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# **BUSINESS PAPER**

## **Ordinary Council Meeting**

**4 June 2019**

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



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

Tuesday, 4 June 2019 at 6pm  
in the Council Chambers, Civic Centre  
184 - 194 Bourke Street, Goulburn

## Order Of Business

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

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



## **1 OPENING MEETING**

The Mayor will open the meeting and notify that this meeting is webcast live on the Council's website.

## **2 ACKNOWLEDGEMENT OF COUNTRY**

The following acknowledgement will be made by the Mayor or General Manager.

"I would like to Acknowledge and pay our respects to the Aboriginal Elders both past and present, as well as emerging leaders, and Acknowledge the traditional custodians of the Land on which we meet today."

## **3 COUNCILLORS DECLARATION AND/OR PRAYER**

The Mayor will ask a Councillor to read either the following Declaration or Prayer on behalf of the Councillors present.

Declaration

"On behalf of the elected Councillors present here tonight I solemnly and sincerely declare and affirm that we will undertake the duties of the office of Councillor in the best interests of the people of Goulburn Mulwaree and that we will faithfully and impartially carry out the functions, powers, authorities and discretions vested in us to the best of our ability and judgement."

OR

Prayer

"We thank thee, Lord, for this position of honour and trust. Give us the courage to serve our Council and community with honesty and integrity; and to discharge the duties entrusted to us for the common good of all mankind."

## **4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**

The Mayor will call for any apologies and applications for a leave of absence by councillors.

Council will resolve to accept any apology.

Council may also resolve that leave of absence granted.

## **5 LATE ITEMS / URGENT BUSINESS**

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

Council may resolve to accept any late item, information or urgent business to be discussed and/or determined at this meeting.

## **6 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.

## **7 PRESENTATIONS**

Nil

## **8 PUBLIC FORUM**

- (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.
- (2) A person wishing to address a meeting must contact staff in Council's Executive Section by 5.00pm [either in writing or via telephone call] 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:
  - a. If the chairperson is the Mayor he or she should be addressed as 'Mr Mayor' or 'Madam Mayor' or 'Mayor Surname' or 'Mayor First Name'.
  - b. When the chairperson is not the Mayor they should be addressed as Mr. or Madam Chair or Mr. or Madam Chairperson.
  - c. Councillors must be addressed as 'Councillor Surname or Councillor First Name'.
  - d. 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 (Section 4) are applicable to addresses made by the public in Public Forum.

## **9 CONFIRMATION OF MINUTES**

### **9.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 21 MAY 2019**

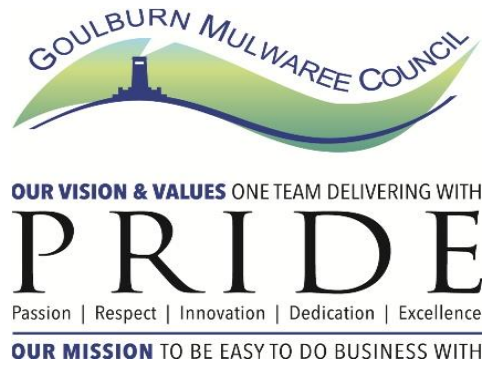
**Author:** Warwick Bennett, General Manager

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Minutes of the Ordinary Meeting of Council held on 21 May 2019

#### **RECOMMENDATION**

That the Council minutes from Tuesday 21 May 2019 and contained in Minutes Pages No 1 to 20 inclusive and in Minute Nos 2019/142 to 2019/169 inclusive be confirmed.



# MINUTES

## Ordinary Council Meeting

**21 May 2019**

## Order Of Business

<b>1</b>	<b>Apologies .....</b>	<b>5</b>
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<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>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>6</b>
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8.1	Matters Arising from Council Meeting Minutes from the 7 May 2019 .....	6
8.2	Outstanding Task List from All Previous Meetings .....	6
<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>7</b>
12.1	MOD/0029/1819 - 203 Auburn Street - Minor amendments to ground floor layout .....	7
12.2	DA/0188/1819 - 203 Auburn Street - Alterations & Additions and Change of Use .....	8
12.3	Gunlake Quarry Extension Project - Modification 1 (LEC Consent 108663 of 2017) .....	9
12.4	Planning Proposal for 745 Crookwell Road, Kingsdale - Post Exhibition Report .....	9
12.5	Goulburn Performing Arts Centre Request for Tender for Construction .....	10
12.6	Goulburn Aquatic Centre Redevelopment Request for Tender .....	12
12.7	1819T0017 Seiffert Oval Lighting Tender Evaluation .....	13
12.8	Desludging and Internal Cleaning of Anaerobic Digestors Tender 1819T0012 .....	13
12.9	Update of Haulage Route Sealing .....	14
12.10	North Park Master Plan Working Party .....	14
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12.12	Lease to Anglicare - 38 George Street, Marulan .....	15
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12.16	Monthly Financial Report .....	16
12.17	Statement of Investments and Bank Balances .....	17
12.18	Operations Departmental Report - April 2019 .....	17
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12.20	Corporate & Community Services Directorate Report April 2019 .....	17
12.21	Planning and Environment Directorate Report - April 2019 .....	18
12.22	Goulburn Mulwaree Youth Council Meeting Notes - 26 April 2019 .....	18
12.23	External Meeting Minutes .....	18
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<b>13</b>	<b>Closed Session .....</b>	<b>18</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, 21 MAY 2019 AT 6PM**

**PRESENT:** Cr Bob Kirk (Mayor), Cr Peter Walker (Deputy Mayor), Cr Andrew Banfield, Cr Sam Rowland, Cr Leah Ferrara, Cr Alfie Walker, Cr Margaret O'Neill, Cr Carol James, Cr Denzil Sturgiss

**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**

Nil

**2 OPENING PRAYER**

The opening prayer was read by Cr Denzil Sturgiss.

**3 LATE ITEMS / URGENT BUSINESS**

Nil

**4 DISCLOSURE OF INTERESTS**

Alfie Walker declared a non-pecuniary conflict of interest in Item 12.3 "Gunlake Quarry Extension Project - Modification 1 (LEC Consent 108663 of 2017)" as Pejar Aboriginal Lands Council of which he is a Board Member has done work for Gunlake Quarry. Alfie Walker will leave the meeting while discussion and determination on this item takes place.

Cr Andrew Banfield made a statement in relation to the Business Paper. He has assessed the Business Paper and does not perceive any declaration of interest is required to be declared in relation to his employment with Denrith Group of Companies.

**5 PRESENTATIONS**

Nil

**6 PUBLIC FORUM / ADDRESSES TO COUNCIL**

Jacki Waugh addressed Council on Item 12.5 Goulburn Performing Arts Centre Request for Tender for Construction

Kim Gann addressed Council on Item 12.5 Goulburn Performing Arts Centre Request for Tender for Construction.

Tempe Hornibrook addressed Council on Item 12.5 Goulburn Performing Arts Centre Request for Tender for Construction.

Chris Gordon addressed Council on Item 12.5 Goulburn Performing Arts Centre Request for Tender for Construction.

**7 CONFIRMATION OF MINUTES**

**7.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 7 MAY 2019**

**RESOLUTION 2019/142**

**Moved: Cr Carol James**

**Seconded: Cr Denzil Sturgiss**

**That the Council minutes from Tuesday 7 May 2019 and contained in Minutes Pages No 1 to 16 inclusive and in Minute Nos 2019/121 to 2019/141 inclusive be confirmed.**

**CARRIED**

**8 MATTERS ARISING**

**8.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 7 MAY 2019**

Nil

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

**RESOLUTION 2019/143**

**Moved: Cr Peter Walker**

**Seconded: Cr Alfie Walker**

**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****RESOLUTION 2019/144****Moved: Cr Andrew Banfield****Seconded: Cr Sam Rowland****That:**

- 1. The staff assessment report for development application MOD/0029/1819 for the proposed amendments to the ground floor be received.**
- 2. Consent be refused for MOD/0029/1819 for minor amendments to the ground floor located at 203 Auburn Street, Goulburn for the following reasons:-**
  - a) The proposal does not satisfy Part 1 Section 1.3(g) of the *Environmental Planning and Assessment Act 1979 "the Act"* as it does not to promote good design and amenity of the built environment.**
  - b) The proposal does not satisfy Part 4 Section 4.2.7 of the Goulburn Mulwaree Development Control Plan 2009 "*GMC DCP 2009*".**
  - c) The proposal is not in the public interest as:**
    - It has not considered the likely impacts of the development on the locality.**
    - It promotes unsatisfactory pedestrian and vehicle conflict.**
    - It has not demonstrated that all owners of land on which the development is to occur have provided consent.**
  - d) The proposal having regard to the provisions of Section 4.15 of "*the Act*", is considered to be unsatisfactory and therefore, is not in the public interest.**

**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.**

**CARRIED**

**In Favour:** Crs Bob Kirk, Peter Walker, Andrew Banfield, Sam Rowland, Leah Ferrara, Alfie Walker, Margaret O'Neill, Carol James and Denzil Sturgiss

**Against:** Nil

**12.2 DA/0188/1819 - 203 AUBURN STREET - ALTERATIONS & ADDITIONS AND CHANGE OF USE****RESOLUTION 2019/145****Moved: Cr Andrew Banfield****Seconded: Cr Carol James****That:**

- 1. The staff assessment report for development application DA/0188/1819 for the proposed façade painting, installation of business signage, and change of use to first floor from residential to retail premises, internal alterations and addition of two car parking spaces at 203 Auburn Street, Goulburn be received.**
- 2. Consent be refused for DA/0188/1819 for the following reasons:-**
  - (a) The proposal does not satisfy Part 1 Section 1.3(g) of the *Environmental Planning and Assessment Act 1979 "the Act"* as it does not to promote good design and amenity of the built environment.**
  - (b) The proposal does not satisfy the following sections of the Goulburn Mulwaree Development Control Plan 2009:**
    - **Part 1 Section 1.8**
    - **Part 3 Section 3.5**
    - **Part 3 Section 3.6**
    - **Part 4 Section 4.2.7**
  - (c) The proposal is not in the public interest as:**
    - **It has not considered the likely impacts of the development on the locality.**
    - **It promotes unsatisfactory pedestrians and vehicle conflict.**
    - **It has not demonstrated that all owners of land on which the development is to occur have provided consent.**
  - (d) The proposal having regard to the provisions of *Section 4.15 of "the Act"*, is considered to be unsatisfactory and therefore, is not in the public interest.**

**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.**

**CARRIED**

**In Favour: Crs Bob Kirk, Peter Walker, Andrew Banfield, Sam Rowland, Leah Ferrara, Alfie Walker, Margaret O'Neill, Carol James and Denzil Sturgiss**

**Against: Nil**

**12.3 GUNLAKE QUARRY EXTENSION PROJECT - MODIFICATION 1 (LEC CONSENT 108663 OF 2017)**

Cr Alfie Walker declared an interest in this item and took no part in the discussion or voting on the matter. At 6:45 pm, Cr Alfie Walker left the meeting.

**RESOLUTION 2019/146**

**Moved:** Cr Margaret O'Neill

**Seconded:** Cr Peter Walker

**That**

1. The report from the Team Leader Development Assessment in regard to the Gunlake Quarry Extension Project – Modification 1 be received.
2. A submission be made to the Department of Planning & Environment advising that Goulburn Mulwaree Council does not object to the proposed Gunlake Quarry Extension Project (Modification 1) application currently on public exhibition. This is subject to the supporting calculations being verified as being in accordance with legislative requirements, best practice guidelines and concurrence of the Office of Environment and Heritage.

**CARRIED**

At 6:46 pm, Cr Alfie Walker returned to the meeting.

**12.4 PLANNING PROPOSAL FOR 745 CROOKWELL ROAD, KINGSDALE - POST EXHIBITION REPORT****RESOLUTION 2019/147**

**Moved:** Cr Peter Walker

**Seconded:** Cr Margaret O'Neill

**That**

1. The post exhibition report from the Graduate Strategic Planner for the planning proposal at 745 Crookwell Road, Kingsdale be received.
2. Council endorse the current planning proposal to amend the *Goulburn Mulwaree Local Environmental Plan 2009* to add a *restaurant or café* as an additional permitted use under Schedule 1 for Lot 16 DP1069310.
3. A Draft Instrument be prepared that is consistent with the above amendment.
4. The planning proposal and relevant documentation be forwarded to the Department of Planning and Environment for making as soon as possible.

**CARRIED**

## **12.5 GOULBURN PERFORMING ARTS CENTRE REQUEST FOR TENDER FOR CONSTRUCTION**

### **RESOLUTION 2019/148**

**Moved: Cr Sam Rowland**

**Seconded: Cr Peter Walker**

**That Council Move into Committee of the Whole.**

Council moved into Committee of the whole at 6:48pm.

**CARRIED**

### **RESOLUTION 2019/149**

**Moved: Cr Carol James**

**Seconded: Cr Andrew Banfield**

**That Council move back into Open Council.**

Council moved back into Open Council at 7:50pm.

**CARRIED**

### **RESOLUTION 2019/150**

**Moved: Cr Bob Kirk**

**Seconded: Cr Alfie Walker**

**That:**

- 1. The report from the Director Operations be received on the Request For Tender Evaluation for Construction of the Performing Arts Centre be received.**
- 2. Council proceeds with the construction of the Goulburn Performing Arts Centre at a cost of \$18,500,000 subject to the successful negotiations being completed as outlined in paragraph 3 of this resolution and noting the intent of Clause 5.**
- 3. Council authorises the General Manager to enter into negotiations with Zauner Constructions Pty Ltd to reduce the construction tender price of Goulburn Performing Arts Centre to \$16,265,000 to include following value engineering options:**
  - (a) The initial value engineering options proposed by Zauner Construction Pty Ltd in Schedule D of their tender submission dated 2 April 2019.**
  - (b) Other value engineering options included in Zauner Construction Pty Ltd tender submission but not priced.**
- 4. Council enter into negotiations with Zauner Construction Pty Ltd rather than calling fresh tenders due to:**
  - (a) Two Request For Tender process have been run with both exceeding construction cost expectations.**
  - (b) The length of time required to call fresh tenders would exceed grant funding milestones.**
  - (c) Zauner Construction Pty Ltd submission of a conforming tender plus value engineering options achieved the highest value for money ranking from the second Request For Tender process.**
- 5. Subject to finalisation of the negotiations to achieve an amended scope and achieve a tender price in accordance with this resolution the General Manager provide a further report back to Council with recommendations including the scope change and approval or otherwise of contract arrangements.**

6. In conjunction with consultation with the industry expert as outline in clause 10 the re-scoping as per paragraph 3 of this recommendation be undertaken in liaison with the project architect and Zauner Constructions Pty Ltd.
7. The cost of the Goulburn Performing Arts Centre be finalised at \$18,500,000 being as follows:
  - (a) Tendered amount from Zauner Constructions Pty Ltd with approved value engineering options      \$16,265,000
  - Plus Council incurred costs as follows:
  - (b) Electrical      \$400,000
  - (c) Demolition      \$200,000
  - (d) Bulk Excavation      \$ 50,000
  - (e) Archaeological      \$ 50,000
  - (f) S94 fees      \$160,000
  - (g) VE prompted redesign      \$200,000
  - (h) Site supervision      \$250,000
  - (i) Café fit out      \$125,000
  - (j) Contingency (5%)      \$800,000
8. The cost of the Goulburn Performing Arts Centre at \$18,500,000 be funded as follows:
  - (a) General Fund Revenue      \$1,000,000
  - (b) Grant Funding      \$7,500,000
  - (c) Reserve Fund      \$1,252,081 (Lilac Time Hall)
  - (d) Reserve Fund      \$ 488,123 (Multi-Purpose Venue)
  - (e) Reserve Fund      \$ 459,796 (S94A)
  - (f) Loan Funding      \$6,300,000
  - (g) Land Sales      \$1,500,000
  - \$18,500,000
9. Council decline the tenders from Brodyn Pty Ltd t/as TCQ CONSTRUCTION, Edwards Construction Pty Ltd, Lahey Constructions Pty Ltd and Project Coordination (Aust.) Pty Ltd for Construction of the Goulburn Performing Arts Centre.
10. Council engage a performing arts industry specialist to review the existing theatre configuration with the view to simplify the configuration.
11. The outcomes of the negotiations with Zauner Constructions Pty Ltd be presented back a later Council meeting for Council's information.
12. Council proceed with the demolition and foundation earth works of the rear part of the facility (1937 portion) separate from the Zauner Constructions Pty Ltd contract subject to the final successful negotiations being completed with Zauner Constructions Pty Ltd.
13. The General Manager to present a monthly status report on the negotiations and construction of the Goulburn Performing Arts Centre.

**CARRIED**

**AMENDMENT**

Moved: Cr Sam Rowland

Seconded: Cr Margaret O'Neill

That any decision on the Goulburn Performing Arts Centre be deferred for one month and during that period a public consultation process on cost only be undertaken.

The amendment was put and lost.

The motion was then put and carried to become a resolution of Council.

**VOTING**

The amendment voting was as follows

In Favour: Crs Sam Rowland and Margaret O'Neill

Against: Crs Bob Kirk, Peter Walker, Andrew Banfield, Leah Ferrara, Alfie Walker, Carol James and Denzil Sturgiss

The motion voting was as follows

In Favour: Crs Bob Kirk, Peter Walker, Andrew Banfield, Leah Ferrara, Alfie Walker, Carol James and Denzil Sturgiss

Against: Crs Sam Rowland and Margaret O'Neill

The meeting took a 30 minute recess for dinner at 8.19pm.

Council returned to the meeting at 8.53pm.

**12.6 GOULBURN AQUATIC CENTRE REDEVELOPMENT REQUEST FOR TENDER****RESOLUTION 2019/151****Moved: Cr Andrew Banfield****Seconded: Cr Margaret O'Neill****That**

- 1. The report from the Director of Operations for the Goulburn Aquatic Centre Redevelopment Stage 1 Construction Request for Tender be received.**
- 2. The scope for Stage 1 works of the Goulburn Aquatic Centre Redevelopment includes:**
  - New 8 lane 25m pool.**
  - Refurbish the existing 25m indoor pool and convert to program pool**
  - New indoor leisure pool.**
  - Warm water pool.**
  - New plant room (including power supply).**
  - New change rooms.**
  - New entrance foyer, reception, administration area, staff office, storage and crèche.**
  - New pool hall including all indoor aquatics and facilities.**
  - Café linking into Victoria Park.**
  - Entrance plaza and expanded car park.**
  - Landscaping.**
  - Repair expansion joints in the existing outdoor 50m pool and refurbish the wet deck.**
  - Gymnasium (to be priced as an optional inclusion).**
  - New 10 lane pool (to be priced as an alternative to the 8 lane pool.)**
- 3. Council commence the procurement process for construction works for Stage 1 works of the Goulburn Aquatic Centre Redevelopment adopting and Expression of Interest phase to identify Select Tenders for a Request For Tender.**
- 4. The General Manager be delegated to approve selection of preferred Expression of Interest respondents to progress to the Value Engineering and Request For Tender phase of the procurement process.**

**CARRIED**

## 12.7 1819T0017 SEIFFERT OVAL LIGHTING TENDER EVALUATION

### RESOLUTION 2019/152

Moved: Cr Peter Walker

Seconded: Cr Denzil Sturgiss

That:

1. The report from the Business Manager Community Facilities on 1819T0017 Seiffert Oval Lighting Tender Report be received.
2. The tender from JRW Trading Pty Ltd T/AS Jaydub Electrical Services is accepted for the design and installation in accordance with the specification and documents for Tender No 1819T0017. This acceptance is based on their lump sum price of \$480,090.00 (GST excl.)
3. The General Manager is authorised to approve a variation of up to ten percent (\$48,000) for this project.
4. Any residue amount for this project budget after any approved variations be allocated to the completion of the power upgrade investigation and required works resulting from this upgrade.

CARRIED

## 12.8 DESLUDGING AND INTERNAL CLEANING OF ANAEROBIC DIGESTORS TENDER 1819T0012

### RESOLUTION 2019/153

Moved: Cr Alfie Walker

Seconded: Cr Andrew Banfield

That:

1. The report from the Director Utilities be received on Tender 1819T0012 Desludging and Internal Cleaning of Anaerobic Digestors.
2. The Tender from Conhur Pty Ltd is accepted for the Desludging and Internal Cleaning of Anaerobic Digestors Contract in accordance with the specification and documents for Tender 1819T0012. This acceptance is based on their lump sum price of \$448,700 (incl.GST).
3. The General Manager be given a delegated authority for variations up to 10% of the contract lump sum. This being \$44,870 (incl.GST).
4. That Council approve the transfer of the remaining Dewatering Budget (\$127,133) and sewer telemetry budget (\$109,519) to the decommissioning budget allocation to complete this contract.

CARRIED



## **12.9 UPDATE OF HAULAGE ROUTE SEALING**

### **RESOLUTION 2019/154**

**Moved: Cr Peter Walker**

**Seconded: Cr Denzil Sturgiss**

- 1. That the report from the Business Manager of Works on the update of the haulage route sealing be received.**
- 2. The allocated budget of \$500,000 for Brayton and Ambrose Roads be carried forward to the 2019/20 financial year, funded from Gunlake s94 Reserve 38154**
- 3. The allocated budget of \$1,000,000.00 for Jerrara and Oallen Ford Roads be carried forward to the 2019/20 financial year, funded from Multiquip s94 Reserve 38155 & 38156**

**CARRIED**

## **12.10 NORTH PARK MASTER PLAN WORKING PARTY**

### **RESOLUTION 2019/155**

**Moved: Cr Margaret O'Neill**

**Seconded: Cr Sam Rowland**

**That:**

- 1. The report from the Business Manager Community Facilities for the North Park Master Plan Working Party be received.**
- 2. Council forms a North Park Master Plan working party to prepare a Plan of Management for North Park.**
- 3. The working party consists of three Councillors, two members from the Junior Rugby League Association, one member from the Goulburn Cricket Association, one member from the Sports Council, and one Council staff member appointed by the General Manager.**
- 4. The three Councillors will be:**
  - Mayor Bob Kirk**
  - Councillor Margaret O'Neill**
  - Deputy Mayor Peter Walker**
- 5. That expressions of interest be sought for representation from the community, Junior Rugby League, Goulburn Cricket and the Sports Council.**

**CARRIED**

**12.11 NAMING OF SEIFFERT OVAL PAVILION****RESOLUTION 2019/156****Moved: Cr Peter Walker****Seconded: Cr Carol James****That**

- 1. The report from the General Manager on the naming of Seiffert Oval Pavilion be received**
- 2. Council calls for recommendations from the community for the naming of the new Seiffert Oval Pavilion. The recommended name(s) should reflect a person(s) that has contributed significantly to sport in the Goulburn Mulwaree area or any other name that the community are of the opinion should be used to reflect the importance of the new pavilion to the Goulburn Mulwaree area.**
- 3. The final decision of naming of the pavilion be determined by full Council from a report from Council staff with all of these community recommendations attached.**

**CARRIED****12.12 LEASE TO ANGLICARE - 38 GEORGE STREET, MARULAN****RESOLUTION 2019/157****Moved: Cr Andrew Banfield****Seconded: Cr Denzil Sturgiss****That;**

- 1. The report from the Business Manager Property & Community Services on the Lease to Anglicare for operation of a preschool at 38 George Street, Marulan be received.**
- 2. The Lease to Anglicare be increased by 5% (back dated to 19 April 2019) and continue on a month to month basis until the end of 2019.**
- 3. A further report be presented to Council before the end of 2019 to allow Anglicare time to confirm its position in terms of renewing their Lease (at an agreed new rental) or making an offer to purchase this property from Council.**

**CARRIED****12.13 COUNCIL COMMUNITY SERVICES NDIS PROGRAMS****RESOLUTION 2019/158****Moved: Cr Margaret O'Neill****Seconded: Cr Alfie Walker****That;**

- 1. That the Business Manager Property & Community Services report on Council's Community Services NDIS programs be received.**
- 2. Council continue the provision of NDIS service on a permanent basis and the General Manager ensure that the appropriate staffing arrangements are in place to enable this to happen.**

**CARRIED**

# **12.14 AIR QUALITY MONITORING STATION - LEGGETT PARK - CNR HOWARD BOULEVARD & MCDERMOTT DRIVE, GOULBURN**

## **RESOLUTION 2019/159**

**Moved: Cr Andrew Banfield**

**Seconded: Cr Carol James**

**That**

- 1. The report from the Business Manager Property & Community Services on the proposed Air Quality Monitoring Station at Leggett Park, Goulburn be received.**
- 2. The outcome of discussions with OEH and the NSW Bureau of Meteorology to consider relocating the Automatic Weather Station from the Goulburn Airport to the Air Quality Monitoring Station at Leggett Park be reported to Council.**

**CARRIED**

# **12.15 QUARTERLY BUDGET REVIEW**

## **RESOLUTION 2019/160**

**Moved: Cr Margaret O'Neill**

**Seconded: Cr Alfie Walker**

**That:**

- 1. The report of the Director Corporate & Community Services and Senior Accountant on the 31 March 2019 Quarterly Budget Review be noted.**
- 2. The requested budgeted variations contained within the March 2019 Quarterly Review be approved.**

**CARRIED**

# **12.16 MONTHLY FINANCIAL REPORT**

## **RESOLUTION 2019/161**

**Moved: Cr Margaret O'Neill**

**Seconded: Cr Peter Walker**

**That the report by the Director Corporate & Community Services and the Business Manager Finance & Customer Service on the Financial Statements to 30 April 2019 be received and noted for information.**

**CARRIED**

**12.17 STATEMENT OF INVESTMENTS AND BANK BALANCES**

**RESOLUTION 2019/162**

**Moved: Cr Denzil Sturgiss**

**Seconded: Cr Leah Ferrara**

**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 April 2019 be received.**

**CARRIED**

**12.18 OPERATIONS DEPARTMENTAL REPORT - APRIL 2019**

**RESOLUTION 2019/163**

**Moved: Cr Margaret O'Neill**

**Seconded: Cr Carol James**

**That the activities report by the Director Operations be received and noted for information**

**CARRIED**

**12.19 UTILITIES DEPARTMENTAL REPORT - APRIL 2019**

**RESOLUTION 2019/164**

**Moved: Cr Peter Walker**

**Seconded: Cr Denzil Sturgiss**

**That the report from the Director Utilities regarding the operational and capital performance of the Utilities Department be received.**

**CARRIED**

**12.20 CORPORATE & COMMUNITY SERVICES DIRECTORATE REPORT APRIL 2019**

**RESOLUTION 2019/165**

**Moved: Cr Alfie Walker**

**Seconded: Cr Leah Ferrara**

**That the activities report by the Director Corporate & Community Services be received and noted for information.**

**CARRIED**

## **12.21 PLANNING AND ENVIRONMENT DIRECTORATE REPORT - APRIL 2019**

### **RESOLUTION 2019/166**

**Moved:** Cr Margaret O'Neill

**Seconded:** Cr Peter Walker

**That the activities report from the Director Planning and Environment be received and noted for information.**

**CARRIED**

## **12.22 GOULBURN MULWAREE YOUTH COUNCIL MEETING NOTES - 26 APRIL 2019**

### **RESOLUTION 2019/167**

**Moved:** Cr Carol James

**Seconded:** Cr Alfie Walker

**That the report from Cr Carol James in relation to the Goulburn Mulwaree Youth Council Meeting Notes held on the 26 April 2019 be received.**

**CARRIED**

## **12.23 EXTERNAL MEETING MINUTES**

### **RESOLUTION 2019/168**

**Moved:** Cr Denzil Sturgiss

**Seconded:** Cr Leah Ferrara

**That the report from the General Manager on the minutes from the Holcim Lynwood Community Consultative Committee meeting held on the 26 April 2019 be received.**

**CARRIED**

## **12.24 COUNCILLOR BRIEFING SESSION SUMMARY**

### **RESOLUTION 2019/169**

**Moved:** Cr Margaret O'Neill

**Seconded:** Cr Denzil Sturgiss

**That the report from the General Manager on Councillor Briefing Session Summary be received.**

**CARRIED**

## **13 CLOSED SESSION**

Council must resolve to move into Closed Session to deal with any items under s10 *Local Government Act 1993*.

There were no closed session reports for determination.

The Meeting closed at 9.24pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 4 June 2019.

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

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

**10 MATTERS ARISING**

**10.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 21 MAY 2019**

**Author:** Warwick Bennett, General Manager

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** Nil

## 10.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

**Author:** Warwick Bennett, General Manager

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Matters Arising - 4 June 2019 [!\[\]\(96cc62f861fdd6e50510c0224a756dff\_img.jpg\)](#) 

### 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>	General Manager and Director of Operations	<p>The DA for this subdivision will be presented to Council for determination when NSW Water issues have been addressed by the applicant.</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>	General Manager	<p>Working Party is now meeting and will develop plans moving forward. This Council resolution is now superseded by the work of the working party and now can be deleted.</p> <p><b>RECOMMEND COMPLETION</b></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>	Director Operations	<p>This work is now underway and almost complete.</p> <p><b>RECOMMEND COMPLETION</b></p>
<p><u>Recreation Area</u></p> <p>Investigate promotional sign at VIC Centre</p>	Director Corporate and Community Services	<p>Report presented to 16 April Council meeting with further report requested</p>

Item/Task	Responsible Officer	Status
<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>
<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>Briefing sessions held with Councillors over the coming months as we finalise a further draft strategy for Council's consideration in August 2019.</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>
<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 Manager</p>	<p>First round of discussions with Veolia have occurred. The feedback is very positive in terms of what Council has requested. Meeting with Veolia and Council scheduled for 31 May 2019</p>

Item/Task	Responsible Officer	Status
<p><u>Review of the B2 Local Centre Zoning in Marulan and Mistful Park</u></p> <p>Council draft a planning proposal to amend the <i>Goulburn Mulwaree Local Environmental Plan 2009</i> be forwarded to the Department of Planning and then placed on public exhibition</p>	Director Planning & Environment	Planning proposal is prepared and with the Department of Planning
<p><u>Australian Blues Music Festival</u></p> <p>Council undertake an Expression of Interest process requesting respondents to outline what could be achieved within a \$30,000 plus GST</p>	Director Corporate and Community Service	A report on this matter will be presented to the next meeting of Council
<p><u>Draft Recreation Needs Strategy</u></p> <p>Council adopts the attached draft Recreation Needs Strategy and places the draft document on public exhibition for 28 days</p>	Director Planning and Environment	Public exhibition period has closed. A report will be presented to a Council Briefing.
<p><u>CBD Enhancement</u></p> <p>Further reports required on the following:</p> <ol style="list-style-type: none"> <li>1. Taxi ranks and bus stops</li> <li>2. Street furniture</li> <li>3. Bus stop outside Court House</li> <li>4. Loading zones within CBD</li> <li>5. Ellesmore Street multilevel car park</li> <li>6. Police Parking on Montague Street</li> <li>7. Removal of median strip in Auburn Street</li> <li>8. Priority of works within allocated budget</li> </ol>	General Manager	Various matters being investigated and reports prepared
<p><u>Draft Operational Plan</u></p> <p>Council adopts the attached draft Operational Plan and places the draft document on public exhibition until 17 May 2019</p>	Director Corporate and Community Services	Report included in this Business Paper <b>RECOMMEND COMPLETION</b>
<p><u>Performing Arts Centre</u></p> <p>The General Manager to negotiate the scope to reduce the cost of construction of the Performing Arts Centre and report back to Council.</p>	General Manager	Negotiations are underway.
<p><u>Seiffert Oval Pavilion</u></p> <p>Public consultation process is underway for potential names for the Seiffert Oval Pavilion renaming.</p>	General Manager	Consultation has commenced



**11 MAYORAL MINUTE(S)**

Nil

**12 NOTICE OF MOTION(S)**

Nil

**13 NOTICE OF RESCISSION(S)**

Nil

**14 REPORTS TO COUNCIL FOR DETERMINATION****14.1 DA/0175/1617 - 253-255 AUBURN STREET - REUSE OF STATE BANK BUILDING TO A 25 ROOM MOTEL AND CAFE****Author:** Ellie Varga, Senior Development Assessment Officer**Authoriser:** Warwick Bennett, General Manager**Attachments:** 1. Supporting Documentation  

<b>DA Number:</b>	DA/0175/1617
<b>Address:</b>	253-255 Auburn Street, Goulburn
<b>Proposal Description:</b>	Reuse of State Bank building to a 25 room motel and cafe
<b>Type of Development:</b>	Local Development
<b>Zone:</b>	B3 Commercial Core
<b>Variations to Policy:</b>	3.4 Vehicular access and parking
<b>Submissions:</b>	One
<b>Key Issues:</b>	Car parking, Traffic generation, Voluntary Planning Agreement, Heritage

**RECOMMENDATION**

That:

1. The staff assessment report for development application DA/0175/1617 for the proposed reuse of the State Bank building to a 25 room motel and cafe be received.
2. DA/0175/1617 for the reuse of the State Bank building to a 25 room motel and cafe located at 253-255 Auburn Street, Goulburn be refused for the reasons as follows:
  - (a) Insufficient information has been provided to enable an assessment against clause 5.10 of the *Goulburn Mulwaree Local Environmental Plan 2009*, pursuant to section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*.
  - (b) The development does not comply with the *Goulburn Mulwaree Development Control Plan 2009*, particularly in terms of section 3.5 Vehicular Access and Parking (3.5.1 & 3.5.2), pursuant to section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*.
  - (c) Insufficient information has been provided to enable an assessment of the likely impacts of the development, pursuant to section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*.
  - (d) Insufficient information has been provided to adequately assess the application and therefore it is not in the public interest to determine the application favourably, pursuant to section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*.
3. A letter be sent to the applicant advising that Council does not wish to enter into the Letter of Offer submitted for consideration with DA/0175/1617.

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 report in relation to DA/0175/1617 was considered at the 2 April 2019 Council Meeting. The report prepared for that meeting included historical information relating to the application, a site description and previous planning conclusions (refer Attachment).

At the 2 April 2019 meeting, Council resolved:

1. ***The Staff assessment report for the development application DA/0175/1617 for the proposed reuse of the State Bank Building to a 26 room motel and café be received.***
2. ***Council agree to defer the determination of this development application for a period of 28 days concluding on the 1 May 2019 to allow the decision of Council to be made at the 21 May 2019 Council meeting. In the meantime the applicant to satisfy Council must provide and address the following:***
  - a) ***How the applicant will address the issue of a shortage of 26 car parks as required by the Council Development Control Plan. Council may consider a Voluntary Planning Agreement that will provide an offset in terms of cash contribution to be held in a separate CBD car parking capital reserve account to specifically address car parking in the vicinity of this development.***
  - b) ***How the applicant intends to address the dropping off and picking up of patrons on the Council road reserve adjacent to the proposed development or upon the site.***
  - c) ***How the applicant intends to minimise traffic conflict specifically relating to the movement of vehicles on the proposed site. To address this issue correctly the adjoining land owners written consent is required if the applicant proposed to use part of the adjoining land.***
  - d) ***The applicant to advise in writing to the Senior Development Assessment Officer on how they will address the comments of the Council's Heritage Adviser. It should be noted at this stage that Council has not been provided with any information to address or respond to the issues raised by the Heritage Officer.***
3. ***Council acknowledges that by appropriately addressing the issues raised in Paragraph 2 above that all public interest concerns will be addressed by the applicant.***

The applicant was formally advised of this resolution on 3 April 2019 by email and a response to the resolution was provided by the applicant on 1 May 2019. Amended plans, an amended Statement of Environmental Effects and a revised Traffic and Parking Impact Assessment was provided for reconsideration. A Letter of Offer to enter into a Voluntary Planning Agreement (VPA) was initially sent to Council on 30 April 2019, however a revised version was sent to Council on 2 May 2019. The applicant advised the following with respect to the additional information:

- The landowner would be accepting of approving Stage 1 and is open to a deferred commencement option for Stage 2.
- The development no longer has through access to 255 Auburn Street and proposes a turntable to enable vehicles to enter and exit the site in a forward direction.
- Balustrades to caretakers residence is now a railing.
- The building no longer abuts the barn. It now angles away from it being approximately 300mm from its corner at the closest point.

The applicant responded to points 2 (a)-(d) of the resolution as follows:

- a) ***How the applicant will address the issue of a shortage of 26 car parks as required by the Council Development Control Plan. Council may consider a Voluntary Planning Agreement that will provide an offset in terms of cash contribution to be held in a***

***separate CBD car parking capital reserve account to specifically address car parking in the vicinity of this development.***

Applicant response: Michael (the applicant's Planning Consultant) has sent through the VPA.

