com.au/Local-Studies-Family-History/Image-Gallery.aspx](http://www.gmlibrary.com.au/Local-Studies-Family-History/Image-Gallery.aspx)

Work is continuing on reviewing materials held at the Bourke St depot, with several new maps located and added to the collection, and comprehensive listing of materials held being developed. These materials will be moved to the new storage facility at Hetherington St in April.



## 6.6 Art Gallery

### OF NOTE

- The Gallery has supported 105 artists to date
- Current exhibition 'Goulburn Bustle' was covered in the front page of the Goulburn Post, and online in the social pages
- The NSW Minister for the Arts, the Honourable Don Harwin was the official opening speaker for 'Goulburn Bustle' on 15 February
- The new website is live and receiving positive feedback
- Touring exhibition has been crated and 'Deep Revolt' will launch at Shepparton Art Museum 18 April 2019
- Construction of the new Collection Store continues and a new completion date of early March has been agreed upon.
- Senior artist Guy Warren is returning to Goulburn as part of the public programs for 'Goulburn Bustle'. Warren is one of Australia's most celebrated artists.

### EXHIBITIONS

#### Goulburn Bustle

Curated by Jennifer Lamb, Jane Cush and Gina Mobayed

Opening 6pm, Friday 15 February, continues to 16 March 2019

This exhibition is the largest hang of the collection the Gallery has ever presented and was opened by the Hon Don Harwin MLC, Minister for Resources, Energy and Utilities and the Arts. Opening night was a great success with several notable attendees from the Arts and Cultural sector.

Mayor Bob Kirk introduced the Minister and Gina Mobayed gave a speech that contextualised the exhibition within its locale of Goulburn, and thanked the artists, donors and Goulburn Mulwaree Council for their contribution in building the collection. The crowd responded with cheers when it was declared that the Gallery is one of the best in NSW if not Australia.



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**Snapshot: Annika Romeyn**

Annika Romeyn’s new work is receiving great feedback. Her large scale monotypes are created through a combination of drawing, watercolour and printmaking process and have an epic presence in the front gallery. Sites including Guerilla Bay, NSW are associated with joy, loss, calm, and upheaval, and provide Romeyn with psychological touchstones for her rendered landscapes. Her recent artist talk was one of the most personal and touching we have hosted at the Gallery.



**PUBLIC PROGRAMS**

|                |                                |
|----------------|--------------------------------|
| Friday, 15 Feb | Opening night                  |
| Friday, 22 Feb | Exhibition tour with Jane Cush |
| Friday, 22 Feb | Artist talk, Annika Romeyn     |

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**COMING UP**

Tina Milson  
 Dawn to Dust  
 29 March – 11 May 2019

Local Photographer, Tina Milson exhibition Dawn to Dust will showcase her passion for photography and process for documentation. From portraiture to landscape, Milson’s diverse photography portfolio highlights the resilience and vulnerability of country communities through drought, floods and everything else. Milson’s exhibitions takes inspiration from Singleton NSW where she grew up and Goulburn, where she works alongside her husband on their sheep and cattle property



Tina Milson, *That's a Wrap*, 2018, photograph, dimensions variable

The Art of Ageing  
 29 March – 11 May 2019

This exhibitions presents the work of five photographers, each from a regional city in New South Wales, exploring, turning and flipping the idea of seniority. The Gallery is pleased to present this exhibition, which features six portraits by local photographer, Tina Milson. ‘The Art of Ageing’ is a photographic exhibition that celebrates the value, experience and contribution older people bring, and challenges out-dates perceptions of ageing.



Kerri Ambler, *Helen and Michelle (56 ,60)*, 2017, photograph, 130 x 96cm

PERMANENT COLLECTION



Alex Seton, *Left Turn at Albuquerque*, 2017. stop motion video, 4:00 minutes  
Edition of 3 + 2AP  
Photo: Copyright The Artist. Courtesy of Sullivan+Strumpf

The Gallery has acquired two works from a recent exhibition in Collector by local artist Julie Bradley. Both Seton and Bradley present new artists to the permanent collection are highly regarded artists with strong local connections.



Julie Bradley, *Dru* and *Man in the Live Oak*, 2014, 40 x 40cm, paper, card, gouache washes and line on board.

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**Cultural Gifts**

Jason Benjamin's 'The Calling' 2009 has been approved by Cultural Gifts. The work is a major piece by an established artist and rounds out our holding of significant landscape painting. It is currently being shown in 'Goulburn Bustle'.



As of the date of this report, the Gallery has donations to the value of \$136,850 being assessed by the Cultural Gifts Program.

**Collection Management**

The collection has returned from offsite storage and is being stored on site. Significant improvements and updates are being made to the Mosaics database to tailor the system relevant to the Gallery's collection and to bring its cataloguing up to Museum standards.

Each of its 563 records still require correction and this will be ongoing.

In February, updates were made to the classification of artworks across mediums and protocols were put in place for the appropriate use of the 'medium' field. This has now been completed and updated across each record.

The next stage will be to individually correct each record's 'medium' field and standardise the style for entering in the 'size' field. It has been discovered that many entries are holding incorrect sizes so every artwork will need its measurements taken again and re-entered. This ongoing work will elevate the collection's use and ensure it is managed correctly as a council asset.

**Works on loan**

The Gallery had one work on loan to other institutions in February 2019:

Ben Quilty, *Skull Rorschach* 2009, oil on linen, 60 x 100 cm (diptych) to Bega Regional Gallery for 'I HEART PAINT' until 29 March 2019

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**PUBLIC ART**

**CBD**

The EOI for the Civic Centre closed midnight, 22 February 2019. Evaluations are underway.

**WOLLONDILLY WALKING TRACK**

David Ball has begun work on his commission and is currently exhibiting major new work at Sculpture by the Sea in Cottesloe, WA.

**EDUCATION**

|                  |                                     |
|------------------|-------------------------------------|
| Monday, 4 Feb    | Arts Access term commenced          |
| Wednesday, 6 Feb | Afternoon Art Club term 1 commenced |
| Monday, 18 Feb   | Art Teenies with Sally              |
| Monday, 25 Feb   | Art Teenies yoga with Pauline       |
| Tuesday, 26 Feb  | Life Drawing commenced              |

**Life Drawing - adult workshops**

The first of three life drawing sessions was held this month, afterhours in the Gallery. The sessions have been booked to capacity. Each week participants come along and draw a different model over a two hour session. The sessions are tutored and supported by Education Officer, Sally. Feedback has been positive with many participants expressing interest in a further life drawing program.



**Afternoon Art Club**

Afternoon Art Club, now in its fifth week for term 1, is at capacity with waitlists for each of the three days. With Council now a registered Creative Kids provider, the Gallery has noted a considerable increase in enquiries by new families into the education program.

The primary aged children have been working with Sally to create kinetic sculptures using drawing and basic craft supplies. The project has taken three weeks to complete and the children have created wonderful sculptures. The Highschool students are considering the basic elements of artwork and started the term with a look at the fundamental discipline of drawing. In the third week of February, all Art Clubs experienced exhibition 'Goulburn Bustle' and were asked to write a piece for an artwork.

**School visits**

Goulburn West Public School visit the Gallery every Friday during exhibitions. Goulburn's gifted and talented class 5/6M were the first to visit 'Goulburn Bustle'. The students were led on a tour of the exhibition by Sally before completing an art trail and activities.



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**Art Teenies**

Two Art Teenies sessions were held in February; one art session with Sally and one yoga session with Pauline. The little artists were in awe of and inspired by the 130 permanent collection works on display in Goulburn Bustle. 'Rambo corner' has certainly been a hit with the families and inspired sheep inspired story time and craft. The power of word of mouth in Goulburn is clear in the many new families who pop in to experience Art Teenies. There have been five new families join the program this past month.



**OUTREACH**

**Arts Access Workshops**

**Warrigal Care, PGU Kenmore and the Crescent School**

Workshops have commenced for the first term this year, delivering eight workshops at Warrigal Care and PGU Kenmore this month. The Gallery is engaging five artists for the delivery of the workshops this term with content focusing on the public art around the Goulburn CBD and permanent collection exhibition Goulburn Bustle.

Arts Access artist Natasha took residents from Warrigal Care on a public art bus tour on Monday 18 February. Staff from the facility reported that residents were talking about their experiences for a whole week following the bus trip so they decided to take another trip of their own.

Local Artist, Lynne Flemons visited each group to speak about her art practice and teach some of her skills with ink and watercolour. Her loose style and connection with the landscape resonated with participants who created some lovely works on watercolour paper.

James Lieutenant and Kate Vassallo visited in the last week of February. They spoke about their public artwork 'Lilac Walk' in Walker Lane and discussed their methodology in responding to place in their geometric and colourful collaborative works. James and Kate worked with participants to create linear drawings and geometric paintings in limited colour palettes.

Penny has returned to the program for her third term as Arts Access artist. She has been looking at the permanent collection exhibition Goulburn Bustle and working with participants in responding to focus works.





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SACC Outreach Program

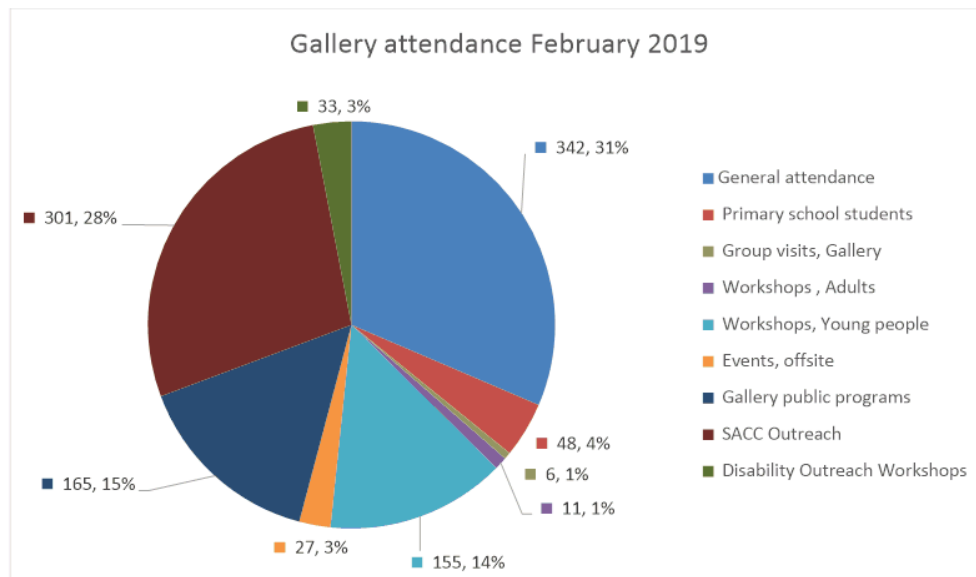


This month Janet Gordon, Outreach officer’s Outreach Playgroups resumed for the year. Unfortunately the SaCC Co-Ordinator cancelled the fortnightly Wednesday Breadalbane and Tallong Outreach Playgroups due to low numbers. Gordon has started facilitating an Outreach Playgroup at Goulburn Public school on Wednesday and has had a great response with 15 families registered. All of the Outreach Playgroups have resumed with good numbers with around 50 families using the service.

The children have been creative making Dinosaurs using Dabber Painters, gluing and stickers; re-creating themselves and family members with Playdough and Mr. Potato Head pieces and with recycled cardboard pieces; and they’ve used their scissor skills to make Twirly Whirly Snails.

AUDIENCES AND REACH

Closed for install 4 Feb – 14 Feb



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**Corporate & Community Services**

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**FEEDBACK**

*'Loved the collection and the history it displays. Very well curated and very much appreciated the diversity of art that the exhibition provided – well done'*

*'We appreciated the work and thought put into presenting Goulburn Bustle'*

*'I enjoyed the collection very much, coming to the Gallery is always a treat'*

*'Regular visitor to the fabulous Goulburn Regional Art Gallery'*

*'What a fabulous hang team Goulburn'*

*'Beautiful exhibition, wonderful variety of media'*

*'Very interesting mixture, well done'*

*'A lovely varied collection'*

*'Beautiful'*

**12.17 OPERATIONS DEPARTMENTAL REPORT - FEBRUARY 2019**

**Author:** Matthew O'Rourke, Director Operations

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Operations Departmental Report February 2019 [↓](#) 

|  |   |
|--|---|
| <b>Link to Community Strategic Plan:</b> | CL1 – Effect resourceful and respectful leadership and attentive representation of the community. |
| <b>Cost to Council:</b>                  | Nil   |
| <b>Use of Reserve Funds:</b>             | Nil   |

**RECOMMENDATION**

That the activities report by the Director Operations be received and noted for information

**BACKGROUND**

The purpose of this report is to provide an update on the monthly activities of the Operations Directorate.

**REPORT**

Please find attached the February 2019 monthly report on the activities of the Operations Directorate.



**February 2019**

# Operations



**Departmental Report**

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## 1 Budget Status

### Operations Projects – Works & Community Facilities

The following table provides a list of current Goulburn Mulwaree Operations Job Numbers that were not reported in February 2019, which are either over expended or under pressure to be over expended. Adjustments will be proposed for the next quarterly budget update.

| Table 1    |                               |                    |                     |   |
|------------|-------------------------------|--------------------|---------------------|---|
| Job Number | Description                   | Initial Allocation | Current Expenditure | Comment   |
| NRS0026    | Currawang Road Rehabilitation | \$126,620          | \$63,000            | Expected to cost \$140,000. Additional gravel required for shape correction of road. Additional savings identified to be adjusted in quarterly review |

## 2 Operations WHS Summary

Incidents reported for February 2019 are listed in the following table:

| Table 2 February 2019 |            |  |                   |                   |
|-----------------------|------------|--|-------------------|-------------------|
| Date                  | Department | Incident location & description  | Treatment/Action  | Lost time (hours) |
| 2/2/19                | Works      | Construction Supervisor found that a Council Roller and Divall's Roller had had their windscreens smashed. The Divall's Roller also had a windscreen wiper bent and a flashing light smashed.  | Nil               | Nil               |
| 11/2/19               | Works      | Worker was removing a guide post and found the ground to be quite hard. He needed to use some extra force, as a result of this the guide post loosened and unexpectedly popped out, as a result of this unexpected movement the worker fell forward and the end of the guide post removed struck him in the head.  | Medical Treatment | Nil               |
| 12/2/19               | Works      | Water cart was following grader. Watercart operator was watching sprays at back of truck in the mirror, water was not coming out straight behind truck. Grader stopped unexpectedly and watercart ran into back of grader. Panel damage to front grill of watercart, indicator light clip broken, and windscreen washer bottle appears to be cracked. No damage to grader. Collision occurred at about 10kmh | Nil               | Nil               |
| 19/2/19               | Works      | Mini excavator pulled tree root which had encased a water service to   | Nil               | Nil               |

|          |                      |   |     |     |
|----------|----------------------|---|-----|-----|
|          |                      | property 482 Auburn St  |     |     |
| 26/2/19  | Community Facilities | Lifting tree onto large tree on truck 86 for planting at Belmore. Worker injured  | Nil | Nil |
| 24/02/19 | Community Facilities | Aquatic Centre Patron went to swim under one of the aquatic centre lane ropes and collided with it.   | Nil | Nil |
| 27/02/19 | Works                | Maintenance grading Grays Rd, cut mitre drain with grade blade, exposing the Telstra cable, maybe cutting cable (not sure if cable was already cut) | Nil | Nil |
| 28/02/19 | Community Facilities | Aquatic Centre patron has potentially injured his (R) shoulder upon entering the water off the starting block.                                      | Nil | Nil |

### 3. Operations Service Response Status

Requests created and closed in February 2019. Over the month of February 2019 Operations received 234 new service response requests generated from customers.

| Table 3.1 – February 2018 |                     |              |                    |             |                 |
|---------------------------|---------------------|--------------|--------------------|-------------|-----------------|
| Work Group                | Primary Group       | New Requests | Completed Requests | % Completed | YTD % Completed |
| Buildings                 | Facilities          | 9            | 5                  | 56%         | 83%             |
| Cemeteries                | Cemetery            | 1            | 0                  | 0%          | 82%             |
| Facilities                | Graffiti            | 3            | 3                  | 100%        | 100%            |
| Facilities                | Parks Ovals         | 11           | 8                  | 73%         | 91%             |
| Facilities                | Public Toilets      | 2            | 2                  | 100%        | 100%            |
| Facilities                | Unspecified Damages | 4            | 3                  | 75%         | 96%             |
| Facilities                | Health Pollution    | 0            | 0                  | 0%          | 0%              |
| Parks                     | Bees Wasps          | 1            | 1                  | 100%        | 100%            |
| Parks                     | Fallen Tree         | 26           | 26                 | 100%        | 100%            |
| Parks                     | Grass Mowing        | 15           | 15                 | 100%        | 100%            |
| Parks                     | Tree Inspection     | 4            | 4                  | 100%        | 100%            |
| Parks                     | New Tree            | 4            | 4                  | 100%        | 100%            |
| Parks                     | Noxious Weeds       | 6            | 6                  | 100%        | 100%            |
| Parks                     | Remove Tree         | 9            | 9                  | 100%        | 100%            |
| Parks                     | Verge Maintenance   | 1            | 1                  | 100%        | 100%            |
| Parks                     | Root Damage         | 3            | 1                  | 33%         | 88%             |
| Parks                     | Trim Branches       | 13           | 12                 | 92%         | 98%             |
| Parks                     | Trees Unspecified   | 11           | 11                 | 100%        | 100%            |
| Parks                     | Weeds               | 0            | 0                  | 0%          | 0%              |
| Works                     | Live Stock          | 2            | 2                  | 100%        | 100%            |
| Works                     | Dumped Rubbish      | 13           | 13                 | 100%        | 100%            |
| Works                     | Bridges             | 1            | 1                  | 100%        | 100%            |
| Works                     | Corrugations        | 5            | 4                  | 80%         | 97%             |



GOULBURN MULWAREE OPERATIONS

|                             |                        |            |            |            |            |
|-----------------------------|------------------------|------------|------------|------------|------------|
| Works                       | Damaged Footpath       | 12         | 12         | 100%       | 99%        |
| Works                       | Damaged Kerb           | 6          | 4          | 67%        | 95%        |
| Works                       | Depth Gauges           | 0          | 0          | 0%         | 0%         |
| Works                       | Development Works      | 0          | 0          | 0%         | 100%       |
| Works                       | Edge Break             | 1          | 1          | 100%       | 100%       |
| Works                       | Guide Posts            | 0          | 0          | 0%         | 70%        |
| Works                       | Guard Rail             | 1          | 0          | 0%         | 89%        |
| Works                       | Inspection             | 4          | 2          | 50%        | 95%        |
| Works                       | Line Marking           | 2          | 1          | 50%        | 92%        |
| Works                       | Loose Material         | 4          | 3          | 75%        | 98%        |
| Works                       | Oil Spill              | 1          | 1          | 100%       | 100%       |
| Works                       | Pot Holes              | 8          | 7          | 88%        | 98%        |
| Works                       | Seal Fail              | 0          | 0          | 0%         | 100%       |
| Works                       | Shoving                | 1          | 1          | 100%       | 100%       |
| Works                       | Traffic Sign           | 14         | 13         | 93%        | 93%        |
| Works                       | Road Unspecified       | 16         | 14         | 88%        | 94%        |
| Works                       | Culvert Head           | 0          | 0          | 0%         | 100%       |
| Works                       | Flooding               | 2          | 2          | 100%       | 96%        |
| Works                       | Grates & Lids          | 2          | 2          | 100%       | 100%       |
| Works                       | GPT                    | 0          | 0          | 0%         | 100%       |
| Works                       | SW Kerb & Gutter       | 3          | 3          | 100%       | 94%        |
| Works                       | Storm Pipe             | 4          | 3          | 75%        | 94%        |
| Works                       | Trench Subsidence      | 0          | 0          | 0%         | 0%         |
| Works                       | Stormwater Unspecified | 9          | 8          | 89%        | 92%        |
| <b>February 2019 Totals</b> |                        | <b>234</b> | <b>208</b> | <b>89%</b> | <b>96%</b> |

Incomplete tasks are those that have come in at the end of the month and placed on maintenance schedules. Some Service Responses require external resources to complete.

#### 4 Operations Maintenance Tasks

General Maintenance Tasks completed in February 2019

| Table 4                    |  |
|----------------------------|--|
| Location                   | Type of work   |
| West/South Goulburn        | Storm water response following 1 in 50 year rain event continued into February |
| Goulburn CBD               | Median repairs   |
| Goulburn (various)         | Service Request response   |
| Marulan                    | Drainage swale improvements and concrete dish drain works                      |
| Zone 8 (Middle Arm area)   | Maintenance grading  |
| Zone 11 (Bungonia area)    | Select maintenance grading continued into February                             |
| Zone 14 (Bullamalita area) | Select maintenance grading continued into February                             |

#### 5 Operations Table of Planned Works

The below table outlines all planned works which may impact the public / traffic for the month of March 2019

| Table 5                          |                   |   |
|----------------------------------|-------------------|---|
| Location                         | Date              | Description of works  |
| Mary Street                      | Ongoing           | Road closure between Carr Street and Ridge Street for road extension works.   |
| Church Street                    | 18/3/19 – 12/4/19 | Road Closure at roundabout for drainage improvement works.  |
| Bourke St / Verner St Roundabout | 7/3/19 – 13/3/19  | Stencilling of kerb at Bourke & Verner Roundabout – Stop slow traffic control in place.   |
| Seiffert Oval                    | Ongoing           | Demolition and pre-construction of Sporting Pavilion as per tender 1718T0020  |
| Victoria Park                    | Mid-March         | Pegging out the Rage Cage and commencement of the slab installation.  |
| Leggett Park                     | 6/3/19            | Closing off of the Leggett Park Skate Park to undertake planned maintenance works.  |
| Recreation Area                  | 6/3/19            | Commencement of the Gate 2 amenities installation at the Recreation Area. This will be a six to eight week process and is part of a grant funding project within the public amenities upgrading budget. |

\*Please note dates may vary due to weather, availability of crews and any urgent works requirements

## 6 Community Facilities

### 6.1 Operational

The upcoming Rose Show has been the focus of the maintenance activities for the landscaped team. Whilst the pruning was completed in January the bulk of the behind the scenes work is undertaken through February with fertilising, disease control, and ongoing garden maintenance. Staff have also replaced the pots in front of the Civic Centre with new pots containing roses in preparation for the event. This is a concept staff are hoping to continue throughout the year to mark different events.



*Pots containing roses in front of the Civic Centre*

Staff work in conjunction with the volunteers from the Rose Committee in preparation of this event, which will be held at the Goulburn Recreation Area on the 9<sup>th</sup> and 10<sup>th</sup> March this year. This year's show will incorporate the 150 year anniversary of the railway to Goulburn. The volunteers at the Roundhouse have loaned some items for the rose show display.

A newly updated sign was installed at the Phyllis Rudd Rose Garden, honouring both Phyllis and Allan 'Jockey' Rudd. The sign was installed prior to the Rose Show and acknowledges not just their contributions to the City of Goulburn but the respect and appreciation from the community towards both Phyllis and Allan.



*The newly updated Phyllis and Allan 'Jockey' Rudd Rose Garden Sign*

The sports fields have also undergone some work with ongoing maintenance and running of the irrigation system to help combat the hot dry periods. Liquid fertiliser was also applied to some of the fields with the photo below of North Park showing the benefits of undertaking this work.



*North Park playing surface*

The Seiffert Oval Sports Pavilion is progressing to plan, with the final preparations for the slab underway. The slab is expected to commence in the first half of March. The photo shows the boxing being prepared for the slab installation.



*Seiffert Oval Cricket Pavilion*

Community Facilities staff have also been working hard on the appearance of the CBD and pavement areas. Aside from the ride on scrubbing work staff also undertaking spot cleaning to remove some of the tougher stains, which is done by high pressure steam cleaning or in some instance, hand scrubbing. The photo below is of Community Facilities staff undertaking scrubbing of the pavement outside the Civic Centre.



*Staff undertaking scrubbing outside the Civic Centre.*

Over the months of January and February the cemetery staff have performed twenty six burials across Council Cemeteries, with all of these being lawn interments and one monument interment. A lot of these have been multiple interments on the same day. Aside from general maintenance there

have been some high intensity rain events that have contributed to grave sinkage. Staff have responded to these within their normal work activities. The photo below is of St Pat's Cemetery after grounds maintenance activities were completed, between funerals.



*St Pat's Cemetery*

Tree maintenance activities have focused around lifting and sucker removal on trees with the urban areas. Several large trees have been removed, especially around Goldsmith Street, due to a rapid decline in health. Root prune work was also undertaken during February over several different sites. This work was undertaken to reduce the impact of tree roots on public and private infrastructure and still retain a tree asset. Staff will continue to undertake tree lifting activities and sucker removal within the urban areas over the coming months.

## 6.2 Aquatic Centre

The Goulburn Aquatic and Leisure Centre successfully hosted the regions annual school carnivals throughout February 2019. It was pleasing to see the Centre operating at full capacity with the warm weather experienced greatly assisting with the monthly attendance figure of **12,548**.

It is also important to note that the Centre continued to remain proactive in extending weekend operating hours throughout the summer period during periods of hot dry weather occurred. Once again Centre staff reported that patrons were very supportive of this initiative.

### Attendance Report

Please refer to the table below for the breakdown of February 2019 attendances.

| <b>Program</b>                                    | <b>February 2019</b> |
|---|----------------------|
| Aquatic memberships                               | 737                  |
| Health Club (incl. Fitness Classes) memberships   | 372                  |
| Visit passes (incl. Aquatics and Fitness Classes) | 647                  |
| Family memberships (Aquatic and Fitness)          | 174                  |
| Squad Swimming                                    | 255                  |
| Recreational Swimming                             | 4,491                |
| Children under 2 years                            | 178                  |
| Spectator (exl. Carnivals)                        | 616                  |
| Swimming Lessons                                  | 1,524                |
| Swimming student out of hours                     | 197                  |
| Aquathon  | 93                   |
| Fitness Passport- Aquatic                         | 425                  |
| Fitness Passport- Fitness                         | 33                   |
| NSW Police Academy                                | 102                  |
| School Swimming Carnivals                         | 2,704                |
| <b>TOTAL</b>                                      | <b>12,548</b>        |
| Note: attendance for February 2018 was 15,440.    |                      |

### School Carnivals

The Goulburn Aquatic and Leisure Centre hosted the regions school swimming carnivals throughout February 2019. The carnivals were carried out over 17 days with a total of 2,704 participants being recorded as having attended the school swimming events. Event organisers were reported to have been impressed with the overall involvement of their students, which was reflected in participation levels.



*Goulburn High Carnival- Novelty Events*



*St Joseph Primary Carnival*

**Centre Programs**

The Centre’s learn to swim program resumed in full swing as the community continues to invest in aquatic education. The Centre is excited to announce that it has reached its term target of over 550 enrolments. It is also pleasing to note that the Governments ‘Active Kids Voucher’ initiative is being heavily utilised by the community for swimming lessons. Enrolment numbers are consistent with last year’s Term 1 program.



Members of the Centres squad program received encouraging results throughout the school and zone swimming carnivals. A number of members were awarded school and zone champions, achieved meet records and personal best times.

**Radio Advertising**

Throughout the summer period the Centre engaged the local radio station to assist with promoting use of the Centre. The radios 'Endless Summer' campaign was selected whereby various short 'pulse' lines were utilised and supported by extended advertisements for the various activities and programs on offer at the Centre.

**Facility Maintenance**

The following general maintenance activities were carried out throughout the month of February 2019:

- Indoor and outdoor filtration system preventative maintenance service
- Repairs to indoor pool heat pump
- Additional tap front garden beds

### 6.3 Recreation Area

#### Major and Irregular Events

The busy event season continued at the Recreation Area during February 2019, with a wide variety of major and irregular events occurring. Events throughout February with events including two 21<sup>st</sup> birthdays, the annual Goulburn Charity Rodeo, SESA Netball and Basketball, the BreastScreen Van, PSSA Basketball, Seniors Festival and a wake.

These events attracted an estimated 5,730 visitors to the facility throughout February.

The biggest event at the Recreation area in February was the annual Charity Rodeo attracting approximately 5,000 participants and spectators to the facility.



*Rodeo*

The SESA Basketball NSW Developing Athlete Program provides coaching, training, competition, and support services to enhance skill level of athletes.

The program is part of Basketball NSW (BNSW) Developing Athlete Program (DAP) which is the second tier of BNSW High-performance Program. The program has a strong focus on the identification, development, and support of athletes aged 13-17.

A training session was held in Veolia Arena in February for talented local players.



*SESA Basketball*

The SESA Netball Program forms an important step in the Netball NSW Player Development Pathway and focuses on improving and developing player skills.

The SESA Netball program provides development, education and support structures for athletes to easily integrate to the next level of the elite athlete pathway and focuses on individual athlete development.

A training session was held in Veolia Arena in February for talented local players.



*SESA Netball*

BreastScreen NSW, is a free breast screening service for women aged 40 years and over. The program targets women aged 50 to 74 years to have a screening mammogram every two years. The van has been relocated to the Recreation Area throughout February and March due to construction works at Seiffert Oval. This valuable service has attracted approximately 150 visitors to the facility throughout February.



*BreastScreen Van*

The Seniors Festival was held over two days in the Grace Millsom Centre and Veolia Arena. Wednesday’s activities were held at the Grace Millsom Centre and featured yoga and tai chi, a travel information expo and a ‘war on waste’ workshop. On Thursday Council’s Road Safety Officer Tracey Norberg hosted on the road 65 plus at the Veolia Centre from 10am – 1pm. These events attracted approximately 80 visitors to the facility.



*Seniors Festival Road Safety Session*

The Regional PSSA Basketball knockout was held at the Recreation Area in February with teams participating from all over the region. This event attracted approximately 200 participants to the facility.

The Goulburn High senior boys dominated the competition winning all of their round games convincingly, and taking out the grand final by over 30 points.



*PSSA Basketball*

Two 21<sup>st</sup> birthdays and a wake were also held in Grace Millsom during February.

A huge thank you must go to Goulburn Events Management for their last minute assistance in ensuring the wake could go ahead under extremely heart wrenching circumstances.

These events attracted approximately 230 guests to the facility.

**Regular Users and Events**

February saw all user groups returning to their regular activities. In addition to regular events, user groups hosted three additional events at the Recreation Area in February including a Poultry Auction, Basketball Camp and Dressage Training Day. These events attracted an additional 2258 attendees to the facility throughout February.

Regular users occupied the facility on 27 occasions during February, approximately 1 event per day.



*Dressage Event*



*Poultry Auction*

The tables below show the breakdown of events at the Recreation Area during February 2019.

| <b>Table 6.3.1 – February 2019</b> |                    |
|------------------------------------|--------------------|
| <b>Event</b>                       | <b>Attendances</b> |
| Basketball                         | 640                |
| Dog/Show Training                  | 138                |
| Badminton                          | 180                |
| Greyhound Racing                   | 900                |
| Harness Racing                     | 100                |
| Dressage                           | 120                |
| Poultry                            | 220                |
| Netball                            | 30                 |
| Rodeo                              | 5,000              |
| BreastScreen Van                   | 150                |
| Seniors Festival                   | 80                 |
| PSSA Basketball                    | 200                |
| Wake                               | 80                 |
| 21 <sup>st</sup> Birthdays         | 150                |
| <b>TOTAL</b>                       | <b>7,988</b>       |

| <b>Table 6.3.2 – February 2019</b> |                      |                      |
|------------------------------------|----------------------|----------------------|
| <b>Facility</b>                    | <b>February 2019</b> | <b>February 2018</b> |
| Veolia Arena                       | 750                  | 4,035                |
| Grace-Millsom Function Centre      | 720                  | 2,645                |
| Recreation Area                    | 6,518                | 2,406                |
| <b>Total Attendances</b>           | <b>7,988</b>         | <b>9,086</b>         |

*\*Please note the figures reported for February 2018 include 3420 attendees for indoor hockey.*

**Upcoming Major Events**

The Recreation Area has a whole host of major events booked for 2019. The table below shows all major and irregular events currently booked for 2019.

| <b>Table 6.3.3 – Major Events 2019</b> |   |
|--|---|
| <b>Facility</b>                        | <b>February 2019</b>  |
| Date                                   | Event Name  |
| 2/03/2019                              | Goulburn Show 2019 and setup GOULBURN AGRICULTURAL HORTICULTURAL AND PASTORAL SOCIETY INC APH |
| 3/03/2019                              | Goulburn Show 2019 and setup GOULBURN AGRICULTURAL HORTICULTURAL AND PASTORAL SOCIETY INC APH |
| 4/03/2019                              | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 4/03/2019                              | Private Function GOULBURN MULWAREE COUNCIL  |
| 5/03/2019                              | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 6/03/2019                              | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 6/03/2019                              | Trivia Night CLIENT NAME PENDING  |

GOULBURN MULWAREE OPERATIONS

|            |   |
|------------|---|
| 7/03/2019  | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 8/03/2019  | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 9/03/2019  | Rose Festival GOULBURN ROSE COMMITTEE INC   |
| 9/03/2019  | Dressage Official Competition Days GOULBURN DRESSAGE CLUB                         |
| 9/03/2019  | National Angora Trophy Show MOHAIR AUSTRALIA LTD                                  |
| 9/03/2019  | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 9/03/2019  | State League Basketball Open Women GOULBURN BASKETBALL ASSOCIATION INC.           |
| 9/03/2019  | State League Basketball - Men s Youth League GOULBURN BASKETBALL ASSOCIATION INC. |
| 10/03/2019 | Rose Festival GOULBURN ROSE COMMITTEE INC   |
| 10/03/2019 | Harness Trials 2018 - 2019 GOULBURN HARNESS RACING CLUB                           |
| 10/03/2019 | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 11/03/2019 | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 12/03/2019 | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 14/03/2019 | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 16/03/2019 | Comic Con GOULBURN MULWAREE COUNCIL   |
| 18/03/2019 | Film Festival BILCHED PRODUCTIONS PTY LTD   |
| 18/03/2019 | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 19/03/2019 | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 20/03/2019 | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 21/03/2019 | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 22/03/2019 | BreastScreen Van GOULBURN MULWAREE COUNCIL  |
| 22/03/2019 | Private Conference FAMILY AND COMMUNITY SERVICES                                  |
| 23/03/2019 | Harness Trials 2018 - 2019 GOULBURN HARNESS RACING CLUB                           |
| 23/03/2019 | Questacon QUESTACON   |
| 24/03/2019 | Drill Dance NSW State Titles DRILLDANCE NSW                                       |
| 24/03/2019 | Poultry Auction GOULBURN POULTRY FANCIERS   |
| 24/03/2019 | State League Basketball - Men s Youth League GOULBURN BASKETBALL ASSOCIATION INC. |
| 30/03/2019 | Hauilin The Hume CLIENT NAME PENDING  |
| 30/03/2019 | State League Basketball Open Women GOULBURN BASKETBALL ASSOCIATION INC.           |
| 4/04/2019  | Trade Show REPCO AUTO PARTS LTD   |
| 6/04/2019  | Dressage Training Day GOULBURN DRESSAGE CLUB                                      |
| 6/04/2019  | Rotary Swap Meet GOULBURN MULWAREE ROTARY CLUB                                    |
| 6/04/2019  | State League Basketball - Men s Youth League GOULBURN BASKETBALL ASSOCIATION INC. |
| 7/04/2019  | Rotary Swap Meet GOULBURN MULWAREE ROTARY CLUB                                    |
| 13/04/2019 | Harness Trials 2018 - 2019 GOULBURN HARNESS RACING CLUB                           |
| 13/04/2019 | State League Basketball Open Women GOULBURN BASKETBALL ASSOCIATION INC.           |
| 13/04/2019 | State League Basketball - Men s Youth League GOULBURN BASKETBALL ASSOCIATION INC. |