Council response: The applicant submitted a Letter of Offer requesting Council to enter into a VPA to address the shortfall of car parks the development cannot provide on the site. The terms of the VPA offer \$6,580 for each of the car parking spaces they believe they are short. The proposal argues it is seven (7) parking spaces short and therefore the value of \$46,060 has been put forward to either recoup the cost of providing existing public car parking and/or contribute to the cost of providing new public car parking. Later in this report, it shall be found that the application is in fact ten (10) parking spaces short for Stage 2. Irrespective of this, the monetary contribution offered within the VPA cannot be applied towards a public purpose as defined under section 7.4(2) of the *Environmental Planning and Assessment Act 1979* (the Act). Council therefore cannot accept the offer. This is explained in more detail later in this report.

Staff are not satisfied the additional information submitted adequately addresses this component of the resolution of Council. Consequently, this issue forms part of the reasons for recommending refusal of the application.

***b) How the applicant intends to address the dropping off and picking up of patrons on the Council road reserve adjacent to the proposed development or upon the site.***

Applicant Response: There are now 3 car spaces and one motorcycle space on site and an additional 1 car space on the street. These additional street spaces could be timed if required for short term duration as could the drop off space on site (eg 30 minutes) to allow for maximum use. Staff could park at the nearby underutilised public car park off Goldsmith St (over the other side of Auburn St). Guests would typically need parking after 6pm and leave before 9am.

Additional modes of transport allowed for onsite including bicycle parking x 3 and motorcycle parking. Bus stop within 60m. Train station within 800m. Taxis and ubers available.

Council Response: The car park as proposed is not a safe, compliant or a functional design for the calculated traffic generation and intended users, nor is it in accordance with Australian Standard AS2890.1 *Off street car parking*. The method of patron drop off and pick up proposed by the applicant is not satisfactory nor detailed enough to adequately consider the potential impacts to the locality. Cumulatively this issue forms part of the reasons for recommending refusal of the application. This is explained in more in detail in the DCP assessment of this Report.

The assumption that guests would arrive after 6pm and leave before 9am is too generalised and a simplified view of guest behaviour. The application fails to adequately consider the varied nature of guest arrival and departure and the associated impacts on parking in the locality.

It is noted that there are no Ubers (a car-ride sharing business) available in Goulburn.

***c) How the applicant intends to minimise traffic conflict specifically relating to the movement of vehicles on the proposed site. To address this issue correctly the adjoining land owners written consent is required if the applicant proposed to use part of the adjoining land.***



Applicant Response: Traffic conflicts have been reduced through no longer having access with the adjoining site and having a turntable on site to allow for forward in forward out manoeuvring. This will be signposted on site to indicate all manoeuvring has to happen in this way. Additionally a pedestrian path will run along the side of the existing building for safe pedestrian access from the rear of the building to the car parking, the office and the street improving safety for pedestrians.

Council Response: The car park as proposed is not a safe, compliant or functional design for the calculated traffic generation and intended users. The proposed amendments to the application (a turntable) does not minimise traffic conflict. The amended Traffic Report fails to address the cumulative impacts of Stage 1 and 2 and deliveries, and the subsequent overflow impact on the immediate locality. This is explained in more in detail in the DCP assessment of this Report.

Staff are not satisfied the additional information submitted adequately addresses this component of the resolution of Council. Consequently, this issue forms part of the reasons for recommending refusal of the application.

- d) *The applicant to advise in writing to the Senior Development Assessment Officer on how they will address the comments of the Council's Heritage Adviser. It should be noted at this stage that Council has not been provided with any information to address or respond to the issues raised by the Heritage Officer.***

Applicant Response: Generally, heritage advice given was addressed. This included retention of ceilings, lower height of ensuites, retention and re-use of glass doors, removal of a room to make a common area etc.

Council Response: The applicant is referring to heritage advice (dated 11 January 2017) provided on the original plans submitted with the DA. The amended proposal was referred to Council's Heritage Advisor for comment who advised that the application still lacked sufficient information to consider the impacts development construction would have on the heritage building. In particular, the advice raised the question of why a Statement of Heritage Impact had not been provided with the application to date. This is discussed in more detail in the LEP assessment of this Report.

Staff are not satisfied the additional information submitted adequately addresses this component of the resolution of Council, and therefore this forms part of the reasons for recommending refusal of the application.

## REPORT

### Proposed Development

On 1 May 2019, amended plans were submitted for DA/0175/1617 for the reuse of the State Bank building for the purpose of a now 25 (previously 26) room motel and café at 235-255 Auburn Street, Goulburn. A copy of the relevant plans have been provided within the Attachment. The application remains predominantly the same as previous and is described in more detail below.

Reuse of the State Bank building to a 25 room motel and café, into two stages as follows:

#### Stage 1:

- Internal fitout of existing building to provide:
  - 15 motel rooms, lift, reception and back of house areas
  - Café to ground floor
- Demolition of rear concrete slabs.

- Provision of two drop off zone parking spaces, one car parking space, installation of an accessible parking space to Goldsmith Street, one motorcycle space and a three space bicycle rack.
- Landscaping to ground level.

#### Stage 2:

- Internal fitout of the roof cavity of the existing building for two (2) motel rooms.
- Construction of a three storey addition (260sqm) attached to the eastern façade of the existing building comprising eight (8) motel rooms and a two (2) bedroom caretakers residence.
- Landscaping to rooftop terrace.

#### Letter of Offer

A Letter of Offer requesting Council to enter into a Voluntary Planning Agreement (VPA) with the developer was submitted on 2 May 2019. The Letter proposes a \$46,060 monetary contribution to be used towards the provision of car parking facilities for Stage 2 of the development.

#### Setbacks

The plans are still unclear as to what the setbacks would be for the proposed addition. It appears as though there may be a zero setback at points along the northern and eastern boundary. The Statement of Environmental Effects is silent on the details regarding setbacks.

#### Hours of Operation

The motel reception would operate from 7.00am – 10.00pm Monday to Sunday, with the café proposed to also have hours of 7.00am – 10.00pm Monday to Sunday. The café would be for the use of the patrons of the motel and open to the public.

#### Staff

There would be four staff employed for the purpose of the motel and café. One staff member would be the caretaker and live in the two bedroom caretakers residence on Level 2, upon completion of Stage 2.

#### Car Parking

The development proposes two drop off zone car parking spaces (2.4m x 5.4m) and one car parking space (2.471 x 5.4m), one motorcycle space and an area to store three bicycles. The amended design proposes a turntable (dimensions unknown) at the entrance to the car park.

#### Building Finishes

The building addition would consist of glass, aluminium and steel materials. The existing State Bank building façade is to be cleaned and repainted with cream and black finishes.

#### Signage

No signage is proposed as part of this application.

#### Landscaping

Landscaping is proposed to the eastern corner of the site; strip landscaping to the Goldsmith Street frontage and a rooftop garden is proposed on Level 2 within Stage 2. The landscaping plan indicates the planting of pencil pines and English box hedging to the ground level for Stage 1 and Photinia and wall ivy to the rooftop garden for Stage 2.

**Consultation and Submissions made in accordance with Act or Regulations s4.15(1)(d)**Public Submissions

The application was previously notified and issues raised in the submissions received were considered in the previous report prepared for Council (refer Attachment). The additional information submitted by the applicant in response to Council's resolution on 1 May 2019 was not renotified as it didn't change any of the issues raised previously.

**Assessment against Legislation and Policies s4.15(1)(a)**State Environmental Planning Policy No. 55 – Remediation of LandState Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

The above State Policies were considered as part of the report presented to the 2 April 2019 Council Meeting (refer Attachment). The proposed amendments do not affect the original findings.

Goulburn Mulwaree Local Environmental Plan 2009

The relevant provisions of the LEP affected by the amended development of 1 May 2019 are discussed as follows:

LEP Clause	Assessment
<b>5.10 Heritage conservation</b>	<p>The site is located within the Goulburn City Conservation Area and is nominated as an item of local environmental heritage in the LEP. Consequently, development consent is required for the proposed works pursuant to clause 5.10(2)(a) &amp; (e). Consideration of clause 5.10(4) of the LEP is also required:</p> <p><i>(4) Effect of proposed development on heritage significance</i></p> <p><i>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</i></p> <p>In order to effectively consider the impact of the amended development on the Goulburn City Conservation Area (HCA) and the heritage item, the amended application was referred to Council's Heritage Advisor, who provided the following comments:</p> <p><i>In the documents received from Council there was no heritage impact statement. No detail has been provided in the latest application as to how the heritage impacts upon the building are to be managed. The drawings do not clearly indicate what the existing fabric is and how it is to be conserved. The drawings do not provide enough information to show how the new work will be managed in the context of the old.</i></p> <p><i>Should the application be approved it is recommended that a conservation scope of works be prepared and approved by Council prior to work commencing.</i></p> <p><u>Recommendation</u></p> <p><i>Insufficient information:</i></p> <ol style="list-style-type: none"> <li><i>1. The amount of work proposed to this important heritage building warrants the preparation of a heritage management document as required by Clause 5.10 (5) of GMLEP 2009. A statement of heritage impact prepared by a suitably qualified and experienced heritage specialist is required.</i></li> <li><i>2. Drawings should be amended to include a separate set of drawings which show only the existing building.</i></li> <li><i>3. If the application is approved then a Conservation Works Specification must be approved prior to commencement of works.</i></li> </ol>

	It is noted that a template Heritage Impact Statement for Minor Works was submitted with the original application however this was, and still is, considered unsatisfactory for the substantial nature of the proposal. No Statement of Heritage Impact has been undertaken on the proposal by the applicant and consequently, insufficient information has been provided for Council to determine the heritage impact of the development.
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### **Goulburn Mulwaree Development Control Plan 2009**

The relevant provisions of the DCP affected by the amended development of 1 May 2019 are discussed as follows:

DCP Control	Assessment
<b>Part 3 General Development Controls</b>	
<b>3.5 Vehicular Access and Parking</b>	<p>This policy aims to provide sufficient and convenient parking for residents, visitors and service vehicles, to ensure vehicular and pedestrian safety and to encourage access design to form part of the overall landscape design.</p> <p>The amended SEE advises the development proposes four parking spaces to the rear/underneath the development. However, three of the four parking spaces are proposed on the site and one accessible parking space is proposed in Goldsmith Street fronting the development.</p> <p>The amended application proposes to install a turntable between the driveway entrance off Goldsmith Street and the proposed three parking spaces onsite. No details regarding the size, how it operates (specifications) etc was provided with the amended application.</p> <p>The development also proposes two of the three parking spaces on site to be drop off zones where patrons could park, check in and then leave after checking in to park elsewhere in the locality. The applicant has suggested the idea of directing guests to park in Council's Walker Lane car park (on the northern side of Auburn Street off Goldsmith Street) however no Plan of Management or discussion around how this would practically work has been provided.</p> <p><u>3.5.1 Parking layout, servicing and manoeuvring</u></p> <p>The objectives of this clause are:</p> <ul style="list-style-type: none"> <li>• <i>Where on-site car parking or service areas are required, ensure that the layout and design does not detract from the amenity of adjoining areas.</i></li> <li>• <i>Ensure the design of parking and servicing areas is efficient, safe, convenient, discrete and suitably landscaped.</i></li> <li>• <i>Minimise nuisance caused by traffic movement, generation and servicing</i></li> </ul> <p>The submitted plans do not correctly reflect the area between the building and the eastern boundary fence (discussed in more detail later in this report) and no site survey has been provided to Council to verify whether the proposed car park (and Stage 2 construction) could actually fit within the legal boundaries of the site. Notwithstanding, the following issues are also raised:</p> <ul style="list-style-type: none"> <li>• Council does not consider the design of the parking area as being efficient or safe, let alone practical. How a casual visitor would operate the turntable is considered problematic. Turntables can be controlled by a remote device or pushbutton. In this instance, the degree of rotation will vary for each parking space and depending on the angle the car has entered the site would have an effect on whether the car could correctly enter the intended car space. As discussed, the application was not supported with specifications to explain how the turntable would work, nor was an explanation provided that satisfied Council that this proposal would be practical.</li> </ul> <p>It is considered that the margin for error with the operation of the turn table is significant for this option to not be considered a realistic and practical solution given the site constraints.</p>

- The development proposes the use of the drop off zones as a service area for deliveries. The traffic generation associated with both Stage 1 and Stage 2 for both patrons and deliveries has not been raised in the Traffic Report for Council to determine whether there would be an impact i.e. what happens when there are two patrons parked in the drop off zones at the same time as a delivery vehicle. The SEE advises that deliveries would occur in the middle of the day so as to not conflict with arrivals and departures, however, this is not practical and cannot be enforced for all deliveries or for all patrons who wish to arrive in the middle of the day.
- The drop off zones are still intended for patrons to check in at reception then leave the site and park elsewhere (if none of the four spaces provided are available), not as a permanent parking space. Not having a dedicated loading zone forces deliveries to use Goldsmith Street in the instances that the car parks are full. Considering the car park would be adjacent to residential dwellings, this has the potential to adversely impact their amenity and cause a nuisance to the locality.

Consequently, the development is deemed to be inconsistent with the objectives of this clause.

The controls of this clause are as follows:

- *The layout and design of access, parking and service areas should address the needs of the site occupants and visitors as well as respecting the amenity of the area. Account should be taken of potential noise disturbance, pollution and light spillage. Car parking areas can have a significant impact on the streetscape and should therefore be carefully designed having regard to landscaping, layout and location to ensure that parking and service areas are integrated sympathetically with the development and locality.*

The amended car parking design (provision of three parking spaces onsite and one accessible parking space within Goldsmith Street) does not satisfactorily address the needs of the site occupants and visitors. A patron of a motel would expect to be provided with parking onsite, or a formalised arrangement for safe parking offsite explained at the time of booking for example.

Not providing parking onsite, and having no solidified alternative arrangement would result in patrons parking within Goldsmith and Auburn Streets. This has the potential to adversely impact the amenity of the locality, particularly on the residential dwellings to the south east of the site in terms of light spillage from vehicles at night and associated noise from patrons arriving and leaving.

Service vehicles have been nominated by the applicant as being a standard van. Australian Standard AS2890.1 *Off street car parking* defines this vehicle as a Medium Rigid Vehicle (MRV) (also known as a B99 vehicle). The car parking design has been assessed utilising a B85 which is similar to a Ford Sedan. Essentially, the car park area is too small ensure delivery vehicles could enter and exit the site safely.

- *Provision should be made for various modes of transport for employees and visitors to the site. Where parking is provided it must be in a safe and efficient manner, allowing for easy access for occupants, visitors and service vehicles, whilst ensuring the safety of pedestrians and other road users.*

The car park has been amended to provide three bicycle spaces and one motorcycle space, diversifying the modes of transport options to and from the site. The application does not propose to provide any parking for employees or patrons onsite (aside from the caretaker).

As discussed, the parking spaces proposed are not considered safe or efficient for the intended use. The impracticality of vehicles entering the site when all parking spaces are full does not satisfy this clause of the DCP.

The use of drop off zones for both patrons and deliveries is not satisfactory for a development of this nature.

- *Where non-residential development is within or adjoining a residential zone, locate and design parking areas, servicing areas and the means of access/egress to:*
  - *minimise conflict between non-residential, residential and pedestrian traffic;*
  - *provide off-street parking and servicing of premises;*
  - *respect the character of the existing residential areas and streetscape character by means of siting, design and landscaping.*

Whilst the proposed development is not within a residential zone, it is adjacent to residential development, therefore, consideration of this clause is required. Whilst the development does propose landscaping between the parking area and the adjacent residential dwelling, the development does not comply with the above control in that it does not provide sufficient off street parking and servicing to cater for the development demand.

- *Surface parking should be visually articulated by the use of soft and hard landscaping and the use of different surface treatments.*

The entire car parking area is proposed to be dark coloured concrete. No details on what material or colour the turntable would be was provided. Strip landscaping (English Box) would be provided to the Goldsmith street frontage for approximately 2m.

- *Parking areas and accessways should be designed, surfaced and graded to reduce run-off and allow stormwater to drain into the site.*

Insufficient information has been provided to determine whether the proposed parking areas would be designed to permit stormwater to be discharged to Goldsmith Street. Although the site naturally slopes towards the south eastern corner fronting Goldsmith Street, and therefore, it is considered the proposal could design drainage to fall this direction.

### 3.5.2 Specific land use requirements.

This section of the DCP enables calculation of the required parking spaces for the proposed development.

The Motel requires one space for each unit, plus one space for each two employees, plus one space per 40sqm of restaurant gross floor area. This calculates to:

2 spaces for the café (applicant advises café is 80sqm)  
 25 spaces for the units (excluding the caretakers unit)  
 2 spaces for staff (4 staff - including the caretakers unit)  
 = 29 spaces

Whilst the development requires 29 parking spaces, the applicant proposes to provide three (3) parking spaces on the site of the development and one (1) accessible parking space to Goldsmith Street as part of Stage 1.

The existing commercial building has a gross floor area of 565.5sqm which, at a rate of 1/40sqm in today's calculations equates to 15 parking spaces. As such, the applicant has sought to utilise these credits to reduce the number of parking spaces they are required to provide for the proposal.

Stage 1 requires the provision of 19 spaces (15 units (15), café spaces (2) and staff spaces (2)). Utilising the available credits (15) reduces the overall required number of parking spaces for Stage 1 to four (4). With the provision of three onsite parking spaces proposed, this leaves one (1) space required to be provided for Stage 1.

It should be noted that the application does not request a variation to the DCP to address this shortfall. The Statement of Environmental Effects advises the development is short seven (7) spaces, whilst the Traffic Report advises the development is short ten (10) spaces (refer Attachment). The Letter of Offer was amended after initially being submitted to change the value of the contribution to be offered from ten (10) spaces to seven (7).

If Council were to acknowledge the provision of the accessible parking space to Goldsmith Street as contributing to the overall number of parking spaces provided then this would result in Stage 1 not requiring any car parking.

	<p>However, as will be discussed later in this report, the proposed accessible car park appears to not be able to comply with AS 2890.5 <i>On street car parking</i>, does not appear to be able to fit in the space proposed to comply with Council's Standards for Engineering Works, and the construction of which would have a significant adverse impact on the health and vitality of the street tree.</p> <p>Further, it should be borne in mind that the accessible space may be used by any vehicle with a disabled sticker, not just patrons of the proposed motel. Additionally, disabled spaces are not timed-restricted, therefore a car not associated with the development may be in the space for an extended period.</p> <p>As such, the accessible parking space should not be included in the overall calculation of car parks attributed to the development.</p> <p>Stage 2 requires the provision of 10 spaces (10 units). The applicant has submitted a Letter of Offer requesting Council to enter into a Voluntary Planning Agreement (VPA) to address this shortfall in car parking. This is addressed immediately below this section of the report. Essentially, Council cannot enter into the proposed VPA as the monetary contribution offered cannot be applied towards a public purpose as defined under s7.4(2) of the <i>Environmental Planning and Assessment Act 1979</i>. Consequently, this issue forms part of the reasons for recommending refusal of the application.</p>
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### Draft Voluntary Planning Agreement and Land Dedication Policy

Clause 2.2 of the Draft Policy advises when Council may consider negotiating a Planning Agreement with the developer. These activities include:

- a) *the provision of (or the recoupment of the cost of providing) public amenities or public services;*
- b) *the provision of (or the recoupment of the cost of providing) affordable housing;*
- c) *the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land;*
- d) *the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure;*
- e) *the monitoring of the planning impacts of development;*
- f) *the conservation or enhancement of the natural environment.*

The revised Letter of Offer proposes a \$46,060 monetary contribution to be used by Council to either recoup the cost of providing public car parking and / or to contribute to the cost of providing new public car parking within the vicinity of the proposed development, in lieu of providing additional car parking as part of the proposed development. This monetary value is based on the assessment within the Letter of Offer that a car parking space is valued at \$6,580.

The Letter of Offer and Draft VPA was forwarded to Council's Strategic Planning team who provided the following comments:

*I have reviewed the letter of offer and have come to the conclusion that Council cannot lawfully enter into the proposed VPA at this moment. I make this conclusion in reference to the following extract from clause s7.4 of the Environmental Planning and Assessment Act 1979 (EP&A Act):*

- (1) *A planning agreement is a voluntary agreement or other arrangement under this Division between a planning authority (or 2 or more planning authorities) and a person (the developer):*
  - (a) who has sought a change to an environmental planning instrument, or*
  - (b) who has made, or proposes to make, a development application or application for a complying development certificate, or*
  - (c) who has entered into an agreement with, or is otherwise associated with, a person to whom paragraph (a) or (b) applies,*



*under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose.*

(2) *A public purpose includes (without limitation) any of the following:*

- (a) the provision of (or the recoupment of the cost of providing) public amenities or public services,*
- (b) the provision of (or the recoupment of the cost of providing) affordable housing,*
- (c) the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land,*
- (d) the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure,*
- (e) the monitoring of the planning impacts of development,*
- (f) the conservation or enhancement of the natural environment.*

*It is understood that the intent of the draft VPA is to offset the proposed development's inability to comply with parking requirements under the DCP by instead offering a monetary contribution that Council may put towards the provision of the equivalent amount of parking spaces nearby, thereby satisfying a variation to that DCP standard.*

*Given the above, the VPA does not comply with the governing principles under clause 2.1 of Council's VPA and Land Dedication Policy. The principles that are particularly relevant in this instance would be:*

- o a) Planning decisions cannot be bought or sold through Planning Agreements;*
- o c) Development that is considered unacceptable on planning grounds will not be permitted regardless of any benefit that may be attained from a Planning Agreement;*
- o f) Council will not seek benefits under a Planning Agreement that are unrelated to the Associated Development;*
- o j) The Planning Agreement must be associated with a development application.*

In light of the above comments, Council is legally unable to accept the proposed monetary contribution as an offset to the car parking shortfall proposed by this development. Consequently, Stage 2 would not be supported as the application fails to adequately address the shortfall in parking associated with Stage 2.

### **Likely Impacts of Proposed Development**

**s4.15(1)(b)**

#### Building Code of Australia (BCA) Compliance regarding accessible parking spaces

Section D3.5 of the BCA requires accessible parking spaces to be provided in accordance with Table D3.5. In accordance with the guidelines for this section of the BCA, the number of accessible parking spaces required in a car park is based on the ratio of the total number of car parking spaces provided. It should be noted that the application has not been supported with a completed BCA Report. The original application was submitted with a preliminary BCA Report to guide the design process only.

Accessible parking spaces must be provided in a car parking area on the same allotment as a building required to be accessible, comply with Australian Standard AS2890.6 *Off street parking for people with disabilities* and not be designated if there is five or less parking spaces.

The proposed development (Stage 1 only) would require one (1) accessible parking spaces in its own right. The calculation reads, 'To be calculated by multiplying the total number of car parking spaces (3 onsite for Stage 1) by the percentage of accessible bedrooms (2) to the total number of bedrooms (15), calculated to the next whole figure.' This equates to one (1) space (0.4).

In this instance, this would require one of the proposed onsite parking spaces to be accessible; however there is insufficient space, in the manner the development is proposed, to provide it to ensure compliance with AS2890.6.

Varying the BCA is not a matter for Council. Unfortunately, the development as proposed is unable to comply with the BCA as interpreted above and therefore, the application is not supported.

#### Accessible parking space to Goldsmith Street

The development proposes the addition of an accessible parking space to Goldsmith Street fronting the development between the driveway access to the site and the street tree within the road reserve to demonstrate provision of sufficient parking spaces for Stage 1 of the proposal.

This car parking space has not been measured by the applicant on the plans for Council to determine:

- a) whether the space could comply with Council's Standards for Engineering Works,
- b) whether sufficient and safe site distance could be achieved from the proposed driveway location into the site,
- c) compliance with Australian Standard *AS2890.5 On street parking facilities*,
- d) the level of impact on the root system of the tree adjacent to the proposed accessible parking space location and subsequently the health and vitality of the street tree, and
- e) compliance with Australian Standard *AS1428.1 Design for access and mobility*.

Further, accessible parking spaces are not timed, meaning this space may be used by any vehicle with a disabled sticker, not just patrons of the proposed motel. Additionally, disabled spaces are not time restricted therefore a car not associated with the development may be in the space for an extended period.

As such, the provision of an accessible parking space in Goldsmith Street for the purpose of achieving the required number of parking spaces for the proposed development is not supported.

#### Plan scale and dimensions

The plans submitted with the amended application identify the width of the site from the eastern elevation to the eastern boundary as being 9.396m, however a site inspection found the site to be closer to 8m wide in this location i.e. the dimensions nominated on the plans appear larger than what is actually happening on site. Furthermore, the submitted plans do not have the right dimensions on them to correlate to the nominated 1:100 scale they have been drawn at. It should be noted the application was not submitted with a site survey prepared by a registered surveyor to check this. Consequently, Council cannot be certain the proposed development (Stage 2) fits within the site, nor that the car park and turntable would work.

#### Other matters

There are other minor issues associated with the assessment of the development:

- More details regarding the ramp at the entrance of the site on the corner of Auburn and Goldsmith are required to adequately assess the proposal i.e. actual plans showing its grade/slope, whether it is located on the site or on Council land;
- Consideration by Traffic Committee of the accessible parking space proposed on Goldsmith Street.

**Suitability of the Site for the Proposed Development****s4.15(1)(c)**

The development type could fit in the locality given the commercial nature of the proposal and the surrounding commercial precinct. However, to the intensity, and in the manner, proposed, it unfortunately better represents an over development of the site. It is important to note that any use with a car parking generation greater than 15 spaces and a use that requires provision of accessible parking and deliveries would need to overcome the same issues as this particular application.

Notwithstanding, there are no constraints posed by adjacent developments that would prohibit this proposal. There are adequate utilities and services available to the proposed development. There are no hazardous land uses or activities nearby that would impact on the proposed development.

The site is not subject to natural hazards such as flooding, slip, mass movement or bushfires. There are no critical habitats, or threatened species, populations, ecological communities or habitats on the site, and there are no known mineral or extractive resources on the site.

**The Public Interest****s4.15(1)(e)**

Whilst it may be in the public interest to see the site operational, it is also in the public interest to ensure the heritage item is appropriately cared for during its use. It would be in the public interest to have the building brought up to a quality (and maintained to that effect) which enables the public benefit to outweigh the private benefit; positive elements of a proposal are not enough to achieve a positive public interest outcome.

To date, insufficient information has been provided for Council to determine whether this could be achieved. The provision of a Conservation Management Plan including a scope of works for maintenance and repair of the heritage item (as per clause 5.10(6) of the LEP) would assist in considering the public interest for this proposal. Approving the development would not be in the public interest as Council does not know to what extent the building would be upgraded/cared for during its operation as the proposed use.

Further to this, it is not considered to be in the public interest to approve a development that would knowingly not comply with the BCA or Australian Standards nominated within this report.

**Conclusion and Recommendation**

The development application (DA/0175/1617) has been assessed in accordance with the matters for consideration under section 4.15 of the *Environmental Planning and Assessment Act 1979*, and all relevant environmental planning instruments and Council policies. The proposal to adaptively reuse the former State Bank Building for the purposes of a 25 room hotel and café is considered a suitable active use for this precinct of town and for the benefit of exposing this building to the community. The site is seen as a suitable and pivotal location for commercial activation within this precinct of Auburn Street. However, in the manner submitted and proposed the application cannot be supported. The key issues preventing this application from a favourable determination are:

- the shortfall of car parking spaces required for Stage 1 of the development;
- the validity of the draft VPA and subsequently the shortfall of car parking required for Stage 2 of the development;
- the insufficient information provided to enable Council staff to make an informed, professional and legal assessment of the application, with respect to:
  - heritage impacts;
  - the public interest;
  - the uncertainty surrounding the dimensions of the eastern portion of the site (comprising the car park area proposed Stage 2 construction area);

- the ramp entrance to the building at the corner of Goldsmith and Auburn Streets;
  - the function and practicality of the proposed car park design and management of patrons and deliveries;
  - the accessible parking space proposed within Goldsmith Street.
- Compliance with the Building Code of Australia and Australian Standard *AS2890.1 Off street car parking*, Australian Standard *AS2890.5 On street car parking*, *AS2890.6 Off street car parking for people with a disability*.

In essence, the application has been unable to demonstrate that as a consequence of not providing parking there would be no negative impacts on the locality. This is because it has not been adequately considered in the information submitted to Council; therefore, the application as submitted has neglected to properly interpret and consider the likely impacts of the development on the locality. As such, the proposal cannot be supported in its current form.

Council cannot determine the application by way of approval as the proposal has not been adequately considered against clause 5.10 Heritage conservation of the *Goulburn Mulwaree Local Environmental Plan 2009*. To determine the application by way of approval would expose the consent to a third party appeal and consequently invalidate the consent.

The information provided to date has never been submitted to a satisfactory standard to enable Council staff to make a professional and informed determination on the application. The applicant has had more than a reasonable amount time to provide the necessary information to Council. Consequently, it is recommended this application be refused for the reasons nominated in the Recommendations section of this report.

## FINANCIAL IMPLICATIONS

The financial implications that may arise as a result of Council's decision in this matter are directly related to the legal implications. The possibilities are detailed as follows:

- Should the applicant choose to appeal a refusal, or pursue a deemed refusal, by Council through the Land and Environment Court, the question of cost with regard to Council's legal representation would be determined at the appropriate time.
- Should any person choose to take out Class 4 proceedings against Council to the Land and Environment Court, the question of cost with regard to Council's legal representation would be calculated at the appropriate time;
- Should the applicant make no appeal, or proceedings not be taken out by another party, to the Land and Environment Court regardless of the determination, the application would result in no further financial implication to Council.

## LEGAL IMPLICATIONS

The determination of the application gives rise to certain rights under the *Environmental Planning & assessment Act 1979* to either request a review of the determination or to lodge an appeal to the Land and Environment Court, timeframes exist in which such matters must be considered, actioned and completed.

## DIRECTOR'S COMMENT

Council strongly supports the adaptive reuse of items of heritage significance as well as projects that aim to revitalise the CBD. This project seeks to satisfy both criteria. Council planning officers have spent considerable time assessing and analysing the information provided, reviewing the

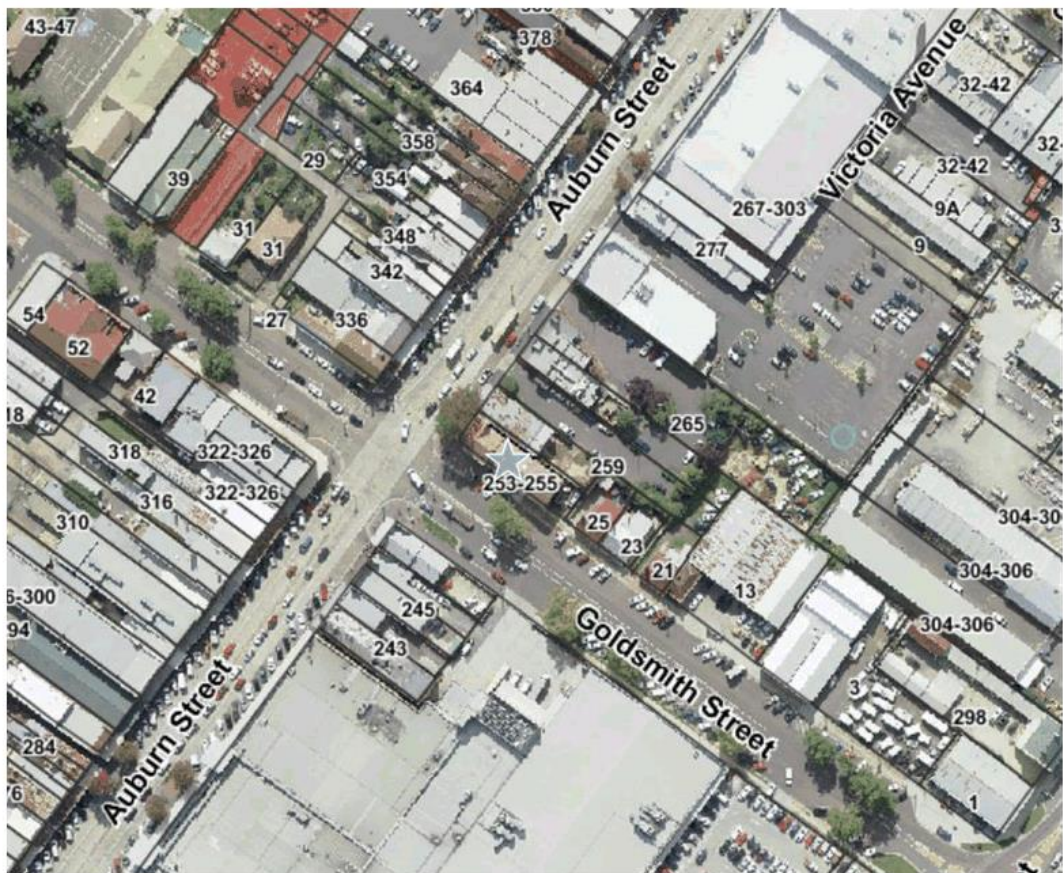
Building Code of Australia and applicable Australian Standards, and have investigated situations in which different scenarios could be played out.

As the application currently stands, the professional opinion of Council planning officers is such that the application is still lacking in detail and does not sufficiently address the requirements as previously resolved by Council. Notwithstanding, Council planning officers understand the motivation for Council to facilitate the redevelopment of sites throughout the Goulburn CBD, particularly when an adaptive re-use can be achieved. For this reason an alternative recommendation will be prepared for Council to consider. This will be provided to Councillors prior to the meeting.

## Attachment

<b>DA No.</b>	DA/0175/1617
<b>Location</b>	253-255 Auburn Street, Goulburn
<b>Proposed Development</b>	Reuse of State Bank building to a 25 room motel and cafe
<b>Attached Documents</b>	<ol style="list-style-type: none"> <li>1. Report to 2 April 2019 Council Meeting</li> <li>2. Submitted Plans</li> <li>3. Letter of Offer and Draft VPA</li> <li>4. Statement of Environmental Effects</li> <li>5. Traffic Report</li> </ol>

## Locality Plan



## 12.2 DA/0175/1617 - 253-255 AUBURN STREET - REUSE OF STATE BANK BUILDING TO A 26 ROOM MOTEL AND CAFE

**Author:** Ellie Varga, Senior Development Assessment Officer  
**Authoriser:** Stephanie Mowle, Business Manager Planning & Development  
**Attachments:** 1. Supporting Documentation

<b>DA Number:</b>	DA/0175/1617
<b>Address:</b>	253-255 Auburn Street, Goulburn
<b>Proposal Description:</b>	Reuse of State Bank building to a 26 room motel and cafe
<b>Type of Development:</b>	Local Development
<b>Zone:</b>	B3 Commercial Core
<b>Variations to Policy:</b>	3.4 Vehicular access and parking
<b>Submissions:</b>	One
<b>Key Issues:</b>	Car parking, Traffic Report, Voluntary Planning Agreement

### RECOMMENDATION

That:

- The staff assessment report for development application DA/0175/1617 for the proposed reuse of the State Bank building to a 26 room motel and cafe be received.
- DA/0175/1617 for the reuse of the State Bank building to a 26 room motel and cafe located at 253-255 Auburn Street, Goulburn be refused for the reasons as follows:
  - Insufficient information has been provided to enable an assessment against clause 5.10 of the Goulburn Mulwaree Local Environmental Plan 2009, pursuant to section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*
  - Insufficient information has been provided to enable an assessment against the Goulburn Mulwaree Development Control Plan 2009, particularly in terms of section 3.5 Vehicular Access and Parking, pursuant to section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*.
  - Insufficient information has been provided to enable an assessment of the likely impacts of the development, pursuant to section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*.
  - Insufficient information has been provided to adequately assess the application and therefore it is not in the public interest to determine the application favourably, pursuant to section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*.
- A letter be sent to the applicant advising Council does not wish to enter into the Letter of Offer submitted for consideration with DA/0175/1617.

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

On 15 December 2016, a development application (DA/0175/1617) for the reuse of the State Bank building for the purpose of a 26 room motel and café at 235-255 Auburn Street, Goulburn was lodged with Council. The application is described in more detail later in this report.



## Ordinary Council Meeting Agenda

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A preliminary review of the information submitted found the application deficient in important matters necessary to adequately determine the application. Consequently, a letter requesting additional information was sent to the applicant on 13 January 2017. The assessment of the application was suspended from this date, pending the provision of additional information (an extract from the letter is provided below):

1. *Please find attached the comments of Louise Thom [Council's Heritage Advisor] and provide revise plans reflecting her advice;*
2. *Streetscape elevations detailing the colours and material of both the existing building and the additions;*
3. *The proposed caretakers unit shall be marked on the floor plan;*
4. *Define all the proposed uses and nominate any ancillary uses in the Statement of Environmental Effects in accordance with the Goulburn Mulwaree Local Environmental Plan;*
5. *The Development Application requires the concurrence of WaterNSW. Documentation shall be provided to satisfy the requirements of WaterNSW [detailed in an email to the applicant dated 18 January 2017];*
6. *A Clause 1.8 Variation request for the variation to section 3.4 of the Goulburn Mulwaree Development Control Plan, Vehicular access and parking shall be provided. The request shall be supported by plans detailing a drop off zone and parking availability. Should the proposal rely on off-site private car parking, the written consent of the third party shall be provided.*

On 28 May 2018 (16½ months later), a follow-up letter was sent to the applicant advising that the requested information was still outstanding. The letter gave the applicant 21 days to respond to the matters addressed in 13 January 2017 letter, or the option of withdrawing the application. This option was given in light of the time that had passed with no contact or response from the applicant.

On 15 June 2018, the applicant provided direction that the developer wishes to continue with the proposal. It was advised that sorting out car parking (point 6 above) was what had delayed the provision of additional information to date. The applicant requested at this stage that a dollar figure be nominated for the value of a car parking space for the Goulburn CBD so as to give options to the developer in terms of a way forward to resolve parking (options including purchasing land around, lease agreements, voluntary planning agreements, scaling back the building etc). Whilst Council does not have a Section 7.11 (previously section 94) Contributions Plan for parking in Goulburn, anecdotally Council advised the applicant that a car park would cost in the vicinity of approximately \$15,000 - 17,000 per space.

On 21 August 2018, a phone conversation was made between the applicant, Director Planning & Environment and Business Manager Planning and Development. During this conversation:

- it was strongly recommended to the applicant that the application be withdrawn considering the significant timeframe which had passed with little response or action.
- the applicant was advised that if no request to withdraw the application was received by the end of the week, Council would be looking to determine the application by way of refusal in light of the insufficient information initially provided and that the applicant had had ample time to improve the quality of information to date.
- the applicant was advised that the notification of the application had been held pending receipt of the outstanding information so as to give the public the details necessary to make an opinion of the proposed development.
- the applicant was advised that the car parking deficiencies is a complicated issue to resolve and that perhaps engaging a consultant to assist in preparing a car parking needs analysis may be beneficial.

On 24 August 2018, the applicant sent an email to all Councillors, the General Manager, the Director Planning & Environment and the Business Manager Planning and Development. The email raised



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strong concerns with not being provided with a decisive dollar value for a car space in the Goulburn CBD. The applicant advised they did not wish to have the application withdrawn so as to not lose their rights of appeal with the Land and Environment Court, nor did they wish to have the application refused, as that wasn't considered fair or reasonable.

A response to the above email was sent to the applicant on 31 August 2018. This response advised that the dollar value the applicant has hinged the progression of the application on was not important or necessary in terms of addressing the car parking deficiencies in the application. Other options suggested to the applicant in lieu of not having a car parking dollar figure included purchasing adjoining land to accommodate additional parking or undertaking a car parking needs analysis to identify the actual needs specifically associated with this development (and subsequently requesting to vary the DCP). It advised that the dollar value was based on Council's own internal research. Notwithstanding, the applicant was also advised that a car parking contributions plan was on the strategic planning program for 2018/2019.

On 5 September 2018, a meeting between the applicant, Director of Planning & Environment and Business Manager Planning and Development was held. A Plan of Action was agreed upon as follows:

1. Engage a traffic consultant to do a full traffic analysis of the submitted proposal.
2. Prepare a draft Voluntary Planning Agreement based on the findings of the traffic consultant.
3. Complete all the required additional information requested by Council in light of the above.
4. Submit to Council within 3 months i.e. 5 December 2018.

On 5 December 2018 additional information was received towards the application. The application was duly notified to neighbours and advertised in the local newspaper between 20 December 2018 and 31 January 2019. The length of the notification period was longer than usual to ensure the community had sufficient time to review the documentation over the Christmas, New Year, and school holiday period. One submission was received during the notification period. Essentially, this submission raised concerns with privacy and overshadowing. The submission can be found in the Attachment to this report.

On 9 January 2019, the information submitted to Council on 5 December 2019 was reviewed by the assessing officer for adequacy. The following issues and questions were raised:

Landowners Consent

- *Plans indicated that 257 Auburn Street may be used for parking. In which case, landowner's consent of this property would be required.*

Planning Agreement

- *The application proposed to enter into a Voluntary Planning Agreement (VPA) with Council. However, the request was potentially flawed as the Traffic Report used superseded plans, furthermore, the planning agreement was rudimentary in content and required more detail.*

Plans

- *There were minor errors throughout the plans i.e. parking shown on 257 Auburn Street, missing plans, incorrectly numbered plans, some rooms incorrectly numbered etc.*

Statement of Environmental Effects/Heritage Report

- *The Statement of Environmental Effects (SEE) had the heading Heritage Impact Statement. The content of the document however was a Statement of Environmental Effects.*
- *No explanation was provided in the SEE of the proposal to stage the development, however, the VPA talked about staging. This needed to be clarified.*

Traffic Report

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- *The Traffic Report considered the original plans, not the amended plans and therefore, needed to be rectified.*
- *The report made a number of assumptions about patron behaviour, their arrival and departure times as well as their length of stay. It assumed most patrons would arrive post 4pm and leave before 9.30am, staying only one night and therefore not adversely impact on car parking within the vicinity.*

Heritage Advice

- *Generally, advice given was not addressed:*
  - *Balustrades to caretakers residence were still glass*
  - *Staircase on the ground floor near the bar area had a wall dividing the front windows from the room. This was advised to be amended.*
  - *No information was provided as to how the new building would about the brick barn at the rear of 257 or how it would be conserved during and after construction.*

Consequently, a meeting was arranged for 11 January 2019 to discuss these outstanding matters. At this meeting, the applicant was advised by the assessing officer that the quality of information was deficient and inadequate for a favourable determination. The applicant also advised that 257 Auburn Street was not intended to be used for car parking as part of these amended plans however that could be explored by the developer. Council sent the above matters in another request for additional information letter on 11 January 2019 which gave the applicant six weeks to provide information. This was considered a fair and reasonable time period to provide the detailed content required to ensure the application could be considered professionally and favourably. Additional information was to be submitted by 22 February 2019.

On 1 February 2019, a courtesy follow up email was sent to the applicant to see how they were progressing with providing the additional information. No response was received by the assessing officer.

On 14 February 2019, the applicant was requested to provide a response to the submission received during the notification period. The applicant approached the content of the submission by deciding to redesign the addition slightly and consequently requested a two week extension of time to provide the additional information still outstanding from 11 January 2019. The request was granted to ensure the applicant could respond to the submission in the manner they wanted and the new date the applicant was required to provide additional information was 8 March 2019.

On 7 March 2019, an email was received from the Applicant with draft amended plans requesting council comment before formal lodgement. The applicant advised in this email that they would not make the following days' deadline. In response to this Council advised that an extension would not be granted, that a Council report would be prepared on the information at hand and that the right to withdraw the application was still available. This was considered reasonable given timeframes incurred since lodgement of the application in December 2016.

On 8 March 2019, as a consequence of the applicant advising he had been sick, another extension was granted to provide the additional information, til 5pm, 12 March 2019.

On 12 March 2019 at 4.40pm, Council received an email containing additional information towards the application. A Statement of Environmental Effects, plans, Traffic Report, Carpark and driveway Certification Letter and Letter of Offer were submitted. Whilst the email provided the information, it again requested more time. A reply was provided to the applicant the following day advising that the assessing officer would review the submitted information by the end of the week.

Since lodgement of the application, it is clear from the above chronology of events and correspondence that, staff have patiently and consistently worked with the applicant to ensure sufficient and satisfactory information is provided to determine the application.

A fair, and more than reasonable, timeframe has been given to the applicant on more than one occasion to provide the requested information. At each date information has been due, reasons for being unable to provide the information have been given and Council have compassionately granted extensions.

Council sees the benefits in having the site occupied and is therefore very supportive of an adaptive reuse proposal of this nature; this is clearly demonstrated in the number of opportunities Council has given the applicant to prepare content supporting the requested information, rework the design, engage expert consultants (traffic, planning) etc. Providing continuous extensions to the applicant also demonstrates Council actively working with the applicant to get the application determined favourably.

However, the information provided to date has never been satisfactory enough to enable Council staff to make a professional and informed determination on the application. In light of the history of the application and the quality of the additional information most recently provided, this application is now presented to Council for consideration.

## REPORT

### Proposed Development

On 15 December 2016, a development application (DA/0175/1617) for the reuse of the State Bank building for the purpose of a 26 room motel and café at 235-255 Auburn Street, Goulburn was lodged with Council. A copy of the relevant plans have been provided within the Attachment. The application is described in more detail below.

Reuse of the State Bank building to a 26 room motel and café, with:

- a two bedroom caretakers residence;
- two of the 26 rooms to be accessible rooms (ground floor);
- all rooms to be double/queen/king beds i.e. maximum two people per room;
- demolition of rear concrete slabs;
- construction of a three storey addition to the south eastern façade of the building comprising reception lobby, accessible toilet and elevator access. The addition would be 260sqm;
- landscaping to ground level and landscaping to a rooftop terrace on the south eastern facade;
- provision of one drop off zone and one car parking space on site; and
- three parking spaces and turning areas provided on 257 Auburn Street (no landowners consent has been provided for this component).

### Other components of the development include:

- No clear explanation has been provided with respect to staging of the development in any documents submitted with the application. The Statement of Environmental Effects (SEE), plans and Letter of Offer to enter into a Voluntary Planning Agreement (VPA) all discuss something different or are silent on the matter. However, it is discussed in the car parking analysis component of the Letter of Offer that the development proposes to be staged as follows:

Stage 1: Refurbishment of existing building (13 rooms) plus establishment of café

Stage 2: Construction of extension (8 rooms plus caretakers residence)

This explanation doesn't equate to the total number of rooms proposed (21 instead of 26) and there are 15 rooms, not 13 rooms within the shell of the existing building. Further, the plans are unclear as to what constitutes Stages 1 & 2 which is ordinarily differentiated in an application proposing to undertake the development in stages.

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- A Letter of Offer requesting Council to enter into a Voluntary Planning Agreement (VPA) with the developer was submitted with the additional information provided on 12 March 2019. The Letter proposes:
  - the provision of one new on street parking space (to be an accessible space) fronting the development on Goldsmith Street for Stage 1 of the development, and
  - a \$65,142 monetary contribution to be used towards the provision of car parking facilities within the useable vicinity of the site for Stage 2 of the development.
- In terms of building setbacks, it is unclear from the submitted plans what these would be. The SEE does not nominate the setbacks and the plans are inconsistent with each other. Some plans show a southern setback of 1.215m (Dwg 3c) with the rooftop terrace on Level 2 having a zero setback, whilst other plans (Dwg 4c) show a zero setback for the southern boundary. It is understood there would be a zero east and western boundary.
- The motel reception would operate from 7.00am – 10.00pm Monday to Sunday, with the café proposed to also have hours of 7.00am – 10.00pm Monday to Sunday. The café would be for the use of the patrons of the motel and open to the public.
- There would be four staff employed for the purpose of the motel and café. One staff member would be the caretaker and live in the two bedroom caretakers residence on Level 2.
- The development proposes one drop off zone 6.2m x 2.2m and a car parking space (6.2m x 2.2m – which is a non compliant width) located on the site of the development. The development then proposes provision of three parking spaces and turning areas on the adjacent property, not associated with the development, known as 257 Auburn Street. No landowners consent has been provided to utilise this space, nor has this been explained in the SEE. The plans submitted do not show the car parking spaces on 257 Auburn in proximity to that property's boundary or the buildings upon it.
- No discussion regarding loading/unloading of deliveries has been provided, however it is assumed the drop off zone would be used for this.
- The building addition would consist of glass, aluminium and steel materials. The existing State Bank building façade is to be cleaned and repainted with cream and black finishes.
- No signage is proposed as part of this application.
- A 27.93sqm landscaping area is proposed between the building extension and residential dwellings to the south east of the site along Goldsmith Street. A rooftop garden 8.31sqm is also proposed on Level 2 on the south eastern façade of the additions. The landscaping plan indicates the planting of pencil pines, mondo grass and sweet fern however the plan doesn't provide any detail of the rooftop garden landscaping.

**Background**

The site is known as the State Bank building and was originally occupied by the State Bank of NSW in the 1920s. Generally the site has been used for a variety of retail functions since its construction. A two storey rear addition to the building was constructed in the 1980s.

Council records indicate the following applications have been lodged towards the site:

- 480/84 – Alterations and additions, Approved 3 January 1985
- 45/85 – Additions, Approved 19 February 1985

**Site Context**

The site is known as 253-255 Auburn Street, Goulburn (Lot 1 DP86199) and addresses both Auburn and Goldsmith Streets. The site is 448.9sqm and is rectangular in shape. The site has a building with zero setbacks to each street frontage and has a pedestrian entrance facing the street traffic lights intersection. The existing building has a total floor area of 566sqm.

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The building has two storeys at the Auburn Street frontage. The site falls away from Auburn Street, enabling three stories towards the rear of the site. Vehicular access to the site is from Goldsmith Street. The site has no significant vegetation, aside from some grass beyond the concrete parking area at the rear of the site.

Surrounding uses range from commercial and retail businesses within Auburn Street (NRMA, barber, KFC), Goulburn Square loading dock and parking on the southern side of Goldsmith Street and residential dwellings to the east in Goldsmith Street. There is one established street tree near the vehicular entrance to the site in Goldsmith Street and street landscaping at the intersection of Auburn and Goldsmith Streets.

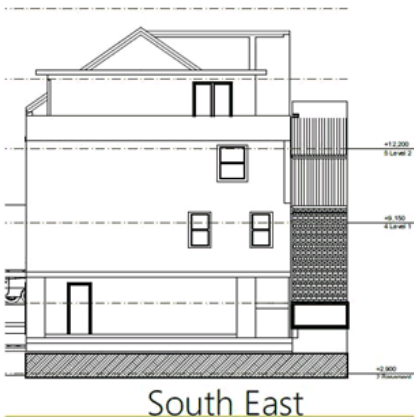
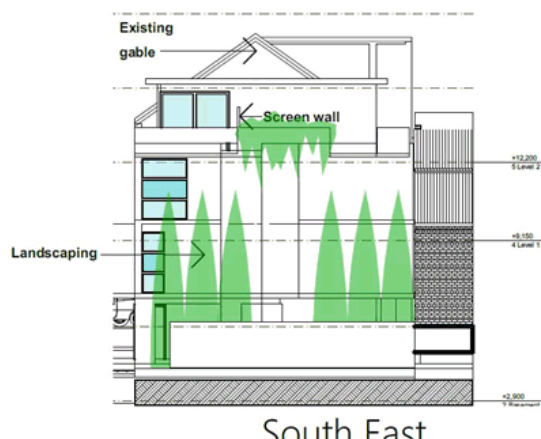
A locality plan of the development site and plans of the proposal are included within the Attachment.

### Consultation and Submissions made in accordance with Act or Regulations s4.15(1)(d)

#### Public Submissions

The proposed development was notified to 21 adjoining and nearby residents. It was also advertised in the local paper and on Council's website. Public exhibition of the proposal resulted in one submission being received (refer to the Attachment for the submission). The amended plans provided on 12 March 2019 have not been notified to the community. The following is a summary of the issues raised in the submission and the planning response:

Issue	Response
<b>Overshadowing</b>	The submitter feels the development would block out afternoon sunlight. <u>Comment:</u> The application was supported with shadow diagrams which demonstrate the backyard of the submitter would not be affected by the winter solstice (3pm) (See Shadow diagrams in the Attachment).
<b>Property values</b>	The perceived reduction in privacy raises concerns with the submitter with respect to 'on-sale values'. <u>Comment:</u> Property values are not a consideration under section 4.15 of the <i>Environmental Planning and Assessment Act 1979</i> .
<b>Heritage Impact</b>	The submitter thought the site was within a heritage zoned area and implies that the design of the development is not in keeping with the heritage significance of the Goulburn City Conservation Area. <u>Comment:</u> The development is within the Goulburn City Conservation Area and proposes alterations and additions to a locally listed heritage item. Consequently, the application was forwarded to Council's Heritage Advisor. The advice from Council's Heritage Advisor was to design the infill additions in a contemporary and subdued design so as to not imitate or offend the existing heritage item. Whilst the site is within the conservation area, development additions and alterations do not always necessarily have to replicate what is in existence.
<b>Privacy</b>	The submitter feels the proposal would result in a complete lack of privacy for their backyard. The additions are closer than the existing building and the submitter feels it appears quite contemporary with lots of glass/windows which face the submitter's property, reducing their privacy. <u>Comment –</u> The development proposes a three storey addition to the rear of the existing building off Goldsmith Street. The submitter is not a direct neighbour to the site. The backyard of the submitter is to the east of the site, with a single storey dwelling in-between it and the development site. There is approximately 16m from the proposed extensions to the submitters backyard and is offset slightly, resulting in a reduced opportunity for privacy impacts.  The applicant chose to redesign the development from the following:

	 <p style="text-align: center;">South East</p> <p>to the below design in response to the submissions.</p>  <p style="text-align: center;">South East</p> <p>As a consequence of this amendment, it is not envisaged there would be an adverse privacy impact to the submitter's rear yard in light of the above observations.</p>
<p><b>Structural damage</b></p>	<p>The submitter is concerned that the proposed development would cause possible structural damage to their dwelling. They advise they have spent lots of time and money renovating their home.</p> <p><u>Comment:</u> It is unlikely that damage would occur to the submitters' property as a consequence of construction works to the property given there is a dwelling between it and the development and that there are no deep excavation works proposed.</p>
<p><b>Construction impacts</b></p>	<p>The submitter is concerned about where the construction vehicles associated with the development would park, considering car parking in Goldsmith Street is timed and not always readily available. Concerns have also been raised with respect to noise levels during construction and construction hours.</p> <p><u>Comment:</u> The application does not discuss construction management. Management of parking and other construction implications can be addressed and considered as part of a Construction Management Plan.</p>

**External Referrals**

Agency	Comments
<b>NSW Roads and Maritime Services</b>	<p>The application was referred to NSW Roads and Maritime Service on 20 December 2018. A response was provided that same day advising no objection to the development:</p> <p><i>RMS has completed an assessment of the development, based on the information provided and focussing on the impact to the State Road Network. For this development, the key state road is Auburn Street.</i></p> <p><i>RMS notes the following:</i></p> <ul style="list-style-type: none"> <li>• <i>The access to the carpark is located at the south eastern end of the site, thereby maximising the distance between the access and the carpark.</i></li> <li>• <i>The development is unlikely to impact on the operation Auburn Street.</i></li> <li>• <i>Contrary to the statements made on page of the Statement of Environmental Effects, the modifications to the rear lane do not required RMS approval under Section 138 of the Roads Act, 1993 as they do not impact Auburn Street (but they would require consent from Council under Section 138).</i></li> </ul> <p><i>Given the above, RMS does not object to the DA.</i></p>
<b>Water NSW</b>	<p>The application was referred to Water NSW on 20 December 2018. A response was provided on 10 January 2019 advising the development can achieve a neutral or beneficial effect on water quality. No other issues were raised.</p>

**Assessment against Legislation and Policies****s4.15(1)(a)**State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 aims to promote the remediation of land for the purpose of reducing risk to human health or any other aspects of the environment. Clause 7 of SEPP 55 states that a consent authority must not consent to any development on land unless it has considered whether it is contaminated. If the land is contaminated, the consent authority must be satisfied that the land will be suitable in its contaminated state, or will be suitable after remediation, for the purpose for which development is proposed. If the land requires remediation, it must be satisfied that the land will be remediated prior to being used for that purpose.

The likelihood of encountering contaminated soils on the Site is low given the following:

- The site and adjoining properties are not subject to a legal notice for a matter listed under Section 59(2) of the *Contaminated Land Management Act 1997*.
- The proposal involves minimal excavation for the development and there will be limited opportunities for access to soil.
- A review of Council property information indicates no previous potentially contaminating uses.

Given the above factors, no further investigation of land contamination is warranted in this instance. The site is suitable in its present state for the proposed development. Therefore, pursuant to the provisions of SEPP 55, Council can consent to the carrying out of development on the land.

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

The site is located within the Warragamba drinking water catchment. Compliance with the provisions of the Drinking Water SEPP and the NorBE (Neutral or Beneficial Effect) Guidelines is therefore required to consider water quality. The application is considered to be a Module 1 development under the NorBE Guidelines.

The development was forwarded to Water NSW for their comments however the NorBE Tool was used to determine the development would result in a neutral or beneficial effect on water quality.

Goulburn Mulwaree Local Environmental Plan 2009

The relevant provisions of the Goulburn Mulwaree Local Environmental Plan 2009 (the LEP) are discussed as follows:

LEP Clause	Assessment
<b>2.3 Zone objectives and land use table</b>	<p>The site is zoned B3 Commercial Core and in this zone, a 'hotel or motel accommodation' and a 'restaurant or café' are uses permissible with development consent. The objectives of the B3 zone are:</p> <ul style="list-style-type: none"> <li>• To provide a wide range of retail, business, office, entertainment, community and other suitable land uses which serve the needs of the local and wider community.</li> <li>• To encourage appropriate employment opportunities in accessible locations.</li> <li>• To maximise public transport patronage and encourage walking and cycling.</li> <li>• To reinforce the status of Goulburn as a regional centre.</li> <li>• To ensure the scale and density of development complements the desired future character of the commercial core.</li> <li>• To protect the historic importance of Goulburn and protect heritage integrity of its historic built form.</li> </ul> <p>The proposed development would not be inconsistent with the objectives as it proposes to contribute to diversifying the uses within the Goulburn CBD, generate jobs (construction and operational) and provide accommodation for tourists and visitors within the CBD encouraging day and night time activation.</p>
<b>4.3 Height of buildings</b>	<p>The LEP nominates a maximum height of 15m for the site. The height of the existing building fronting Auburn Street is 12.2m. The proposed additions fronting Goldsmith Street would be 11.1m and therefore the development complies with this clause.</p>
<b>4.4 Floor space ratio</b>	<p>The LEP nominates a floor space ratio of 2:1 for the site. The proposed additions and existing floor area of the site equates to 800sqm and the total site area is 448.254sqm which results in a FSR calculation of 1.76:1. The development therefore complies with this clause.</p>
<b>5.10 Heritage conservation</b>	<p>The site is located within the Goulburn City Conservation Area and is nominated as an item of local environmental heritage in the LEP. Consequently, development consent is required for the proposed works pursuant to clause 5.10(2)(a) &amp; (e). Consideration of clause 5.10(4) of the LEP is also required:</p> <p><b>(4) Effect of proposed development on heritage significance</b></p> <p><i>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</i></p> <p>The application proposes a contemporary design for the proposed addition, with materials consisting of concrete (roof), aluminium (window frames), glazed balustrades, spandrel panelling to the majority of the southern façade (glazed front, solid behind) and face brick masonry wall (colour unknown) to the eastern facade. The proposal is therefore significantly different from the existing heritage building on the site. Advice to the applicant from Council's Heritage Advisor prior to lodgement was to not design something that imitates or replicates (faux) the heritage significance of the building. Consequently, the proposed design was lodged.</p> <p>The application was forwarded to Council's Heritage Advisor for comment and the following assessment was provided on 11 January 2017. These comments were on the original design:</p>



	<p><u>"Ground Floor</u></p> <p><i>The proposed alterations are acceptable as they retain the significant fabric. None of the windows to goldsmith or Auburn Street are to be altered. Two windows facing 257 Auburn Street will be closed for the reconfiguration of new rooms, this is acceptable as the windows are only visible from inside the ground floor of the subject building. The open nature of the bank service area will be retained in the café dining area.</i></p> <p><u>First Floor</u></p> <p><i>Every effort has been made to retain the existing configuration of rooms with as little alteration as possible. The biggest impact on the first floor will be the introduction of new ensuite bathrooms.</i></p> <p><i>Introduction of ensuites between the rooms will impact original fabric such as ceilings, cornices, skirting boards, door joinery and doorways. During the inspection options were discussed to ensure as little fabric is lost as possible. It was also noted that the layout in the drawings did not match one of the rooms and needed to be revised. The architect will revise the drawings and resubmit with more details on retention of the fabric.</i></p> <p><i>The other part of the layout that will have a negative heritage impact will be the proposed wall around the stair in the northern corner of the front room facing Auburn Street that divides this room into another bedroom. This room plays an important role in the significance of the building by providing a visual connection with the street front. Its original large windows emphasise the role of this room. Currently the overall interior layout of the proposed hotel lacks a sense of the original building and its connection to its setting. By retaining this room as a public room the hotel would retain this aspect of its heritage significance.</i></p> <p><u>Addition – new infill building</u></p> <p><i>The new building will abut the brick barn at 257 Auburn Street. No information has been provided as to how this structure will be conserved during and after construction. It is also unclear how the new building physically connects with the original barn wall or if there is a setback.</i></p> <p><i>The addition will extend into the roof space of the 1950s addition but the attic addition will not be visible from Goldsmith Street.</i></p> <p><i>The garage and driveway from Goldsmith Street is proposed to be left open – this will create an unsympathetic opening in the street wall. It should be gated with a tall gate structure that is sympathetic with the character of its context.</i></p> <p><i>The south eastern façade has been stepped in order to create a transition to the smaller houses next door. It has not been well resolved architecturally in the same way the existing building has with its fine degree of detail. The façade if it is face brick should have string courses and other decorative detail to visually connect it to the existing building. The handrail shown on drawings to the roof terrace is frameless glass. In order to make the balustrade less intrusive it should be stepped back from the edge and a different material chosen that is not reflective.</i></p> <p><u>Conclusion</u></p> <p><i>Overall the proposed development is positive and will revitalise a heritage item that is under threat due to a lack of suitable use. The contemporary design of the infill addition is acceptable although it needs refinement."</i></p> <p><i>In response to this advice, the applicant was requested to amend their design to reduce the impact on internal fabric, redesign the wall around the staircase in the northern corner of the front room facing Auburn Street, conserve the existing building during construction and demolition, provide discussion as to how the original barn on 257 Auburn Street would be affected by the development, refine the design with reference to decorative face brick detail, and setback the balustrade and change its material.</i></p>
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	The information submitted on 12 March 2019 did not address or respond to these recommendations on the plans or in the SEE. In light of the deficient and inadequate nature of the application submitted on 12 March 2019, the application was not forwarded to Council's Heritage Advisor for further comment.
<b>7.1A Earthworks</b>	Earthworks are proposed for the purposes of footings, driveways and landscaping at the location of the additions. The earthworks are not considered minor, nor would the works be considered as exempt under Pt 2 Div 1 Sub 15 of <i>State Environmental Planning Policy (Exempt and Complying Development Code) 2008</i> . The proposed earthworks would not result in impacts on drainage lines, stormwater or watercourses. Earthworks would not result in an adverse effect on the proposed development and the amenity of adjoining properties would not be affected due to the nature of the earthworks being primarily for footings for the building additions.
<b>7.5 Active street frontages</b>	<p>The frontage to Auburn Street is nominated on the Active Street Frontages Map in the LEP. The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone B3 Commercial Core and Zone B4 Mixed Use. As the site is within the B3 zone, consideration of this clause is required in the assessment of the application.</p> <p>Development consent must not be granted for the erection of a building, or a change of use of a building, on land to which this clause applies unless Council is satisfied that the building will have an active street frontage after its erection or change of use.</p> <p>The development proposes a restaurant/café on the ground floor which would have access from the corner of Goldsmith and Auburn Streets. Both the location of the access and the use satisfy this clause in terms of achieving an active street frontage.</p>

**Goulburn Mulwaree Development Control Plan 2009**

The relevant provisions of the Goulburn Mulwaree Development Control Plan 2009 (the DCP) are discussed as follows:

<b>DCP Control</b>	<b>Assessment</b>
<b>Part 1 Preliminary</b>	
1.8 Variations to controls	The application proposes to vary clause 3.5 Vehicular access and parking. Insufficient, incorrect and deficient information has been provided to professionally and adequately determine whether a variation to this clause of the DCP can be supported.
<b>Part 2 Plan Objectives</b>	
2.1 General development objectives	<p>The development would achieve the following general objectives of the DCP.</p> <ul style="list-style-type: none"> <li>Commercial land uses shall be clustered to minimise car trips and promote focus on pedestrian and cycle ways.</li> </ul>
<b>Part 3 General Development Controls</b>	
3.3 General Heritage Item and Conservation Area Controls	<p><u>3.3.1.1 Context</u></p> <p><i>F. New developments must respect the existing significance of the streetscape and the vicinity.</i></p> <p>The proposed development would have the most impact on the Goldsmith Streetscape. The existing significance of the Goldsmith Street streetscape is varied with the southern side of the street dominated by a loading dock and a two storey carpark for the Goulburn Square Shopping Centre. The northern side of Goldsmith Street has industrial uses in the east with three residential dwellings before the subject site and the intersection with Auburn Street. From a streetscape perspective, the significant and aesthetic features are the established trees within the road reserve and three residential dwellings which contribute to the heritage significance of the Goulburn City Conservation Area. Given the varied nature of the streetscape and the architectural merit of the development, it is not envisaged the development would adversely impact the significance of the streetscape.</p>

	<p><i>G. Use design elements that exist in the streetscape to guide the design of new structures.</i></p> <p>The proposed development is contemporary and modern in design which is different to surrounding developments in the streetscape. There are no structures/buildings within Goldsmith Street that utilise the design features proposed in the subject development. However this isn't considered adverse in terms of the heritage significance of the State Bank building or the streetscape. Additions to heritage buildings are generally encouraged to not mock or imitate heritage buildings, rather to remain subdued, muted and modest so as to not detract from the associated heritage building. Council's Heritage Advisor also considers the design appropriate.</p> <p><u>3.3.1.2 Alterations and Additions</u></p> <p><i>C. The original roof line or characteristic roof elements are to remain identifiable and not be dwarfed by the new works.</i></p> <p>The proposed development does not go above the existing roof line and therefore does not dwarf the existing building.</p> <p><i>E. Ensure that the new work is recognisable as new, "blending in" with the original building without unnecessarily mimicking or copying</i></p> <p>As discussed previously, the design of the proposed additions are contemporary and modern in design and would appear as the newer component of the building. Additions to heritage buildings are generally encouraged to not mock or imitate heritage buildings, rather to remain subdued, muted and modest so as to not detract from the associated heritage building. Council's Heritage Advisor also considers the design appropriate.</p> <p><i>F. Complement the details and materials of the original roof including ridge height and slopes without compromising the ability to interpret the original form.</i></p> <p>The ridge height has been retained and used to cap the building at the existing roof height. No other details or materials have been reused. The roof of the extension is a flat concrete panel extending out towards Goldsmith Street beyond the slope of the existing roof.</p> <p>The roof above rooms 10 and 26 is not nominated on the plans however it would require removal of the existing roof and replacement with a new (unsloped) roof to achieve the minimum roof height for habitable rooms (2.4m).</p> <p><u>3.3.1.3 Adaptation of Heritage Buildings or Sites</u></p> <p><i>A. The adaptive reuse of a heritage item should minimise alterations or interference with significant fabric. The changes are to enable the continued interpretation of the original use.</i></p> <p>Council's Heritage Advisor requested the plans be revised to reduce the amount of impact on the existing fabric. The plans submitted on 12 March 2019 didn't change with respect to maintaining significant internal fabric (internal walls and fireplaces on upper levels).</p> <p><u>3.3.1.7 Corner Allotments</u></p> <p><i>F. Car parking must be located to the rear of the secondary street frontage. Double garages forward of the building line are not acceptable;</i></p> <p>The car parking that is proposed would be located off the secondary street frontage, being Goldsmith Street.</p> <p><i>I. New development must be located to minimise impact on existing prominent trees.</i></p> <p>No prominent trees exist on the site. However there is a street tree fronting the development in Goldsmith Street which contributes to the overall character of the streetscape. The Letter of Offer proposes the provision of an accessible space between the street tree and vehicular access for the site. No information has been provided as to how this proposed parking space would impact on the tree.</p>
3.4 Landscaping	<p>A Landscape Plan was submitted with the application.</p> <p>27.93sqm landscaping area is proposed between the building extension and residential dwellings to the south east of the site along Goldsmith Street. A rooftop garden 8.31sqm is also proposed on Level 2 on the south eastern façade of the additions. The landscaping plan indicates the planting of pencil pines, mondo grass and sweet fern however the plan doesn't provide any detail of the rooftop garden</p>

	landscaping. More information is required regarding drainage, structural integrity, plant species to consider the landscaping plan.
3.5 Vehicular Access and Parking	<p>This policy aims to provide sufficient and convenient parking for residents, visitors and service vehicles; to ensure vehicular and pedestrian safety and to encourage access design to form part of the overall landscape design.</p> <p>The SEE advises the development proposes four parking spaces to the rear/underneath the development. However, three of the four parking spaces are proposed to be located on land not associated with the development, being 257 Auburn Street. No landowners consent has been provided for this component of the development nor has this been explained in the SEE. The development also proposes one drop off zone 6.2m x 2.2m located on the development site.</p> <p><u>3.5.1 Parking layout, servicing and manoeuvring</u></p> <p>The objectives of this clause are:</p> <ul style="list-style-type: none"> <li>Where on-site car parking or service areas are required, ensure that the layout and design does not detract from the amenity of adjoining areas.</li> <li>Ensure the design of parking and servicing areas is efficient, safe, convenient, discrete and suitably landscaped.</li> <li>Minimise nuisance caused by traffic movement, generation and servicing</li> </ul> <p>Council does not consider the design of the parking area as being efficient or safe. The provision of one parking space onsite and three on a separate site is deficient by 26 spaces (discussed later in this report) which is unsuitable for the proposed operations. This does not result in convenient parking for patrons of the motel. The applicant proposes one space to be used by the caretakers residence.</p> <p>The development does not propose a loading dock or service area for vehicles. The drop off zone is intended for patrons to check in at reception then leave the site and park elsewhere (if none of the four spaces provided are available), not as a permanent parking space. Not having a dedicated loading zone forces vehicles who require a loading zone to use Goldsmith Street. Considering the development is adjacent to residential dwellings, this has the potential to adversely impact their amenity and cause a nuisance to the locality.</p> <p>Council considers the development to be inconsistent with the objectives of this clause.</p> <p>The controls of this clause are as follows:</p> <ul style="list-style-type: none"> <li><i>The layout and design of access, parking and service areas should address the needs of the site occupants and visitors as well as respecting the amenity of the area. Account should be taken of potential noise disturbance, pollution and light spillage. Car parking areas can have a significant impact on the streetscape and should therefore be carefully designed having regard to landscaping, layout and location to ensure that parking and service areas are integrated sympathetically with the development and locality.</i></li> <li><i>Provision should be made for various modes of transport for employees and visitors to the site. Where parking is provided it must be in a safe and efficient manner, allowing for easy access for occupants, visitors and service vehicles, whilst ensuring the safety of pedestrians and other road users.</i></li> </ul> <p>The application does not propose to provide any parking for employees or patrons onsite (aside from the caretaker) nor encourage any other modes of transport i.e. bicycle parking. The parking spaces proposed are not considered</p>

	<p>safe or efficient for the intended use (refer in the Attachment to turning circle plans).</p> <p>The turning circles show that a vehicle that enters the site but then realises no parking spaces is available, needs to do a three point turn before exiting the site; and this manoeuvre results in the car hitting the barn building on 257 Auburn Street and potentially parked cars. Further, when a car enters the site whilst a car is looking to exit, there is no location for the entering car to go other than to reverse back onto Goldsmith Street as the drive through is not wide enough for two vehicles. These examples are not considered safe or efficient. Insufficient and inadequate information has been provided to determine whether vehicles can enter and exit the site in a safe and efficient manner.</p> <p>Insufficient and inadequate information has been provided with respect to pedestrian safety within the proposed car parking layout.</p> <p>Service vehicles haven't been addressed or considered by the applicant with respect to the proposed car parking layout. The use of the drop off zone has been identified for patron use only, therefore no identified area for service vehicles has been nominated in the application. No information on what kind/size of service vehicle would attend the site has been provided. Inadequate and insufficient information has been provided to consider service vehicular safety.</p> <ul style="list-style-type: none"> <li>• <i>Where non-residential development is within or adjoining a residential zone, locate and design parking areas, servicing areas and the means of access/egress to:</i> <ul style="list-style-type: none"> <li>◦ <i>minimise conflict between non-residential, residential and pedestrian traffic;</i></li> <li>◦ <i>provide off-street parking and servicing of premises;</i></li> <li>◦ <i>respect the character of the existing residential areas and streetscape character by means of siting, design and landscaping.</i></li> </ul> </li> </ul> <p>Whilst the proposed development isn't within a residential zone, it is adjacent to residential development and therefore consideration of this clause is required. Whilst the development does propose landscaping between the parking area and the adjacent residential dwelling, the development does not comply with the above control in that the development does not provide off street parking and servicing.</p> <ul style="list-style-type: none"> <li>• <i>Surface parking should be visually articulated by the use of soft and hard landscaping and the use of different surface treatments.</i></li> </ul> <p>No detail has been provided with respect to what the proposed car parking surface treatment would be.</p> <ul style="list-style-type: none"> <li>• <i>Parking areas and accessways should be designed, surfaced and graded to reduce run-off and allow stormwater to drain into the site.</i></li> </ul> <p>Insufficient information has been provided to determine whether the proposed parking areas would be designed to permit stormwater to be discharged to Goldsmith Street.</p> <p><u>3.5.2 Specific land use requirements.</u></p> <p>This section of the DCP enables calculation of the required parking spaces for the proposed development.</p> <p>The Motel requires one space for each unit, plus one space for each two employees, plus one space per 40sqm of restaurant gross floor area. This calculates to:</p> <ul style="list-style-type: none"> <li>2 spaces for the café (applicant advises café is 80sqm)</li> <li>26 spaces for the units (excluding the caretakers unit)</li> <li>2 spaces for staff (4 staff - including the caretakers unit)</li> <li>= <u>30 spaces</u></li> </ul> <p>Whilst the development requires 30 parking spaces, the applicant proposes to provide no parking spaces as part of stage one on the site of the development (but one accessible space to Goldsmith Street as part of the Letter of Offer), and one parking space onsite and three on 257 Auburn Street as part of Stage 2. The</p>
--	---

	<p>development is therefore, severely deficient in parking spaces. In response to this variation, the application provides the following justification (taken from the Traffic Report):</p> <p><i>"...it is noted that the existing commercial building has a Gross Floor Area of 565.5m<sup>2</sup> and Council's Development Control Plan stipulates that 15 car spaces would be required with the rate of 1 car space per 40m<sup>2</sup> for commercial premises. Given that the existing site only provides two car spaces, there is a shortfall of twelve [13] car spaces. Adopting the shortfall of car spaces of the existing development, the proposed motel is thirteen car spaces short of meeting Council's requirement.</i></p> <p><i>It is also noted that the development is located in the town centre/commercial area where there are on street parking opportunities nearby street.</i></p> <p><i>Guests staying overnight at the motel can easily find a vacant car space on-street after 6pm where many of the nearby retail and able to park without a fine to 9:30am on the following day (for one hour parking restrictions beginning from 8:30am).</i></p> <p><i>Short term parking can be found during business hours but a driver will need to circulate.</i></p> <p><i>Most motel tenants will only need to park overnight before travelling onwards to other areas (such as Sydney or Canberra).</i></p> <p><i>During the day there would be low parking demand as most other motels show with about ten percent of tenant car spaces occupied between 9am and 4pm and hence there would be low reliance of public parking spaces during business hours."</i></p> <p>It is difficult to follow the application's justification because the calculation of car parking is slightly different (typos, different number outcomes) between the Letter of Offer, the SEE and the Traffic Report. With such inconsistencies, Council is not in a position to effectively, correctly or professionally consider this clause of the DCP (see Attachment for above referred documents).</p>
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### Draft Voluntary Planning Agreement and Land Dedication Policy

Clause 2.2 of the Draft Policy advises when Council may consider negotiating a Planning Agreement with the developer. These activities include:

- a) *the provision of (or the recoupment of the cost of providing) public amenities or public services;*
- b) *the provision of (or the recoupment of the cost of providing) affordable housing;*
- c) *the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land;*
- d) *the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure;*
- e) *the monitoring of the planning impacts of development;*
- f) *the conservation or enhancement of the natural environment.*

The Letter of Offer proposes:

- the provision of one new on-street parking space (to be an accessible space) fronting the development on Goldsmith Street for Stage 1 of the development, and
- a \$65,142 monetary contribution to be used towards the provision of car parking facilities within the useable vicinity of the site for Stage 2 of the development (calculation of this figure is provided in the Letter of Offer in the Attachment to this report).