GOULBURN MULWAREE OPERATIONS

|            |  |
|------------|--|
| 27/04/2019 | Harness Trials 2018 - 2019 GOULBURN HARNESS RACING CLUB                                    |
| 27/04/2019 | South Coast Regional Netball NETBALL NSW   |
| 28/04/2019 | South Coast Regional Netball NETBALL NSW   |
| 29/04/2019 | Harness Race Dates 2018 -2019 GOULBURN HARNESS RACING CLUB                                 |
| 4/05/2019  | Carousel of Colour Alpaca Show AUSTRALIAN ALPACA ASSOCIATION                               |
| 5/05/2019  | Carousel of Colour Alpaca Show AUSTRALIAN ALPACA ASSOCIATION                               |
| 11/05/2019 | Harness Trials 2018 - 2019 GOULBURN HARNESS RACING CLUB                                    |
| 11/05/2019 | NSW Waterfowl show GOULBURN POULTRY FANCIERS   |
| 13/05/2019 | Harness Race Dates 2018 -2019 GOULBURN HARNESS RACING CLUB                                 |
| 18/05/2019 | State League Basketball - Men s Youth League GOULBURN BASKETBALL ASSOCIATION INC.          |
| 25/05/2019 | Harness Trials 2018 - 2019 GOULBURN HARNESS RACING CLUB                                    |
| 26/05/2019 | Poultry Auction GOULBURN POULTRY FANCIERS  |
| 27/05/2019 | Harness Race Dates 2018 -2019 GOULBURN HARNESS RACING CLUB                                 |
| 31/05/2019 | Lions Interclub Visit Dinner - Marlene Skipper MARULAN LIONS CARD PLAYERS CLUB             |
| 1/06/2019  | Dog Training and Kennel Club - Shows and Events 2019 GOULBURN DOG TRAINING AND KENNEL CLUB |
| 1/06/2019  | Dressage Official Competition Days GOULBURN DRESSAGE CLUB                                  |
| 2/06/2019  | Dog Training and Kennel Club - Shows and Events 2019 GOULBURN DOG TRAINING AND KENNEL CLUB |
| 8/06/2019  | Harness Trials 2018 - 2019 GOULBURN HARNESS RACING CLUB                                    |
| 10/06/2019 | Harness Race Dates 2018 -2019 GOULBURN HARNESS RACING CLUB                                 |
| 22/06/2019 | Harness Trials 2018 - 2019 GOULBURN HARNESS RACING CLUB                                    |
| 22/06/2019 | State League Basketball - Men s Youth League GOULBURN BASKETBALL ASSOCIATION INC.          |
| 24/06/2019 | Harness Race Dates 2018 -2019 GOULBURN HARNESS RACING CLUB                                 |
| 6/07/2019  | Pictures & Popcorn GOULBURN MULWAREE COUNCIL   |
| 13/07/2019 | Breeders Choice Alpaca Auction BREEDERS CHOICE ALPACA AUSTION                              |
| 13/07/2019 | State League Basketball - Men s Youth League GOULBURN BASKETBALL ASSOCIATION INC.          |
| 14/07/2019 | Breeders Choice Alpaca Auction BREEDERS CHOICE ALPACA AUSTION                              |
| 27/07/2019 | State League Basketball Open Women GOULBURN BASKETBALL ASSOCIATION INC.                    |
| 27/07/2019 | State League Basketball - Men s Youth League GOULBURN BASKETBALL ASSOCIATION INC.          |
| 28/07/2019 | Poultry Auction GOULBURN POULTRY FANCIERS  |
| 10/08/2019 | Dressage Training Day GOULBURN DRESSAGE CLUB   |
| 13/09/2019 | Charles Ledger Alpaca Show AUSTRALIAN ALPACA ASSOCIATION NSW REGION                        |
| 14/09/2019 | Dressage Official Competition Days GOULBURN DRESSAGE CLUB                                  |
| 14/09/2019 | Charles Ledger Alpaca Show AUSTRALIAN ALPACA ASSOCIATION NSW REGION                        |
| 15/09/2019 | Charles Ledger Alpaca Show AUSTRALIAN ALPACA ASSOCIATION NSW REGION                        |
| 15/09/2019 | Private Event CLIENT NAME PENDING  |
| 22/09/2019 | Poultry Auction GOULBURN POULTRY FANCIERS  |
| 5/10/2019  | Lilac Ball   |
| 6/10/2019  | Lilac Ball   |
| 11/10/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |

GOULBURN MULWAREE OPERATIONS

|            |  |
|------------|--|
| 12/10/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 13/10/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 18/10/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 19/10/2019 | Dressage Training Day GOULBURN DRESSAGE CLUB   |
| 19/10/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 20/10/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 25/10/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 26/10/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 27/10/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 1/11/2019  | Dog Training and Kennel Club - Shows and Events 2019 GOULBURN DOG TRAINING AND KENNEL CLUB |
| 1/11/2019  | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 2/11/2019  | Dog Training and Kennel Club - Shows and Events 2019 GOULBURN DOG TRAINING AND KENNEL CLUB |
| 2/11/2019  | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 3/11/2019  | Dog Training and Kennel Club - Shows and Events 2019 GOULBURN DOG TRAINING AND KENNEL CLUB |
| 3/11/2019  | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 8/11/2019  | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 9/11/2019  | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 10/11/2019 | Convoy 4 Kids CONVOY FOR KIDS GOULBURN   |
| 10/11/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 15/11/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 16/11/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 17/11/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 22/11/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 23/11/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 24/11/2019 | Poultry Auction GOULBURN POULTRY FANCIERS  |
| 24/11/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 29/11/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 30/11/2019 | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 1/12/2019  | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 6/12/2019  | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 7/12/2019  | Dressage Championship Day GOULBURN DRESSAGE CLUB   |
| 7/12/2019  | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 8/12/2019  | Indoor Hockey Championships GOULBURN MULWAREE COUNCIL                                      |
| 23/12/2019 | Harness Race Day 2019-2020 GOULBURN HARNESS RACING CLUB                                    |

**Work, Health & Safety**

Recreation Area Facility Audits and Contractor Audits were carried out in conjunction with contractors and event organisers at the Recreation Area during the month of February. In addition to these, pre-event risk assessment and inspections were carried out to ensure that all events held within the Goulburn Recreation Area were carried out appropriately in a safe manner.

All contractor work carried out through the month of February complied with the GMC Work Health and Safety policies and guidelines. There were no reportable incidents at the Recreation Area during this period.

An emergency evacuation drill was carried out in the Veolia Arena and Grace Millsom Centre in February. The drill highlighted a few difficulties given the nature of the facility, and some opportunities for improvement. Recreation facility staff will continue to work with the WHS team to reduce risks wherever possible.

## 7 Works

The Works Section is currently focused on delivering a number of capital works projects while also meeting the demands of routine maintenance on Council infrastructure and attending to maintenance requests by the general public.

### 7.1 Weed Control

Parks undertook monthly weed control on Council road reserves. The tables below outline the work completed during February 2019.

| <b>Date</b> | <b>Location</b>   | <b>Target</b>                        |
|-------------|---|--------------------------------------|
| 1/03/2019   | Jacqua Road from Oallen Ford Road to Sunninghill Road                 | Serrated Tussock, African Love Grass |
| 28/02/2019  | Jacqua Road   | Serrated Tussock, African Love Grass |
| 27/02/2019  | Jacqua Road   | Serrated Tussock                     |
| 27/02/2019  | Lumley Road from 1517 to Jacqua Road                                  | Serrated Tussock                     |
| 26/02/2019  | Lumley Road from Bullamalita Road to Jacqua Road                      | Serrated Tussock                     |
| 26/02/2019  | Marsden Weir Park   | Cati Eyes                            |
| 25/02/2019  | Lumley Road from Windellama Road to 1517                              | Serrated Tussock, African Love Grass |
| 20/02/2019  | Hill Street, Hume Street, Churchill Street and Darcy crescent         | African Love Grass, serrated Tussock |
| 19/02/2019  | Marsden Weir Park   | Cati Eyes                            |
| 19/02/2019  | Davies Crescent Park, Finlay Road and Sloane Street                   | African Love Grass, Serrated Tussock |
| 18/02/2019  | Common Street Goulburn, Ardgowan Park                                 | African Love Grass                   |
| 18/02/2019  | Steins Lane   | Serrated Tussock, African Love Grass |
| 15/02/2019  | Steins Lane   | Serrated Tussock, African Love Grass |
| 15/02/2019  | Addison Street  | Serrated Tussock, African Love Grass |
| 14/02/2019  | Rec Area, Apex Park, Goulburn Streets, Walking Track Marsden Weir end | Cati Eyes                            |
| 13/02/2019  | Carr Confoy area  | Cati Eyes                            |
| 13/02/2019  | Middle Arm Road to Marys Mount Road and Marys Mount Road              | Grass                                |
| 12/02/2019  | Crookwell Road  | Grass                                |
| 12/02/2019  | Depot – Hetherington Street   | Grass                                |
| 11/02/2019  | Crookwell Road and Marsden Weir Area                                  | Grass                                |
| 7/02/2019   | Median Strip, South approach, Braidwood Road, Bridges, Blisters       | Grass                                |
| 6/02/2019   | Long Street, Mountain Ash Road  | Blackberries                         |

GOULBURN MULWAREE OPERATIONS

|           |                                   |                                      |
|-----------|-----------------------------------|--------------------------------------|
| 5/02/2019 | Caoura Road 1246 to 1145          | Serrated Tussock, African Love Grass |
| 4/02/2019 | Windellama Hall area              | African Love Grass, Serrated Tussock |
| 4/02/2019 | Carr Confoy areas, Blackshaw Road | Grass                                |
| 4/02/2019 | Bungonia Village                  | African Love Grass                   |

### 7.2 Maintenance Grading

The following roads were included in the maintenance grading program for December 2018 & January 2019. The focus of work is now on capital works:

| Table 7.2                                |                                       |
|--|---------------------------------------|
| Completed by Contractor in February 2019 | Completed by Council in February 2019 |
| Readers Road                             | Bumana Road                           |
| Painters Lane                            | Campbells Lane                        |
| Tirranna Lane                            | Steins Lane                           |
| Muffets Lane                             | Dennys Lane                           |
| Johnsons Lane                            | Forest Siding Road                    |
| Harringtons Lane                         | Mt Pedlar Road                        |
|  | Glenot Road                           |
|  | Grays Road                            |
|  | McLellands Road                       |
|  | Fenwicks Creek Road                   |
|  | Mt Baw Baw Road                       |
|  | Coopers Lane                          |

### 7.3 Operational

Capital Works during February 2018 seen the continuation and commencement of many projects, these include the Mary Street extension, widening and overlay works at Windellama Road and widening and overlay works at Currawang Road. All of these projects have had heavy Council involvement with crews making the most of the dry conditions and getting the majority of the work completed during February. Concreting Capital Works also commenced in February with much needed replacement of damaged kerb and footpath at Auburn Street between Citizen and Shepherd Street. Also contractors commenced boxing out in preparation of kerb along the North side of Memorial Drive.

Urban Road rehabilitation commenced in the form of asphalt heavy patching, these works have already made a huge improvement to driver safety with additional sites to follow into March.

Stabilised heavy patching has been completed along Brayton and Ambrose Road, these works were undertaken by specialised contractors and have improved the pavement strength in selected locations. These works have been funded from Section 94 contributions from Gun Lake quarry and have in turn improved the safety of haulage trucks and light vehicles on the road.

Maintenance Grading was finished in Zone 14 by contractors in February. Additionally Council crews have undertaken maintenance grading in Zone 8 on all unsealed roads in this Zone.

Following the storm on the 11<sup>th</sup> of January 2019 crews have still been busy investigating and improving affected infrastructure namely in the West and South Goulburn area. Programming of GPT cleaning has been undertaken in February for works to be completed in March.

## 7.4 Capital Works

### 7.4.1 Wollondilly Walking Track Stage 2



#### 7.4.1.1 Overview

Goulburn Mulwaree Council’s Contractor Divall’s Earthmoving and Bulk Haulage are engaged to construct an additional 1.5km of shared path, including an elevated walkway, as part of the Wollondilly Walking Track Project. Stage 2 of the Wollondilly Walking Track Project will commence from Kenmore St and finish at Tarlo St, linking back to the footpath network.

#### 7.4.1.2 Timetable

| Task  | Due to be completed by | Task Status |
|---|------------------------|-------------|
| Establishment   | 21/01/18               | Complete    |
| Construction of path in Tully Park Golf Course                                      | 30/09/18               | Complete    |
| Construction of shared path towards Joshua St (including link back to road reserve) | 12/10/18               | Complete    |
| Construction of shared path from Kenmore St to Riverview PI                         | 2/11/18                | Completed   |
| Construction of shared path and retaining walls on rock outcrop                     | 1/05/19                | Ongoing     |
| Elevated Walkway Construction   | 28/02/19               | Ongoing     |
| Practical Completion  | 6/05/19                | Ongoing     |

**7.4.1.3 Budget**

| Item                               | Value             |
|------------------------------------|-------------------|
| Contract Value                     | \$1,462,530.71    |
| General Manager variation Approval | 10%               |
| Variations to date                 | \$120,367.96 (8%) |
| Contracts Payment to date          | \$540,748.53      |

**7.4.1.4 Project Status**

Due to unfavourable site conditions, the foundation design for the elevated walkway had to be re-designed and re-issued to the contractor. A piling foundation methodology has been adopted by council and Bridgeworks Pty Ltd have established on site to continue works on the elevated walkway.

Concrete footpath works have commenced on Joshua St, linking the existing footpath network back to the Walking Track.

Regular maintenance and inspections are being carried out by council staff.

**7.4.2 Sandy Point Road Construction**

The curves approaching the intersection at Sandy Point Road and Miller Road are quite sharp and there are very few passing opportunities for traffic travelling in both directions. This creates a road safety hazard when vehicles travelling in a south-westerly direction along Sandy Point Road that wish to turn left onto Miller Road. Approach speed at the curve has been a major factor in the accidents that have occurred at the site. In addition, the current configuration of this section of Sandy Point Road and the intersection at Miller Roads is not suited to larger heavy vehicles.

Safety hazards and accidents at the Sandy Point and Oallen Ford road has raised concerns and demand road upgrade. The proposed safety improvements and realignment works will address these safety concerns and ensure public safety. This project is divided in three packages:

- Package 1 – Design & Construction work at Sandy Point Road
- Package 2 – Design & Construction work at Oallen Ford Road
- Package 3 – Shoulder widening work at Sandy Point Road

**7.4.2.1 Overview**

The works to be executed under this Contract include three separate packages and are intended to improve the overall safety of the road. The works include but not limited to detailed design for road realignment, road construction and drainage works, installation of safety furniture and provision of full width traversable clear zone.

**7.4.2.2 Timetable**

| Task                 | Due to be completed by | Task Status |
|----------------------|------------------------|-------------|
| Tender Advertisement | 30 October 2018        | Complete    |
| Pretender Briefing   | 6 November 2018        | Complete    |
| Tender Evaluation    | 11 December 2018       | Complete    |
| Tender Award         | Tender Rejected        | Complete    |

|  |                  |          |
|--|------------------|----------|
| Negotiations with Contractor               | 15 February 2018 | Complete |
| Environmental Assessment & Detailed Design | 30 March 2019    | Ongoing  |
| Commence Construction                      | 15 April 2019    | Ongoing  |
| Finish Construction and Open for Traffic   | 30 November 2019 | Ongoing  |

**7.4.2.3 Budget**

| Item                                   | Value       |
|--|-------------|
| Approved Funding                       | \$945,515   |
| Council Allocated Budget for Package 2 | \$213,475   |
| Contract Value                         | \$1,158,990 |
| General Manager variation Approval     | 7.5%        |
| Variations to date                     | NA          |
| Contracts Payment to date              | NA          |

**7.4.2.4 Project Status**

Tender received and rejected because of the limited budget. The Council negotiated and discussed with the perspective Contractor different options available to ensure that works can be completed within available budget and time. A report along with the recommendations has been prepared based on the outcome of these negotiations and this report will be presented during the Council meeting of 5<sup>th</sup> March 2019. It is expected that detailed design will be completed by end of March 2019 followed by Construction and newly built sections of the road will be opened for traffic during next financial year 2019/2020

**7.4.3 Bradley – Cowper Street Roundabout**



**7.4.3.1 Overview**

Goulburn Mulwaree Council have committed to the construction of a new roundabout at the intersection of Bradley Street and Cowper Street. The current Give Way intersection has been prone to numerous crashes over recent years. The objective of the project is to improve the traffic flow at



the intersection and reduce the current crash statistics. The project is joint funded through the Blackspot Funding program and council in-kind contribution.