The applicant has nominated that the proposed VPA would satisfy (c) for the purposes of car parking.

Notwithstanding, Council does not have any projects nominated with respect to parking in its Section 7.12 (former section 94A) Development Contributions Plan, and a contributions plan for car parking has not been prepared. As such, Council is legally unable to accept the proposed monetary contribution as an offset to the car parking shortfall proposed by this development.

## Ordinary Council Meeting Agenda

2 April 2019

Clause 2.3 of the Draft Policy provides an Acceptability Test for proposed Planning Agreements, as follows:

- a) *Is the Planning Agreement created for legitimate planning purpose relating specifically to the impacts of the Associated Development or as a result of an Instrument Change, policy or a plan?*
- b) *Does the Planning Agreement result in a Public Benefit?*
- c) *Does the Planning Agreement provide for a reasonable means of achieving its objectives?*
- d) *Can the Planning Agreement be taken into consideration in the assessment of the relevant rezoning application or development application?*
- e) *Will the Planning Agreement produce outcomes that meet the general values and expectations of the community and protect the overall public interest?*
- f) *Does the Planning Agreement align with Council's other plans and policies or address a shortfall or deficiency in Council's plans and policies?*
- g) *Does the Planning Agreement conform to other requirements set forth in this Policy?*
- g) *Are there any circumstances that may prevent the Council from entering into the proposed Planning Agreement?*

The Letter of Offer is poorly prepared, has typing errors, refers to clause 4.6 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) incorrectly and unnecessarily, is not orderly, clear or concise, does not adequately address clause 7.4(3) of the EP&A Act and is misleading and inconsistent with respect to its car parking calculation on which the monetary value to be contributed to Council is based on. As an example, the Letter of Offer has used clause 4.6 of the EP&A Act (the clause used to vary LEP controls) to request a variation to a parking control in the DCP. This is incorrect and highlights poor planning legislation knowledge. It is reminded that the applicant was strongly advised to engage a consultant town planner to assist in the preparation of documents for this development.

Ordinarily, a Letter of Offer provides a development overview, a scope of the proposed works, a timeline of when the works expect to be delivered, whether any required planning pathway for the proposed works is required, it should request Council to consider and review the contents of the Letter and request confirmation of acceptance of the letter to inform the VPAs finalisation and legal drafting. Typically by this stage of a development (i.e. before determination), a draft VPA has been prepared by solicitors, the draft adopted by Council and it has been exhibited for comment to the community with the final version adopted by Council (sometimes after determination of the development). The submitted Letter of Offer does not address what typically is included, as is evident in the Attachment.

The NSW Department of Planning and Environment has published a Planning Agreements Draft Practice Note which advises that a Letter of Offer should:

<i>be in writing;</i>	Complies
<i>be addressed to the planning authority to whom it is made;</i>	Complies
<i>be signed by or on behalf of all parties to the planning agreement other than the planning authority to whom the offer is made;</i>	Does not comply - the Letter of Offer was not signed by all parties to the planning agreement
<i>outline in sufficient detail to allow proper consideration by the planning authority the matters required to be included in a planning agreement as specified in section 93F(3) [7.4] of the EP&amp;A Act;</i>	Does not comply - the Letter of Offer does not provide sufficient information with respect to consider this clause of the EP&A Act.
<i>address in sufficient detail to allow proper consideration by the planning authority any relevant matters required to be included in an offer as specified in any applicable planning agreements</i>	Does not comply – the Letter of Offer does not provide sufficient information to appropriately consider it against the Acceptability Test under Council's Draft VPA Policy.

Ordinary Council Meeting Agenda

2 April 2019

<i>policy published by the planning authority to whom the offer is made; and</i>	
<i>outline in sufficient detail to allow proper consideration by the planning authority all other key terms and conditions proposed to be contained in the planning agreement.</i>	Does not comply – as discussed above, the Letter of Offer is inadequate.

Unfortunately, the submitted Letter of Offer is not accepted as a legitimate or professional attempt at requesting to enter into a VPA with Council. Therefore, the offer should not be accepted. To do so would breach the EP&A Act.

**Likely Impacts of Proposed Development**

**s4.15(1)(b)**

Insufficient, misleading, incorrect and inadequate information has been provided to Council for consideration with respect to the likely impacts of the development as discussed throughout this report.

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

**s4.15(1)(c)**

The development does fit in the locality given the commercial nature of the proposal and the surrounding commercial precinct. Council has worked with the applicant on numerous occasions because of its suitability for the proposed use. There are no constraints posed by adjacent developments that would prohibit this proposal. There are adequate utilities and services available to the proposed development. There are no hazardous land uses or activities nearby that would impact on the proposed development.

The site is not subject to natural hazards such as flooding, slip, mass movement or bushfires. There are no critical habitats, or threatened species, populations, ecological communities or habitats on the site, and there are no known mineral or extractive resources on the site.

**The Public Interest**

**s4.15(1)(e)**

The development does fit in the locality given the commercial nature of the proposal and the surrounding commercial precinct. Council has worked with the applicant on numerous occasions because of the potential suitability for the proposed use.

**Conclusion and Recommendation**

The development application (DA/0175/1617) has been assessed in accordance with the matters for consideration under section 4.15 of the *Environmental Planning and Assessment Act 1979*, and all relevant environmental planning instruments and Council policies. The proposal to adaptively reuse the former State Bank Building for the purposes of a 26 room hotel and café is considered a suitable active use for this precinct of town and for the benefit of opening this building to the community. The site is seen as a suitable and pivotal location for commercial activation within this precinct of Auburn Street. However, in the manner submitted, the application cannot be appropriately considered or supported. The key issues preventing this application from a favourable determination are:

- the shortfall of car parking spaces required for the development and the inadequate justification to consider varying the parking controls in the DCP;
- the inadequate and deficient information provided to enable Council staff to make an informed, professional and legal assessment of the application, being
  - the manner, form and content of the Letter of Offer;
  - the quality and misleading nature of the plans;
  - the difference in information provided between the submitted documents;
- the unexplained proposal to provide parking on the neighbouring property (257 Auburn Street) without provision of their landowners consent before determination is made.



## Ordinary Council Meeting Agenda

2 April 2019

In essence, the application has been unable to demonstrate that as a consequence of not providing parking there would be no negative impacts on the locality. This is because it has not been adequately considered in the information submitted to Council; therefore, the application as submitted has neglected to properly interpret and consider the likely impacts of the development on the locality. As such, the proposal cannot be supported in its current form.

Council cannot determine the application by way of approval as the proposal has not been notified in its current form. The amended proposal includes land (257 Auburn Street) which has not been included in the exhibition of the application to the community. To determine the application by way of approval would expose the consent to a third party appeal and consequently invalidate the consent.

The information provided to date has never been satisfactory standard to enable Council staff to make a professional and informed determination on the application. On balance, the applicant has had more than a reasonable amount time to provide the necessary information to Council. Consequently, it is recommended this application be refused for the reasons nominated in the Recommendations section of this report.

**FINANCIAL IMPLICATIONS**

The financial implications that may arise as a result of Council's decision in this matter are directly related to the legal implications. The possibilities are detailed as follows:

- Should the applicant choose to appeal a refusal, or pursue a deemed refusal, by Council through the Land and Environment Court, the question of cost with regard to Council's legal representation would be determined at the appropriate time.
- Should any person choose to take out Class 4 proceedings against Council to the Land and Environment Court, the question of cost with regard to Council's legal representation would be calculated at the appropriate time;
- Should the applicant make no appeal, or proceedings not be taken out by another party, to the Land and Environment Court regardless of the determination, the application would result in no further financial implication to Council.

**LEGAL IMPLICATIONS**

The determination of the application gives rise to certain rights under the Environmental Planning & assessment Act 1979 to either request a review of the determination or to lodge an appeal to the Land and Environment Court, timeframes exist in which such matters must be considered, actioned and completed.

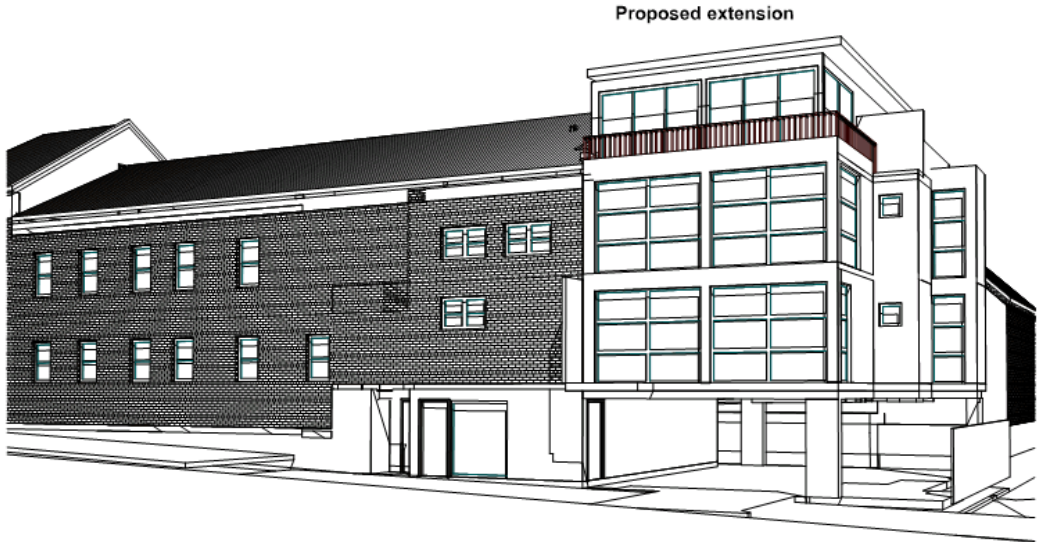
**DIRECTOR'S COMMENT**

Council strongly support the adaptive reuse of items of heritage significance as well as projects that aim to revitalise the CBD. This project seeks to satisfy both criteria. However whilst these criteria are important, they should not detract from the importance of other matters for consideration, which in this instance primarily concerns car parking and traffic management.

As demonstrated within the report, the applicant has been provided with numerous opportunities to provide planning staff with the information required to carry out a thorough and meaningful assessment however the suitability of the information that has been forthcoming consistently falls short of enabling such as assessment.

To this end, if the required information was forthcoming staff would be able to carry out an assessment and seek to make a determination. Staff do not wish to discourage the applicant from proceeding with the project, but rather seek that all information sought is provided and done so in a timely manner. The applicant was encouraged to present a draft Voluntary Planning Agreement

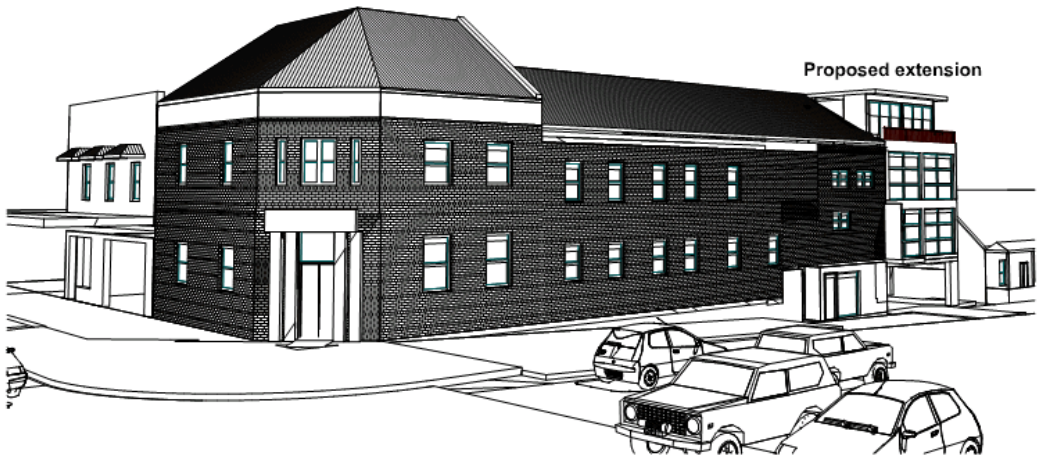
(VPA) to address a number of the issues that could not be addressed on the constrained site. This would allow the issues to be addressed by Council to have funds to address such issues into the future. However the applicant's VPA fell short of being able to address the issue and address a broader public benefit. It was made clear that any funds received by way of VPA would need to be spent on the targeted service and generally within five years.



View from down Goldsmith St



Aerial view of extension



View from corner



View from down Goldsmith St

Artists impressions

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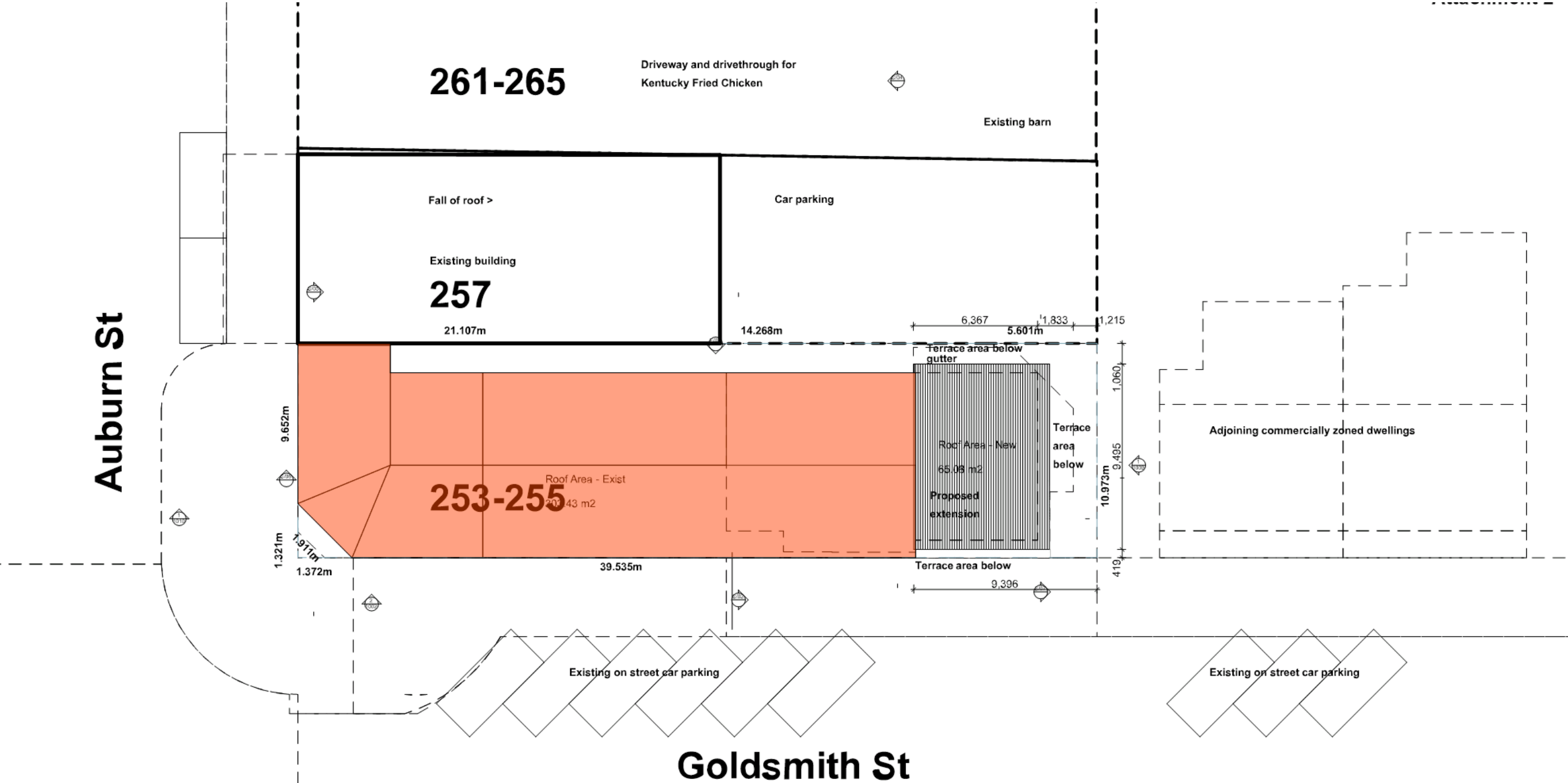
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**Locality Plan**

**Development Application**  
253-255 Auburn St, Goulburn NSW 2583

Dwg  
**2d/15**  
Date;  
**30th April 1**



Site & Roof Plan  
Scale 1:200

Site Area 448.4m2  
Existing building footprint 566m2  
Proposed extension footprint 277m2  
Total footprint 843m2  
Existing landscaping 0m2  
Proposed landscaping 35m2

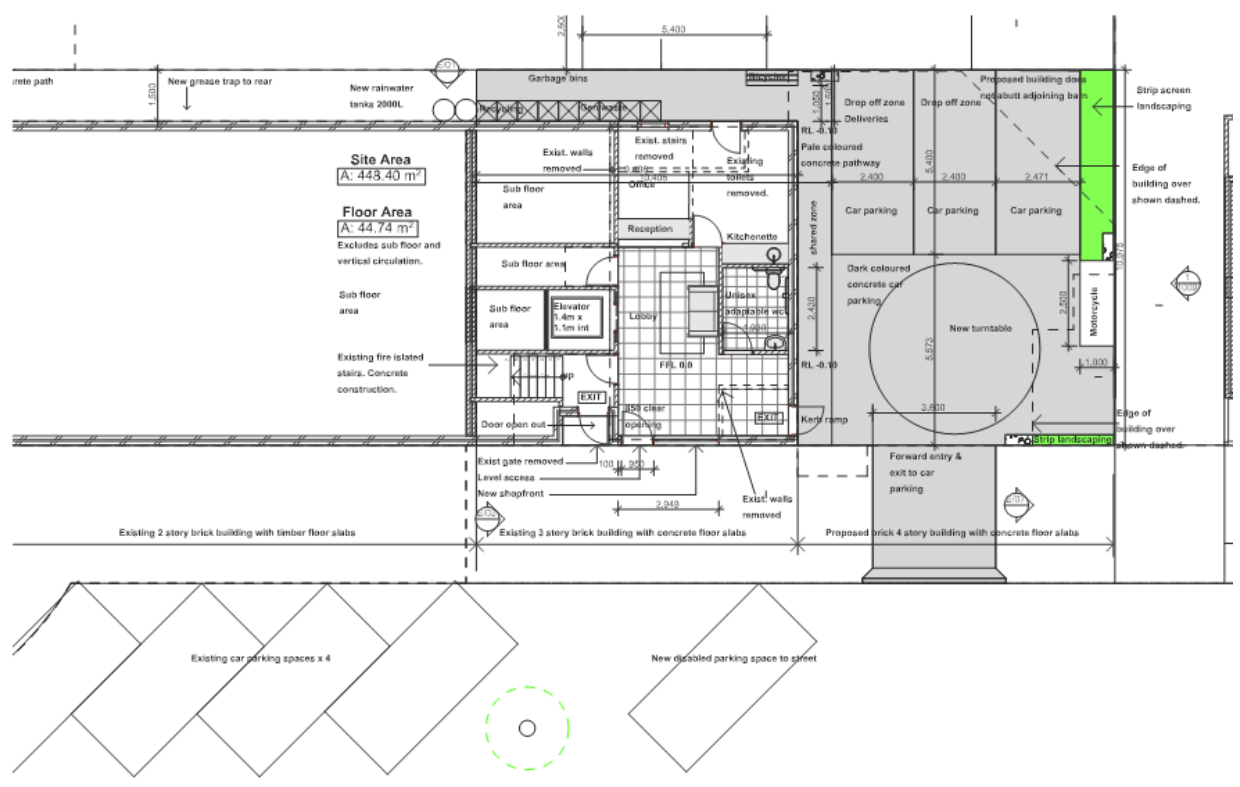
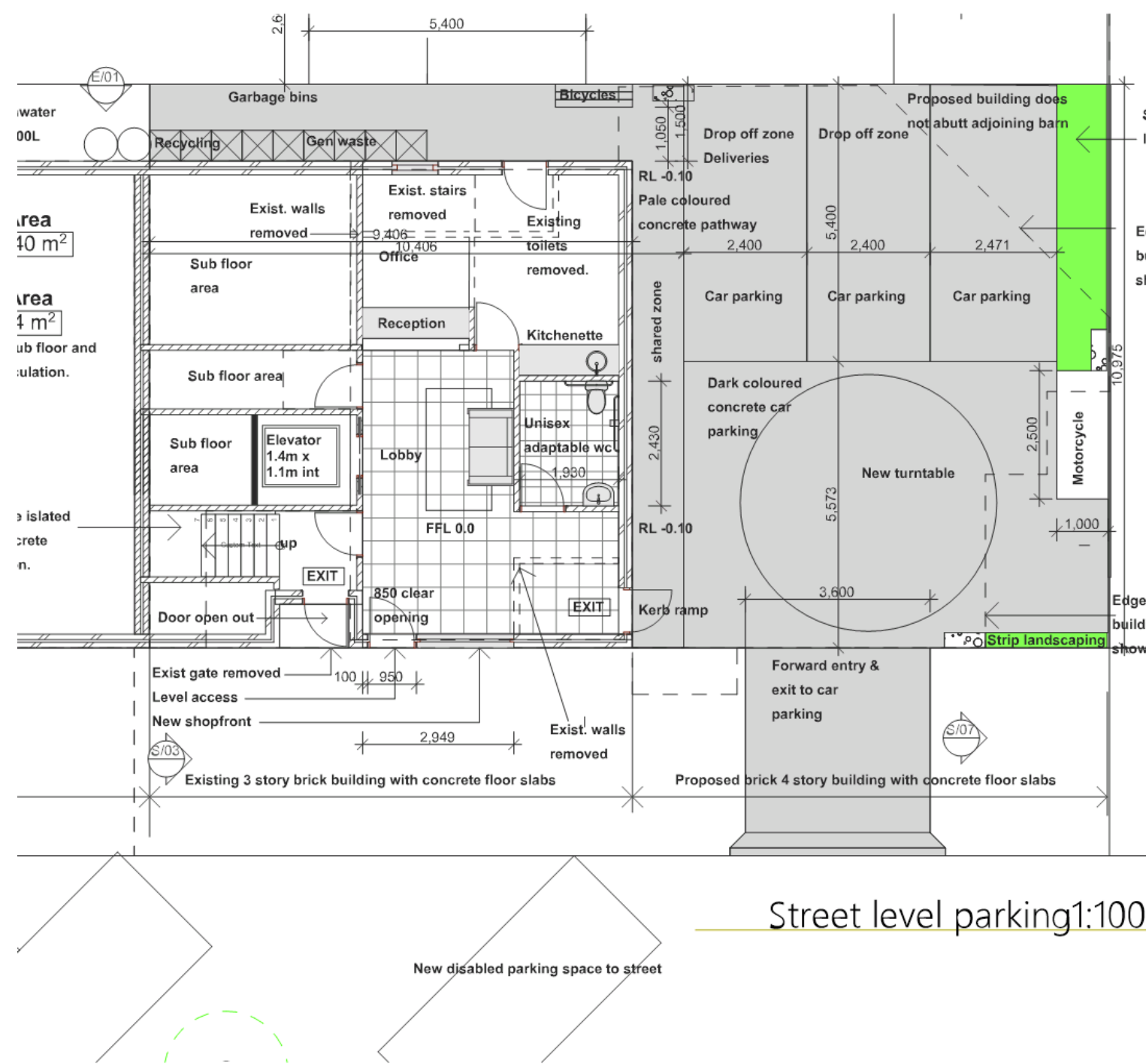
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**Site Plan**  
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Dwg 3d/15  
Date; 30th April 1





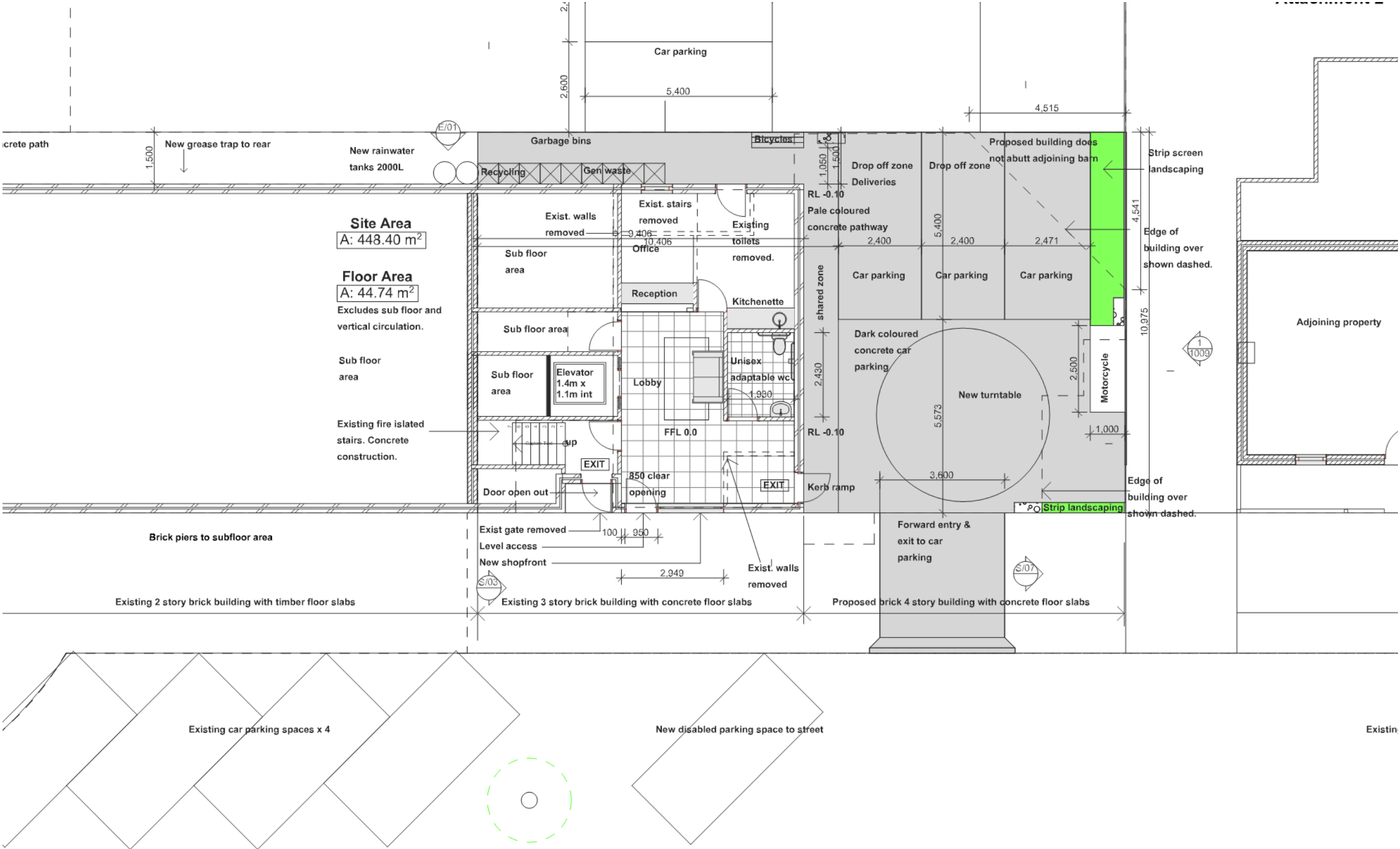
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Dwg <b>4d/15</b>
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**Development Application**  
**252-255 Auburn St, Goulburn NSW 2580**



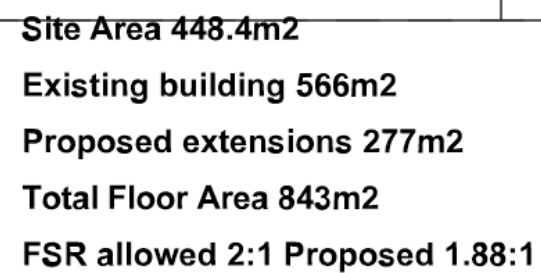
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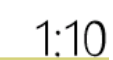
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<b>Development Application</b> 252-255 Auburn St, Goulburn NSW 2580	Date; <b>30th April 1</b>



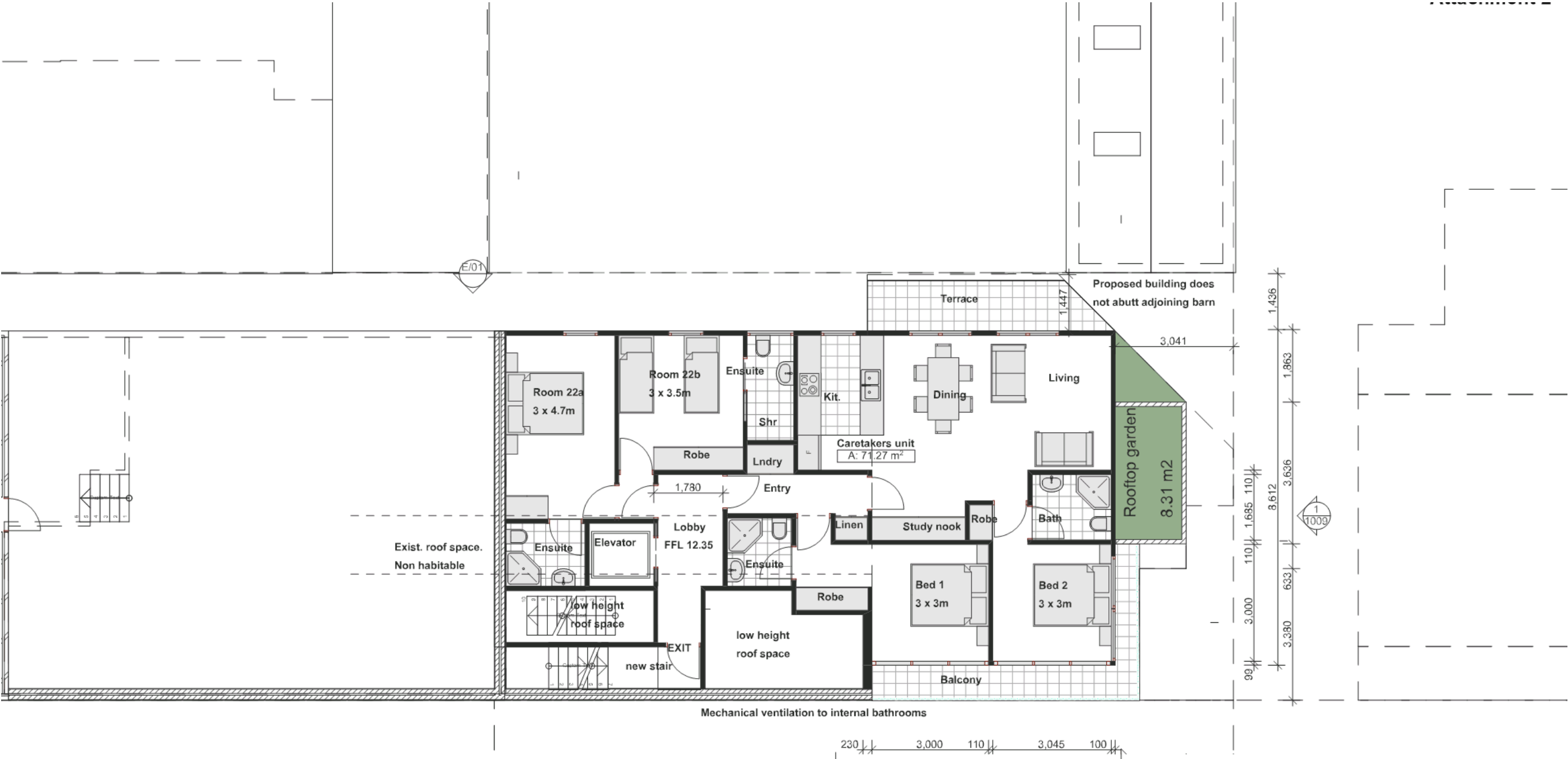
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Development Application 252-255 Auburn St. Goulburn NSW 2580	Date; 30th April 1
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Dwg <b>7d/15</b>
Date; <b>30th April 1</b>



Level 2 (1)

1:10

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Second Floor Plan

Development Application

252-255 Auburn St, Goulburn NSW 2580

Dwg  
8d/15

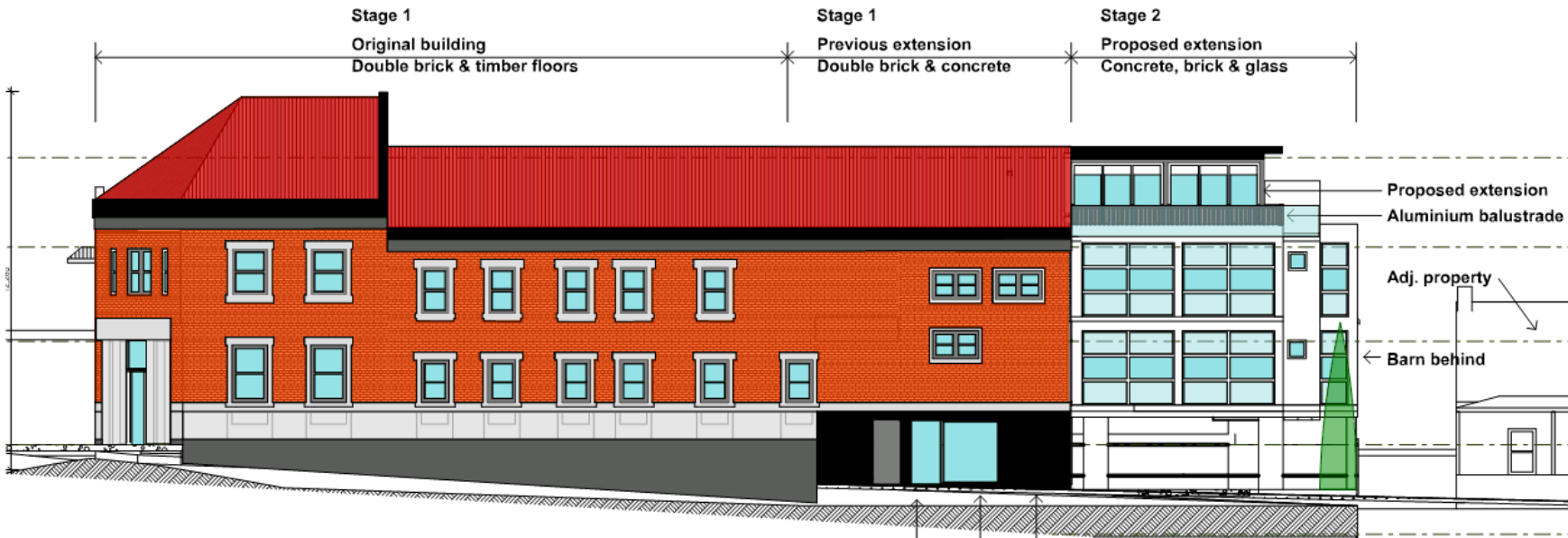
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Item 14.1- Attachment 1

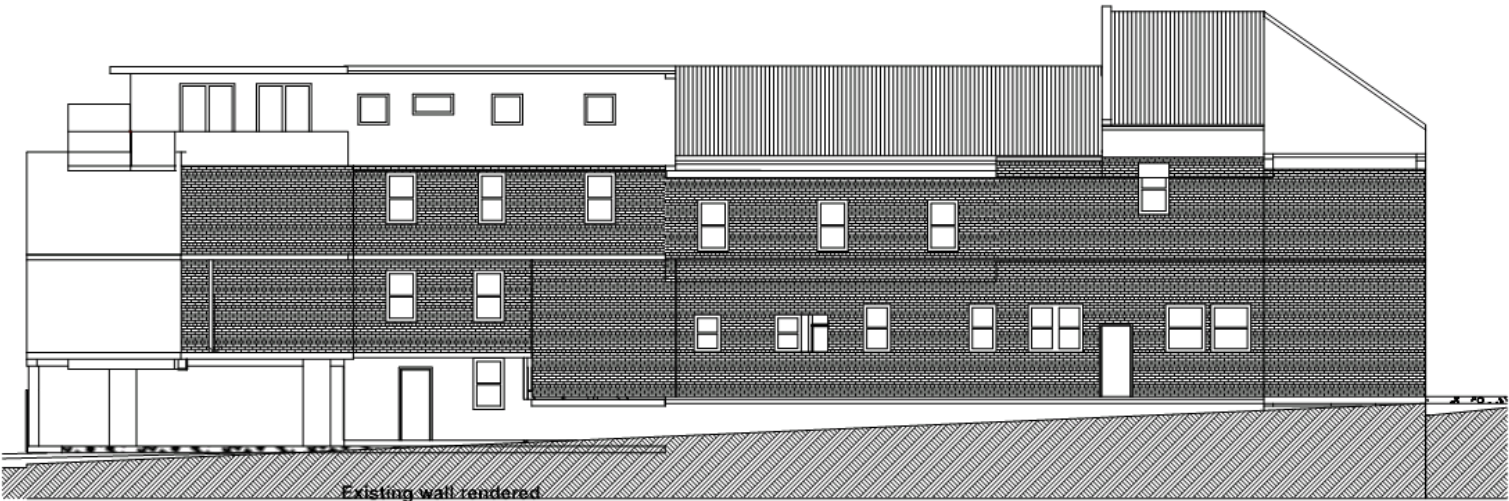
Page 78



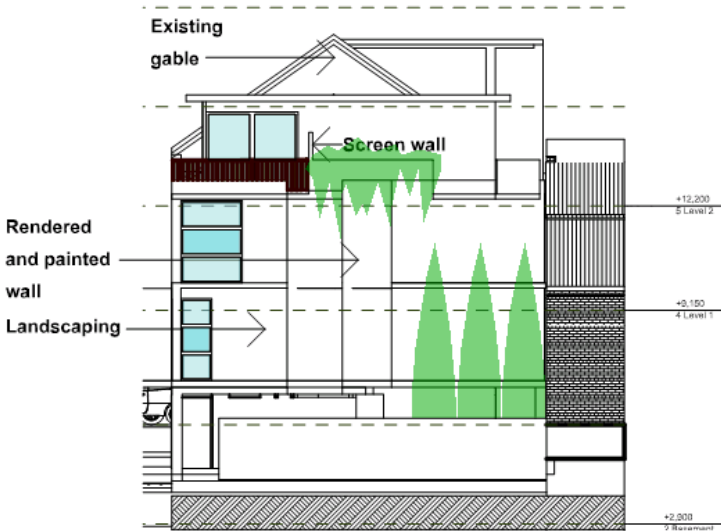
North West



South West



North East



South East

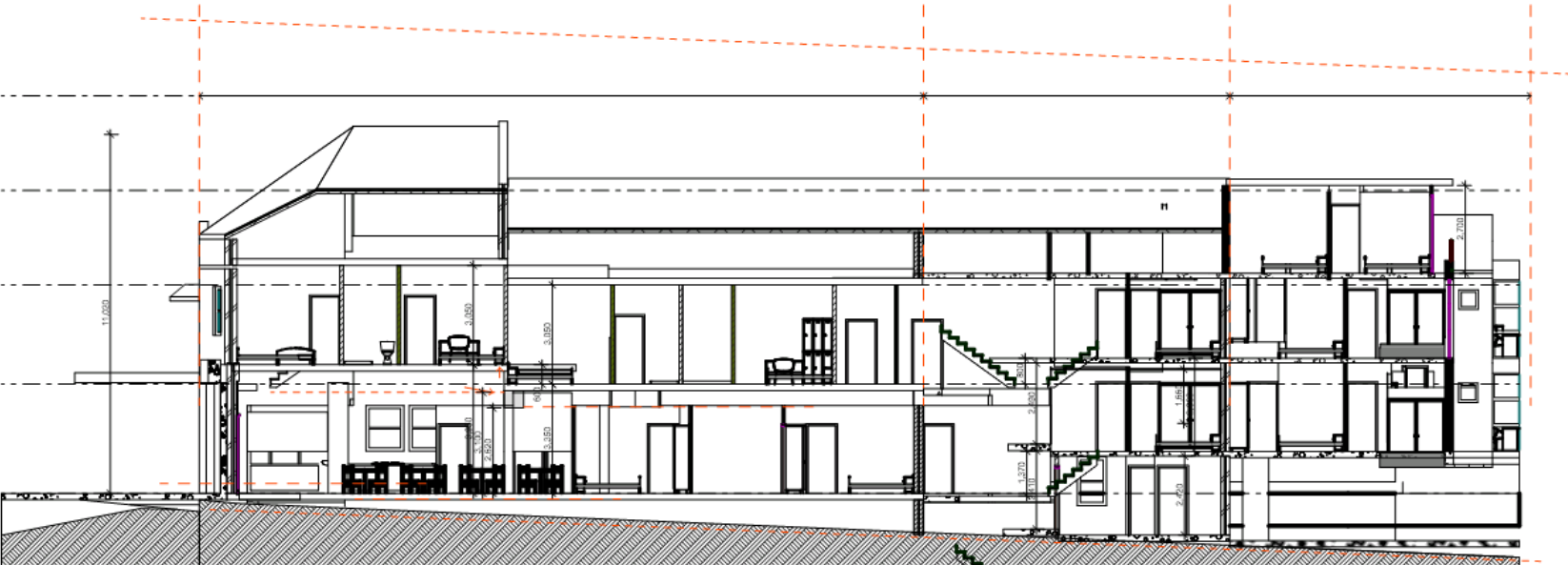
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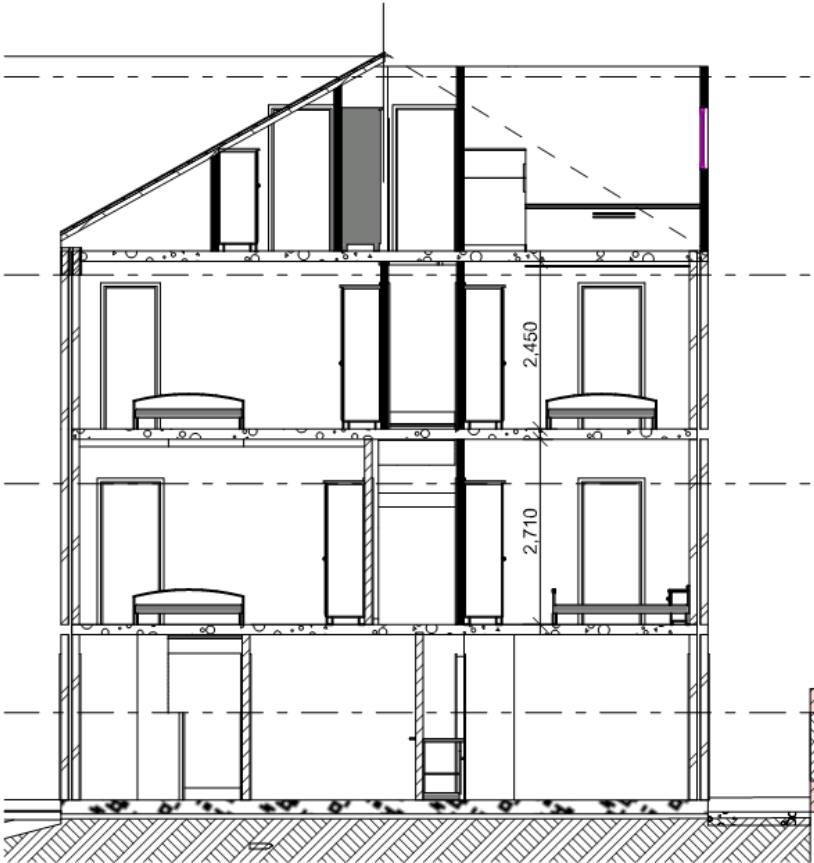
<b>External Elevations</b>	Dwg <b>9d/15</b>
<b>Development Application</b>	Date;
<b>252-255 Auburn St, Goulburn NSW 2580</b>	<b>30th April 1</b>





Section 1

1:200



Section

1:100

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Goldsmith St Elevation (south west)

Existing colour scheme;

Terracotta roof tiles

Guttering - Brunswick green

Fascia - Mustard

Face brickwork - Red

Timber window frames - White

Render surrounds to windows - Cream

Render base to building - Cream

Details - Brunswick green

Stone base - grey

Proposed colour scheme

Terracotta roof tiles - cleaned.

Guttering - black

Fascia - dark grey

Face brickwork - cleaned

Timber windows - Light grey

Rendered surrounds to windows - White

Rendered base to building - White

Details - black

Stone base - retained

black-beauty

french-slate

cygnet-2012

plaster-of-paris

Porters Paint Colours

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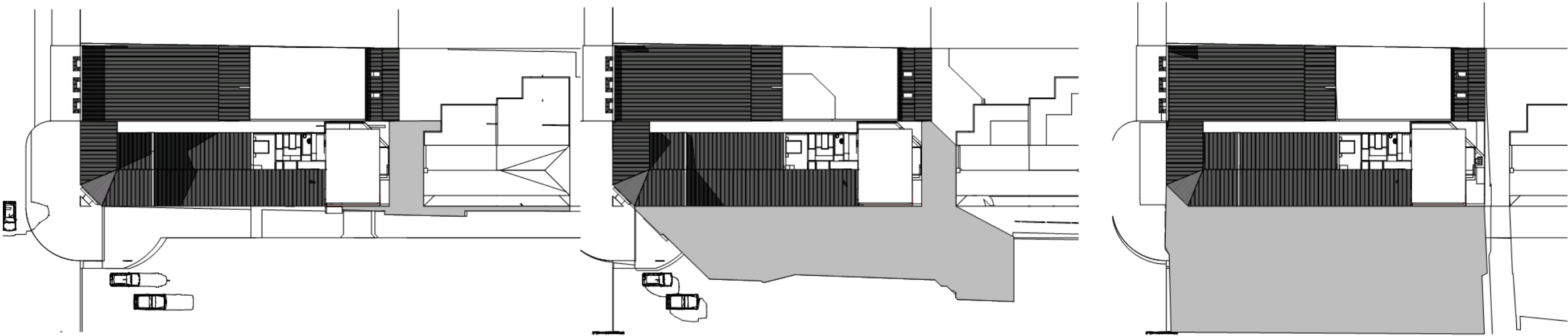
**Finishes**

**Development Application**

252-255 Auburn St, Goulburn NSW 2580

Dwg  
**11d/15**

Date;  
**30th April 1**

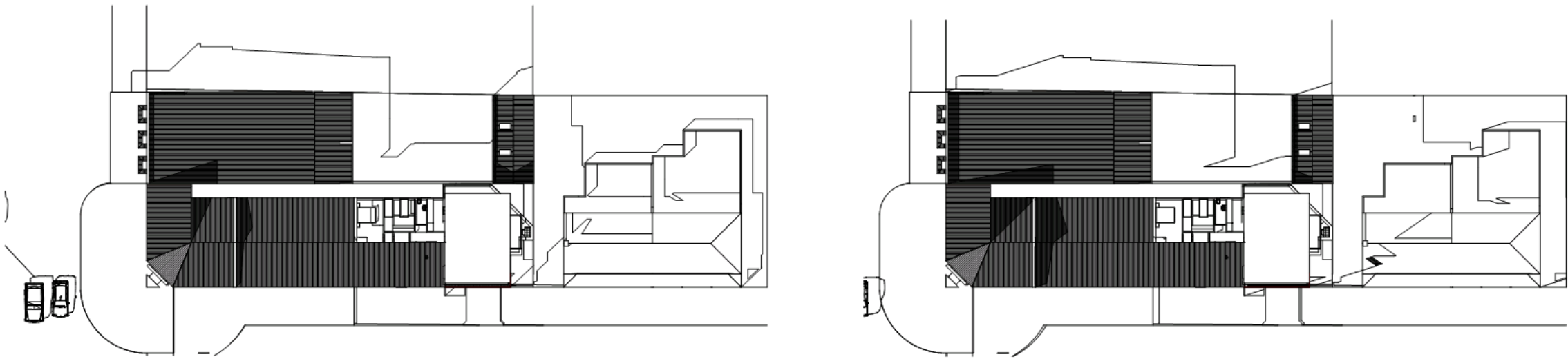


3pm Winter Solstice

1:500

12 Noon Winter Solstice

9am Winter Solstice



3pm Summer Solstice

1:500

3pm Spring & Autumn Equinox

1:500

Notes;  
Copyright Doug McIntyre 2015  
Not to be used for construction  
All dimensions & layouts to be checked &  
verified on site prior to construction.

Doug McIntyre Architect Reg. 8255  
Mob; 0439 815 670  
Email; peakarch1@gmail.com  
157 Goulburn St, Crookwell NSW 2583  
**Peak** ARCHITECTURE

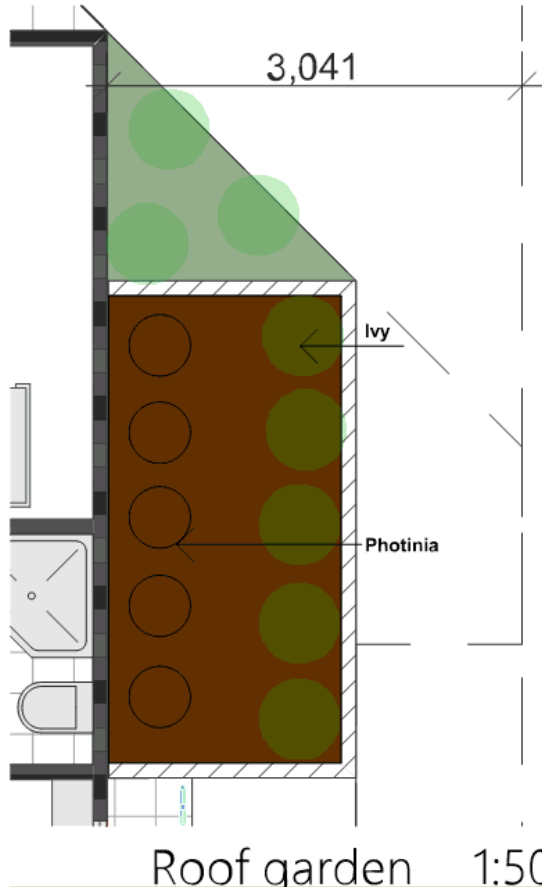
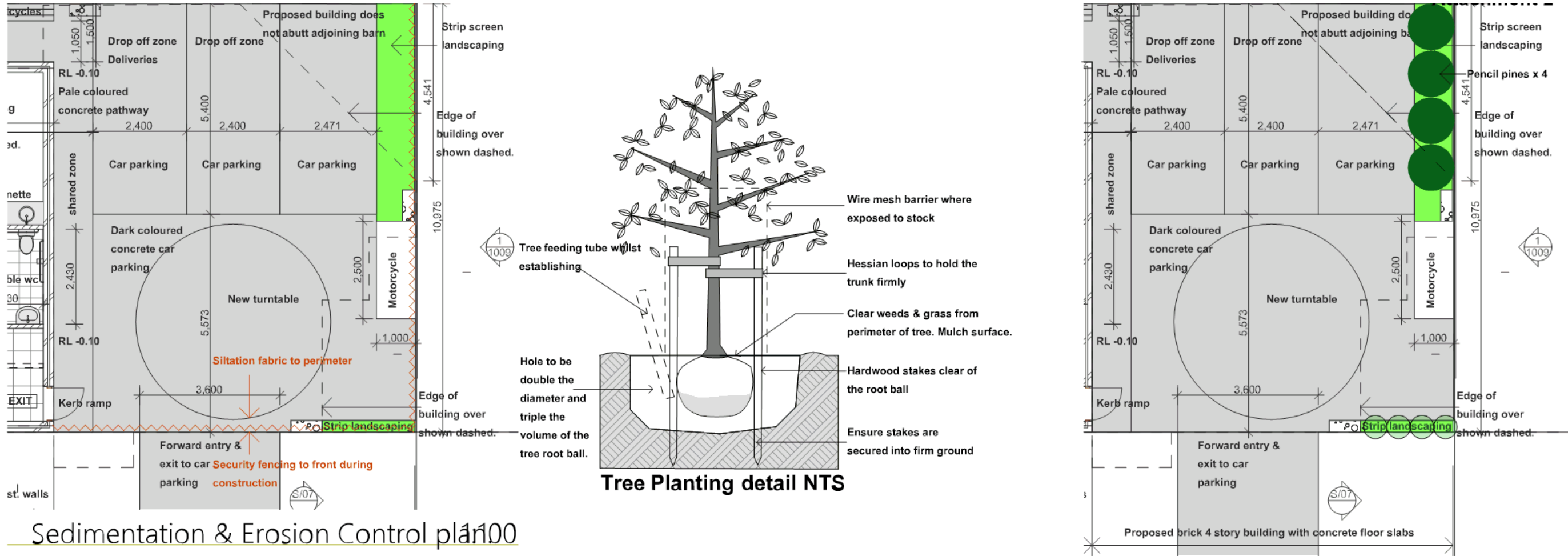
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checked & verified on site prior

Shadow diagrams

Development Application  
252-255 Auburn St, Goulburn NSW 2580

Dwg 12d/15
Date; 30th April 1





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**Development Application**  
252-255 Auburn St, Goulburn NSW 2580  
Dwg  
**13d/15**  
Date;  
30th April 1

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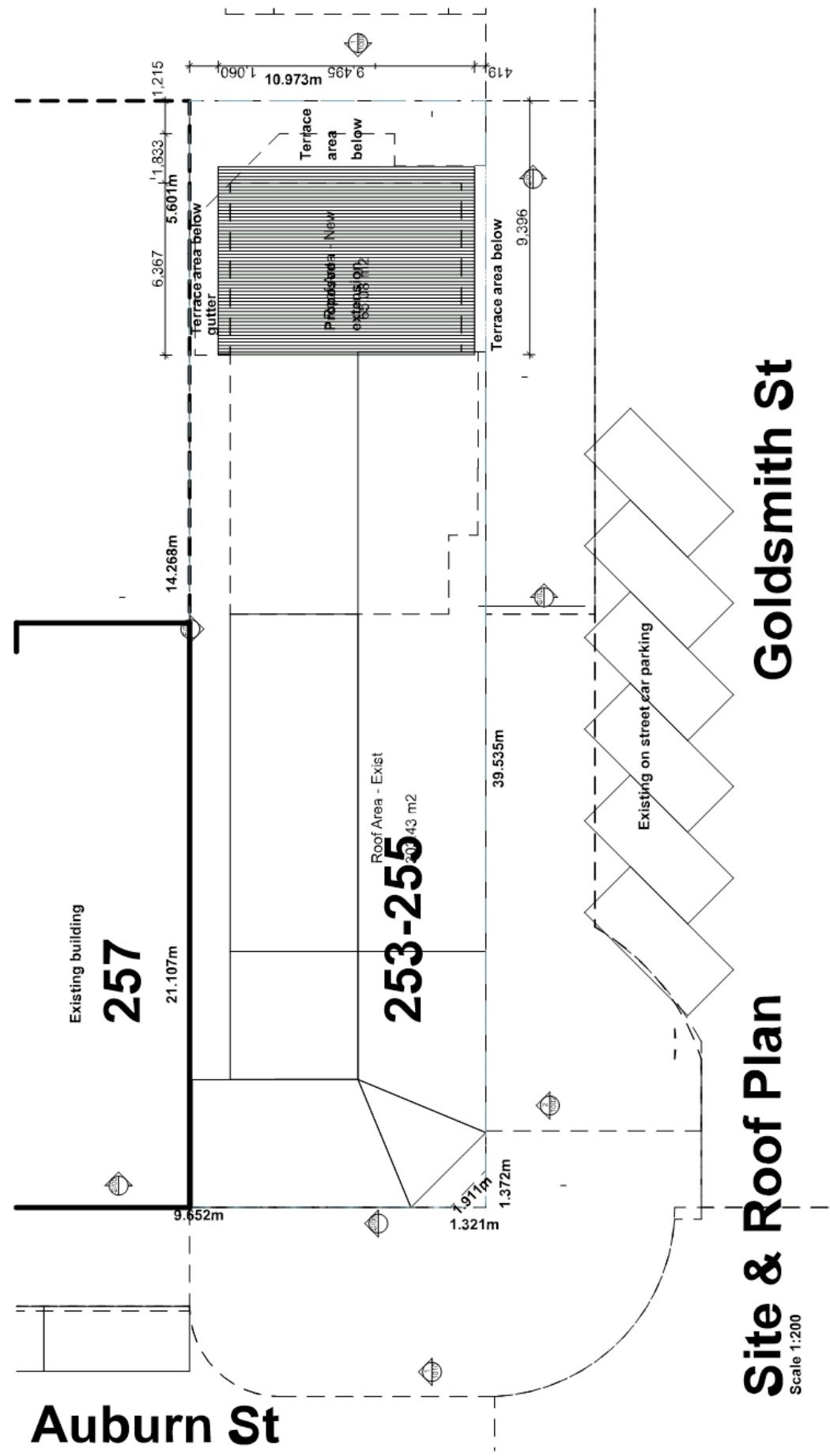
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**Development Application**  
252-255 Auburn St, Goulburn NSW 2580

Dwg  
**14d/15**  
Date;  
30th April 1







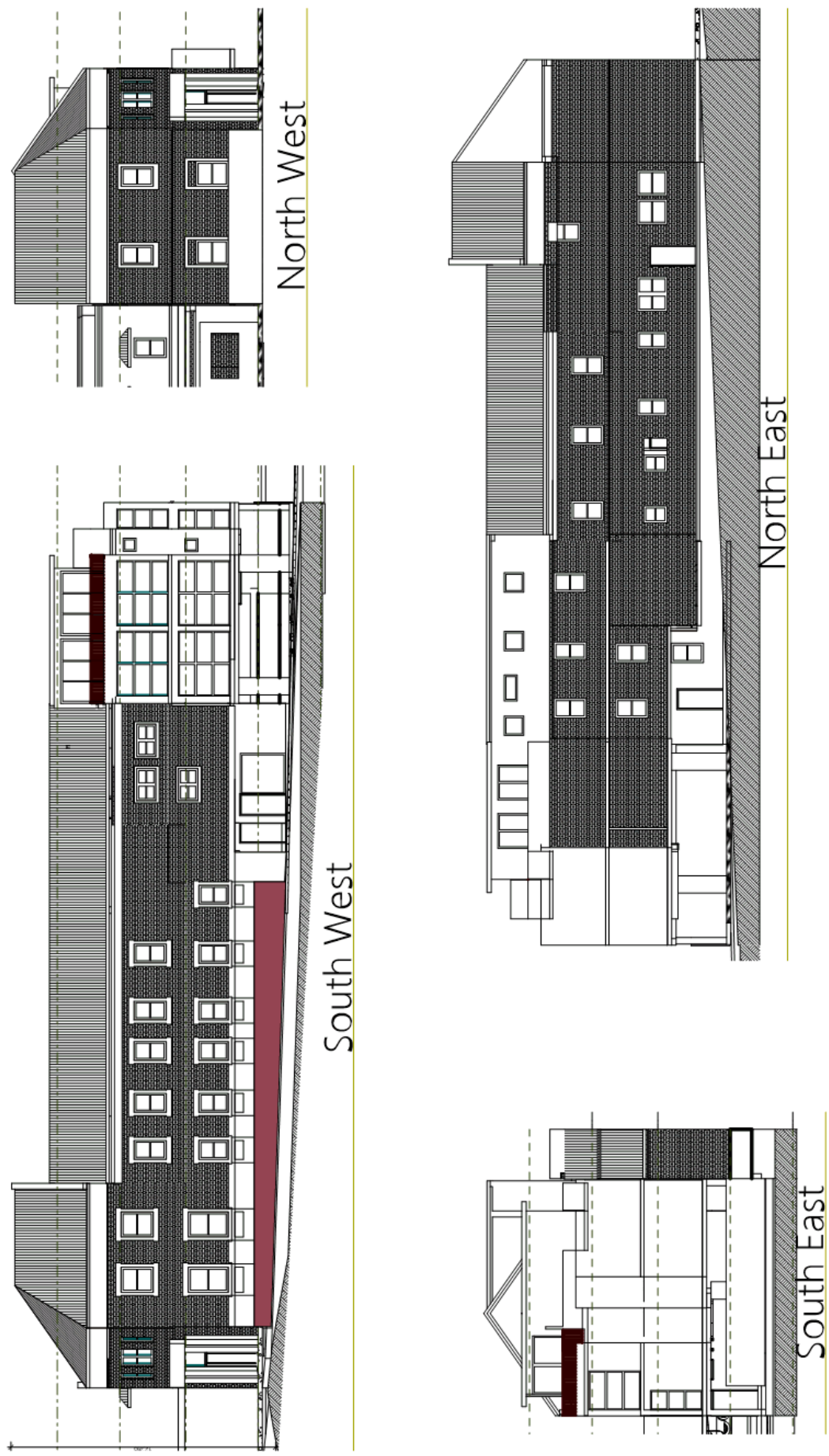
Mob: 0439815670 [dougmacca@gmail.com](mailto:dougmacca@gmail.com)  
91 Goulburn St, Crookwell NSW 2583  
[www.enumerarch.wordpress.com.au](http://www.enumerarch.wordpress.com.au)


**Doug McIntyre** Architect

**Alterations & Additions to existing commercial dwelling**

**Development Application**  
**253-255 Auburn St, Goulburn NSW 2580**

12/12/16





Mob: 0439815670 [dougmacca@gmail.com](mailto:dougmacca@gmail.com)  
91 Goulburn St, Crookwell NSW 2583  
[www.enumerarch.wordpress.com.au](http://www.enumerarch.wordpress.com.au)

**Doug McIntyre** Architect

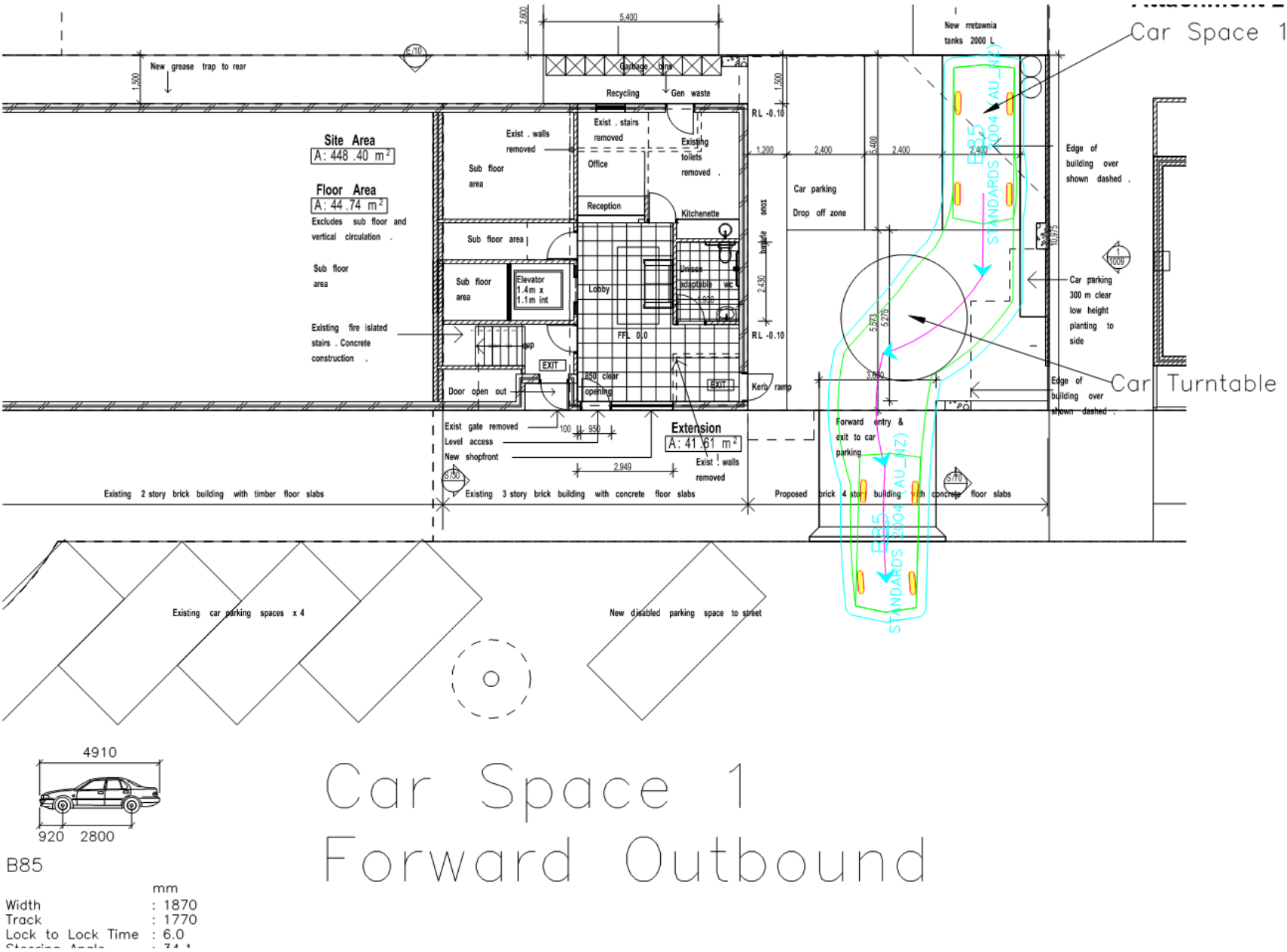
**Alterations & Additions to existing commercial dwelling**

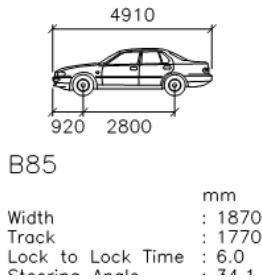
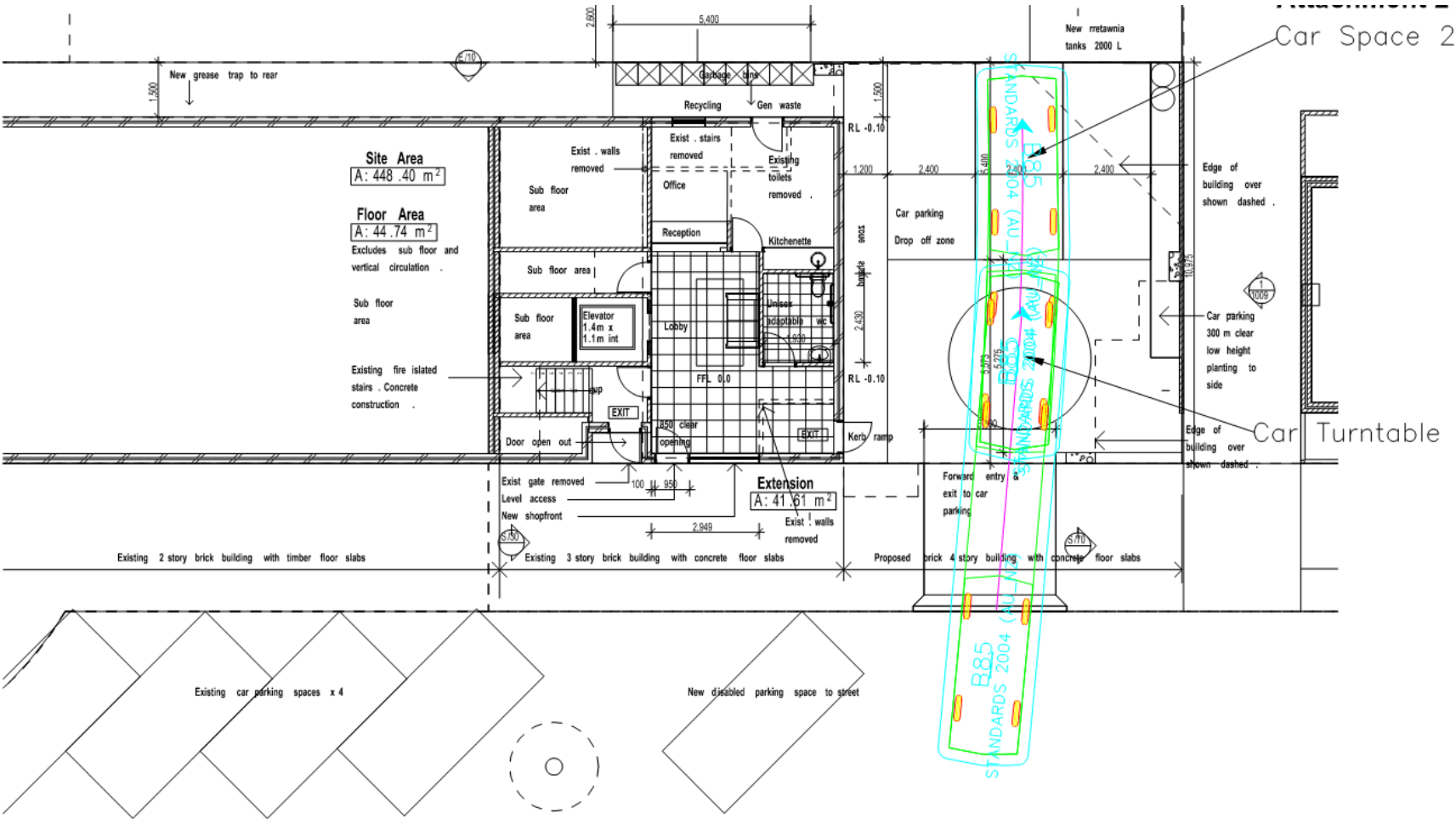
**Development Application**  
**253-255 Auburn St, Goulburn NSW 2580**

15d/15  
30d/19







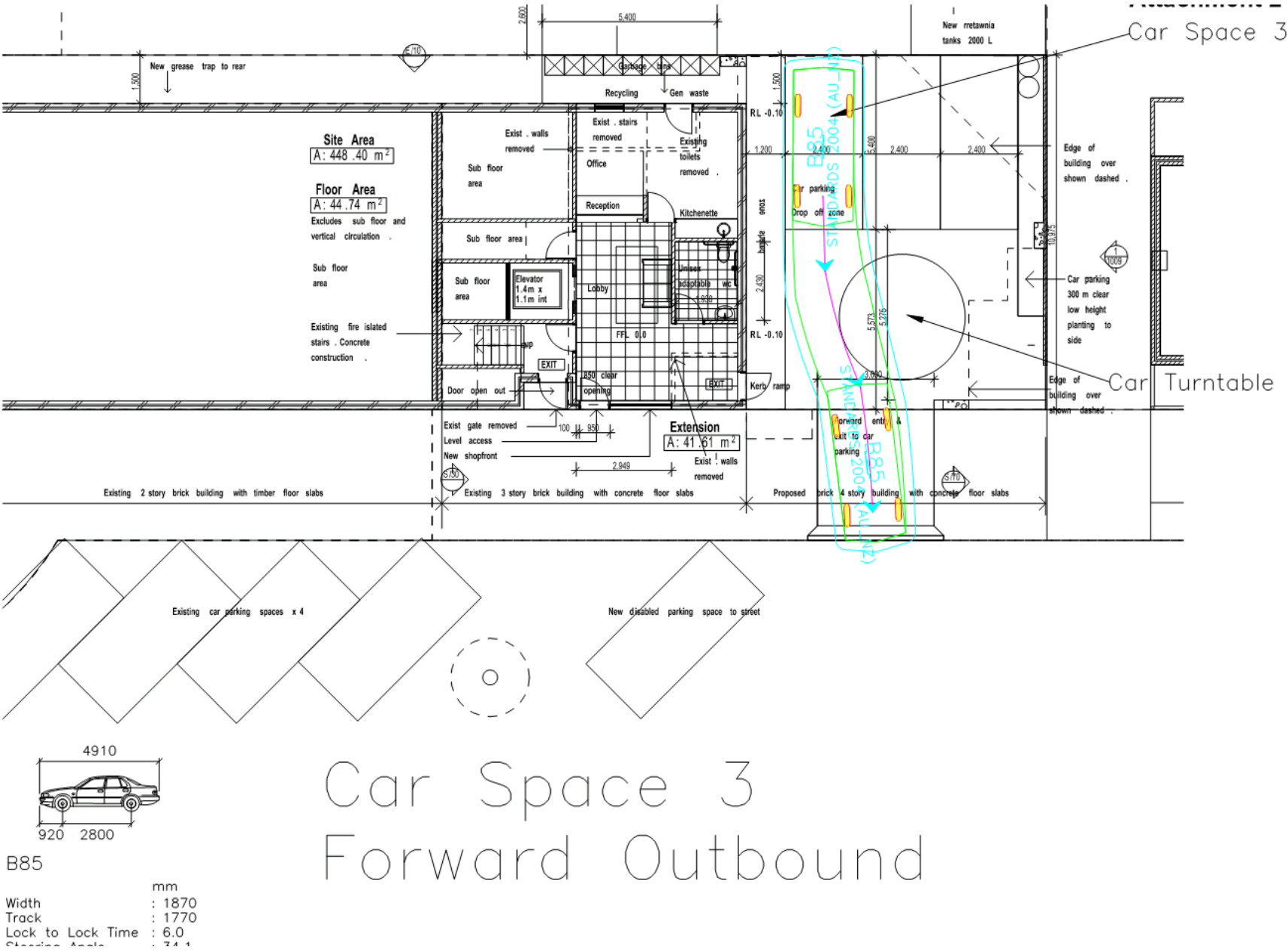


Car Space 2  
Reverse Inbound











**Attachment 3**

Our Reference: MP201908-01

Contact: Michael Park



The General Manager  
Goulburn Mulwaree Council  
Locked Bag 22  
GOULBURN NSW 2580

Attention: Ellie Varga

2 May 2019

**Letter of Offer to Enter into a Voluntary Planning Agreement under S7.4 of the  
Environmental Planning and Assessment Act 1979 - DA/0175/1617**

---

Dear Ellie

Reference is made to Development Application No. DA/0175/1617 for the proposed reuse of the State Bank Building at 253-255 Auburn Street, Goulburn for a 26 Room Motel and Café. I act on behalf of Mr Jie Ren (the Developer), who wishes to enter into a Planning Agreement (VPA) with Council in relation to the Development.