#### 7.4.3.2 Timetable

| Task                                     | Due to be completed by | Task Status |
|--|------------------------|-------------|
| Service Location                         | 4 December 2019        | Completed   |
| Advertise RFQ                            | 31 January 2019        | Completed   |
| Commence Construction                    | 25 March 2019          | Ongoing     |
| Finish Construction and Open for Traffic | 3 June 2019            | Ongoing     |

#### 7.4.3.3 Budget

| Item                               | Value        |
|------------------------------------|--------------|
| Approved Funding                   | \$260,000.00 |
| General Manager variation Approval | 10%          |
| Variations to date                 | Nil          |
| Contracts Payment to date          | \$12,630.67  |

#### 7.4.3.4 Project Status

Service location and relocation works have taken place and are completed. Work notification letters to nearby residents and businesses have been distributed outlining the proposed works and new traffic conditions during the construction period. Divall’s Earthmoving and Bulk Haulage have been engaged to undertake all concrete works which are due to commence on 25 March 2019. Roadwork have also been engaged to carry out asphalt works.

Construction will be completed and the intersection will be opened for traffic in June 2019.

### 7.4.5 Wollondilly Walking Track Solar Lighting

#### 7.4.5.1 Overview

Goulburn Mulwaree Council is concerned to ensure usage of the facility is maximised by providing supporting infrastructure. The lighting project responds to the demonstrated public safety benefit of illuminating pedestrian paths and will generate additional opportunities for use of the Trail for active recreation such as jogging, walking and cycling at key times, such as early in the morning and after business hours.

Solar powered LED lighting has been selected for its ability to meet the project’s design requirements in an environmentally sustainable way.

**7.4.5.2 Timetable**

| Task                       | Due to be completed by | Task Status |
|----------------------------|------------------------|-------------|
| Funding Agreement Executed | 28 February 2019       | Complete    |
| Prepare RFT Documentation  | 11 March 2019          | Ongoing     |
| Advertise RFT              | 12 March 2019          | Ongoing     |
| Tender Evaluation          | 9 April                | Ongoing     |
| Award Contract             | 26 April 2019          | Ongoing     |
| Installation               | 18 July 2019           | Ongoing     |
| Practical Completion       | 13 August 2019         | Ongoing     |

**7.4.5.3 Budget**

| Item                               | Value        |
|------------------------------------|--------------|
| Approved Funding                   | \$444,087.00 |
| General Manager variation Approval | N/A          |
| Variations to date                 | Nil          |
| Contracts Payment to date          | Nil          |

**7.4.5.4 Project Status**

The funding agreement for the lighting project has been executed between Goulburn Mulwaree Council and the Australian Sports Commission. Tender documentation is currently being prepared and reviewed, with the intention to advertise the RFT 12 March 2019.

**7.5 2018/19 Operations Capital Works Program – February 2019**

| Project ref in budget | Project Title/Description                      | Budget           | Budget Traffic Light | Schedule Traffic Light | Outlined Proposed Action | Comment  |
|-----------------------|--|------------------|----------------------|------------------------|--------------------------|--|
| <b>K&amp;G</b>        | <b>Kerb &amp; Gutter Program</b>               | <b>120,000</b>   |                      |                        | <b>Yes</b>               | <b>Delays in program, gas services to be lowered</b>     |
| 190119                | Urban Road Reconstruction - Mary St            | 558,630          |                      |                        | Yes                      | Contractors commenced late February 19                   |
| 190130                | Urban Road Construction - Tait and Lockyer     | 100,000          |                      |                        | Yes                      | Deferred to 19-20  |
| <b>URR</b>            | <b>Urban Road - Rehabilitation</b>             | <b>1,381,592</b> |                      |                        | <b>Yes</b>               | <b>Works programmed for March 19</b>                     |
| <b>SUR</b>            | <b>Sealing - Urban &amp; Rural</b>             | <b>788,736</b>   |                      |                        | <b>Yes</b>               | <b>On time on budget</b>                                 |
| <b>RTR</b>            | <b>Roads to Recovery Program</b>               | <b>595,490</b>   |                      |                        | <b>Yes</b>               | <b>1 week delay in construction commencing</b>           |
| 190124                | Road Widening – Windellama Road                | 296,500          |                      |                        | No                       | On time, on budget                                       |
| 190215                | RHL Brayton Rd – Gunlake Sec 94                | 268,000          |                      |                        | Yes                      | 2 week delay in construction commencing                  |
| 190216                | RHL Ambrose Rd – Gunlake Sec 94                | 402,060          |                      |                        | Yes                      | 2 week delay in construction commencing                  |
| <b>RHL</b>            | <b>Rural Haulage Line</b>                      | <b>174,744</b>   |                      |                        | <b>No</b>                | <b>Not due to commence</b>                               |
| 190123                | RRC – Parkesbourne Rd (1km)                    | 310,695          |                      |                        | No                       | Completed  |
| 190166                | Gurrundah Rd SRR Reconstruction                | 204,290          |                      |                        | Yes                      | Budget transfers to occur in quarterly review            |
| <b>DP</b>             | <b>Drainage Program</b>                        | <b>231,736</b>   |                      |                        | <b>Yes</b>               | <b>On time expected to be overspent</b>                  |
| <b>GR</b>             | <b>Gravel Resheeting</b>                       | <b>451,554</b>   |                      |                        | <b>No</b>                | <b>On time on budget</b>                                 |
| <b>FP</b>             | <b>Footpath Program</b>                        | <b>207,887</b>   |                      |                        | <b>Yes</b>               | <b>Delays in program, gas services to be lowered</b>     |
| <b>SRRL</b>           | <b>Sealed Rural Roads Local</b>                | <b>52,036</b>    |                      |                        | <b>No</b>                | <b>Budget transfers to occur in quarterly review</b>     |
| 190079                | RRBG – Highland Way                            | 264,217          |                      |                        | No                       | Construction to commence in April 20                     |
| <b>SRRRP</b>          | <b>Sealed Rural Regional Road Program</b>      | <b>206,843</b>   |                      |                        | <b>Yes</b>               | <b>Construction due to commence</b>                      |
| <b>URRP</b>           | <b>Urban Roads Regional Program</b>            | <b>140,277</b>   |                      |                        | <b>No</b>                | <b>On time on budget</b>                                 |
| <b>C/O</b>            | <b>Carry Overs 17/18</b>                       | <b>424,870</b>   |                      |                        | <b>Yes</b>               | <b>On time on budget, adjustment in quarterly review</b> |
| <b>MSB</b>            | <b>May Street Bridge (incl FP and K&amp;G)</b> | <b>1,231,540</b> |                      |                        | <b>Yes</b>               | <b>Grant requirements changed, deferred to 19-20</b>     |

| Project ref in budget | Project Title/Description                        | Budget           | Budget Traffic Light | Schedule Traffic Light | Outlined Proposed Action | Comment   |
|-----------------------|--|------------------|----------------------|------------------------|--------------------------|---|
| <b>GL</b>             | <b>Guardrails Local</b>                          | <b>84,468</b>    | ✓                    | ✓                      | No                       | <b>Construction due to commence</b>                       |
| 190089                | CBD Master plan implementation                   | 300,000          | ✓                    | ✓                      | No                       | Awaiting Council agreement                                |
| <b>BS</b>             | <b>Bus Shelters</b>                              | <b>143,000</b>   | ✗                    | ✓                      | Yes                      | <b>One shelter installed, others commence March 19</b>    |
| 190133                | Wollondilly Walking and Cycling Trail Stage 2    | 1,936,302        | ✗                    | ✓                      | No                       | Bridge contractor commenced, pier design reworked         |
| 190222                | Wollondilly Walking and Cycling Trail Lighting   | 444,087          | ✓                    | ✓                      | No                       | Funding approved, RFT to advertise in March 19            |
| 190132                | Parks - Riverside Park                           | 700,000          | ✓                    | ✓                      | No                       | Commenced site clean-up, fence removal and site levelling |
| 190138                | New Playground Equip & Skate Park - Leggett Park | 50,000           | ✗                    | ✓                      | Yes                      | Late, skate ramp to be completed in March 19              |
| <b>OOS</b>            | <b>Other Open Space projects</b>                 | <b>101,000</b>   | ✗                    | ✓                      | Yes                      | <b>Project within budget, adjustments to occur</b>        |
| <b>ACR</b>            | <b>Aquatic Centre Renewals</b>                   | <b>80,000</b>    | ✓                    | ✓                      | No                       | <b>Upgrading plant and equipment</b>                      |
| <b>ACC</b>            | <b>Aquatic Centre Capital</b>                    | <b>5,350,000</b> | ✓                    | ✓                      | No                       | <b>Design 75% complete, awaiting planning approvals</b>   |
| <b>RAI</b>            | <b>Recreation Area Improvements</b>              | <b>140,000</b>   | ✓                    | ✗                      | Yes                      | <b>Capital works as approved by Rec Committee</b>         |
| 190056                | Belmore Park Improvements (Shed)                 | 145,000          | ✓                    | ✗                      | Yes                      | Construction to commence April 19                         |
| 190059                | Skate Park Upgrade                               | 366,671          | ✓                    | ✓                      | No                       | Construction due to commence June 19                      |
| 190064                | Multipurpose Sport Cage                          | 260,526          | ✓                    | ✗                      | Yes                      | Manufacturing commenced, 12 week build                    |
| <b>OLA</b>            | <b>Other Landscaped Areas</b>                    | <b>402,488</b>   | ✗                    | ✓                      | Yes                      | <b>Projects within budget, adjustments required</b>       |
| 190062                | Seiffert Oval Lighting Renewals                  | 578,174          | ✓                    | ✓                      | No                       | Council requested change to scope                         |
| 190063                | Seiffert Oval Pavilion                           | 830,103          | ✓                    | ✓                      | No                       | On time on budget   |
| 190156                | Goulburn Hockey Fields - Design                  | 136,000          | ✓                    | ✓                      | No                       | Council resolved to proceed to DA                         |
| <b>CC</b>             | <b>Cemeteries Capital</b>                        | <b>125,000</b>   | ✓                    | ✓                      | No                       | <b>Construction to commence April/May</b>                 |
| <b>B</b>              | <b>Buildings</b>                                 | <b>573,150</b>   | ✓                    | ✗                      | Yes                      | <b>Projects to be completed by end of FY</b>              |
| 190142                | Tarago new Toilet Block                          | 92,260           | ✗                    | ✓                      | Yes                      | Completed, overspent                                      |

| Project ref in budget | Project Title/Description                            | Budget Budget    | Budget Traffic Light | Schedule Traffic Light | Outlined Proposed Action | Comment  |
|-----------------------|--|------------------|----------------------|------------------------|--------------------------|--|
| 190167                | Recreation Area Amenities Renewal                    | 153,022          | ✘                    | ✔                      | Yes                      | Construction to commence after Goulburn Show   |
| 190026                | Goulburn Performing Arts Centre                      | 9,935,000        | ✘                    | ✘                      | Yes                      | STI phase underway, Tenders closing 2 April 19 |
| 190027                | Sandstone Restoration McDermott Centre               | 100,000          | ✔                    | ✔                      | No                       | Scope to be identified                         |
| 190031                | North Goulburn Employment Precinct                   | 7,788,082        | ✔                    | ✔                      | No                       | Traffic modelling consultancy awarded          |
| <b>NB</b>             | <b>Nadgigomar Bridge Replacement and Realignment</b> | <b>656,748</b>   | ✔                    | ✔                      | <b>No</b>                | <b>Completed</b>                               |
| 190021                | Rocky Hill War Memorial Museum Upgrade               | 2,250,000        | ✔                    | ✘                      | Yes                      | Geotech issues, redo footing design            |
| 190206                | Hudson Park Playground Upgrade                       | 152,014          | ✔                    | ✔                      | No                       | RFT evaluation completed                       |
| <b>SPR</b>            | <b>Sandy Point Road</b>                              | <b>1,181,227</b> | ✘                    | ✔                      | <b>Yes</b>               | <b>Site establishment in March 19</b>          |
| 190205                | NSW Safer Roads Flashing Lights                      | 11,608           | ✔                    | ✔                      | No                       | Completed                                      |
| 190164                | Oallen Ford Road – FCRP                              | 73,686           | ✘                    | ✔                      | Yes                      | Completed                                      |
| 190121                | Cowper/Bradley Roundabout                            | 260,000          | ✔                    | ✔                      | No                       | Services relocated, works commence March 19    |
| <b>VEP</b>            | <b>Village Enhancement Program</b>                   | <b>120,896</b>   | ✔                    | ✔                      | <b>No</b>                | <b>Playground and toilet in production</b>     |
| 190210                | Range Road Upgrade                                   | 80,000           | ✔                    | ✔                      | No                       | RFQ has been released                          |

## 8 Asset Management & Design

### 8.1 Asset Management Planning

For the month of February 2019, the Asset Management team undertook the following tasks:

- Preparing project brief and handing over of urban road rehabilitation program.
- Preparing Draft Strategic Asset Management Plan
- Developing Inspection Schedule for Asset Inspection
- Preparing forward Works Program 19/20

### 8.2 Data or Condition Assessment

For the month of February 2019, the Asset Management team undertook the following tasks:

- Liaison with ARRB for road condition assessment.

### 8.3 Design Projects

The following projects were formally handed over to Works in February 2019:

- Mary St extension
- Guardrail program
- Urban road rehabilitation

Following projects are under various stages as stated and due for formal handover in March 2019:

- Racecourse Drive drainage – identification of service locations before formal handover
- Bungonia Road rehabilitation – detailed design stage
- Church Street – ready for final review and handover
- Bungendore Rd – ready for final review and handover

### 8.4 Application Status

**s138**

| Application    | Date Received | Date Approved | Days to approval |
|----------------|---------------|---------------|------------------|
| S138-0132-1819 | 1/03/2019     | 05/03/2019    | 4                |
| S138-0131-1819 | 1/03/2019     | 05/03/2019    | 4                |
| S138-0126-1819 | 20/02/2019    | 26/02/2019    | 6                |
| S138-0128-1819 | 21/02/2019    | 21/02/2019    | 0                |
| S138-0123-1819 | 14/02/2019    | 15/02/2019    | 1                |
| S138-0121-1819 | 8/02/2019     | 14/02/2019    | 5                |
| S138-0120-1819 | 11/02/2019    | 14/02/2019    | 3                |
| S138-0119-1819 | 4/02/2019     | 12/02/2019    | 8                |
| S138-0004-1819 | 29/01/2019    | 08/02/2019    | 10               |
| S138-0053-1819 | 24/01/2019    | 04/02/2019    | 8                |
| S138-0115-1819 | 29/01/2019    | 31/01/2019    | 2                |
| S138-0114-1819 | 25/01/2019    | 31/01/2019    | 6                |
| S138-0108-1819 | 22/01/2019    | 25/01/2019    | 3                |
| S138-0111-1819 | 23/01/2019    | 24/01/2019    | 1                |
| S138-0105-1819 | 18/01/2019    | 23/01/2019    | 5                |

**S45**

| <b>Table 8.4.2</b>  |                      |                      |                         |
|---|----------------------|----------------------|-------------------------|
| <b>Application</b>  | <b>Date Received</b> | <b>Date Approved</b> | <b>Days to approval</b> |
| Knights 8 Lot Subdivision Stage 2                             | 13/12/2018           | 12/02/2019           | 44                      |
| 117546-14 Mundy St Goulburn                                   | 05/12/2018           | 12/02/2018           | 50                      |
| 176 Taralga Road Goulburn                                     | 19/12/2018           | 12/02/2019           | 40                      |
| 582-584 Thornford road Yarra                                  | 19/12/2018           | 16/01/2019           | 21                      |
| Essential Energy Project 750813<br>Towrang Rd, Greenwich Park | 22/01/2019           | 07/02/2019           | 13                      |

**Heavy Vehicle**

| <b>Table 8.4.3</b>     |                           |                              |                         |
|------------------------|---------------------------|------------------------------|-------------------------|
| <b>Application No.</b> | <b>Received from NHVR</b> | <b>Date Processed by GMC</b> | <b>Days to approval</b> |
| 210610r1v2             | 18/01/2019                | 01/02/2019                   | 11                      |
| 200553r1v4             | 06/02/2019                | 20/02/2019                   | 11                      |
| 192584r1v2             | 07/02/2019                | 18/02/2019                   | 8                       |
| 225082r1v1             | 15/02/2019                | 05/03/2019                   | 17                      |
| 142900r4v2             | 28/02/2019                | 05/03/2019                   | 4                       |
| 103680r158v1           | 05/03/2019                | 05/03/2019                   | 0                       |
|                        |                           |                              |                         |

### 8.5 Road Safety

The following Road Safety programs/tasks were delivered during February 2019.

| Table 8.5                |  |               |   |
|--------------------------|--|---------------|---|
| Target group/issue       | Project/Event                                    | Date          | Description   |
| Young road users         | Graduated Licensing Scheme (GLS) Parent Workshop | Ongoing       | Graduated Licensing Scheme Workshops for the parents and supervisors of Learner Drivers have been scheduled for 2018. RSO has been holding the GLS workshops on the day of the Log Book Run. The RMS recommended power point presentations have been used and are held at the Police Driver Trainers Venue.<br>Next date March 2019   |
| Young road users         | Log Book Run                                     | Ongoing       | The next log book run is scheduled for March 2019.  |
| Plan B                   | Blues Festival                                   | February      | RSO, with funding from the RMS, ran a Plan B bus for the Blues festival to transport festival goers from home into town on both Friday and Saturday night. There was also \$1500 worth of \$10 taxi vouchers handed out over to 4 days to help get them home safely.  |
| Speeding                 | Mobile Speed Sign                                | Ongoing       | At the request of a ratepayer, one of the speed signs is now place on Victoria Street. The residence were concerned about the amount of traffic that was using that road with all the new development out Marys Mount. Their concern was the speed in which the traffic was travelling. The other one is placed in the entry of the depot to monitor the speed of entering traffic. |
| Adults with disabilities | Cycle Safety                                     | Ongoing       | Once a month RSO works with adults with disabilities to help them to stay fit and healthy whilst learning about cycle safety. We all meet at Carr Confoy to cycle around the netball courts and learn how to cycle safely.  |
| Traffic Control          | Events   | February 2019 | RSO implemented traffic Control and Plan for: <ul style="list-style-type: none"> <li>• Multicultural festival</li> </ul>  |
| Safety Around Schools    | Parking  | February 2019 | RSO has been working with Council's parking Ranger on parking around schools. A parking blitz around school took place at the start of the term to educated/remind motorist about their responsibly around schools.   |