**Background**

The Developer has made a Development Application with Council (Development Application No. DA/0175/1617) for a proposed 26 Room Motel and Café in the former State Bank Building at 253-255 Auburn Street, Goulburn. The development is proposed to be undertaken in two (2) stages.

The proposed development does not meet the onsite parking requirements outlined in the Goulburn Mulwaree Development Control Plan and will result in a shortfall of 7 car parking spaces in Stage 2 of the development, as outlined in the updated Statement of Environmental Effects provided to Council.

Council do not currently have a Section 7.11 Contributions Plan that allows a developer to pay a monetary contribution in lieu of providing on site car parking within the Goulbourn CBD. Therefore, the Developer has offered to enter into a VPA to make a monetary contribution for the shortfall in car parking, in lieu of providing additional parking as part of the proposed development. The Development Contribution could be utilised to either recoup the cost of providing public car parking and / or to contribute to the cost of providing new public car parking within the vicinity of the proposed development.

**Terms of the Offer**

Section 7.4 of the *Environmental Planning and Assessment Act 1979* outlines the items a VPA must contain, which are provided in **Table 1** below.

---

Mi Place Planning | ABN: 21 345 799 136 | 28 Bland Street Kiama NSW 2533 | M: 0423 902 049

**Attachment 3**  
**Letter of Offer, 253-255 Auburn Street Goulburn (MP201908-01)**

**Table 1 - Terms of the VPA Offer**

REQUIREMENT UNDER S7.4 OF THE ACT	THIS PLANNING AGREEMENT
<p>Planning instrument and / or Development Application – (Section 7.4(1))</p> <p>The Developer has:</p> <ul style="list-style-type: none"> <li>a) sought a change to an environmental planning instrument.</li> <li>b) made, or proposes to make, a Development Application</li> <li>c) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies.</li> </ul>	<p>The Developer has made a Development Application.</p>
Description of land to which this agreement applies (Section 7.4(3)(a))	253-255 Auburn Street, Goulburn, NSW 2580. Lot 1 DP 86199
Description of change to the environmental planning instrument to which this Deed applies (Section 7.4(3)(b))	Not applicable
Application of section 7.11 of the Act (Section 7.4(3)(d))	The Planning Agreement would not exclude the application of section 7.11 of the Act to the Development.
Application of section 7.12 of the Act (Section 7.4(3)(d))	The Planning Agreement would not exclude the application of section 7.12 of the Act to the Development.
Consideration of benefits under this agreement if Section 7.11 applies (Section 7.4(3)(e))	Section 7.11(6) of the Act would not apply to the Contributions that are to be carried out or provided pursuant to the VPA.
Mechanism for Dispute resolution (Section 7.4(3)(f))	In accordance with Council's template VPA provisions.
Enforcement of this agreement (Section 7.4(3)(g))	In accordance with Council's template VPA provisions.
No obligation to grant consent or exercise functions (Section 7.4(9))	Nothing in the VPA will be deemed to impose any obligation on Council to exercise any of its functions under the Act in relation to the Development Consent, the Land or the Development in a certain manner.

**Determining a Contribution Value**

A monetary contribution is proposed to offset a shortfall of 7 car parking spaces by the Developer for Stage 2 of the Proposed Development. The developer has proposed a rate of \$6,580 per car parking space, which reflects the estimated cost of providing additional parking including land and construction cost. The estimated cost is based on the following assumptions:

**Attachment 3**

Letter of Offer, 253-255 Auburn Street Goulburn (MP201908-01)

- a) Shortfall in parking spaces - 7 spaces
- b) Area required per space (including isle widths, drainage, landscaping etc) – 35m<sup>2</sup>
- c) At grade car parking (open bitumen, drainage, line marking) - \$88/m<sup>2</sup> (Albury Council 2018)
- d) Land cost \$100/m<sup>2</sup> (subject to confirmation by Council)
- e) Total land and construction cost - \$188/m<sup>2</sup>
- f) Total per space - \$6,580
- g) Total for 7 spaces - \$46,060

**Acceptability Test**

**Table 2** below addresses the Acceptability Test outlined in Council's Planning Agreement Policy.

**Table 2 – Acceptability Test**

ACCEPTABILITY TEST	RESPONSE
a) Is the Planning Agreement created for legitimate planning purpose relating specifically to the impacts of the Associated Development or as a result of an Instrument Change, policy or a plan?	Yes – the VPA relates specifically to the impacts of the proposed development, to provide a monetary contribution in lieu of providing additional parking on-site.
b) Does the Planning Agreement result in a Public Benefit?	Yes – the VPA will ensure that the proposed development does not unreasonable impact on car parking within the area, by providing an appropriate funding mechanism for additional public parking in the area.  The VPA will also facilitate the adaptive reuse of an important heritage building within the Goulburn CBD.
c) Does the Planning Agreement provide for a reasonable means of achieving its objectives?	Yes – the VPA provides for a monetary contribution to be paid in lieu of providing parking, prior to the issue of a construction certificate.
d) Can the Planning Agreement be taken into consideration in the assessment of the relevant rezoning application or development application?	The VPA does not impose any obligation on Council to exercise any of its functions under the Act in relation to the assessment of the Development. However, the VPA should be considered in the assessment as a means of addressing the shortfall in the provision of on-site parking to meet the requirements of the DCP.
e) Will the Planning Agreement produce outcomes that meet the general values and expectations of the community and protect the overall public interest?	Yes – as outlined above.
f) Does the Planning Agreement align with Council's other plans and policies or	Yes – the VPA is consistent with Council's Plans and Policies.

**Attachment 3****Letter of Offer, 253-255 Auburn Street Goulburn (MP201908-01)**

ACCEPTABILITY TEST	RESPONSE
address a shortfall or deficiency in Council's plans and policies?	
g) Does the Planning Agreement conform to other requirements set forth in this Policy?	Yes – the VPA is consistent with the Planning Agreement Policy
h) Are there any circumstances that may prevent the Council from entering into the proposed Planning Agreement?	No

**Summary**

This Letter of Offer has been prepared in support of Development Application No. DA/0175/1617 for the proposed reuse of the State Bank Building at 253-255 Auburn Street, Goulburn for a 26 Room Motel and Café.

The letter sets out the proposed terms of the offer, and a proposed monetary contribution value. While the offer made is considered reasonable and reflective of the cost of providing additional public car parking, the Developer is open to negotiating a fair and reasonable contribution to meet the parking shortfall associated with the development.

I have attached a copy of the draft VPA for your consideration. The draft VPA is based on Council's template Deed, with a number of changes recommended to reflect this offer. If you require any further information, or would like to discuss the matter further, please contact me on 0423 902 049 or [miplaceplanning@outlook.com](mailto:miplaceplanning@outlook.com).

Kind regards



**Michael Park**  
 Director | Mi Place Planning  
 M: 0423 902 049 | E:

**Attachment 3**



## Deed

### 253-255 Auburn Street, Goulburn



View from down Goldsmith St



Aerial view of extension



View from corner



View from down Goldsmith St

## Planning Agreement

Under s 7.4 of the *Environmental Planning and Assessment Act 1979*

**Goulburn Mulwaree Council**

**Jie Ren**



## Attachment 3

### Planning Agreement

253-255 Auburn Street, Goulburn

## Background

1. The Developer is the registered proprietor of the Land.
2. The Developer has made a Development Application with Council (Development Application No. DA/0175/1617).
3. The Development Application is seeking development approval for a development to be undertaken in two (2) stages.
4. The proposed development does not meet the onsite parking requirements outlined in the Goulburn Mulwaree Development Control Plan and will result in a shortfall of 7 car parking spaces in Stage 2 of the development.
5. The Developer has offered to make a monetary contribution for the shortfall in car parking, in lieu of providing additional parking as part of the proposed development.

## Operative Provisions

### 1 Definitions

The following definitions apply unless the context otherwise requires:

**Act** means the *Environmental Planning and Assessment Act 1979* (NSW).

**Acquisition Act** means the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW).

**Assign** as the context requires refers to any assignment, sale, transfer, disposition, declaration of trust over or other assignment of a legal and/or beneficial interest.

**Authority** means (as appropriate) any:

- a) federal, state or local government;
- b) department of any federal, state or local government;
- c) any court or administrative tribunal; or
- d) statutory corporation or regulatory body.

**Bank Guarantee** means the bank guarantee(s) from an Australian bank required to be provided to Council by the Developer under this agreement.

**Business Day** means between 9am and 5pm Sydney time on a day other than a Saturday, Sunday, any other local, state or federal public holiday and any day between 20 December and 10 January inclusive.

**Claim** against any person any allegation, action, demand, cause of action, suit, proceeding, judgement, debt, damage, loss, cost, expense or liability howsoever arising and whether present or future, fixed or unascertained, actual or contingent whether at law, in equity, under statute or otherwise.

**Complete, Completed, Completion** means completed in accordance with the requirements of this document.

**Attachment 3****Planning Agreement**

253-255 Auburn Street, Goulburn

**Contributions** means the provision of the Works, the making of the Monetary Contributions and the dedication of the Designated Lands by the Developer in accordance with this document.

**Council** means Goulburn Mulwaree Council

**Day** means any given day that commences at 12:00am and ends at 11:59pm Sydney time.

**Developer** means Jie Ren

**Development** means the reuse of the State Bank Building for a 26 Room Motel and Café under Development Application No. DA/0175/1617

**Development Application** means a Development Application lodged by the Developer with Council for the Development Consent.

**Development Consent** means a development consent issued under the Act with respect to the Development.

**Development Cost** means in relation to an Item of Work:

- a) the construction costs of that item;
- b) any costs incurred under a building contract in relation to that item; or
- c) any costs or expenses payable to an Authority in relation to that item.

**Encumbrance** means an interest or power:

- a) reserved in or over an interest in any asset;
- b) created or otherwise arising in or over any interest in any asset under any mortgage, charge (whether fixed or floating), pledge, lien, hypothecation, title retention, conditional sale agreement, hire or hire purchase agreement, option, restriction as to transfer, use or possession, easement, subordination to any right of any other person and any other encumbrance or security interest, trust or bill of sale; or
- c) by way of security for the payment of a debt or other monetary obligation or the performance of any obligation.

**EPA** means the NSW Environment Protection Authority.

**Force Majeure Event** means an earthquake, cyclone, fire, civil commotion, sabotage, act of a public enemy, war, contamination, flood or a severe weather event that inflicts damage or harm that could not have otherwise been prevented by taking reasonable and prudent action.

**GST Law** means *A New Tax System (Goods and Services Tax) Act 1999* (Commonwealth) and any other Act or regulation relating to the imposition or administration of the goods and services tax.

**Item of Work** means an individual item of the Works as set out in Schedule 3.

**Land** means the whole of the land contained in Lot 1 DP 86199 being 253-255 Auburn Street, Goulburn.

**Law** means all legislation, regulations, by-laws, common law and other binding order made by any Authority.

**Maintenance Liability Period** means two (2) years.



**Attachment 3****Planning Agreement**

253-255 Auburn Street, Goulburn

**Monetary Contributions** means the monetary contributions set out in Schedule 1.

**Occupation Certificate** means an occupation certificate as defined in section 6.4(c) of the Act.

**Planning Legislation** means the Act, the *Local Government Act 1993* (NSW) and the *Roads Act 1993* (NSW).

**Quantity Surveyor** means someone selected and appointed by Council from a list of Quantity Surveyors all of whom must be members of Panels for the NSW Department of Commerce or Local Government Procurement.

**Works** means the works specified or described in Schedule 3.

**Works as Executed Plan** means a plan that shows that construction has been completed in accordance with the engineering plans and specifications.

## 2 Interpretation

The following rules of interpretation apply unless the context requires otherwise:

- a) Any reference to a **clause, annexures and schedules** refers to a clause in, or annexure or schedule to this document.
- b) Any reference to a **statute** refers to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them.
- c) the singular includes the plural and vice versa.
- d) a reference to a **person** includes an individual, a firm, a body corporate, a partnership, joint venture, an unincorporated body or association or any government agency.
- e) A reference to **executors, administrators or successors** refers to a particular person that includes their executors, administrators, successors, substitutes (including persons taking by novation) and assigns.
- f) **Dollars, Australian dollars, dollars, \$, AUS\$ or A\$** is a reference to the lawful currency of Australia.
- g) Where any period of time is calculated from the given day or day of an act or event, it is to be calculated exclusive of that day
- h) a **day** is to be interpreted as the period of time commencing at midnight and ending 24 hours later.
- i) a **group of persons or things** is a reference to any two or more of them jointly and to each of them individually.
- j) the words **include, including, for example or such as** are not used as, nor are they to be interpreted as, words of limitation, and, when introducing an example, do not limit the meaning of the words to which the example relates to that example or examples of a similar kind.
- k) if an act under this document to be done by a party on or by a given day is done after 4.30pm on that day, it is taken to be done on the next day.
- l) if an event must occur on a stipulated day which is not a Business Day then the stipulated day will be taken to be the next Business Day.
- m) Any time of day referenced in this agreement is a reference to Sydney time.
- n) headings (including those in brackets at the beginning of paragraphs) are for convenience only and do not affect the interpretation of this document.

**Attachment 3****Planning Agreement**

253-255 Auburn Street, Goulburn

- o) agreement a reference to any agreement, Agreement or instrument includes the same as varied, supplemented, novated or replaced from time to time.
- p) a reference to one gender extends and applies to the other.

### 3 Status

#### 3.1 Planning Agreement

This document is a Planning Agreement:

- a) Within the meaning set out in section 7.4 of the Act; and
- b) Governed by Subdivision 2 of Division 7.1 of Part 7 of the Act.

#### 3.2 Application

This document applies to both the Land and the Development.

#### 3.3 Operation of Document

- a) Subject to paragraph (b), this document operates from the date it is executed by both parties.
- b) The following clauses of this document will only operate if and when Council grants Development Consent.

### 4 Application of Section 7.11 and Section 7.12

#### 4.1 Application

This document does not exclude the application of section 7.11 or section 7.12 of the Act to the Development.

#### 4.2 Consideration of Benefits

Section 7.11(6) of the Act does not apply to the Contributions that are to be carried out or provided pursuant to this document.

### 5 Development Contributions to be made under this Deed

- a) The Developer will provide Development Contributions in accordance with Schedule 3; and
- b) the Development Contribution will be made available for use or expenditure for the purposes set out in column 1 of Schedule 3; and
- c) to the extent that a Development Contribution may be described in, or implied by, this Deed as having a particular use (intended or otherwise), the Developer acknowledges and agrees that:
  - i. the Council has not made any warranty or representation that a Development Contribution must, or will, be used for, or expended on, a particular purpose (other than as set out in clause 5.(b)); and

## Attachment 3

### Planning Agreement

253-255 Auburn Street, Goulburn

- ii. the Council has no obligation to use or expend a Development Contribution for a particular purpose; and
- iii. the Council does not have any obligation to monitor or follow-up the use or expenditure of such a Development Contribution including if the Council transmits a Development Contribution to any other Authority.

## 6 Registration of this Document

### 6.1 Registration

This document must be registered on the title of the Land pursuant to section 7.6 of the Act.

### 6.2 Obligations of the Developer

The Developer must:

- a) do all things necessary to allow the registration of this document to occur, including but not limited to obtaining the consent of any mortgagee registered on the title of the Land; and
- b) pay any reasonable costs incurred by Council in undertaking that registration.

### 6.3 Removal from Title of the Land

- a) Council will do all things necessary to allow the Developer to remove the registration of this document from the title of the Land where the Developer has:
  - i. provided all Monetary Contributions;
- b) The Developer must pay any reasonable costs incurred by Council in undertaking that discharge.

## 7 PROVISION OF CONTRIBUTIONS

### 7.1 Monetary Contributions

The Developer must make the Monetary Contributions to Council in accordance with Schedule 3.

### 7.2 Indexation

- a) The amount of each Monetary Contribution will be indexed in accordance with the following formula:

$$\frac{A = B \times C}{D}$$

## Attachment 3

### Planning Agreement

253-255 Auburn Street, Goulburn

where:

**A** = the indexed amount;

**B** = the relevant amount as set out in this agreement;

**C** = the Index most recently published before the date that the relevant item is provided, completed or paid as the case may be; and

**D** = the Index current as at the date the Planning Agreement comes into effect.

If **A** is less than **B** then the amount of the relevant amount will not change.

- b) For the purposes of paragraph (a):
  - iv. a each component of the Monetary Contribution is indexed as at the date it is paid; and
  - v. b the Index means the Consumer Price Index (All Groups) for Sydney or such other index which replaces it from time to time.

## 8 COMPLETION OF WORKS

Not applicable.

## 9 DEFECTS LIABILITY

Not applicable.

## 10 WARRANTIES AND INDEMNITIES

### 10.1 Warranties

The Developer warrants to Council that:

- a) it is able to fully comply with its obligations under this document;
- b) it has full capacity to enter into this document; and
- c) there is no legal impediment to it entering into this document, or performing the obligations imposed under it.

### 10.2 Indemnity

The Developer indemnifies Council in respect of any Claim that may arise as a result of the conduct of the Works, but only to the extent that any such Claim does not arise as a result of the negligent acts or omissions of Council.

## 11 CONTAMINATION

**Attachment 3****Planning Agreement**

253-255 Auburn Street, Goulburn

Not applicable.

## 12 DETERMINATION OF THIS DOCUMENT

### 12.1 Determination

This document will determine upon the Developer satisfying all of its obligations under the document.

### 12.2 Effect of Determination

Upon the determination of this document Council will do all things necessary to allow the Developer to remove this document from the title of the whole or any part of the Land as quickly as possible.

## 13 SECURITY

Not applicable.

## 14 DISPUTE RESOLUTION

### 14.1 Notice of Dispute

- a) If a dispute between the parties arises in connection with this document or its subject matter (**Dispute**), then either party (**First Party**) must give to the other (**Second Party**) a notice which:
  - i. is in writing;
  - ii. adequately identifies and provides details of the Dispute;
  - iii. stipulates what the First Party believes will resolve the Dispute; and
  - iv. designates its representative (**Representative**) with the necessary authority to negotiate and resolve the Dispute.
- b) The Second Party must, within five (5) Business Days of service of the notice of dispute, provide a notice to the First Party designating as its representative a person with the necessary authority to negotiate and settle the Dispute (the representatives designated by the parties being together, the **Representatives**).

### 14.2 Conduct Pending Resolution

The parties must continue to perform their respective obligations under this document if there is a Dispute but will not be required to complete the matter the subject of the Dispute, unless the appropriate party indemnifies the other parties against costs, damages and all losses suffered in completing the disputed matter if the Dispute is not resolved in favour of the indemnifying party.



**Attachment 3****Planning Agreement**

253-255 Auburn Street, Goulburn

**14.3 Further Steps Required before Proceedings**

Subject to clause 15.12 and except as otherwise expressly provided in this document, any Dispute must, as a condition precedent to the commencement of litigation, mediation under clause 15.5 or determination by an expert under clause 15.6, first be referred to the Representatives. The Representatives must endeavour to resolve the dispute within five (5) Business Days of the date a notice under clause 15.1 is served.

**14.4 Disputes for Mediation or Expert Determination**

If the Representatives have not been able to resolve the Dispute, then the parties must agree within five Business Days to either refer the matter to mediation under clause 15.5 or expert resolution under clause 15.6.

**14.5 Disputes for Mediation**

- a) If the parties agree in accordance with clause 15.4 to refer the Dispute to mediation, the mediation must be conducted by a mediator agreed by the parties and, if the parties cannot agree within five (5) Business Days, then by a mediator appointed by the President of the Law Society of New South Wales for the time being.
- b) If the mediation referred to in paragraph (a) has not resulted in settlement of the Dispute and has been terminated, the parties may agree to have the matter determined by expert determination under clause 15.6.

**14.6 Choice of Expert**

- a) If the Dispute is to be determined by expert determination, this clause 15.6 applies.
- b) The Dispute must be determined by an independent expert in the relevant field:
  - i. a agreed between and appointed jointly by the parties; or
  - ii. b in the absence of agreement within five (5) Business Days after the date that the matter is required to be determined by expert determination, appointed by the President of the Law Society of New South Wales for the time being.
- c) If the parties fail to agree as to the relevant field within five (5) Business Days after the date that the matter is required to be determined by expert determination, either party may refer the matter to the President of the Law Society of New South Wales for the time being whose decision as to the relevant field is final and binding on the parties.
- d) The expert appointed to determine a Dispute:
  - i. must have a technical understanding of the issues in dispute;
  - ii. must not have a significantly greater understanding of one party's business, functions or operations which might allow the other side to construe this greater understanding as a bias; and
  - iii. must inform the parties before being appointed of the extent of the expert's understanding of each party's business or operations and, if that information indicates a possible bias, then that expert must not be appointed except with the written approval of the parties.
- e) The parties must promptly enter into an agreement with the expert appointed under this clause setting out the terms of the expert's determination and the fees payable to the expert.

**Attachment 3****Planning Agreement**

253-255 Auburn Street, Goulburn

**14.7 Directions to Expert**

- a) In reaching a determination in respect of a dispute under clause 15.6, the independent expert must give effect to the intent of the parties entering into this document and the purposes of this document.
- b) The expert must:
  - i. act as an expert and not as an arbitrator;
  - ii. not accept verbal submissions unless both parties are present;
  - iii. on receipt of a written submission from one party, ensure that a copy of that submission is given promptly to the other party;
  - iv. take into consideration all documents, information and other material which the parties give the expert which the expert in its absolute discretion considers relevant to the determination of the Dispute;
  - v. not be expected or required to obtain or refer to any other documents, information or material (but may do so if the expert so wishes);
  - vi. issue a draft certificate stating the expert's intended determination (together with written reasons), giving each party ten (10) Business Days to make further submissions;
  - vii. issue a final certificate stating the expert's determination (together with written reasons); and
  - viii. act with expedition with a view to issuing the final certificate as soon as practicable.
- c) The parties must comply with all directions given by the expert in relation to the resolution of the Dispute and must within the time period specified by the expert, give the expert:
  - i. a short statement of facts;
  - ii. a description of the Dispute; and
  - iii. any other documents, records or information which the expert requests.

**14.8 Expert May Convene Meetings**

- a) The expert must hold a meeting with all of the parties present to discuss the Dispute. The meeting must be conducted in a manner which the expert considers appropriate. The meeting may be adjourned to, and resumed at, a later time in the expert's discretion.
- b) The parties agree that a meeting under paragraph (i) is not a hearing and is not an arbitration.

**14.9 Other Courses of Action**

If:

- a) the parties cannot agree in accordance with clause 15.3 to refer the matter to mediation or determination by an expert; or
- b) the mediation referred to in clause 15.5 has not resulted in settlement of the dispute, the mediation has been terminated and the parties have not agreed to refer the matter to expert determination within five (5) Business Days after termination of the mediation;

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then either party may take whatever course of action it deems appropriate for the purpose of resolving the Dispute.

**14.10 Final Determination of Expert**

The parties agree that the final determination by an expert will be final and binding upon them except in the case of fraud or misfeasance by the expert.

**14.11 Costs**

If any independent expert does not award costs, each party must contribute equally to the expert's costs in making the determination.

**14.12 Remedies Available under the Act**

This clause 15 does not operate to limit the availability of any remedies available to Council under sections 9.45 and 9.46 and Division 9.6 of the Act.

**14.13 Urgent Relief**

This clause 15 does not prevent a party from seeking urgent injunctive or declaratory relief concerning any matter arising out of this document.

**15 POSITION OF COUNCIL****15.1 Consent Authority**

The parties acknowledge that Council is a consent authority with statutory rights and obligations pursuant to the terms of the Planning Legislation.

**15.2 Document does not Fetter Discretion**

This document is not intended to operate to fetter:

- a) the power of Council to make any Law; or
- b) the exercise by Council of any statutory power or discretion (**Discretion**).

**15.3 Severance of Provisions**

- a) No provision of this document is intended to, or does, constitute any unlawful fetter on any Discretion. If, contrary to the operation of this clause, any provision of this document is held by a court of competent jurisdiction to constitute an unlawful fetter on any Discretion, the parties agree:
  - i. they will take all practical steps, including the execution of any further documents, to ensure the objective of this clause 16 is substantially satisfied;
  - ii. in the event that paragraph (a) cannot be achieved without giving rise to an unlawful fetter on a Discretion, the relevant provision is to be severed and the remainder of this document has full force and effect; and



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- iii. to endeavour to satisfy the common objectives of the parties on relation to the provision of this document which is held to be an unlawful fetter to the extent that it is possible having regard to the relevant court judgment.
- b) Where the Law permits Council to contract out of a provision of that Law or gives Council power to exercise a Discretion, then if Council has in this document contracted out of a provision or exercised a Discretion under this document, then to the extent of this document is not to be taken to be inconsistent with the Law.

**15.4 No Obligations**

Nothing in this document will be deemed to impose any obligation on Council to exercise any of its functions under the Act in relation to the Development Consent, the Land or the Development in a certain manner.

**16 CONFIDENTIALITY****16.1 Document not Confidential**

The terms of this document are not confidential and this document may be treated as a public document and exhibited or reported without restriction by any party.

**17 GST****17.1 Definitions**

In this clause:

**Taxable Supply, GST, Tax Invoice and Input Tax Credit** have the same meaning given to them in GST Law.

**17.2 Non-monetary Supplies**

- a) The parties agree that any non-monetary supplies made by one party to the other pursuant to this agreement (including Works and the dedication of land) will be exempt from GST pursuant to Division 82 of the GST Law.
- b) In the event that one party reasonably believes that the non-monetary supply it makes to the other is a Taxable Supply then the parties agree to negotiate in good faith to agree to the GST inclusive market value of that Taxable Supply as follows:
  - i. The party making the Taxable Supply will issue a Tax Invoice to the other as soon as practicable after agreeing to the GST inclusive market value and will disclose the amount of GST included in the GST inclusive market value.
  - ii. The recipient of the Taxable Supply will pay to the other party the amount of the included GST within fifteen (15) days of receiving the Tax Invoice.
- c) In the event that both parties reasonably believe that each make a non-monetary Taxable Supply to the other, any GST payable by one party to the other will be off-set

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against each other and any net difference will be paid by the party with the greater obligation.

**17.3 Supply Expressed in Terms of Money**

If any party reasonably believes that it is liable to pay GST on a supply expressed in terms of money (or where the consideration for the supply is expressed in terms of money) and made to the other party under this document and the supply was not expressed to include GST, then:

- a) the recipient of the supply must pay an amount equal to the GST on that supply to the other party;
- b) the party making the supply will issue a Tax Invoice to the other party; and
- c) the recipient of the supply will pay the amount of the GST to the supplier within fifteen (15) days of receiving the Tax Invoice.

**17.4 Expenses and Costs Incurred**

If any expenses or costs incurred by one party are required to be reimbursed by the other party under this document, then the amount of the reimbursement will be calculated as follows:

- a) The amount of the cost or expense incurred by the party seeking reimbursement will be initially calculated excluding any Input Tax Credit to which that party is entitled to claim.
- b) This amount initially calculated will be increased by the applicable rate of GST to equal a GST inclusive reimbursement amount and this amount will be paid by the party liable to make the reimbursement.
- c) The party being reimbursed will issue a Tax Invoice to the other at the GST inclusive reimbursement amount prior to being reimbursed.

**17.5 Survival of Clause**

This clause 18 continues to apply after the expiration or termination of this agreement.

**18 ACCESS TO LAND**

Not applicable.

**19 LEGAL COSTS**

In accordance with Council's adopted Fees and Charges.

**20 ADMINISTRATIVE PROVISIONS****20.1 Notices**

- a) Any notice, consent or other communication under this document must be in writing and signed by or on behalf of the person giving it, addressed to the person to whom it is to be given and:
  - i. delivered to that person's address;

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- ii. sent by pre-paid mail to that person's address; or
  - iii. sent by email to that person's email address.
- b) A notice given to a person in accordance with this clause is treated as having been given and received:
  - i. if delivered to a person's address, on the day of delivery if a Business Day, otherwise on the next Business Day;
  - ii. if sent by pre-paid mail, on the third Business Day after posting; and
  - iii. if sent by email to a person's email address and a confirmation of receipt can be retrieved, on the day it was sent if a Business Day, otherwise on the next Business Day.
- c) For the purpose of this clause the address of a person is the address set out in this document or another address of which that person may from time to time give notice to each other person.

**20.2 Entire Agreement**

This document is the entire agreement of the parties on the subject matter. All representations, communications and prior agreements in relation to the subject matter are merged in and superseded by this document.

**20.3 Waiver**

- a) The non-exercise of or delay in exercising any power or right of a party does not operate as a waiver of that power or right, nor does any single exercise of a power or right preclude any other or further
- b) exercise of it or the exercise of any other power or right. A power or right may only be waived in writing, signed by the parties to be bound by the waiver.
- c) Without limitation, a waiver may be expressed to be conditional on the happening of an event, including the doing of a thing by the Party to whom the waiver is given.
- d) A waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given, and is not to be taken as an implied waiver of any other obligation or breach in any other circumstance or instance.

**20.4 Counterparts**

This document may be executed in any number of counterparts and all of those counterparts taken together constitute one and the same instrument.

**20.5 Unenforceability**

Any provision of this document which is invalid or unenforceable in any jurisdiction is to be read down for the purposes of that jurisdiction, if possible, so as to be valid or enforceable, and is otherwise capable of being severed to the extent of the invalidity or enforceability, without affecting the remaining provisions of this document or affecting the validity or enforceability of that provision in any other jurisdiction.

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**20.6 Power of Attorney**

Each attorney who executes this document on behalf of a party declares that the attorney has no notice of:

- a) the revocation or suspension of the power of attorney by the grantor; or
- b) the death of the grantor.

**20.7 Governing Law**

The law in force in the State of New South Wales governs this document. The parties:

- a) submit to the exclusive jurisdiction of the courts of New South Wales and any courts that may hear appeal from those courts in respect of any proceedings in connection with this document; and
- b) may not seek to have any proceedings removed from the jurisdiction of New South Wales on the grounds of forum non conveniens.

**20.8 Review Requirements**

- a) The Parties agree to review during the event that either party believes that a change in circumstance has or will occur that will affect the operation and carrying out of this agreement.
- b) Review of this agreement is required if any Legislation is introduced or changed to the effect that it would limit, stop, substantially change or otherwise hinder the operation or implementation of this agreement in the opinion of either Party.
- c) The Parties are to use all reasonable endeavours to agree on and implement appropriate amendments to this agreement should reasonable and necessary amendments be identified.
- d) If this agreement becomes illegal, unenforceable or invalid as a result of any change to Legislation, the Parties agree to do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Deed is entered into.

**20.9 Further Agreements**

This document does not restrict further agreements between the Parties that are not inconsistent with this document.

**20.10 Variations**

- a) The design or specification of Works may be varied by agreement in writing between the Parties without the need to amend this document.
- b) Council may reasonably require the Developer, at Council's Cost, to vary the design or specification of Works unless the variation is required under a change in an Authority's, other than Council, controls, rules, regulations or requirements.
- c) The Developer is to promptly comply with a request by Council to vary the design or specification of Works.

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**20.11 Force Majeure**

- a) If a Party is affected, or likely to be affected, by a Force Majeure Event, that Party must promptly notify the other Party, giving:
  - i. full details of the event;
  - ii. an estimate of its duration;
  - iii. the obligations under this agreement it affects and how much it will affect them; and
  - iv. the steps either taken or planned to manage its effects.

**20.12 Suspension of Obligations under a Force Majeure**

- a) A Party's obligations under this agreement are suspended if those obligations are affected by a Force Majeure Event for as long as the event continues.
- b) A Party affected by a Force Majeure Event must do all it reasonably can to remove, overcome or minimise the effects of the event as quickly as possible.

**20.13 Surrender of Right of Appeal**

The Developer is not to commence or maintain any proceedings in any court, tribunal or similar appealing against or questioning the validity of this agreement or an Approval relating to the Development in so far as the subject-matter of the proceedings relates to this document.

**20.14 Notations Under s10.7(5) of the Act**

Council May, at its absolute discretion, make a notation on a planning certificate issued under s10.7(5) of the Act detailing the application or affect the planning agreement has on the Land.



**Attachment 3**

**Planning Agreement**

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**EXECUTED AS AN AGREEMENT**

[insert execution page, note that the execution page must include the following wording when executed under delegation pursuant to s377 of the *Local Government Act 1993* :

**EXECUTED** by and on behalf of **GOULBURN MULWAREE COUNCIL ABN 84 049 849 319** by its authorised delegate pursuant to section 377 of the *Local Government Act 1993* in the presence of

Or

When executed using the common seal of Goulburn Mulwaree Council:

THE COMMON SEAL OF THE GOULBURN MULWAREE COUNCIL WAS AFFIXED PURSUANT TO AUTHORITY OF A RESOLUTION OF THE COUNCIL PASSED THE DAY OF (insert date of Council Meeting).