GOULBURN MULWAREE OPERATIONS

|                          |   |               |   |
|--------------------------|---|---------------|---|
| <b>Bus Routes</b>        | <b>Inspection</b>                       | February 2019 | RSO was requested by Transport for NSW to conduct a bus route inspection as a request to extend a bus run at Tarago.  |
| <b>Safe Seats</b>        | <b>Safe Seat Vouchers</b>               | Ongoing       | RSO received \$3,000 in funding for safe seat vouchers for the 2018/19 program. To date we have handed out \$1,600 worth of vouchers  |
| <b>Bus Week</b>          | <b>Library Story Time</b>               | February      | RSO worked with library to celebrate bus week. Story time was held at the library and then the children and parent got to sit on the bus and sing "The Wheels on the Bus".  |
| <b>Schools</b>           | <b>Tallong Public School</b>            | February      | RSO has been working with the Principal of Tallong School and the P & C regarding the parking problems around the school. Line marking has been done and I am meeting with the landowner next door to discuss other options of parking. |
| <b>Pedestrian Safety</b> | <b>Look Out Before you Step out&gt;</b> | February      | RSO stencilled all the pedestrian aces points around Belmore Park with the "Look out before you step out" message for the Multicultural Festival. This prompted pedestrian to be look for traffic when stepping out on the road.        |



Tracey Norberg (Road Safety & Traffic Officer) Centre with volunteers at the 2019 Blues Festival

**9 Projects**

**Legend for Status**

- Issue requires immediate action
- Monitor for future attention and action
- Proceeding in accordance to project requirements

| Mary Street Extension |                                       |   |
|-----------------------|---------------------------------------|---|
| Description           | Status                                | Comments  |
| Progress              | <span style="color: green;">●</span>  | Bulk earthworks and stormwater works completed                    |
| Budget / Expenditure  | <span style="color: yellow;">●</span> | \$558,630 / \$62,412  |
| WHS                   | <span style="color: green;">●</span>  | No issues to report   |
| Quality               | <span style="color: green;">●</span>  | No issues to report   |
| Environment           | <span style="color: green;">●</span>  | No issues to report   |
| Milestones            | <span style="color: yellow;">●</span> | Handover of bulk earth works by Divall's 3 weeks behind schedule. |
| Issues                | <span style="color: green;">●</span>  | No issues to report   |



*Mary Street Extension – Sub soil drain installation*

| Currawang Road Rehabilitation |        |  |
|-------------------------------|--------|--|
| Description                   | Status | Comments   |
| Progress                      | ●      | Gravel works completed, ready for seal.                        |
| Budget / Expenditure          | ●      | \$123,520 / \$86,974, under pressure to be \$14,000 overspent. |
| WHS                           | ●      | No issues to report  |
| Quality                       | ●      | No issues to report  |
| Environment                   | ●      | No issues to report  |
| Milestones                    | ●      | No issues to report  |
| Issues                        | ●      | No issues to report  |



*Currawang Road – Ripped and ready for gravel overlay*

| Windellama Road Widening |        |   |
|--------------------------|--------|---|
| Description              | Status | Comments                                |
| Progress                 | ●      | Gravel works completed, ready for seal. |
| Budget / Expenditure     | ●      | \$256,500 / \$110,805                   |
| WHS                      | ●      | No issues to report                     |
| Quality                  | ●      | No issues to report                     |
| Environment              | ●      | No issues to report                     |
| Milestones               | ●      | No issues to report                     |
| Issues                   | ●      | No issues to report                     |



*Windellama Road – Shoulder resheeting*

| Sanctuary Drive Extension |        |  |
|---------------------------|--------|--|
| Description               | Status | Comments   |
| Progress                  | ●      | Intersection gravel and concrete works completed with prime seal |
| Budget / Expenditure      | ●      | \$201,000 / \$36,965   |
| WHS                       | ●      | No issues to report  |
| Quality                   | ●      | No issues to report  |
| Environment               | ●      | No issues to report  |
| Milestones                | ●      | No issues to report  |
| Issues                    | ●      | No issues to report  |



*Sanctuary Drive / River Street Intersection - New kerb, gravel and prime seal ready for asphalt*

| Urban Rehabilitation – Brayton Rd, Sowerby St, Old Sydney Road, Wheeo Road |        |  |
|--|--------|--|
| Description  | Status | Comments   |
| Progress   | ●      | Sowerby St and Wheeo Road completed, ready for line marking. |
| Budget / Expenditure   | ●      | \$458,448 / \$4,107  |
| WHS  | ●      | No issues to report  |
| Quality  | ●      | No issues to report  |
| Environment  | ●      | No issues to report  |
| Milestones   | ●      | No issues to report  |
| Issues   | ●      | No issues to report  |



Sowerby Street – Asphalt Night Works

**10 Fleet**

For the month of January 2019 the following scheduled/unscheduled works occurred.

| <b>January 2019</b> | <b>Service (Scheduled)</b> | <b>Repairs (Unscheduled)</b> | <b>Cost (Total)</b> |
|---------------------|----------------------------|------------------------------|---------------------|
| Light Vehicles      | 4                          | 3                            | \$3,282.47          |
| Heavy Plant         | 3                          | 12                           | \$7,303.60          |
| Minor Plant         | 0                          | 0                            | -                   |
| RFS                 | 0                          | 0                            | -                   |

**WH&S Daily Maintenance Vehicle Inspection Departmental Returns**

| <b>Daily Maintenance Inspections between 1/01/19 –31/01/19</b> | <b>Department</b>    | <b>Plant Items Requiring Operator Initiated Inspections</b> | <b>Potential Returns</b> | <b>Total Returns Received</b> | <b>% Returns</b> |
|--|----------------------|---|--------------------------|-------------------------------|------------------|
|  | Community Facilities | 12  | 48                       | 42                            | 88%              |
|  | Fleet                | 2   | 8                        | 8                             | 100%             |
|  | Noxious Weeds        | 2   | 8                        | 7                             | 88%              |
|  | Parks & Gardens      | 11  | 44                       | 30                            | 68%              |
|  | Rangers              | 5   | 20                       | 0                             | 0%               |
|  | Store                | 1   | 4                        | 4                             | 100%             |
|  | Waste Management     | 20  | 80                       | 72                            | 90%              |
|  | Waste Water          | 9   | 36                       | 17                            | 47%              |
|  | Water & Sewer        | 14  | 56                       | 48                            | 86%              |
|  | Water Filtration     | 5   | 20                       | 20                            | 100%             |
|  | Works Construction   | 17  | 68                       | 58                            | 85%              |
|  | Works Maintenance    | 16  | 68                       | 46                            | 68%              |
|  | <b>Total</b>         | <b>114</b>  | <b>456</b>               | <b>352</b>                    | <b>77%</b>       |

**Plant Purchases:**

| <b>Plant No.</b> | <b>Date of Purchase</b> | <b>Description</b>             | <b>Cost</b> |
|------------------|-------------------------|--------------------------------|-------------|
| 9950             | 08/01/19                | Isuzu FTR 150-260 Tipper Truck | \$134,300   |

**12.18 PLANNING AND ENVIRONMENT DIRECTORATE REPORT - FEBRUARY 2019**

**Author:** Scott Martin, Director Planning & Environment

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Planning & Environment Departmental Report [↓](#) 

|  |  |
|--|--|
| <b>Link to Community Strategic Plan:</b> | CSP Strategy CL1 - Effect resourceful and respectful leadership and attentive representation of the community. |
| <b>Cost to Council:</b>                  | Nil  |
| <b>Use of Reserve Funds:</b>             | Nil  |

**RECOMMENDATION**

That the activities report from the Director Planning and Environment be received and noted for information.

**BACKGROUND**

The purpose of this report is to provide an update on the monthly activities of the Planning and Environment Directorate.

**REPORT**

Please find attached the February 2019 monthly report on the activities of the Planning and Environment Directorate.



# planning & environment

march 2019



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## 1 Development Assessment

### 1.1 Progress of LEC Proceedings

- DA/0330/1617 (288 Tiyces Lane) – Jasminco Resources Pty Ltd – A second directions hearing was held on 8 October 2018. Proceedings listed for hearing on 3, 4 and 5 April 2019.
- Class 1 Application – 88 Cathcart Street (Shaun McKavanagh) – Seeking to revoke or vary a Repair Order in relation to a retaining wall. Telephone Directions Hearing 18 February 2019. Informal mediation with all parties on-site followed by discussions at the Civic Centre on 18 March 2019.
- Class 1 Application – Wakefield Park Noise Prevention Notice – Telephone Directions Hearing set down for 18 March 2019.

### 1.2 State Significant Development

|                                    |  |  |
|------------------------------------|--|--|
| Woodlawn Waste Facility            | Modification to Woodlawn Bioreactor Expansion  | Under assessment                         |
| Woodlawn Waste Facility            | Modification to enable the construction and operation of a Solid Recovered Fuel processing area within the Woodlawn Eco Precinct     | Under assessment                         |
| Ardmore Park Quarry Modification 3 | Extension to extraction area, increase in production, increase in hours of operation   | More information required                |
| Carrick Solar Farm                 | Development of a 144 MW solar farm and associated infrastructure   | SEARs have been issued                   |
| Marulan South Limestone Mine       | Open cut mine extension project  | SEARs have been issued                   |
| Peppertree Quarry Modification 5   | Development of a new overburden emplacement and amending western overburden emplacement, construct new haulage road and intersection | More information required                |
| Goulburn Poultry Processing        | Mixed Use Development  | SEARs have been issued                   |
| Parkesbourne Solar Farm            | Involves the development of a 600 MW solar photovoltaic (PV) facility with battery storage and ancillary infrastructure              | SEARs have been issued                   |
| Marulan Quarry                     | Establish a hard rock quarry and progressive rehabilitation of the pits  | More information required to issue SEARs |

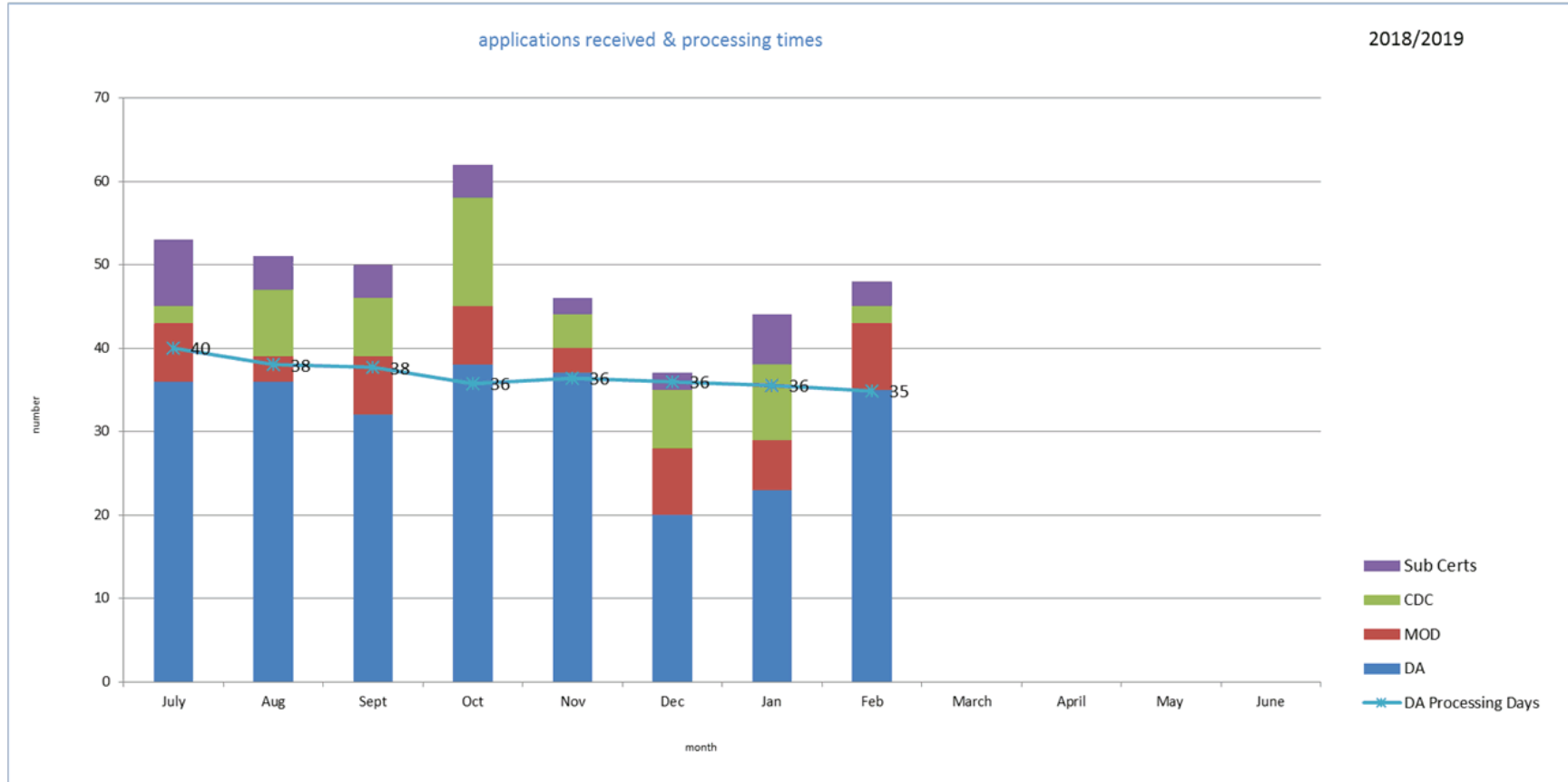
### 1.3 Regional Projects requiring Joint Regional Planning Panel (JRPP) approval

- DA/0425/1718 – Goulburn’s Aquatic Centre Redevelopment for 85 Deccan Street was lodged on 29 June 2018. Additional information was provided by the applicant on 15 January 2019, however, the information provided requires further refinement before it can be assessed.

### 1.4 Overview of Development Applications

| New Applications Lodged with Council February 2019   |   |      |                          |                               |
|--|---|------|--------------------------|-------------------------------|
| DAs  | Modifications   | CDCs | Subdivision Certificates | Total New Applications        |
| 35   | 8   | 2    | 3                        | <b>48</b>                     |
| <b>Total cost of New Development: \$5,436,209.25</b> |   |      |                          |                               |
| <b>Of Note:</b>                                      | DA/0233/1819 - KFC Restaurant at 179-183 Hume Street, Goulburn \$1,300,000.00 |      |                          |                               |
| Determined Applications February 2019                |   |      |                          |                               |
| DAs  | Modifications   | CDCs | Subdivision Certificates | Total Determined Applications |
| 32   | 6   | 3    | 1                        | <b>42</b>                     |

1.5 Applications received and processing times



**2 Strategic Planning Program**

|    | Project   | Anticipated Completion Date   | Potential impediments  | Project reliant on / linked to:  |
|----|---|---|--|--|
| 1. | <b>Strategic Planning Statement (legislative requirement)</b> | June/July 2020  | Dependant on a number of supporting strategies including: <ul style="list-style-type: none"> <li>▪ Social Plan</li> <li>▪ Housing Strategy</li> <li>▪ Recreational Needs Strategy</li> <li>▪ Employment Lands Strategy</li> <li>▪ Agricultural and Resource Lands Strategy</li> </ul>  | The Strategic planning Statement cannot be delivered until all strategies are finalised.   |
| 2. | <b>Housing Strategy</b>                                       | <ul style="list-style-type: none"> <li>▪ Consultation period has now closed. Several submissions provided with extension to 1 March 2019</li> <li>▪ Review of submissions being undertaken. Once review completed, Council to be briefed in April</li> <li>▪ PP component recommendations pending adoption of the Strategy following DPE endorsement</li> </ul> | <ul style="list-style-type: none"> <li>▪ Exhibition to include State agencies and DPE. State agencies (particularly OEH) may start getting into smaller details of strategy due to the inclusion of consideration for planning proposals.</li> <li>▪ DPE has warned that the endorsement of the Strategy could take 3-4 months and may be held up due to the NSW Election.</li> <li>▪ DPE will not consider planning proposals relating to the study until Housing Strategy is endorsed.</li> <li>▪ Western corridor – potential delay if included in initial planning proposal (native vegetation and ability to service).</li> <li>▪ Further review being undertaken of existing capacity for rural lifestyle lots in the 2-20 Ha size range around Goulburn.</li> <li>▪ Additional impediments identified during exhibition process include natural gas pipeline corridor and electricity transmission corridor in the north Goulburn area, and location of Orica explosives depot west of Marulan.</li> <li>▪ Results from exhibition process to be collated and summarised for the consultant (Elton’s). Additional feedback from Council to be provided as part of this process.</li> <li>▪ Results from exhibition process will require a review of the draft strategy recommendations. Depending on the extent of the changes further exhibition may be required.</li> <li>▪ If additional exhibition required, completion date may be delayed by approx. 3 months.</li> </ul> | <ul style="list-style-type: none"> <li>▪ State agency approval</li> <li>▪ NSW DPE endorsement</li> <li>▪ Extent of submissions/content for review</li> </ul> |

|    | Project   | Anticipated Completion Date   | Potential impediments   | Project reliant on / linked to:   |
|----|---|---|---|---|
| 3. | <b>Section 94 and 94A Plans Review (including Car Parking Strategy)</b> | Initial Review of existing plans currently being undertaken and drafts completed by June 2019<br>New plans including car parking by December 2019 | <ul style="list-style-type: none"> <li>▪ Car Parking Assessment of need and capability for Goulburn CBD.</li> <li>▪ Section 94 and 94A plan review can start immediately, however the inclusion of urban release areas will need endorsement of the Housing Strategy.</li> <li>▪ S94 and 94A review needs to be undertaken with DCP review for urban release areas (also dependent on Housing Strategy endorsement).</li> </ul> | <ul style="list-style-type: none"> <li>▪ Housing Strategy endorsement by NSW DPE</li> <li>▪ Gateway determination for Housing Strategy proposal</li> <li>▪ Development of DCP provisions relating to planning proposals</li> <li>▪ Design and cost work associated with additional projects for s94 Plan</li> <li>▪ Link to CBD Masterplan</li> </ul> |
| 4. | <b>Recreational Needs Strategy</b>                                      | May 2019 (subject to Council and public consultation)   | <ul style="list-style-type: none"> <li>▪ A completed draft was presented to Executive in December. The draft will need to be put to Council and then exhibited – currently awaiting for briefing session to Council.</li> <li>▪ Potential contentious exhibition content</li> </ul>   | <ul style="list-style-type: none"> <li>▪ Reliant on exhibition process and how the public receives the document (i.e. how contentious it is) will determine what edits/changes required for finalisation and final adoption.</li> </ul>   |
| 5. | <b>Community Participation Plan (legislative requirement)</b>           | December 2019   | <ul style="list-style-type: none"> <li>▪ Consultation process</li> <li>▪ Staff availability</li> </ul>  | <ul style="list-style-type: none"> <li>▪ DCP (but not reliant on it)</li> <li>▪ Upgrade of Council’s website</li> </ul>   |
| 6. | <b>Resource Lands (Agriculture and Extractive Industries) Strategy</b>  | Early 2020 (Budget and State Government Dependent)  | <ul style="list-style-type: none"> <li>▪ This Strategy is dependent on the review of agricultural land mapping by DPI (Agriculture).</li> <li>▪ Consultation required with DPI and DPE to better determine timeframes</li> </ul>  | <ul style="list-style-type: none"> <li>▪ The completion is required in order to do the Strategic Planning Statement</li> <li>▪ Linked to DPI mapping</li> </ul>   |

|     | Project   | Anticipated Completion Date   | Potential impediments   | Project reliant on / linked to:  |
|-----|---|---|---|--|
| 7.  | <b>Social Plan</b>  | Council will be fully consulted with in May and June 2019 with draft plan ready for consultation in July 2019.<br>Finalised October 2019. | <ul style="list-style-type: none"> <li>Preferred consultant selected. Currently finalising contract.</li> </ul>   | Strategic Planning Statement   |
| 8.  | <b>Goulburn Mulwaree DCP 2009 (Comprehensive Review to create Goulburn Mulwaree DCP 2019)</b> | TBA – Specific program being developed.<br>Anticipated to be rolled out in stages.  | <ul style="list-style-type: none"> <li>Inception meeting held with planners and building surveyors in January 2019.</li> <li>Suggested releasing Chapters separately for comment as they're drafted.</li> <li>Looking at moving to a performance based document – greater consultation will be required but will provide more flexibility for Council and developers.</li> <li>Incorporate signage strategy.</li> </ul> | Site specific chapters relating to urban release areas dependant on planning proposals arising from the Housing Strategy |
| 9.  | <b>Voluntary Planning Agreements and Land Dedication Policy</b>                               | April 2019  | <ul style="list-style-type: none"> <li>Draft VPA and Land Dedication Policy recently exhibited – 1 submission received.</li> <li>To be reported to Council to seek endorsement in April.</li> </ul>   | Nil  |
| 10. | <b>Car Parking Strategy</b>   | First Quarter 2019  | Further consultation to occur with GM   | <ul style="list-style-type: none"> <li>s94 plan</li> <li>CBD Masterplan</li> </ul>                                       |
| 11. | <b>CBD Master Plan</b>  | To be determined, depending on outcome of community engagement. Currently with GM's office.   | Further consultation to occur with GM   | <ul style="list-style-type: none"> <li>s94 plan</li> <li>Car Parking strategy</li> </ul>                                 |
| 12. | <b>Signage Strategy &amp; DCP Amendment</b>   | Ongoing   | Staff availability  | General DCP Review   |



|     | Project  | Anticipated Completion Date   | Potential impediments  | Project reliant on / linked to:   |
|-----|--|---|--|---|
| 13. | <b>Height of Buildings in CBD</b>  | Commencement deferred until completion of Housing Strategy.                         | There is minimal risk associated with this item as Clause 4.6 of the GMLEP permits variations to height and floor space standards. | <ul style="list-style-type: none"> <li>▪ Staffing availability</li> <li>▪ Housing strategy, particularly identifies increased densities in residential areas around CBD which will potentially result in LEP and DCP amendments. It may be opportune to undertake this work at the same time</li> </ul> |
| 14. | <b>Goulburn Mulwaree LEP 2009 Review – Recurring every 5 years (or as the need arises)</b> | Next review to follow preparation of Local Strategic Planning Statement – July 2020 | There is always a potential of unforeseen needs arising to urgently review aspects of the LEP                                      | Linked to Strategic Planning Statement  |

## 2.1 Planning Proposals

Planning proposals are the mechanism by which Goulburn Mulwaree LEP 2009 can be amended. The Strategic Planning has completed four (4) of the Planning Proposals, is currently preparing one (1) on behalf of Recreational Organisations, processing two (2) planning proposals on behalf of landowners requesting site specific amendments to the GM LEP 2009 and deferred one (1) to Council's Housing Strategy.

| Proposal No.  | Location                                       | Proposal  | Jan/ Feb Activities   |
|---------------|--|---|---|
| REZ/0001/1415 | 35 Ross Street, Bradfordville                  | Proposed rezoning for the Goulburn Health Hub (rezoning from IN1 General Industrial to SP2 Special Purpose) | Awaiting applicant response from proponent to issues raised by State agencies and meeting with SES.   |
| REZ/0001/1516 | 1 Racecourse Drive, Goulburn (Lot 1 DP 171661) | Rezoning  | Completed 7 September 2018  |
| REZ/0003/1516 | LGA Wide                                       | Amendment 8 - Minor amendments and corrections  | Completion 19 October 2018  |
| REZ/0004/1516 | Bungonia                                       | Bungonia Village Heritage Conservation Area   | Completed 27 July 2018.   |
| REZ/0001/1617 | 150 and 170 Lansdowne Street, Goulburn         | Rezone land from B6 Enterprise Corridor to R5 Large Lot Residential   | Completed 25 January 2019.<br>The Planning Proposal was revised to defer Lot 10 (fronting Lansdowne Street and Robinson Street) from the Amendment. |
| REZ/0001/1718 | 'Mistful Park' Crookwell Road                  | Rezoning - Deferred to Housing Strategy   | To be considered with the Housing Strategy.   |
| REZ/0002/1718 | 745 Crookwell Road 'Kingsdale Wines'           | Include Restaurant or café in Schedule 1 of GM LEP 2009.  | Submitted to Department of Planning and Environment for a gateway determination.  |
| REZ/0002/1819 | Goulburn Motorcycle and Speedway Club          | Rezone land from RU6 Transition to RE2 Private Recreation   | Additional information from the proponents anticipated in February/March has not been provided.   |

## 2.2 Legislative Updates

### State Environmental Planning Policy (Primary Production and Rural Development) 2019

This SEPP (*State Environmental Planning Policy (Primary Production and Rural Development) 2019*) was revised on 28 February 2019 to provide provisions that must be taken into account for subdivision and dwelling houses in the following zones of **specific LEP's**:

Amongst others; RU1 Primary Production, RU2 Rural Landscape, RU3 Forestry and RU6 Transition

This revision will have minimal impact on the assessment of development applications under the Goulburn Mulwaree's Local Environmental Plan 2009 development assessment framework however numerous other regional LGA's have been included in the amendment. It was disappointing to read that GMC was not included in the Schedule of specific LEP's.

**State Environmental Planning Policy (Affordable Rental Housing) Amendment (Boarding House Development) 2019**

On 28 February 2019 this SEPP revised the provisions of *Boarding Houses in Zone R2 Low Density residential* to include that:

*A consent authority must not grant development consent to a boarding house on land within Zone R2 Low Density residential....unless it is satisfied that the boarding house has no **more** than 12 boarding rooms.*

This will limit the occupancy of boarding houses across the Shire and may limit places available for Council's current lower socio-economic demographic.

**State Environmental Planning Policy (SEPP) No 70 – Affordable Housing (Revised Scheme)**

This SEPP was revised on 28 February 2019 to apply to the *Rest of NSW* which means the area that the Australian Bureau of Statistics determines from time to time to be the Rest of NSW.

It has also been revised to permit occupancy of development approved under this SEPP to any combination of *very low, low or moderate income households*.

This is intended to improve the supply of affordable housing in Regional areas.

**State Environmental Planning Policy (Aboriginal Land) 2019**

This is a new SEPP was made on 6 Feb 2019 and aims to:

*Provide for development delivery plans for areas of land owned by Local Aboriginal Land Council's (LALC's – eg Pejar LALC) to be considered when development applications are considered, and declare specified development carried out on land owned by LALC's to be Regionally significant development.*

**State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Inland Code) 2019 [NSW]**

This Amendment was made on 8 February 2019 by inserting "the Inland Code" after "the Housing Code" in Cl 1.19. So the Inland Code has now come into effect.

**Local Land Services Amendment (Allowable Activities) Regulation 2019**

This Regulation has been revised to allow clearing of vegetation around water supply and gas infrastructure.

### 3 Environment and Compliance

#### 3.1 Ranger Services - February 2019

| Companion Animal Facility | Number of Animals ...                       | Dogs | Cats |
|---------------------------|---|------|------|
|                           | Impounded this month *                      | 17   | 13   |
|                           | Surrendered by Owner                        | 2    | 0    |
|                           | Returned to Owner                           | 6    | 0    |
|                           | Sold  | 8    | 0    |
|                           | Transferred to Animal Welfare Organisations | 3    | 9    |
|                           | Euthanised **                               | 1    | 1    |
|                           | Remaining in the facility                   | 6    | 7    |

\*Some animals are able to be immediately returned to their owners without needing to be impounded.

\*\*The animal's euthanised this month were all animals that were surrendered and deemed unsuitable to be rehomed. The cats euthanized this month were all considered feral and unable to rehome. Please note that animal's euthanised this month may have been impounded in previous months.

| Customer Requests | Animals | Illegal dumping | Abandoned Trolleys Reported | Abandoned Articles | Total CRM's completed |
|-------------------|---------|-----------------|-----------------------------|--------------------|-----------------------|
|                   | 86      | 5               | 0                           | 0                  | 91                    |

#### 3.2 Environment & Health – February 2019

| Customer Requests | Development and Land Use |                | Health and Pollution |           |                      | Other* | Total CRM's completed |
|-------------------|--------------------------|----------------|----------------------|-----------|----------------------|--------|-----------------------|
|                   | Illegal Development      | Non Compliance | Food Premises        | Pollution | Unhealthy Conditions |        |                       |
|                   |                          | 11             | 26                   | 1         | 8                    | 5      | 0                     |

#### 3.3 Community Enforcement – February 2019

| Parking | Number of Parking patrols conducted ... |             |               | Total Infringements for ... |              |               |               |
|---------|---|-------------|---------------|-----------------------------|--------------|---------------|---------------|
|         | In General                              | School Zone | Hospital Zone | CBD                         | School Zones | Hospital Zone | GMC Car Parks |
|         |   | 35          | 12            | 4 *                         | 40           | 16            | 12            |

\*Patrols in Hospital zone decreased due to signs obstructed by trees. Service request has been entered for follow up with the appropriate department.

| Customer Requests | Parking | Unkempt or Overgrown Land | Abandoned Vehicles/Articles | Total CRM's completed |
|-------------------|---------|---------------------------|-----------------------------|-----------------------|
|                   | 13      | 4                         | 9                           | 26                    |

### 3.4 Biosecurity Weeds

On 18 December 2018 Council resolved to place the Draft Local Weed Management Plan (the Plan) on public exhibition and invite submissions from the public.

The Plan has been developed as part of Council's response to the implementation of the Biosecurity Act 2015, and identifies the weeds with which Goulburn Mulwaree Council maintains an active management and compliance program. It also specifies the extent to which land managers within the Council area must manage these priority weeds in the absence of State legislated requirements.

The Plan will be on public exhibition from **7 February 2019 to 6 March 2019**.

As an interim measure until the local plan has been endorsed, Council has commenced the issuing of Draft Biosecurity Directions to property owners across the Local Government Area with identified weed infestations. Upon Council's endorsement of the Local Weed Management Plan, this process will be formalised and the prescribed regulatory actions commenced against property owners if the Draft Directions have not been complied with.

It is anticipated that the implementation of the Draft Direction process will not only advise property owners of their Biosecurity obligations under the Act and the Local Weed Management Plan, but will serve as the fulfilment of the primary consultation requirement prescribed under the Act which is necessary prior to formal regulatory actions being commenced. This process advises property owners that are either unaware of their weed control obligations, or that have chosen not to fulfil their weed management responsibilities in the period between the legislative changes being implemented, that they need to take action now to fulfil their Biosecurity duties or Council will fully exercise its powers as the Local Control Authority once the Local Plan is endorsed.

Council's Biosecurity Weed Officers are undertaking assessments of land holdings across the Local Government Area to determine compliance with the Act and the Draft Plan.

For the month of February Biosecurity Weeds Officers have issued 19 Draft Biosecurity Directions to land holders.

**12.19 COUNCILLOR BRIEFING SESSION SUMMARY**

**Author:** Warwick Bennett, General Manager

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** Nil

|  |   |
|--|---|
| <b>Link to Community Strategic Plan:</b> | Civic Leadership  |
| <b>Cost to Council:</b>                  | Cost of Councillor Briefings is funded from Councils operation budget |
| <b>Use of Reserve Funds:</b>             | Not applicable  |

**RECOMMENDATION**

That the report from the General Manager on Councillor Briefing Session Summary be received.

**REPORT**

The following is a summary of the issues discussed at Councillor Briefing Sessions and the attendance of Councillors at these Briefing Sessions for the past month.

Tuesday 12 February 2019 5.30pm

Issues discussed

1. Meeting with Developers – Follow on from 2018 Meeting

| Councillor Name           | Attendance |    |
|---------------------------|------------|----|
|                           | Yes        | No |
| Mayor Bob Kirk            | Yes        |    |
| Cr Alfie Walker           |            | No |
| Cr Andrew Banfield        | Yes        |    |
| Cr Leah Ferrara           | Yes        |    |
| Cr Carol James            | Yes        |    |
| Cr Margaret O'Neill       | Yes        |    |
| Cr Sam Rowland            | Yes        |    |
| Cr Denzil Sturgiss        | Yes        |    |
| Deputy Mayor Peter Walker | Yes        |    |

Tuesday 26 February 2019 5.00pm

Issues discussed

1. Budget
2. Code of Meeting Practice

| Councillor Name           | Attendance |         |
|---------------------------|------------|---------|
|                           | Yes        | No      |
| Mayor Bob Kirk            | Yes        |         |
| Cr Alfie Walker           |            | No      |
| Cr Andrew Banfield        | Yes        |         |
| Cr Leah Ferrara           | Yes        |         |
| Cr Carol James            | Yes        |         |
| Cr Margaret O'Neill       | Yes        |         |
| Cr Sam Rowland            |            | Apology |
| Cr Denzil Sturgiss        | Yes        |         |
| Deputy Mayor Peter Walker | Yes        |         |

Tuesday 5 March 2019 6.30pm – Following Council Meeting

Issues discussed





1. Budget

| Councillor Name           | Attendance |         |
|---------------------------|------------|---------|
|                           | Yes        | No      |
| Mayor Bob Kirk            | Yes        |         |
| Cr Alfie Walker           |            | Apology |
| Cr Andrew Banfield        | Yes        |         |
| Cr Leah Ferrara           | Yes        |         |
| Cr Carol James            | Yes        |         |
| Cr Margaret O'Neill       |            | Apology |
| Cr Sam Rowland            | Yes        |         |
| Cr Denzil Sturgiss        | Yes        |         |
| Deputy Mayor Peter Walker | Yes        |         |

**12.20 EXTERNAL MEETING MINUTES**

**Author:** Warwick Bennett, General Manager

**Authoriser:** Warwick Bennett, General Manager

- Attachments:**
1. Southern Tablelands Zone Bush Fire Management Committee Meeting Minutes 5 September 2018 [↓](#) 
  2. Gunlake Community Consultative Committee Meeting Minutes 15 February 2019 [↓](#) 
  3. Local Emergency Management Committee Meeting Minutes 5 February 2019 [↓](#) 
  4. Country Mayors Meeting Minutes 8 March 2019 [↓](#) 

|  |   |
|--|---|
| <b>Link to Community Strategic Plan:</b> | CL3 We actively collaborate with others in the region |
| <b>Cost to Council:</b>                  | There are no financial implications for this report   |
| <b>Use of Reserve Funds:</b>             | Nil   |