A resolution by Council will determine what means shall be used to execute this agreement]

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253-255 Auburn Street, Goulburn

**SCHEDULE 1: REQUIREMENTS UNDER SECTION 7.4 OF THE ACT**

<b>REQUIREMENT UNDER THE ACT</b>	<b>THIS PLANNING AGREEMENT</b>
<b>Planning instrument and / or Development Application</b> – (Section 7.4(1))  The Developer has: <ul style="list-style-type: none"> <li>a) sought a change to an environmental planning instrument.</li> <li>b) made, or proposes to make, a Development Application</li> <li>c) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies.</li> </ul>	The Developer has made or proposes to make a Development Application.
<b>Description of land to which this agreement applies</b> (Section 7.4(3)(a))	253-255 Auburn Street, Goulburn, NSW 2580. Lot 1 DP 86199
<b>Description of change to the environmental planning instrument to which this Deed applies</b> (Section 7.4(3)(b))	Not applicable
<b>Application of section 7.11 of the Act</b> (Section 7.4(3)(d))	Refer to clause 4.1 of the Planning Agreement.
<b>Application of section 7.12 of the Act</b> (Section 7.4(3)(d))	Refer to clause 4.1 of the Planning Agreement.
<b>Consideration of benefits under this agreement if Section 7.11 applies</b> (Section 7.4(3)(e))	Refer to clause 4.2 of the Planning Agreement.
<b>Mechanism for Dispute resolution</b> (Section 7.4(3)(f))	Refer to clause 15 of the Planning Agreement.
<b>Enforcement of this agreement</b> (Section 7.4(3)(g))	Refer to clause 6 and 14 of the Planning Agreement.
<b>No obligation to grant consent or exercise functions</b> (Section 7.4(9))	Refer to clause 16 of the Planning Agreement.

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**SCHEDULE 2: TERMS OF LICENCE**

Not applicable.



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**SCHEDULE 3 – CONTRIBUTIONS SCHEDULE**

COLUMN 1	COLUMN 2	COLUMN 3
Development Contribution Purpose	Timing	Development Contribution Amount
<p>The Development Contributions is made to offset a shortfall of 7 car parking spaces by the Developer for Stage 2 of the Proposed Development.</p> <p>Council intends to use the Development Contribution to either recoup the cost of providing existing public car parking and / or contribute to the cost of providing new public car parking.</p>	<p>Prior to the issue of a Construction Certificate for Stage 2.</p>	<p>\$46,060</p>

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Appendix A – Explanatory Note

**[Insert Explanatory Note as per** Clause 25E of the *Environmental Planning and Assessment Regulation 2000* **]** **[Note:** To be completed upon finalisation of the Planning Agreement and be signed and dated by all Parties **]**

Statement of Environmental Effects – 253-255 Auburn St, Goulburn NSW  
*Alterations & Additions & rear extension.*

## **253 - 255 Auburn St, Goulburn NSW 2580**

### **Alterations & additions to existing building with new extension to rear. Change of use to hotel/motel accommodation.**

1<sup>st</sup> May 2019

#### **(1) Introduction/Executive Summary**

*This Statement of Environmental Effects (SEE) is submitted to Goulburn Mulwaree Council (Council) in support of a Development Application (DA) for proposed alterations & additions to existing building and construction of a new addition to the rear on Lot 1 DP 86199 at 253-255 Auburn Street, Goulburn NSW 2580.*

A Construction Certificate for the development will be sought separately to this application.

#### History of the Site

*The site is currently empty but was originally the State Bank of NSW. After the State Bank it has been used for a variety of retail function.*

#### Consultation with Council

Preliminary discussions with Councils Planner Dianne James.

I also met Council's Heritage adviser Louise Thom met on site briefly after discussing the adjoining property at 257 Auburn St, Goulburn.

#### **(2) Site Analysis**

##### Site Location and Context

253 - 257 Auburn St is located on the corner of Goldsmith St & Auburn St at a major intersection within the commercial core. The existing heritage building gives a proud presence to both streets and articulates and attenuates the corner.

The building has been substantially renovated internally but externally has remained in original condition.

The building stands alone and is not part of any collection of buildings. To the rear along Goldsmith St are single story cottages with high roofs then a collection of factories. Across Goldsmith St is the Centro shopping centre carpark and loading bays.

##### Site Description

One 2-3 story building is located on the site. Fronting Auburn St it is 2 stories and increases to 3 stories down Goldsmith St. There is a small car parking area for 2 cars at the rear in Goldsmith St.

##### Figure 1 – Site



Aerial view of site

### **Surrounding Development**

The proposal is located within the mixed use area of the CBD comprising mainly of residential and commercial premises. These premises are a mix of 1 & 2 stories, some of heritage value, others not.

Adjoining in Auburn St is a 2 story building with retail premises to the ground floor and shop top housing over.

Adjoining in Goldsmith St are cottages used for a mix of residential and business purposes.

### **(3) Description of Proposed Development**

#### **Elements of the Proposed Development**

The proposal is for alteration & additions to the existing building as well as rear additions;

- 1 Conversion of the existing bank building into a hotel/motel with cafe
- 2 Lift access to all levels.
- 3 Construction of a new 4 story extension to the rear comprising additional rooms for the hotel motel and a flexible dual key caretakers apartment with car parking for 4 cars underneath.

### **Building Materials**

The nominated materials and finishes are identified on the Architectural plans included at Appendix A and include glass, aluminium and steel extension. The existing building and facades will be retained intact, repainted and preserved.

### **Operational Details**

The proposed hours of operation will be as follows;

Statement of Environmental Effects – 253-255 Auburn St, Goulburn NSW  
*Alterations & Additions & rear extension.*

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Motel	24 hour
Motel reception	7am – 10pm
Motel café	7am – 10pm

**Vehicular Access and Parking**

The proposed vehicular access will consist of 4 car spaces to the rear fronting Goldsmith St. Car parking will be in accordance with the requirements of AS 2890.1 – 2004 and also AS 2890.2 – 2002. It is requested that an accessible space be located on the street as to do so on site would negate most of the minimal parking.

**Signage**

No signage is proposed as part of this application.

**Landscaping and Tree Removal**

There is no landscaping on site as the site is totally covered in either building or hard surfaces.

**Demolition**

It is proposed to demolish the existing concrete car parking area and redo. There will be some minor demolition of internal walls to the existing building to open up spaces & make them more useable.

**Stormwater Management**

The stormwater catchment off the proposed store roof will be drained to a 5kL rainwater tank where it will be used for toilet flushing.

**Construction Management**

A Construction Management Plan and Sediment Erosion Control Plan will be prepared and submitted to the Certifier for approval prior to the issue of a Construction Certificate.

**(4) Relevant Legislation and Planning Controls**

The proposed development is compliant with the planning controls applicable to the site.

The following Environmental Planning Instruments (EPI's) and Development Control Plans (DCP's) are relevant to the proposed development:

- Environmental Planning and Assessment Act 1979;
- Roads Act 1993;
- State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011;
- Goulburn Mulwaree Local Environmental Plan 2009; and
- Goulburn Mulwaree Development Control Plan 2009.

### **Environmental Planning and Assessment Act 1979**

The proposal, as with all development applications, is subject to the provisions of the Environmental Planning and Assessment Act 1979 (EP& Act 1979).

### **Roads Act**

As per Section 138 of the Roads Act, consent is requested from the Goulburn Council to:

- (b) dig up or disturb the surface of a public road as required for services connctions
- (e) connect private car parking to a public road,

Therefore, approval is required under Section 138 from the RMS for the modified access to the rear lane.

### **Local Government Act 1993**

Under Section 68 of the Local Government Act, consent is required from Council for the following:

Part A Structures or places of public entertainment

Part B Water supply, sewerage and stormwater drainage work

- 1 Carry out water supply work
- 2 Draw water from a council water supply or a standpipe or sell water so drawn
- 3 Install, alter, disconnect or remove a meter connected to a service pipe
- 4 Carry out sewerage work
- 5 Carry out stormwater drainage work
- 6 Connect a private drain or sewer with a public drain or sewer under the control of a council or with a drain or sewer which connects with such a public drain or sewer.

### **State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011**

The subject site is located within the Sydney Drinking Water Catchment Area.

### **Local Environmental Plan**

#### **Goulburn Mulwaree Local Environmental Plan 2009**

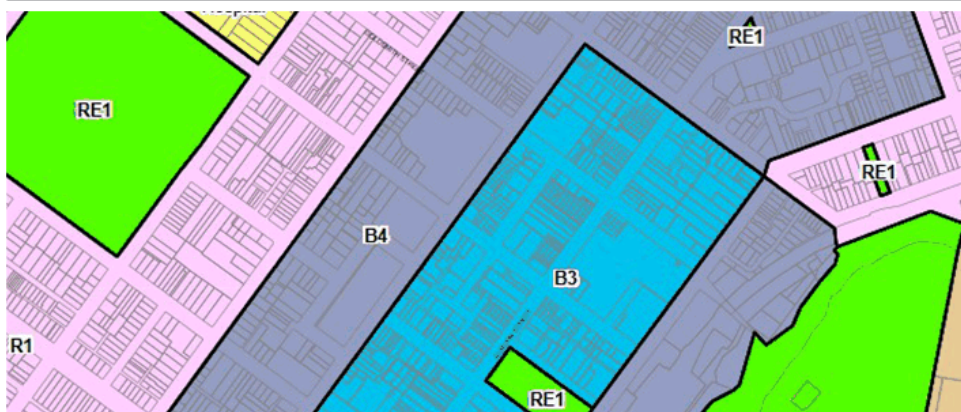
### **Zoning**

The site is zoned B3 Commercial Core under the Goulburn Mulwaree Local Environmental Plan 2009 (LEP) (refer to Figure 4).

**Figure 2 – Zoning Map extract (Map LZN\_001D)**



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The objectives of this zone are:

To provide a wide range of retail, business, office, entertainment, community and other suitable land uses which serve the needs of the local and wider community.

- To encourage appropriate employment opportunities in accessible locations. The central location of the site allows for viable hotel motel premises fronting a central area of the main street.
- To maximise public transport patronage and encourage walking and cycling. The site is well located for access for all three as well as being centrally located for shopping, dining, arts & crafts facilities, gardens etc.
- To reinforce the status of Goulburn as a regional centre. The redevelopment of the site maximises its potential and minimises sterilising the land area. The proposed useage and extension provides much needed additional rooms to Goulburn which is frequently booked out with visitors having to access sub standard accommodation.
- To ensure the scale and density of development complements the desired future character of the commercial core. The proposed development does not impact on the Auburn St streetscape. The redevelopment to the rear utilises valuable land in the core with a modern and vibrant extension.
- To protect the historic importance of Goulburn and protect heritage integrity of its historic built form. The proposal retains the heritage façade to the Auburn St & Goldsmith St streetscapes, retains the existing building and proposing a modern extension of a similar bulk and scale.

The proposed use of the site is consistent with the relevant zoning objectives and will provide a compatible use with other business, office, residential and retail land uses.

The proposed use as defined in the LEP is;

Hotel/Motel accomodation is a permissible use within the B3 Commercial core zone with consent from Council.

Commercial Premises is a permissible use within the B3 Commercial core zone with consent from Council.

### Height of Buildings

The maximum height permissible on the site is 15m. The proposed building is approx.11m to the ridge of the roof of the existing building fronting Auburn St & approx.. 11m max to the ridge of the proposed extension fronting Goldsmith St.

This means the maximum height is still around 4m or just over a story lower than the maximum allowed.

### **Floor Space Ratio**

The maximum Floor Space Ratio (FSR) for the site is 2:1.

The site area is 448.4m<sup>2</sup>. The permissible allowable maximum floor space on the site is 896.5m<sup>2</sup>.

The proposed GFA of the building is 800m<sup>2</sup> resulting in a FSR of 1.76:1, much less than what is permitted.

The GFA is made up of the following components;

	Existing	Addition	Total
Second Floor		110 m <sup>2</sup>	110 m <sup>2</sup>
First Floor	250m <sup>2</sup>	75 m <sup>2</sup>	325 m <sup>2</sup>
Ground Floor	250 m <sup>2</sup>	75 m <sup>2</sup>	325 m <sup>2</sup>
Basement	40 m <sup>2</sup>	0 m <sup>2</sup>	40 m <sup>2</sup>
<b>Total</b>	<b>540 m<sup>2</sup></b>	<b>260 m<sup>2</sup></b>	<b>800 m<sup>2</sup></b>
FSR	1.2:1	0.56:1	1.76:1

Note internal vertical circulation, plant areas and car parking are not included in gross floor areas.

### **Minimum lot size**

There is no minimum lot size for this location in the LEP.

### **Heritage Conservation**

The existing building on the site is identified as a heritage item.

There are no alterations and additions proposed to the facade facing Auburn St.

There are no alterations proposed to the façade facing Goldsmith St.

The only alterations to the existing heritage building are top floor extension to the rear of the roof along Goldsmith St. This extension will not be visible from the street.

The rear addition to Goldsmith St will follow through with a similar bulk and scale of the building and a modern articulation and fenestration of the building that is compatible and in scale with the existing structure whilst differentiation itself from it.

In this way the extension proudly proclaims itself as such rather than trying to disguise itself as part of the original building.



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**Clause 4.6 Variation**

No variation to any Clause of the LEP is proposed, Subclause (3), Clause 4.6 - Exceptions to development standards..

**Biodiversity**

The site has not been identified as containing terrestrial biodiversity as per the relevant planning maps. However, the proposal will not compromise the diversity of the native vegetation considering:

No significant trees or vegetation require removal;

No habitat of any threatened species, population or ecological community will be impacted.

**Goulburn CBD Plan 2009**

The site is located within the Goulburn City Business District (CBD) as identified within the Goulburn CBD Plan 2009. The proposal is consistent with the relevant principles of the CBD Plan and will help to achieve its vision to develop Goulburn as a vibrant urban place providing a variety of services and a high level of amenity to residents, workers and visitors.

The proposal seeks to maximize the development potential of the site in a sensitive manner by preserving the existing building and creating a sympathetic modern addition to it. The building has been vacant for around a year now so having it reworked with adaptive reuse will invigorate this neglected corner.

With the sites close proximity to food outlets, shopping, administrative functions and public transport it is an ideal location for what is proposed.

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

The Goulburn Mulwaree Development Control Plan 2009 (DCP) controls relevant to the proposed development are:

- 2 Plan Objectives
  - 2.1 General Development Objectives

**Density**

In the Commercial Core C3 hotel/motels are permissible. The DCP requires that the site be walking to public transport which it is.

- 2.2 Local Objectives – Goulburn City
- 3 General Development Controls
  - 3.1 European (non-indigenous) heritage conservation is to be retained as mentioned above.

- 3.3 Landscaping is non existent.

- **3.4 Vehicular access and parking.**

Car parking is available in Auburn St & Goldsmith St but this is timed, typically being 1-2 hours.

This primarily services the meal crowd for the café.

Councils DCP stipulates that the commercial areas should have 1 car space/40m<sup>2</sup> floor area.

The existing building at 584m<sup>2</sup> (44.74 + 271.36 + 267.77m<sup>2</sup>) would generate 15 car spaces (14.6).

The proposed change of use would generate usage as follows;

Café 1/40m<sup>2</sup> x 80m<sup>2</sup> = 2 spaces, though a lot of the patrons will be from the motel and therefore covered by room parking rates.

Hotel/motel accommodation

Stage 1 15 rooms x 1 space/room = 15 spaces

Stage 2 7 rooms x 1 space per room = 7 spaces

Caretakers apartment (Stage 2) 1 space.

It is anticipated staff numbers would be a maximum of 4 = 2 spaces. Though as the caretaker would be part of the staff then at least 1 of those spaces would be covered already.

This means that Stage 1 a total of 2 + 15 + 2 = 19 spaces would be required. However if car parking overlaps identified above were taken into account then 17 spaces would be fair and reasonable.

With 4 spaces provided (3 on site, 1 additional on the street) leaves 13 spaces balance.

If the previous usage generated 15 spaces (less 2 on site) then this credit means no additional spaces are required for Stage 1.

Alternative methods of transport are encouraged by;

3 bicycle racks provided on site. These could account for 1-3 rooms for people cycling as is popular in the area.

Motorcycle space provided (this would account for 1 room).

Bus stop approx. 60m away (this could account for numerous rooms – say 2-4 spaces).

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Train station 800m away accounting for more rooms.

If alternative methods of travel were taken into account there would be a surplus of 4-8 car parking spaces in stage 1 with a potential for no additional spaces required in stage 2.

Taxis and ubers available in Goulburn.

With the most recent amendments there will be 3 additional spaces provided on site (two drop off zone/deliveries). Delivery vehicles will be a standard van only. Deliveries will occur in the middle of the day between checkout and check-in times so as not to conflict with arrivals and departures. The other one onsite space could be for the manager.

On the street one additional space (accessible) space will be provided by the developer to Council standards. This means a total of 4 spaces will be provided. This means no additional spaces numerically are required during stage 1 and it could be argued that a surplus of is provided based on the above.

As the site is in the central business district and close to public transport with most visitors arriving after 6pm, staying the night and leaving before 9am – they can use ample on street parking available at times when it is typically mostly empty around the site. Therefore meaning most could park out the front or across the road.



Additional public parking is available in the public car park up Goldsmith St approx. 150m away. This car park is often almost empty and staff could easily

park here as could the few guests who are staying the the CBD for more than 1 day.

It is also worth noting the following;

The above car parking figures is based on a 100% occupancy rate. It is worth noting that the NSW guide to traffic generating developments says a reasonable guide for motels is 85% occupancy. Based on this  $0.85 \times 22 \text{ spaces} = 18.7$  spaces, 3 less than required. So yet again in the real world less spaces would be required, especially during the week when occupancy rates are lower.

With stage 2 an additional 7 spaces would be required and with this stage then additional parking solutions could be explored.

It is significant that there are no late night venues in Goldsmith St, from Auburn St down to Sloane St and that most pubs are at the other end of town. This means on street parking in Goldsmith St along this section, especially across the road, at night is mostly vacant, of which there are around 30 spaces.

Most occupants typically stay for a night meaning arriving late and leaving early reducing impacts on local roads and parking. Those that stay longer contribute more to the financial viability of the commercial core spending time and money with local shops and services.

We request that contributions be paid on a per stage constructed basis. As no contributions would be required during stage 1 it is only stage 2 that they would be required.

Advice has been sought from a Michael Park, Planner in Sydney who has advised the following regarding the VPA (he has done the attached VPA);

- **3.5 Disability standards for access**

Through the installation of small ramps and a lift disabled access will be available to as much of the building as is financially feasible, including reception, café and the majority of rooms including accessible rooms and accessible facilities.

- **3.6 Crime prevention through environmental design.**

Commercial areas can typically be desolate and vacant at night giving rise to crime. Changes in planning laws in cities have identified the need for a residential mix to provide for casual surveillance of commercial areas. With Goulburn an increase in residential population in the commercial core would assist this. Increasing the short term residential population on site helps with casual surveillance of Auburn & Goldsmith Streets.

- **3.8 Tree and vegetation preservation**

There are no significant trees on site that will be removed.

- **3.11 Groundwater**



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No significant excavation is proposed on site. There will be no basement only excavation for footings.

- **3.14 Stormwater pollution**

With the redevelopment on site drainage will be improved and there will be less ground level runoff. Drainage from the new roof areas of the proposal (stage 2) will be piped to the proposed rainwater tanks and the existing stormwater system in the street.

- **3.15 Impacts on drinking water catchments**

With less dirty runoff from the ground and more clean runoff from the roofs there will be an improvement on water discharged into the drinking water catchment.

- **4 Principle Development Controls – Urban**

- 4.2 Non-residential development – Retail, Commercial and Industrial

- **6 Special Development Types**

- 6.4 Advertising and signage – No advertising or signage is proposed at this time.

- **7 Engineering Requirements**

- **7.1 Utility Services**

Electricity, water and gas services are available on site.

- **7.2 Roads**

- The site fronts the main commercial strip of Auburn St as well as Goldsmith St. Its frontage is shopfront only and access to the motel/retail above.
  - Vehicular access is to Goldsmith St on the side.

- **7.3 Drainage and Soil and Water Management**

The site is fairly level with access to drainage to the rear. During construction the site will be protected to the perimeter by geofabric to prevent soil runoff onto other sites and into the drainage system. A site management plan will be provided at construction certificate stage,

- **8 Site Specific Provisions**

- **8.6 Goulburn City Business District**

Being within the commercial core the proposal increases the tourist population to the area. This provides more patronage and vibrancy to local services and the city as well as employment for locals.

## **(5) Assessment of Planning Issues**

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this report. The assessment considers only those matters under Section 79C (1) of the EP&A Act 1979 that are relevant to the proposal.

### **Compliance with Planning Instruments and Controls**

- The NSW Government technical note on traffic generation provides the following guide;
- Daily vehicle trips = 3 trips per motel room at 100% occupancy
- Typical occupancy should be assessed at 85% meaning 2.55 vehicular trips per motel room/day.
- Typically this means arriving and leaving.
- This means in stage 1 - 17 apartments x 2.55 = 43.35 trips per day
- As previously discussed this would be similar to the buildings previous use as a bank so there would be no increase in traffic volume for stage 1. Therefore no contributions required.
- In stage 2 – 9 x 2.55 – an additional 22.95 trip per day.
- Typically these trips are done at non peak periods.
- The proposal is a permissible use, under the definition of a Commercial & hotel/motel, within the B3 Commercial core zone under the Goulburn Mulwaree LEP 2009.
- The proposal is consistent & compliant with the relevant sections of Goulburn Mulwaree DCP 2009 and relevant Council Plans and Strategies.

### **Traffic, Access and Parking**

Minimal impacts are expected to result from the proposal relating to traffic in that being in the CBD, adjoining the main commercial strip, near the bus stop, close to the station and walking distance to most facilities then car use is not expected to be high.

Whilst there are limits to on site parking due to the narrow nature of the site and undeveloped portion to the rear.

### **Visual Impact**

The proposed works will have a modernising impact on the historical streetscape of Goldsmith St and no impact on the Auburn St streetscape.

Goldsmith St between Auburn St & Sloane St is not the most attractive street being dominated by the Centro car park and loading facilities as well as numerous non descript factories.

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The proposed extension hopes to bring a modern upmarket extension to start revitalizing and upgrading the streetscape whilst retaining the existing heritage building it adjoins.

**Amenity**

Access will be improved to the building with ramped & disabled access as well as lift access to the building. The motel entrance will be kept down Goldsmith St to provide a separate entrance to the café and bring some commercial usage to a strip that is quite inactive.

**Noise**

It is not proposed that there will be any noise generation that would not be atypical of the area. Commercial ground floor with motel over will mean typically no significant noise sources would be generated. Change of use applications for the commercial tenancies will be subject to future applications.

**Privacy**

The proposal is located within the mixed use area of the CBD comprising mainly of commercial premises with some shop top housing.

The site adjoins a commercial premises along the north eastern boundary with rear car parking with a barn to the rear. There is no private open space overlooked.

To the south east in Goldsmith St is a single story building used it seem at the moment as a residence. A driveway abuts the site between the proposal and the adjoining property. Overlooking is kept to a minimum with windows from bedrooms only directly overlooking. To the top floor there is a balcony off the caretakers apartment.

Additional screening can be put to this balcony if required.

**Overshadowing**

The proposal will cause overshadowing to the south which is across Goldsmith St. So from morning to mid afternoon this is where the shadows project swinging around to overshadow the adjoining property in Goldsmith St later on in the afternoon. This property would enjoy the morning sun and not be impacted from the proposed additions till at least midday.

**Water Management**

Town water will be used for all aspects of the proposal as currently exists. Stormwater drainage will be to the Council system.

**Sediment and Erosion Control**

Sediment and erosion controls shall be installed and maintained at all times during the construction works in accordance with NSW guidelines.

Temporary contractors vehicular access to the site will be restricted to a single point with a vehicle shaker grid and stabilised site access so as to reduce the likelihood of sediment being trafficked offsite. A waste Management Plan will be submitted with the Construction Certificate.



**Social and Economic Impacts**

An analysis of the social and economic impacts associated with the development of the site is detailed in this section to ensure that, where relevant, social and economic considerations are an integral part of the development assessment process.

The proposed development on the site is anticipated to have an ongoing positive social and economic impact on the local Goulburn area, the commercial core and the broader community. This is because as the proposal is of a tourist nature it increases the available stock of motel rooms in the commercial core of Goulburn and provides additional employment at the same time.

The new motel will be to the latest standards & compliance providing much needed up to date accommodation in the central core.

The motel will provide good central accommodation within walking distance to most facilities and public transport.

The construction of the proposal will provide employment opportunities to contractors in the area.

Occupants at the motel will spend money in the local area and support local businesses.

**Heritage Impact/Aboriginal Object**

A Heritage Impact Statement is as follows. The HIS assessed the potential impacts from the proposal as negligible, in particular it considers:

1. The proposed works will have minimal impact on the identified heritage significance of the building. This is because the streetscape to Auburn St will remain unaltered. The building elevation to Goldsmith St will also remain unaltered. The rear of the property will have an addition to a higher level of accommodation and amenity. Internally the building, through adaptive re-use will be upgraded to current standards.  
;
2. Retention of the historic façade unaltered in Auburn St ensures any negative impacts are negated.
3. This is the most sympathetic solutions with no alteration to the streetscape facades.
4. Heritage value is preserved.
5. There is no known Aboriginal significance of the site.

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6. Whilst originally it was proposed to take the extensions to the boundary upon recommendation of the heritage advisor it was stepped back to be more sensitive to the smaller buildings adjoin along Goldsmith St.

### **Demolition**

There is very little demolition simply being some existing concrete and steel gates to the car parking area.

### **Utilities and Services**

Adequate provision of essential services will be made in accordance with the requirements of local utility service providers including provision of reticulated water and sewerage; underground electricity; and underground telecommunications.

All services where required will be disconnected in accordance with the relevant authority's requirements prior to demolition works. Please note existing uses to be retained (eg Retail) will not be disconnected.

### **(6) Conclusion**

In conclusion the proposal aims to strengthen the vibrancy and vitality of the commercial core in Goulburn through increased adaptive reuse of a heritage building to provide motel accommodation in the centre.

The buildings for these uses will be compliant and up to date with all required services.

The proposal is centrally located and within easy walking distance of shopping, services & public transport.

The bulk and scale of the proposal is less than what is allowed, works with the existing bulk and scale but still seeks to optimize the potential of the site rather than under developing and sterilizing valuable land.

The proposal complies in all respects with the LEP and all respects with the DCP except car parking. Considering the central location, easy walking distance to all facilities and an underutilized council car park to the rear it is felt that this is not a significant issue and it is fair and reasonable to approve it in light of this.

The proposal will improve the amenity of the area through increased casual surveillance, lighting and security to the rear whilst improving the existing building stock and adding beneficially to it.

Given the merit of the design of the proposal and the absence of any significant adverse environmental impacts, the DA is considered to be in the public's interest and worthy of Council's support.

## **Appendix A – Compliance Table**

Table 1 – Goulburn Mulwaree Development Control Plan 2009

Control	Requirement	Comment	Compliance
<b>1 Preliminary</b>			
1.7 Variations to controls	Stage 1 no add. Spaces required	Rear underutilized public carpark facilitates	Y
	Car parking 7 additional spaces required above what is proposed		N
<b>2 Plan Objectives</b>			
2.1 General Development Objectives	Streetscape	Retains	Y
	Bulk & Scale	Within constraints	Y
	Density	Under maximum	Y
	Heights	Below maximum	Y
	Amenity	Improves	Y
2.2 Locality Objectives – Goulburn City	Economic viability	Increased floor space	Y
	Social values	Increased socio economic active	Y
	Heritage values	Retained & reinforced	Y
	Urban structure	Strengthened & improved	Y
	Views & vistas	No significant ones from site	Y
	Built form	Similar to surrounding	Y
	Public domain	Improved & enhanced	Y
	Access & movement	Improved & enhanced	Y
<b>3 General Development Controls</b>			
<b>3.1 European (non-indigenous heritage conservation)</b>			
3.1.3.3 Heritage requirements for development applications	Streetscape Preservation	Retained intact	Y
<b>3.3 Landscaping</b>			
3.3.1 Landscape Plan Design Requirements	Development proposals over \$250,000 value are to be accompanied by landscape plans prepared by a qualified landscape architect, designer or other suitable qualified person.	No landscaping required or proposed	N/A
3.3.3 Non-Residential development	All major non-residential developments require a landscape plan	No landscaping required or proposed	N/A

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<b>Control</b>	<b>Requirement</b>	<b>Comment</b>	<b>Compliance</b>
3.3.4 Streetscape (Urban)	For infill development that abuts an existing public street, the application should demonstrate how the development fits in with the existing streetscape and makes efficient use of the site.	No change to Auburn St streetscape or Goldsmith St façade. Modern extension of similar bulk & scale.	Y
3.3.5 Fences and gates (Urban)	Design fences to complement the architectural styles of the building and the local area.	Existing fencing removed as no longer necessary as building abuts boundary at basement level.	Y
3.3.6 Set backs	All setbacks are to be landscaped. No parking will be permitted within setback areas. In front setbacks for developments facing a classified road or a public place plant trees with a mature height of a least 8 metres. Trees must be a least 3 metres in height at the time of planting.	C3 Commercial Core No setbacks required No landscaping proposed	N/A
<b>3.4 Vehicular access and parking</b>			
3.4.1 Parking layout, servicing and manoeuvring	The layout and design of access, parking and service areas should address the needs of the site occupants and visitors as well as respecting the amenity of the area. Account should be taken of potential noise disturbance, pollution and light spillage.	Non compliances addressed as detailed in the statement	N
3.4.2 Specific land use requirements			
<b>3.5 Disability standards for access</b>			
3.5 Disability standards for access	To provide equitable access within all new developments and ensure that substantial building work carried out on or intensified use of existing buildings provides upgraded levels of access and facilities for all people.	New accessible parking requested to street. Existing entries upgraded to accessible requirements. New lift installed in building.	Y
<b>3.6 Crime prevention through environmental design</b>			

Control	Requirement	Comment	Compliance
3.6 Crime prevention through environmental design	<ul style="list-style-type: none"> <li>-Enhance and improve community safety within the Goulburn Mulwaree local government area;</li> <li>-create a physical environment that encourages a feeling of safety;</li> <li>-address community concerns with regard to issues of community safety and crime prevention;</li> <li>-reduce the level of crime within the Goulburn Mulwaree local government area;</li> <li>-prevent the opportunity for criminal activity; and</li> <li>-ensure that new developments promote CPTED</li> </ul>	<p>No change to Auburn St frontage</p> <p>Increased passive surveillance of street with residential uses.</p> <p>Increase in lighting and active street frontage to rear.</p>	Y
<b>3.8 Tree and vegetation preservation</b>			
3.8 Tree and vegetation preservation	The objective of these provisions is to preserve the amenity, biodiversity and ecology of the area through the preservation of trees and other vegetation.	No trees of significance on site.	Y
<b>3.11 Groundwater</b>			
3.11 Groundwater		No significant excavation proposed. Footing only no excavated basement.	Y
<b>3.14 Stormwater Pollution</b>			
3.14 Stormwater Pollution		Site runoff reduced.	Y
<b>3.15 Impacts on drinking water catchments</b>			
3.15 Impacts on drinking water catchments		Runoff water quality improved. Less sedimentation.	Y
<b>4 Principal development controls – Urban</b>			
<b>4.2 Non-residential development – Retail, Commercial and Industrial</b>			
4.2.1 Retail and Commercial (General)		Motel & café to upgrade existing building and provide needed uses within the commercial core.	Y

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Control	Requirement	Comment	Compliance
4.2.7 Noise and vibration – general requirements		Commercial & Motel uses permissible & compatible with surrounding area	Y
<b>6 Special development types</b>			
<b>6.4 Advertising and signage</b>			
<b>6.4.1 Amenity</b>		No signage proposed as part of this application.	N/A
<b>6.4.2 Design</b>			
<b>6.4.4 Design Assessment Criteria – SEPP 64 Advertising and Signage</b>			
<b>7 Engineering requirements</b>			
7.1 Utility services		All services existing & available on site.	Y
7.3 Drainage and Soil and Water management		Available and connected	Y
7.3.2 Water Sensitive Urban Design (Urban)			
7.3.3 Soil and water management			
<b>7.4 Site Specific Provisions</b>			
<b>8.6 Goulburn City Business District</b>			
8.6.2 Background context material			



# **TRAFFIC AND PARKING IMPACT ASSESSMENT OF A PROPOSED MOTEL DEVELOPMENT**

***253-255 Auburn Street in Goulburn***

## **Traffic and Parking Impact Report**

Prepared for: Peak Architecture

A1815972A (Version 1c)

March 2019

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## **1. INTRODUCTION**

Motion Traffic Engineers was commissioned by Peak Architecture to undertake a traffic and parking impact assessment of a proposed motel development at 253-255 Auburn Street in Goulburn. The site is at the corner of Auburn Street with Goldsmith Street and is currently an empty commercial dwelling.

This traffic report focuses on the proposed motel site and changes in car usage and car park utilisation and additional trips from the proposed development.

In the course of preparing this assessment, the subject site and its environs have been inspected, plans of the development examined, and all relevant traffic and parking data collected and analysed.

## **2. BACKGROUND AND EXISTING CONDITIONS OF THE PROPOSED LOCATION**

### **2.1 Location and Land Use**

The proposed motel is in the Goulburn Town Centre on Auburn Street. The immediate surrounding land uses are primarily commercial with residential land uses located in the north and the west.

Figures 1 and 2 show the location of the proposed motel from an aerial and street map perspective respectively.

Figure 3a and 3b show a photograph of the site from Auburn Street and Goldsmith Street respectively.



**Figure 1: Location of the Subject Site on Aerial**



**Figure 2: Street Map of the Location of the Proposed Development**

*Proposed Motel Development in Goulburn  
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**Figure 3a: Photograph of the site from Auburn Street**



**Figure 3b: Photograph of the site from Goldsmith Street**



## 2.2 Road Network

This section describes the roads near the proposed motel site.

Goldsmith Street is a collector road with one lane each way on a divided carriageway and a sign posted speed limit of 50km/hr. School zone is in effect north of Bourke Street from 8am to 9:30am and from 2:30pm to 4pm on school days which restricts the speed limit to 40km/hr. Time restricted (during business hours) on-street parking is permitted on both sides of the road near the development and time-unrestricted on street parking is permitted north of Bourke Street. Figure 4a shows a photograph of Goldsmith Street.

Auburn Street is a town centre road with one lane each way and a default speed limit of 40km/hr. Time restricted (during business hours) on-street parking is permitted on both sides of the road. There are high number of parking manoeuvres and pedestrians (across and along the footpath) during business hours. Figure 4b shows a photograph of Auburn Street.

Sloane Street is a collector road with one lane each way and a default speed limit of 50km/hr. Unrestricted on-street parking is permitted on both sides of the road. Figure 4c shows a photograph of Sloane Street.



Figure 4a: Goldsmith Street facing northwest





Figure 4b: Auburn Street facing northeast



Figure 4c: Sloane Street facing northeast

## 2.3 Public Parking Opportunities

The proposed motel is located in the Commercial Core land zone with time restricted (during business hours) on-street parking opportunities on Auburn Street and Goldsmith Street as well as unrestricted on street parking opportunities on Sloane Street.



There are a small number of vacant on street car spaces during the core business hours. A driver will need to circulate to find a vacant car space. This is typical of town centres during the core business hours.

There is a larger number of vacant car spaces outside of business hours where time restrictions do not apply to the on street car spaces and where many of the retail businesses with Goulburn Town Centre are closed.

## **2.4 Intersection Description**

As part of the traffic assessment, two intersections are assessed:

- Signalised intersection of Auburn Street with Goldsmith Street
- Roundabout intersection of Sloane Street with Goldsmith Street

External traffic travelling to and from the proposed motel site will most likely need to travel through one of the above intersections.

The signalised intersection of Auburn Street with Goldsmith Street is a four-leg intersection with all turn movements permitted. Pedestrian crossings are provided on all approaches. Figure 5 presents the layout of this intersection using SIDRA – an industry standard intersection assessment software. The numbers on the short lanes indicate the length of the lanes in metres.

The roundabout intersection of Sloane Street with Goldsmith Street is a three-leg intersection with all turn movements permitted. The roundabout has one circulating lane. Figure 6 presents the layout of this intersection using SIDRA. The numbers on the island represent the diameter of the island in metres.