**RECOMMENDATION**

That the report from the General Manger on the minutes from the following meeting be noted:

1. Southern Tablelands Zone Bush Fire Management Committee Meeting Minutes 5 September 2018
2. Gunlake Community Consultative Committee Meeting Minutes 15 February 2019
3. Local Emergency Management Meeting Minutes 5 February 2019
4. Country Mayors Meeting Minutes 8 March 2019

**REPORT**

Please find attached the minutes from the:

1. Southern Tablelands Zone Bush Fire Management Committee Meeting Minutes 5 September 2018
2. Gunlake Community Consultative Committee Meeting Minutes 15 February 2019
3. Local Emergency Management Meeting Minutes 5 February 2019
4. Country Mayors Meeting Minutes 8 March 2019





**NSW RURAL FIRE SERVICE**



## MEETING MINUTE

**Meeting:** Southern Tablelands Zone (STZ) Bush Fire Management Committee

**Convened by:** Greg Minahan (NSW RFS volunteer)

**Attendees:** Peter Alley (NSW RFS STZ Manager), Greg Potts (ACT RFS), James Wheelwright (U/L Shire Council), Mursaleen Shah (U/L Shire Council), Denzil Sturgiss (G/M Council), Margaret Cameron (NSW Farmers Association, Goulburn), Maggie Sutcliffe (Team Leader-Rangers, NPWS), Garry Gruber (NSW RFS volunteer), John Sendall (NSW RFS volunteer), Wayne Picker (NSW RFS volunteer), Rod Baker (Forestry Corporation NSW), Chris Harris (Local Land Services), Jason Welsh (Aust. Rail Track Corp.), M. Hooper (Vegetation management Officer, John Holland Rail Pty Ltd)

**Location:** Yass FCC, 1410 Laidlaw Street, Yass NSW 2582

**Date and time:** 5 September 2018, 10:00

**Apologies:** Ian Kennerley (NSW RFS Operations Officer), Cherie Roach (NSW RFS Community Safety Officer), Ian McLennan (NSW Farmers Association, Lake Bathurst), Anthony Evans (Area Manager, National Parks & Wildlife Service NSW [NPWS])

**Non attendance:** Zane Hall (Essential Energy), Andrew Surety (NSW Fire & Rescue), Barry Kennedy (RFSA), Tony Kondak (Water NSW), Luke Unsworth (NSW Fire & Rescue), Vincent Boer (Roads and Maritime Services), Curtis McClelland (Aust. Rail Track Corp.), Stephen Watts (Industry, Lands, Forestry), Garry Kadwell (NSW RFS Volunteer), Angela Lonergan (Office of Environment and Heritage, NPWS), Mandy Franklin (Dept. of Primary Industries & Lands), Peter Gillam (NSW Pol), Cecil Burgess (Yass Valley Council), David Rowe (Yass Valley Council), Luke Maloney (Upper Lachlan Council), Peter Culhane (Upper Lachlan Council), Ken Wheeldon (Goulburn Mulwaree Council), David Ellison (Goulburn Mulwaree Council), Ian Dicker (Team Leader Fire, NPWS), Bradley Parker (Transgrid), Tom Freedom (NSW Fire & Rescue), Bruce Fitzpatrick (NSW Fire & Rescue), Delise Freeman (Pejar Land Council), Trevor Watkins (John Holland Rail Pty Ltd)

**Minutes by:** Linda Goodall (NSW RFS Administration Officer)

## Minutes

### 1. Welcome

Meeting opened at 10:00am

### 2. Apologies

See above

### 3. Confirmation of Minutes of Meeting held 4 April 2018

*Proposed: Wayne Picker*

*Seconded: Margaret Cameron*

### 4. Business arising from previous minutes

Nil

### 5. Bushfire Management Committee update

Margaret Cameron provided an update on the revision of the BFMC Handbook.

### 6. Update on FAFT Plan

Peter Alley provided an update on the FAFT Plan, confirming that funding is still available. The meeting discussed fire trail funding.

### 7. Agency Reports

John Sendall asked about the current seasonal outlook and the air response from Goulburn. Peter Alley advised that the current outlook has above average temperatures and below average rain fall. The fire season has been brought forward this year. The closest air response this season will be from Cowra and Woolongong and there is a rotary in Canberra. The meeting then discussed other options for aircraft.

Denzil Sturgiss expressed concern about a block in Tarago that is overgrown and asked if we could look at it for HR purposes. Peter Alley asked for the information to be sent to him so that he can look at it.

Chris Harris spoke about travelling stock routes, noting that they have been issuing roadside grazing permits. Chris also noted that Local Land Services now have GRN radios and that training in consequence management would be beneficial. Peter Alley noted that training can be arranged and asked Chris to provide further information to him when he can.

Jason Welsh spoke about the railway corridor, which is overgrown in some places and asked if it would be possible to undertake a HR to make them safe. Peter Alley suggested that Jason send him further information once they have identified the areas needing to be looked at by RFS crews. Jason noted that they could open corridors to farmers. Peter suggested that he could identify land holders if needed.

Maggie Sutcliffe noted that NPWS have a few new staff now that their restructure is complete. The new staff are going through refresher training to make sure that they are ready for the upcoming season. They have been checking that trails are open and are planning a HR in the Northern end of Brindebella Park for late April 2019.

Greg Potts tabled a report to the Committee (*Attachment 1*).

Rod Baker advised that Forestry Corporation are about to commence pre-season activity with fitness testing, recruitment and training.

Mursaleen Shah advised that he is the LEMO for Upper Lachlan Council. He advised that a green waste service is beginning today. There have been some structural changes in staffing however there are no changes to Emergency response. Elections for the Mayor will be held on 20 September 2018.

Following a few questions, Peter Alley advised that there have been no updates or discussions with Government yet in relation to the RFS agreements. Treasury and LSA are discussing fleet and we have not been privy to that discussion. Councils own the fleet and stations etc and the auditor has said that that's not right. Mursaleen noted that Council should not be reporting on assets that they do not have day to day operational control of...Peter noted that this is an accounting issue.

M. Hooper, from John Holland Rail discussed proposed slashing in the Zone advising that all hot works are completed with water and they have fire fighting equipment with them when they are slashing. M. Shah asked to be advised when slashing is planned for upper Lachlan council areas.

John Sendall noted that the 40km/hr speed limit around emergency vehicles with lights on rule has come into effect.

## **8. General Business**

Nil

## **9. Date of next meeting**

10:00am, Wednesday 6 March 2019

## **10. Close**

Meeting closed at 11:00am

**Table 1: Action items**

| Ref. | Item description   | Owner       | Due date   | Status |
|------|--|-------------|------------|--------|
| 7    | D. Sturgiss to provided details of potential HR in Tarago to P. Alley                            | D. Sturgiss | 05/10/18   |        |
| 7    | C. Harris to provide P. Alley with information on training needs to Local Land Council           | C. Harris   | 05/10/18   |        |
| 7    | J. Welsh to provide details of overgrown rail corridors to P. Alley                              | J. Welsh    | 05/10/18   |        |
| 7    | M. Hooper to advise M. Shah when slashing will be conducted in Upper Lachlan Shire Council areas | M. Hooper   | 05/10/2018 |        |

**Table 2: Documents referred to in the meeting**

| Document title   | Author   | Version | Date           |
|--|--|---------|----------------|
| Minutes of meeting of STZ Bush Fire Management Committee held Wednesday 04/04/2018                     | NSW RFS - STZ                                      | 1       | 04/04/2018     |
| ACT Rural Fire Service report – Report to Southern Tablelands Bushfire Management Committee 05/09/2018 | NSW NPWS   | 1       | 05/09/2018     |
| Forestry Corporation NSW – Report to Southern Tablelands Bushfire Management Committee September 2018  | Forestry Corporation NSW                           | 1       | September 2018 |
| Review of the Bush Fire Management Committee Handbook information sheet                                | Bush Fire Coordinating Committee                   | 1       | July 2018      |
| Proposed slashing work   | Country Regional Network John Holland Rail Pty Ltd | 1       | September 2018 |

**Table 3: Next meeting**

| Date       | Start time | Finish time | Location                            |
|------------|------------|-------------|-------------------------------------|
| 06/03/2019 | 10:00      | 11:30       | Yass FCC, 1410 Laidlaw Street, Yass |

**Minutes of Meeting of Gunlake Quarries Community Consultative Committee  
held at Marulan at 10.00am on 15 February 2019**

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**1) Attendance:**

Don Elder (Chairman), Ken Wray (CM), Ron Switzer (CM), David Humphreys (CM), Andrew Wade (Gunlake), David Kelly (Gunlake), Geoff Kettle (Gunlake), Scott Martin (GMC).  
Tony Mulvihill (CM) arrived at 10.50am.

**2) Apologies:**

a) Angus Richmond (Gunlake), Dennis Isbister (CM)

**3) Declaration of pecuniary or other interests:**

- a) Chairman advised that he has increased his fees from 01 February 2019.
- b) SM advised the CCC that his father-in-law has commenced working at Gunlake as a quarry employee. Chairman advised that this did not cause him any concern.

**4) Minutes of meeting held on 19 October 2018 were confirmed.**

**5) Business arising from the Minutes:**

- a) Council upgrades and signage – SM advised that the first set of repairs are complete on the primary haul road. This haul route will be resealed in March 2019. Tracey Norberg from GMC will be advising on the signage issues raised by the CCC.
- b) Council road repairs on secondary haulage route – GMC are programming some repair works along Brayton Road.
- c) Response to David Blissett by the Company was presented and is attached to the minutes.

**6) Correspondence**

- a) The Chairman presented his annual CCC report for February 2018 – January 2019 (attached to the minutes) which he has sent to the NSW DPE.
- b) Andrew Wade of 10 January 2019, regarding road works on Red Hills Road.

**7) Company Report** presented by David Kelly/Geoff Kettle, which is attached to these Minutes. Discussion ensued on the following:

- a) The 300 metre distance between trucks is to be further enforced and more signage provided;
- b) The quarry is growing;
- c) Company performance reports are on the website.

**8) General Business**

- a) David Humphreys gave an update on the Marulan Meridian Park works and thanked Gunlake for their offer to help with these works as well as for their contribution to the Australia Day celebrations and for their increased profile in the community.
- b) Scott Martin gave an overview of the current draft GMC Strategic Housing Plan which is on public exhibition until 22 February 2019.

- c) Ken Wray inquired about the quarry environmental monitoring program.
- d) A discussion was held on general truck payloads, types and routes available.

**9) Next Meeting**

The next meeting is to be held at 10.00am on Friday 31 May 2019.

The meeting closed at 11am.

Confirmed

Chairman



# Gunlake Marulan Quarry

## Community Consultation Committee Meeting

15 February 2019





## Company Update on Gunlake Marulan Quarry

- i. Primary Transport Route Update
- ii. Employment
- iii. Community
- iv. Road users





## i. Primary Transport Route Update

- GMC have been undertaking maintenance works on the Primary Transport Route (through its contractor Downer) using Section 94 Contributions paid by Gunlake.
- We expect that these works will be completed in March 2019 with the resealing of the route from the quarry to the Hume Highway.
- We are continuing to deliver positive outcomes for both the community and the company with regard to the ongoing operation, safety and management of the transport route.

## ii. Employment

- We have employed four additional quarry workers over the last period.
- We now have approximately 40 full time employees on site, plus contractors.



### iii. Community Update

- Gunlake sponsored, participated in and emceed the 2019 Marulan Australia Day Celebrations
- Gunlake is coordinating meetings between Tafe NSW and local quarries and other stakeholders for the commencement of local Tafe apprentice training
- Gunlake funded and participated in the selection of students to receive scholarships for assistance with University fees from the Goulburn District Education Foundation
- Gunlake, in conjunction with the Goulburn District Education Foundation continues discussions with other stakeholders for the establishment of a Trades Training Scholarship Scheme to commence in 2020
- Gunlake continues its membership of Goulburn Mulwaree Council's Marulan Village Plan Working Party.
- Gunlake is co-funding with Boral a new all weather cover for the new barbecue in Tony Onions Park
- Geoff and David continue to conduct regular meetings with Local MP's to keep them updated on Gunlake's activities.
- Gunlake's 2019 Community Engagement and Sponsorship programme includes:- **Marulan Australia Day (major sponsor), Goulburn District Education Foundation University Assistance Scholarships and Trades Training Scholarships, Tallong Apple Day, Marulan Kite Festival Art Show (major Sponsor)**. We would welcome input from the Committee as to other local Community events that may benefit from our support.



## vii. Road Users

- If you see or hear about any bad driver behavior then we genuinely want to know, so that we can investigate and take any necessary action. If we do not know we cannot help.
- Driver inductions are continuing for all new drivers using the quarry.
- Primary Transport Route speed limit – we have followed up with the RMS on the speed restriction assessment and determination on Brayton/Ambrose & Red Hills roads, but still await their formal recommendations and advice.
- In any event Gunlake Truck Speed Limit of 80 kph will be maintained, and we appreciate the CCC's support in having the legal speed limit on the transport route reduced to 80 kph.

## GUNLAKE QUARRY COMMUNITY CONSULTATIVE COMMITTEE

## CHAIRMAN'S REPORT FEBRUARY 2018 TO JANUARY 2019

At the commencement of this period the CCC comprised Ken Wray, Denis Isbister, David Humphreys, Ron Switzer and Cheryl Bell as community members, Andrew Wade, David Kelly and Geoff Kettle as company members, Scott Martin as the representative of Goulburn Mulwaree Council and Don Elder as Independent Chairman. Occasionally the company and council representatives changed. Tony Mulvihill was added during the year as a community representative.

The CCC met on three occasions during the year.

The attitude and endeavours of the CCC have improved considerably throughout the year. There is a better attitude at meetings and much more exchange of ideas and willingness to listen and debate. I attribute this principally to an increased willingness by the company to share relevant information with the CCC and to recognise its role. The company reports to meetings are much more detailed and open. The efforts of the three company representatives named above have been a major contributing factor to these matters and I thank them. Obviously, the community members have also made a major contribution and I also thank them. The company has become more obviously involved in the community and this makes the CCC's task easier.

I hope all the good work done in the past twelve months continues.

At the conclusion of the July 2018 meeting CCC members inspected the enclosed crushing plant and the upgraded primary transport route. This enables them to deal better with community questions and concerns.

I must also thank the Queanbeyan office of the EPA and Goulburn Mulwaree Council for their assistance. Concerns about noise from the company site were dealt with by the EPA and it has expressed willingness to continue monitoring and to answer queries from the CCC. The Council has listened to concerns about traffic and associated matters within its jurisdiction and the information it has supplied to the CCC has been invaluable.

Although not always easy it has been a pleasure to work with the CCC this year and I hope the spirit of co-operation continues.

D.J.Elder

Chairman

**From:** Andrew Wade <AndrewWade@gunlake.com.au>  
**Sent:** Monday, 29 October 2018 2:47 PM  
**To:** Wendy & David Blissett  
**Subject:** RE: David Blissett Brayton Road speed limit

Hello David,

Thank you for your letter. It was presented to the CCC meeting on Friday 19<sup>th</sup> October. There was quite some consideration given to it with opinions from both sides of the argument.

The decision rests entirely with the regional RMS office at Wollongong. A split speed zone was discussed at the CCC meeting but it is out of the committees power to impose or request such. An audit has been carried out already by the RMS and I understand that a decision is pending however both the Committee and the Quarry has not been advised of any firm findings.

Once we are aware of the final determination we will let you know.

Yours Sincerely  
Andrew Wade

**Andrew Wade**  
Sales Manager  
Gunlake Quarries



**Quarry**  
PO Box 209 Marulan 2579  
715 Brayton Rd Marulan  
mob 0408 812 110  
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**Head Office**  
PO Box 1665 Double Bay 1360  
Level 2 53 Cross St Double Bay 2028  
ph 02 9363 1744 fax 02 9363 1277

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**From:** Wendy & David Blissett <davidwendy3@bigpond.com>  
**Sent:** Tuesday, 16 October 2018 8:43 PM  
**To:** Andrew Wade <AndrewWade@gunlake.com.au>  
**Subject:** David Blissett Brayton Road speed limit

Hello Andrew,

Following our discussion today below are my thoughts on the possible reduction in the speed limit on Brayton Road from the present 100km/h to 80km/h. My views may not be popular but I make no apology for that. For too long now the views of the vocal minority seem to be taken more seriously than those of the silent majority. I am also tired of the "dumbing down" of our communities to cater for the lowest common denominator and the general decline in "common sense".

I live on Gibraltar Road and travel Brayton Road regularly (in some instances up to 6 times a day) not only in my own vehicle but also driving one of the local school buses. At no time have I had any concerns for my safety when traveling on the road.

I believe the only road users that have an issue with safety, particularly when sharing the road with heavy vehicles, are intimidated by the presence of the heavy vehicles that travel the road and have little confidence in their own ability to share the road with such vehicles. The inability of these drivers to come to terms with this should not form the basis of any decision to reduce the speed limit for the majority of other road users. With the recent upgrade of the road, funded I believe, by Gunlake there is no justification for any such safety concern.

Can I say that I strongly object to any reduction in the general speed limit on Brayton Road. I can recall no accident on Gibraltar Road that would require consideration or justification of such. The only proposal I would support would be a speed limit of 80km/h for heavy vehicles and maintain the limit of 100km/h for cars. I understand that Gunlake already have a self-imposed speed limit of 80km/h for heavy vehicles.

I am prepared to lend whatever support may be needed to ensure that the current limit of 100km/h, at least for cars, is maintained.

Regards

David Blissett

PH 0400 119 016

**Minutes of the Goulburn/Mulwaree  
Local Emergency Management Committee Meeting  
Tuesday 5 February 2019**

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1. Meeting Number 2019-1
2. 10.00 a.m. Tuesday 5 February 2019
3. Council Chambers, Civic Centre, Goulburn
4. Meeting Chaired by Matt O'Rourke, Chairperson, Goulburn Mulwaree Council and minutes recorded by Tash Woods, Executive Assistant, Goulburn Mulwaree Council.

**Members Present:**

M O'Rourke (Chairperson), J Sheehan (LEOCON), G Mutton (NSW Police Rescue), P Lloyd (REMO), D Parsons (NSW Dept Planning), Cr P Walker (Goulburn Mulwaree Council), S Writer (LEMO), T Norberg (Deputy LEMO), P Alley (NSW RFS), G Shepherd (NSW RFS), D Miners (John Holland Rail), B Hearne (Heron Resources), S Fitzgerald (Heron Resources), K Haynes (Environmental Services GMC)

**Also present:**

T Woods (Goulburn Mulwaree Council),

**Observers:**

Nil

5. Apologies:  
  
P McCall (Salvation Army), S Walsh (Environmental Services GMC), D Skinner (NSW State Emergency Services)
6. The minutes of the previous meeting held on 13 November 2018 were adopted.
7. Matters arising from previous minutes
  - Landing site to be identified at Heron in consultation with NSW Ambulance aero medical. – *Suitable site still pending. Currently landing where they can on site.*
  - Draft CMG on Transport accidents involving animals – *word document to be sent to J Sheehan*
  - Flood Plan CMG to be followed up with R Bell

**Minutes of the Goulburn/Mulwaree  
Local Emergency Management Committee Meeting  
Tuesday 5 February 2019**

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8. Reports from LEMC Members
- i) SES
    - Nil
  - ii) FIRE AND RESCUE NSW
    - Nil
  - iii) ENVIRONMENTAL SERVICES – GMC
    - Companion Animal Facility has been re-opened as threat of Parvovirus has dropped. Extra bio-security measures have been put in place
  - iv) NSW Police
    - Regional Commander encouraging attendance to Regional Management meetings
    - 1 CMG to be discussed per meeting - Draft CMG on Transport accidents involving animals next meeting
  - v) NSW RURAL FIRE SERVICE
    - George Shepherd will replace Ian Kennerley on the committee
    - Reported 171 incidents in the zone since the start of the fire season
    - Current crews in Tumut, Tasmania and Shoalhaven
    - Helicopter has been kept very busy
    - Good feedback regarding cattle road side grazing
  - vi) REMO
    - Report attached
  - vii) LEMO
    - Nil
  - viii) LOCAL LAND SERVICES
    -
  - ix) HERON RESOURCES
    - Main portal now mining at 500m
    - First take of Ore
    - Tailings retail dam commenced
    - Process plant aim to come on line next 2-3 weeks
    - 100-150ppl on site week days, 100ppl weekends
    - Emergency services training starting for staff on site
    - Shaft development over next few months with 5m raised bore. Strip & line to match top surface



**Minutes of the Goulburn/Mulwaree  
Local Emergency Management Committee Meeting  
Tuesday 5 February 2019**

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9. Correspondence
- RFS - Memorandum - NSW Bushfire Season 2018-19 - Relocation to New RFS Headquarters - Update - 19 November 2018
  - SES - Situation Report - Event 60/1819 - Op Update No.10 - 16 December 2018
  - SES - Operational Update - Severe Weather - Eastern NSW - From 13 December 2018 - 60/1819 - No.11
  - EOCON - Memorandum - Extreme Heatwave Conditions - Mid January 2019 - Activation of NSW State Heatwave Sub Plan
  - RFS - Operational Update - NSW Bushfire Season 2018-19 - State Operations Overview - 0900hrs 08 January 2019
  - Invitation to attend a Welfare Services Multi-Agency Evacuation Centre Exercise in Goulburn
10. General Business
- Request to ensure that all members have access to Emergency Management Operations System. Sign on required. Contact P Lloyd for more details
  - RSVP required to Tash by 2 April 2019 – for any committee members wanting to attend the Welfare Services Multi-Agency Evacuation Centre Exercise in Goulburn
  - South Eastern Emergency Management Region will host the following:
    - Monday 25 March 2019, 10:30am - Region Rescue Committee
    - Monday 25 March 2019, 12:30pm - Region Emergency Management Committee
  
    - Monday 22 July 2019, 10:30am - Region Rescue Committee
    - Monday 22 July 2019, 12:30pm - Region Emergency Management Committee
  
    - Monday 25 November 2019, 10:30am - Region Rescue Committee
    - Monday 25 November 2019, 12:30pm - Region Emergency Management Committee
- Meetings will be held: NSW Police Academy, Room E105,  
McDermott Drive, Goulburn NSW
11. Matters to be referred to the Regional Emergency Management Committee
- Nil.
12. Next Meeting

**Minutes of the Goulburn/Mulwaree  
Local Emergency Management Committee Meeting  
Tuesday 5 February 2019**

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The next LEMC meeting will be held on Tuesday 2 April 2019 in the Council Chambers, Civic Centre, Goulburn at 10.00 a.m. following the Rescue Meeting which will be held at 9.30 a.m.

Meeting schedule for 2019:

- Tuesday 2 April 2019
- Tuesday 4 June 2019
- Tuesday 6 August 2019
- Tuesday 1 October 2019
- Tuesday 3 December 2019

Next meeting to run a mock setup of Local Emergency Management Centre

**Meeting closed at 10.24am**

**TASK LIST**

| <b>Responsible Officer</b>  | <b>Task</b>  | <b>Time frame</b> |
|-----------------------------|--|-------------------|
| Heron Resources             | Heron to provide updated Emergency Response Plan                                 | 2 April 2019      |
| Heron Resources & J Sheehan | Desktop exercise of CMG to check for anything over and above before next meeting | 2 April 2019      |



# Country Mayors Association of NEW SOUTH WALES

**Chairperson:** Cr Katrina Humphries  
 PO Box 420 Moree NSW 2400  
 02 6757 3222  
 ABN 92 803 490 533

## MINUTES

### GENERAL MEETING

FRIDAY, 8 MARCH 2019 THEATRETTE, PARLIAMENT HOUSE, SYDNEY

The meeting opened at 8.30 a.m.

#### 1. ATTENDANCE:

Armidale Regional Council, Cr Simon Murray, Mayor  
 Bathurst Regional Council, Cr Graeme Hanger, Mayor  
 Bega Valley Shire Council, Cr Kristy McBain, Mayor  
 Bellingen Shire Council, Cr Dominic King, Mayor  
 Bland Shire Council, Mr Ray Smith, General Manager  
 Blayney Shire Council, Cr Scott Ferguson, Mayor  
 Blayney Shire Council, Ms Tiffany Irlam, Chief Financial Officer  
 Broken Hill City Council, Cr Marion Prowne, Deputy Mayor  
 Broken Hill City Council, Mr Jay Nankivell, Acting General Manager  
 Cabonne Shire Council, Cr Kevin Beatty, Mayor  
 Cabonne Shire Council, Ms Heather Nicholls, Acting General Manager  
 Carrathool Shire Council, Cr Peter Laird, Mayor  
 Carrathool Shire Council, Mr, Rick Warren General Manager  
 Cessnock City Council, Cr Bob Pynsent, Mayor  
 Coffs Harbour City Council, Cr Denise Knight, Mayor  
 Coffs Harbour City Council, Mr Stephen McGrath, General Manager  
 Coolamon Shire Council, Cr John Seymour, Mayor  
 Coolamon Shire Council, Mr Tony Donoghue, General Manager  
 Coonamble Shire Council, Cr Allan Karanouh, Mayor  
 Cootamundra-Gundagai Regional Council, Cr Abb McAlister, Mayor  
 Cootamundra-Gundagai Regional Council, Mr Phillip McMurray, Acting General Manager  
 Cowra Shire Council, Cr Bill West, Mayor  
 Cowra Shire Council, Cr Ruth Fagan  
 Cowra Shire Council, Mr Paul Devery, General Manager  
 Dubbo Regional Council, Cr Ben Shields, Mayor  
 Dubbo Regional Council, Cr Greg Mohr  
 Dubbo Regional Council, Mr Michael McMahon, CEO

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Dungog Shire Council, Cr Tracy Norman, Mayor  
Federation Council, Cr Patrick Bourke, Mayor  
Federation Council, Cr Shaun Whitechurch, Deputy Mayor  
Federation Council, Mr Adrian Butler, General Manager  
Forbes Shire Council, Cr Phyllis Miller, Mayor  
Forbes Shire Council, Mr Steve Loane, General Manager  
Gilgandra Shire Council, Cr Doug Batten, Mayor  
Gilgandra Shire Council, Mr David Neeves, General Manager  
Glen Innes Shire Council, Cr Carol Sparkes, Mayor  
Goulburn Mulwaree Council, Cr Bob Kirk, Mayor  
Goulburn Mulwaree Council, Mr Warrick Bennett, General Manager  
Griffith City Council, Cr John Dal Broi, Mayor  
Griffith City Council, Mr Brett Stonestreet, General Manager  
Gunnedah Shire Council, Cr Jamie Chaffey, Mayor  
Gunnedah Shire Council, Mr Eric Growth, General Manager  
Gwydir Shire Council, Cr John Coulton, Mayor  
Gwydir Shire Council, Mr Max Eastcott, General Manager  
Hilltops Council, Cr Brian Ingram, Mayor  
Inverell Shire Council, Cr Paul Harmon, Mayor  
Kempsey Shire Council, Cr Liz Campbell, Mayor  
Kempsey Shire Council, Mr Craig Milburn, General Manager  
Kiama Municipal Council, Cr Mark Honey, Mayor  
Kyogle Council, Cr Danielle Mulholland, Mayor  
Kyogle Council, Mr Graham Kennett, General Manager  
Leeton Shire Council, Cr Paul Maytom, Mayor  
Leeton Shire Council, Ms Jackie Kruger, General Manager  
Lithgow City Council, Cr Ray Thompson, Mayor  
Lithgow City Council, Mr Graeme Faulkner, General Manager  
Liverpool Plains Shire Council, Cr Andrew Hope, Mayor  
Liverpool Plains Shire Council, Mr Ron Van Katwick, General Manager  
Lockhart Shire Council, Cr Roger Schirmer, Mayor  
Lockhart Shire Council, Mr Peter Veneris, General Manager  
Moree Plains Shire Council, Cr Katrina Humphries, Mayor  
Moree Plains Shire Council, Mr Lester Rogers, General Manager  
Murrumbidgee Council, Cr Ruth McRae, Mayor  
Murrumbidgee Council, Mr John Scarce, General Manager  
Narrabri Shire Council, Cr Catherine Redding, Mayor  
Narrabri Shire Council, Mr Stewart Todd, General Manager  
Narromine Shire Council, Cr Craig Davies, Mayor  
Oberon Shire Council, Cr Kathy Sajowitz, Mayor  
Oberon Shire Council, Mr Garry Wallace, General Manager  
Orange City Council, Cr Reg Kidd, Mayor  
Parkes Shire Council, Cr Barbara Newton, Deputy Mayor  
Port Stephens Council, Cr Ryan Palmer, Mayor  
Port Stephens Council, Cr Sarah Smith, Deputy Mayor  
Queanbeyan-Palerang Regional Council, Mr Tim Overall, Mayor  
Shoalhaven City Council, Cr Amanda Findley, Mayor  
Singleton Council, Cr Sue Moore, Mayor  
Snowy Valleys Council, Cr James Hayes, Mayor  
Temora Shire Council, Cr Rick Firman, Mayor  
Upper Lachlan Shire Council, Cr John Stafford, Mayor

Upper Lachlan Shire Council, Mr John Bell, General Manager  
Uralla Shire Council, Cr Michael Pearce, Mayor  
Wagga Wagga City Council, Cr Greg Conkey, Mayor  
Walcha Council, Cr Eric Noakes, Mayor  
Warrumbungle Shire Council, Cr Denis Todd, Mayor  
Warrumbungle Shire Council, Mr Roger Bailey, General Manager  
Wentworth Shire Council, Cr Melissa Hendrics, Mayor  
Yass Valley Council, Cr Rowena Abbey, Mayor  
Yass Valley Council, Ms Sharon Hutch, General Manager  
LGNSW, Cr Linda Scott, President

**APOLOGIES:**

As submitted

**SPECIAL GUESTS:**

Mr Richard Colbran, Chief Executive Officer, NSW Rural Doctors Network

**2. ADOPTION OF MINUTES OF PREVIOUS MEETING:**

RESOLVED that the minutes of the General Meeting held on 2 November 2018 be accepted as a true and accurate record (Singleton Council Council / Blayney Shire Council).

**3. Matters Arising from the Minutes**

NIL

**4. RICHARD COLBRAN, CHIEF EXECUTIVE OFFICER, NSW RURAL DOCTORS NETWORK**

The issues around the health workforce are serious and important. The State is struggling with sustaining a workforce in rural NSW. We cannot run away from the fact that communities need to be engaged and in this councils have a role to play. Eighty percent of funds are allocated to crisis issues and we ask councils to engage the network in their local issues. Drought has increased the workload of rural doctors and these doctors need support. "Rural Health Together" has been launched to assist health workers. There are scholarships and grant opportunities of \$3.5 million available but doctors don't have the time to participate. There is a need to encourage young doctors to go to the bush and any work experience in country towns needs to be a great experience.

**5. Membership**

RESOLVED that Port Stephens Council and Wentworth Shire Council be admitted as members of the Association (Shoalhaven City Council / Singleton Council)

**6. CORRESPONDENCE**

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## Outward

- (a) Hon Gabrielle Upton MP, Minister for the Environment, Minister for Local Government and Minister for Heritage requesting that Country Mayors be part of the review of the EPA's Waste to Energy Policy
- (b) Mr Ken Gillespie, Regional Infrastructure Coordinator thanking him for his service and friendship and wishing him well in his future endeavours
- (c) Mr David Smith, Chief Executive Officer, Local Government Super, advising that the Boards decision to continue with additional contributions for the Defined Benefit Plan is unacceptable to our member councils
- (d) The Hon Gladys Berejiklian, Premier, advising that the Country Mayors Association supports the "Southern Lights" project and supporting funding for the project
- (e) Mr Michael Daley MP, NSW Leader of the Opposition advising that the Country Mayors Association supports the "Southern Lights" project and supports funding for the project
- (e) Mr David Salisbury, Executive Manager Engineering, Essential Energy, thanking for his presentation to the 2 November meeting
- (f) Mr Alex Young, Director, Community and Behavioural Change, MSW Environment Protection Authority thanking him for his presentation to the 2 November meeting
- (g) Mr Simon Draper, Secretary Department of Industry, thanking him for his presentation to the 2 November meeting
- (h) To all Regional and Rural Councils, requesting councils to give consideration to financially supporting the Waste to Energy feasibility study

## Inward

- (a) Hon Gladys Berejiklian MP, Premier, advising avenues available for the Southern Lights proposal
  - (b) Hon Gabrielle Upton MP, Minister for the Environment, Minister for Local Government, and Minister for Heritage regarding the Waste to Energy policy review
  - (c) Cr Linda Scott, President, LGNSW, regarding the Defined Benefits Scheme contributions and the appointment of a skills based board
  - (d) Dr Liz Develin, Deputy secretary, Energy, water and Portfolio Strategy, NSW Department of Planning and Environment, regarding funding contributions from solar farms
  - (e) Simon Draper, Secretary, Department of Industry, responding to questions asked at the 2 November meeting
  - (f) Councils advising that they are unable to contribute to the Waste to Energy feasibility study
  - (g) Bathurst Regional council advising that they are prepared to contribute \$5,000 to the Waste to Energy feasibility study
  - (h) Glen Innes Severn Council advising that they are prepared to contribute \$15,000 to the Waste to Energy feasibility study
  - (i) Cr Susai Benjamin, Blacktown city Council wanting a dialogue of interested rural Mayors to discuss the employment opportunities in rural areas of NSW as a few Country Mayors have expressed frustration by local businesses in being able to get workers
  - (j) Murray River Council advising that they are prepared to contribute \$15,000 to the Waste to Energy feasibility study
- NOTED

**7. FINANCIAL REPORT**

RESOLVED That the financial reports for the last quarter were tabled and accepted (Forbes Shire Council / Lockhart Shire Council)

**8. Closing of Target Stores in Country Towns**

Target are closing stores in a number of towns in country NSW. Those councils affected are to meet at the conclusion of today's meetings to organize a united opposition.

**9. Sustainable Renewable Energy Projects**

RESOLVED that a motion urging both the Federal and State Governments to support sustainable renewable energy projects and asking the State Government to amend legislation to allow Local Government the opportunity to develop renewable energy projects be referred to the next meeting for discussion. (Lockhart Shire Council / Cowra Shire Council)

**10. DEFINED BENEFITS SCHEME**

RESOLVED That the Country Mayors Association have further consultation with Local Government Super regarding the Defined Benefits Scheme contributions and the matter be referred to the next meeting together with reports from Goulburn Mulwaree Council and LGNSW (Goulburn Mulwaree Council / Hilltops Council)

There being no further business the meeting closed at 9.25am.

Cr Katrina Humphries  
Chair – Country Mayor's Association of NSW

**13 CLOSED SESSION**

Council must resolve to move into Closed Session to deal with any items under s10 *Local Government Act 1993*.

**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

**13.1 Update on Legal Matters**

This matter is considered to be confidential under Section 10A(2) - g of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.