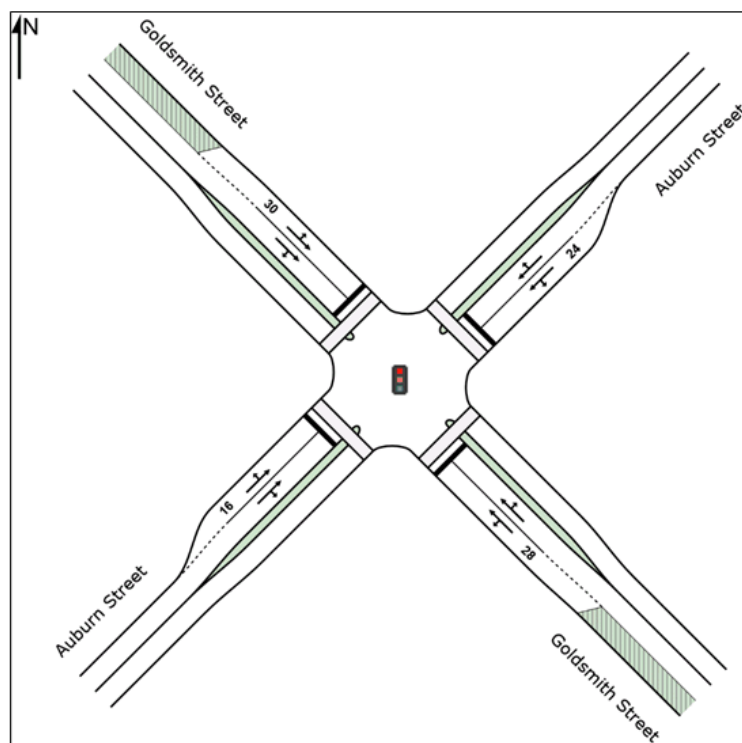


Figure 5: Signalised intersection of Auburn Street with Goldsmith Street (SIDRA)



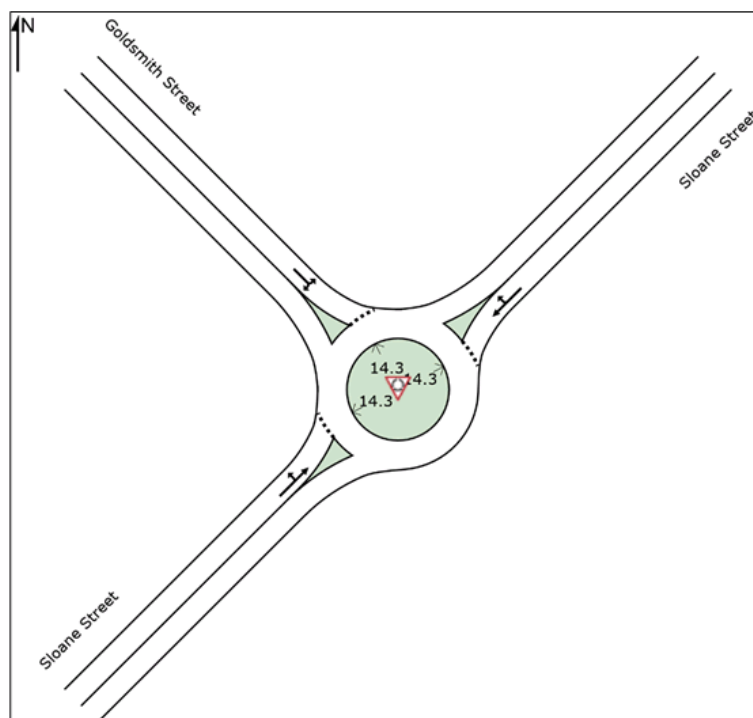


Figure 6: Roundabout intersection of Sloane Street with Goldsmith Street (SIDRA)

## 2.5 Existing Traffic Volumes

As part of the traffic assessment, traffic counts have been undertaken at the two intersections for the weekday AM and PM peak hours. The weekday AM and PM peak hours are from 8am to 9am and 4pm to 5pm respectively. The traffic surveys were undertaken on a weekday in November 2018.

The following figures present the traffic volumes in vehicles for the weekday AM and PM peak hours.

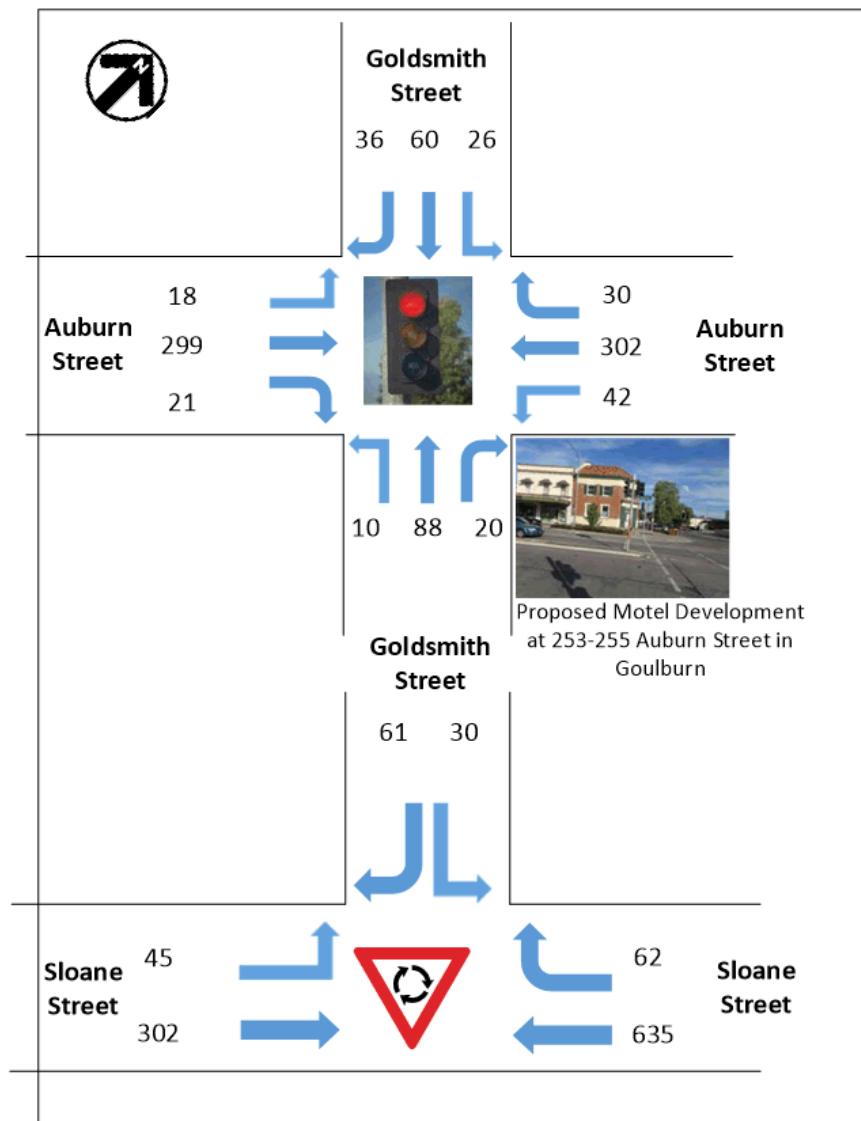


Figure 7: Existing Weekday Traffic Volumes AM Peak Hour

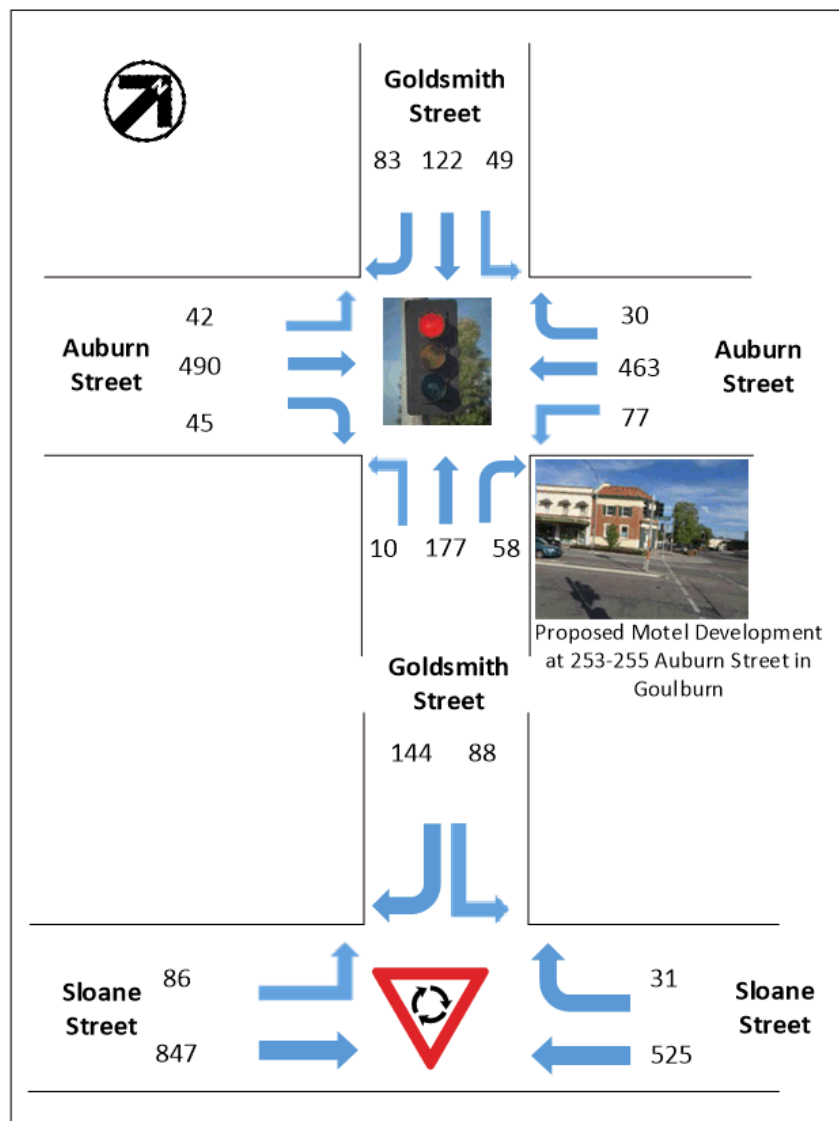


Figure 8: Existing Weekday Traffic Volumes PM Peak Hour



## 2.6 Intersection Assessment

An intersection assessment has been undertaken for the two surveyed intersections:

- Signalised intersection of Auburn Street with Goldsmith Street
- Roundabout intersection of Sloane Street with Goldsmith Street

The existing intersection operating performance was assessed using the SIDRA software package (version 8) to determine the Degree of Saturation (DS), Average Delay (AVD in seconds) and Level of Service (LoS) at each intersection. The SIDRA program provides Level of Service Criteria Tables for various intersection types. The key indicator of intersection performance is Level of Service, where results are placed on a continuum from 'A' to 'F', as shown in Table 1.

LoS	Traffic Signal / Roundabout	Give Way / Stop Sign / T-Junction control
A	Good operation	Good operation
B	Good with acceptable delays and spare capacity	Acceptable delays and spare capacity
C	Satisfactory	Satisfactory, but accident study required
D	Operating near capacity	Near capacity & accident study required
E	At capacity, at signals incidents will cause excessive delays.	At capacity, requires other control mode
F	Unsatisfactory and requires additional capacity, Roundabouts require other control mode	At capacity, requires other control mode

**Table 1: Intersection Level of Service**

The Average Vehicle Delay (AVD) provides a measure of the operational performance of an intersection as indicated below, which relates AVD to LoS. The AVD's should be taken as a guide only as longer delays could be tolerated in some locations (i.e. inner-city conditions) and on some roads (i.e. minor side street intersecting with a major arterial route). For traffic signals, the average delay over all movements should be taken. For roundabouts and priority control intersections (sign control) the critical movement for level of service assessment should be that movement with the highest average delay.



LoS	Average Delay per Vehicles (seconds/vehicle)
A	Less than 14
B	15 to 28
C	29 to 42
D	43 to 56
E	57 to 70
F	>70

**Table 2: Intersection Average Delay (AVD)**

The degree of saturation (DS) is another measure of the operational performance of individual intersections. For intersections controlled by traffic signals both queue length and delay increase rapidly as DS approaches 1. It is usual to attempt to keep DS to less than 0.9. Degrees of Saturation in the order of 0.7 generally represent satisfactory intersection operation. When DS exceed 0.9 queues can be anticipated.

The results of the intersection analysis are as follows:

Signalised intersection of Auburn Street with Goldsmith Street

- The intersection has an overall LoS C for both AM and PM peak hours
- There is spare capacity at this intersection

Roundabout intersection of Sloane Street with Goldsmith Street

- The overall intersection LoS is A for both peak hours
- There is spare capacity at this intersection

The full SIDRA results are presented in Appendix A.

## 2.7 Public Transport

The nearest bus stop to the development is 56 metres away on Auburn Street. This bus stop is serviced by bus routes 821A and 821B. These provide access to nearby suburbs including Ifield, Crestwood, Kenmore, Bradfordville, and North Goulburn. Figure 9 shows the public transport services map with reference to the site.

For visitor travelling to and from Sydney and Canberra, there are coach services as well as trains at the Goulburn Station which is located at 930 metres away.

Overall the site has good access to public transport.



Figure 9: Bus Routes 821A and 821B Map with reference to the site





## 2.8 Conclusions on the Existing Conditions

The proposed motel site is located in the commercial core area where there are car parking opportunities on a weekday on Sloane Street nearby.

The nearby intersections perform well with sufficient spare capacity to accommodate additional traffic.

The site has good access to public transport.



### 3. PROPOSED MOTEL DEVELOPMENT

The proposed motel development has details as follows:

- Three two-bedroom apartments
- 22 rooms with ensuite including two accessible rooms including three two-bed suits
- A café with a Gross Floor Area (GFA) of 79.37 m<sup>2</sup>
- The development has a Gross Floor Area of 839.49 m<sup>2</sup>

Car parking is provided on the basement level with vehicle access and egress via Goldsmith Street.

The car parking areas have the following details:

- A total of three car spaces
- A drop off zone

A full scaled plan of the proposed motel development is provided as part of the Development Application. Scaled measurements should use these plans.



## 4. CAR PARKING CONSIDERATIONS

### 4.1 Goulburn Mulwaree Council's Planning Scheme

The car parking requirements for a motel are presented in *Goulburn Mulwaree Council's Development Control Plan 2009* with the car parking rates as follows as it applies to the proposed development:

#### Motel

- One car space for each unit
- One car space per two employees
- One car space per 40m<sup>2</sup> of restaurant's Gross Floor Area

It is assumed that the motel will employ four staffs. Table 3 summaries that car parking requirement and provision for the proposed motel development:

Land Use	Number of Units	Car Parking Rate	Car Spaces Required	Car Spaces Provided
Motel	22	1	22	3
	Number of Staffs	Car Parking Rate	Car Spaces Required	
	4	0.5	2	
Land Use	GFA (m <sup>2</sup> )	Car Parking Rate	Car Spaces Required	3
Café	79.37	1 space per 40m <sup>2</sup> GFA	2	
		Total	26	

Table 3: Car Parking Requirement Versus Provision

### 4.2 Adequacy of Car Parking Requirement

The proposed motel provides three car spaces (including a proposed on-street disabled space) versus 26 spaces required. Therefore, the proposed motel does not comply with Council's car parking requirement.

However, it is noted that the existing commercial building has a Gross Floor Area of 565.5 m<sup>2</sup> and Council's Development Control Plan stipulates that 15 car spaces would be required with the rate of 1 car space per 40 m<sup>2</sup> for commercial premises. Given that the existing site only provides two car spaces, there is a shortfall of thirteen car spaces. Adopting the shortfall of car spaces of the existing development, the proposed motel is ten car spaces short of meeting Council's requirement.



It is also noted that the development is located in the town centre/commercial area where there are on street parking opportunities nearby street.

Guests staying overnight at the motel can easily find a vacant car space on-street after 6pm where many of the nearby retail and able to park without a fine to 9:30am on the following day (for one hour parking restrictions beginning from 8:30am).

Short term parking can be found during business hours but a driver will need to circulate.

Most motel tenants will only need to park overnight before travelling onwards to other areas (such as Sydney or Canberra).

During the day there would be low parking demand as most other motels show with about ten percent of tenant car spaces occupied between 9am and 4pm and hence there would be low reliance of public parking spaces during business hours.



## 5. VEHICLE TRAFFIC IMPACT CONSIDERATIONS

### 5.1 Traffic Generation

*“The NSW RTA Guide to Traffic Generating Development”* publishes trip generation rates for motels as follows:

- 0.4 trips during weekday peak hours

Table 4 presents the estimated weekday peak hour trips.

Peak Hour	Use	Number of Units	Trip Generation Rate	Trip Generated
AM	Motel	26	0.4	11
PM			0.4	11

**Table 4: Trips Generated by the Proposed Motel Development in the Weekday Peak Hours**

The existing dwelling is currently empty and does not generate any traffic.

Table 5 presents the trip distribution for the proposed motel. The generated trips in the peak hours are modest.

Peak Hour	Origin	Destination	Total
AM	9	2	11
PM	2	9	11

**Table 5: Trip Distributions in the Weekday Peak Hours**

### 5.2 Traffic Volumes

The additional development trips are assigned onto the local traffic network. The following figures present the existing with the development trips (in red for origin trips and blue for destination trips) for the weekday AM and PM peak hours respectively.

The additional development trips represent a small proportion of the existing traffic volumes.

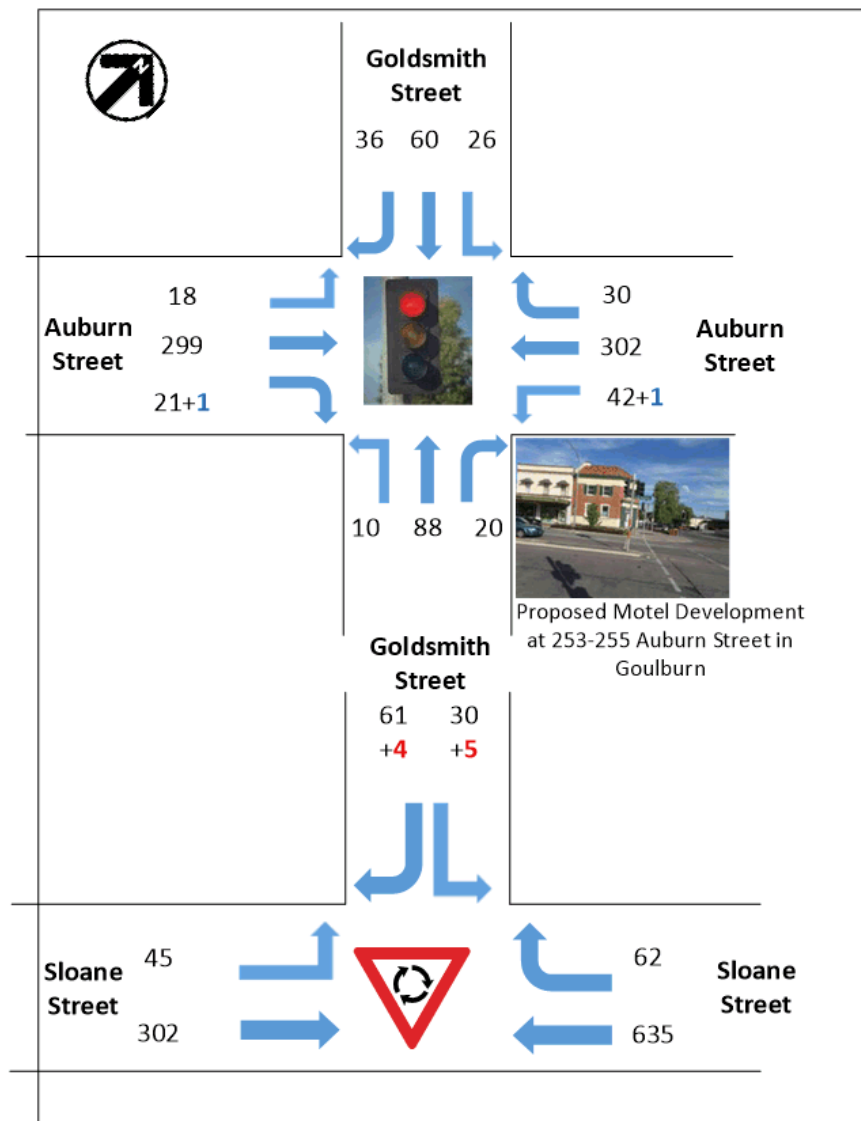


Figure 10: Weekday AM Peak Hour Traffic Volumes (Development Origin Trips in Red and Destination Trips in Blue)



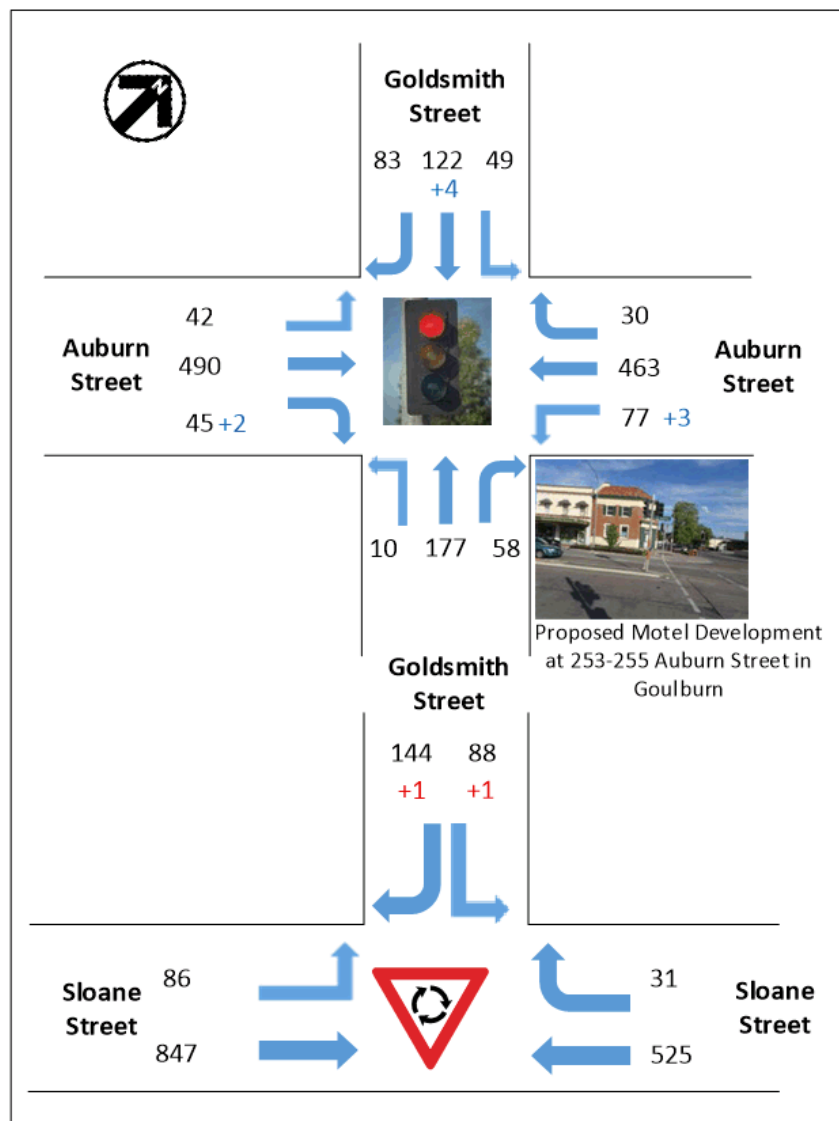


Figure 11: Weekday PM Peak Hour Traffic Volumes (Development Origin Trips in Red and Destination Trips in Blue)



### 5.3 Intersection Assessment

An intersection assessment has been undertaken for the two nearby intersections.

The results of the intersection analysis are as follows for the weekday AM and PM peak hours:

#### Signalised intersection of Auburn Street with Goldsmith Street

- The intersection has an overall LoS C for both AM and PM peak hours.
- The additional trips do not change the LoS of any turn movements or the overall intersection

#### Roundabout intersection of Sloane Street with Goldsmith Street

- The overall intersection LoS is A for both peak hours
- The additional trips do not change the LoS of any turn movements or the overall intersection

The full SIDRA results with the Motel Traffic are presented in Appendix B. The existing conditions are presented in Appendix A.



## 6. CONCLUSIONS

Based on the considerations presented in this report, it is considered that:

### *Parking*

The proposed motel provides three car spaces (including a proposed on-street disabled space) versus 26 spaces required. Therefore, the proposed motel does not comply with Council's car parking requirement.

However, it is noted that the existing commercial building has a Gross Floor Area of 565.5 m<sup>2</sup> and Council's Development Control Plan stipulates that 15 car spaces would be required with the rate of 1 car space per 40 m<sup>2</sup> for commercial premises. Given that the existing site only provides two car spaces, there is a shortfall of thirteen car spaces. Adopting the shortfall of car spaces of the existing development, the proposed motel is ten car spaces short of meeting Council's requirement.

Guests staying overnight at the motel can easily find a vacant car space on street after 6pm where many of the nearby retail and able to park without a fine to 9:30am on the following day (for one-hour parking restrictions beginning from 8:30am).

Short term parking can be found during business hours but a driver will need to circulate.

Most motel tenants will only need to park overnight before travelling onwards to other areas (such as Sydney or Canberra).

During the day there would be low parking demand as most other motels show with about ten percent of tenant car spaces occupied between 9am and 4pm and hence there would be low reliance of public parking spaces during business hours.



*Traffic*

- The proposed motel is a low trip generator for the weekday AM and PM peak hours.
- The additional trips from the proposed motel can be accommodated at the nearby intersections and road network without noticeably affecting intersection performance, delays or queues.
- There are no traffic engineering reasons why a planning consent for the proposed motel development at 253-255 Auburn Street in Goulburn, should be refused.



## APPENDIX A

### ***SIDRA Intersection Results for Existing Traffic Conditions***

Movement Performance - Vehicles											
Mov ID	Turn	Demand Flows Total veh/h	Deg. Satn HV % v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Queue Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
SouthEast: Goldsmith Street											
1	L2	11	0.0 0.077	20.1	LOS B	0.4	2.8	0.89	0.65	0.89	26.9
2	T1	93	0.0 0.387	17.9	LOS B	2.0	13.8	0.94	0.73	0.94	26.8
3	R2	21	0.0 0.387	21.5	LOS B	2.0	13.8	0.94	0.74	0.94	26.9
Approach		124	0.0 0.387	18.7	LOS B	2.0	13.8	0.93	0.72	0.93	26.8
NorthEast: Auburn Street											
4	L2	44	0.0 0.114	13.9	LOS A	1.0	6.9	0.73	0.64	0.73	30.3
5	T1	318	0.0 0.568	12.5	LOS A	5.5	38.6	0.87	0.74	0.87	29.6
6	R2	32	0.0 0.568	16.1	LOS B	5.5	38.6	0.88	0.75	0.88	29.8
Approach		394	0.0 0.568	13.0	LOS A	5.5	38.6	0.85	0.73	0.85	29.7
NorthWest: Goldsmith Street											
7	L2	27	0.0 0.098	20.3	LOS B	0.5	3.4	0.89	0.69	0.89	26.3
8	T1	63	0.0 0.409	18.2	LOS B	2.0	13.7	0.95	0.74	0.95	26.4
9	R2	38	0.0 0.409	21.7	LOS B	2.0	13.7	0.95	0.74	0.95	26.1
Approach		128	0.0 0.409	19.7	LOS B	2.0	13.7	0.93	0.73	0.93	26.3
SouthWest: Auburn Street											
10	L2	19	0.0 0.103	13.9	LOS A	0.9	6.3	0.73	0.59	0.73	30.7
11	T1	315	0.0 0.517	12.1	LOS A	4.8	33.8	0.84	0.70	0.84	29.9
12	R2	22	0.0 0.517	15.8	LOS B	4.8	33.8	0.85	0.72	0.85	29.8
Approach		356	0.0 0.517	12.4	LOS A	4.8	33.8	0.83	0.70	0.83	30.0
All Vehicles		1002	0.0 0.568	14.3	LOS A	5.5	38.6	0.87	0.72	0.87	28.9

**Table A1: Signalised Intersection Performance of Auburn Street with Goldsmith Street Weekday AM Peak Hour Existing Conditions**



**Movement Performance - Vehicles**

Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
NorthEast: Sloane Street												
5	T1	563	0.0	0.444	3.6	LOS A	3.6	25.2	0.30	0.42	0.30	43.9
6	R2	65	0.0	0.444	7.5	LOS A	3.6	25.2	0.30	0.42	0.30	44.0
Approach		628	0.0	0.444	4.0	LOS A	3.6	25.2	0.30	0.42	0.30	43.9
NorthWest: Goldsmith Street												
7	L2	32	0.0	0.095	4.9	LOS A	0.5	3.4	0.47	0.63	0.47	39.9
9	R2	64	0.0	0.095	8.7	LOS A	0.5	3.4	0.47	0.63	0.47	41.0
Approach		96	0.0	0.095	7.4	LOS A	0.5	3.4	0.47	0.63	0.47	40.6
SouthWest: Sloane Street												
10	L2	47	0.0	0.267	3.6	LOS A	1.6	11.5	0.24	0.40	0.24	42.8
11	T1	318	0.0	0.267	3.6	LOS A	1.6	11.5	0.24	0.40	0.24	44.7
Approach		365	0.0	0.267	3.6	LOS A	1.6	11.5	0.24	0.40	0.24	44.5
All Vehicles		1089	0.0	0.444	4.2	LOS A	3.6	25.2	0.29	0.43	0.29	43.8

**Table A2: Roundabout Intersection Performance of Sloane Street with Goldsmith Street Weekday AM Peak Hour Existing Conditions**

**Movement Performance - Vehicles**

Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
SouthEast: Goldsmith Street												
1	L2	11	0.0	0.172	23.0	LOS B	1.3	9.1	0.88	0.67	0.88	26.0
2	T1	186	0.0	0.861	27.8	LOS B	5.9	41.3	0.97	1.01	1.41	22.8
3	R2	61	0.0	0.861	34.2	LOS C	5.9	41.3	1.00	1.13	1.61	21.9
Approach		258	0.0	0.861	29.1	LOS C	5.9	41.3	0.97	1.02	1.44	22.7
NorthEast: Auburn Street												
4	L2	81	0.0	0.172	14.7	LOS B	2.0	14.2	0.70	0.65	0.70	29.8
5	T1	487	0.0	0.858	23.5	LOS B	13.6	94.9	0.93	1.08	1.28	24.3
6	R2	32	0.0	0.858	28.1	LOS B	13.6	94.9	0.95	1.12	1.34	24.2
Approach		600	0.0	0.858	22.6	LOS B	13.6	94.9	0.90	1.02	1.21	24.9
NorthWest: Goldsmith Street												
7	L2	52	0.0	0.202	23.2	LOS B	1.5	10.5	0.89	0.71	0.89	25.4
8	T1	128	0.0	1.011	58.4	LOS E	9.0	63.2	0.99	1.49	2.40	15.5
9	R2	87	0.0	1.011	67.7	LOS E	9.0	63.2	1.00	1.60	2.63	14.2
Approach		267	0.0	1.011	54.7	LOS D	9.0	63.2	0.97	1.38	2.18	16.3
SouthWest: Auburn Street												
10	L2	44	0.0	0.194	14.8	LOS B	2.4	16.5	0.70	0.61	0.70	30.1
11	T1	516	0.0	0.969	41.8	LOS C	19.1	133.8	0.93	1.40	1.76	18.7
12	R2	47	0.0	0.969	52.3	LOS D	19.1	133.8	0.98	1.58	2.01	17.1
Approach		607	0.0	0.969	40.6	LOS C	19.1	133.8	0.92	1.35	1.70	19.1
All Vehicles		1733	0.0	1.011	34.8	LOS C	19.1	133.8	0.93	1.19	1.57	20.7

**Table A3: Signalised Intersection Performance of Auburn Street with Goldsmith Street Weekday PM Peak Hour Existing Conditions**



Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	of Queue Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
NorthEast: Sloane Street												
5	T1	553	0.0	0.486	4.3	LOS A	4.2	29.6	0.53	0.51	0.53	42.6
6	R2	33	0.0	0.486	8.2	LOS A	4.2	29.6	0.53	0.51	0.53	42.8
Approach		585	0.0	0.486	4.5	LOS A	4.2	29.6	0.53	0.51	0.53	42.6
NorthWest: Goldsmith Street												
7	L2	93	0.0	0.406	11.7	LOS A	2.9	20.4	0.87	0.97	0.95	34.2
9	R2	152	0.0	0.406	15.5	LOS B	2.9	20.4	0.87	0.97	0.95	34.8
Approach		244	0.0	0.406	14.0	LOS A	2.9	20.4	0.87	0.97	0.95	34.6
SouthWest: Sloane Street												
10	L2	91	0.0	0.634	3.5	LOS A	7.5	52.5	0.28	0.37	0.28	42.5
11	T1	892	0.0	0.634	3.5	LOS A	7.5	52.5	0.28	0.37	0.28	44.4
Approach		982	0.0	0.634	3.5	LOS A	7.5	52.5	0.28	0.37	0.28	44.2
All Vehicles		1812	0.0	0.634	5.3	LOS A	7.5	52.5	0.44	0.50	0.45	42.1

**Table A4: Roundabout Intersection Performance of Sloane Street with Goldsmith Street Weekday PM Peak Hour Existing Conditions**





## APPENDIX B

### ***SIDRA Intersection Results for Existing and Motel Traffic Conditions***

Movement Performance - Vehicles											
Mov ID	Turn	Demand Flows Total veh/h	Deg. Satn HV %	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	of Queue Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
SouthEast: Goldsmith Street											
1	L2	11	0.0 0.077	20.1	LOS B	0.4	2.8	0.89	0.65	0.89	26.9
2	T1	93	0.0 0.387	17.9	LOS B	2.0	13.8	0.94	0.73	0.94	26.8
3	R2	21	0.0 0.387	21.5	LOS B	2.0	13.8	0.94	0.74	0.94	26.9
Approach		124	0.0 0.387	18.7	LOS B	2.0	13.8	0.93	0.72	0.93	26.8
NorthEast: Auburn Street											
4	L2	45	0.0 0.114	13.9	LOS A	1.0	6.9	0.73	0.64	0.73	30.3
5	T1	318	0.0 0.569	12.5	LOS A	5.5	38.7	0.87	0.74	0.87	29.6
6	R2	32	0.0 0.569	16.2	LOS B	5.5	38.7	0.88	0.75	0.88	29.8
Approach		395	0.0 0.569	13.0	LOS A	5.5	38.7	0.85	0.73	0.85	29.7
NorthWest: Goldsmith Street											
7	L2	27	0.0 0.098	20.3	LOS B	0.5	3.4	0.89	0.69	0.89	26.3
8	T1	63	0.0 0.409	18.2	LOS B	2.0	13.7	0.95	0.74	0.95	26.4
9	R2	38	0.0 0.409	21.7	LOS B	2.0	13.7	0.95	0.74	0.95	26.1
Approach		128	0.0 0.409	19.7	LOS B	2.0	13.7	0.93	0.73	0.93	26.3
SouthWest: Auburn Street											
10	L2	19	0.0 0.104	13.9	LOS A	0.9	6.4	0.73	0.59	0.73	30.7
11	T1	315	0.0 0.520	12.1	LOS A	4.8	33.9	0.84	0.70	0.84	29.9
12	R2	23	0.0 0.520	15.8	LOS B	4.8	33.9	0.86	0.72	0.86	29.8
Approach		357	0.0 0.520	12.4	LOS A	4.8	33.9	0.83	0.70	0.83	30.0
All Vehicles		1004	0.0 0.569	14.3	LOS A	5.5	38.7	0.87	0.72	0.87	28.9

**Table B1: Signalised Intersection Performance of Auburn Street with Goldsmith Street Weekday AM Peak Hour Existing Conditions with Motel Traffic**



**Movement Performance - Vehicles**

Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
NorthEast: Sloane Street												
5	T1	668	0.0	0.518	3.7	LOS A	4.7	32.7	0.34	0.42	0.34	43.6
6	R2	65	0.0	0.518	7.5	LOS A	4.7	32.7	0.34	0.42	0.34	43.8
Approach		734	0.0	0.518	4.1	LOS A	4.7	32.7	0.34	0.42	0.34	43.7
NorthWest: Goldsmith Street												
7	L2	37	0.0	0.104	4.9	LOS A	0.5	3.8	0.47	0.63	0.47	40.0
9	R2	68	0.0	0.104	8.7	LOS A	0.5	3.8	0.47	0.63	0.47	41.0
Approach		105	0.0	0.104	7.4	LOS A	0.5	3.8	0.47	0.63	0.47	40.6
SouthWest: Sloane Street												
10	L2	47	0.0	0.267	3.6	LOS A	1.7	11.6	0.24	0.40	0.24	42.8
11	T1	318	0.0	0.267	3.6	LOS A	1.7	11.6	0.24	0.40	0.24	44.7
Approach		365	0.0	0.267	3.6	LOS A	1.7	11.6	0.24	0.40	0.24	44.4
All Vehicles		1204	0.0	0.518	4.2	LOS A	4.7	32.7	0.32	0.43	0.32	43.6

**Table B2: Roundabout Intersection Performance of Sloane Street with Goldsmith Street Weekday AM Peak Hour Existing Conditions with Motel Traffic**

**Movement Performance - Vehicles**

Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
SouthEast: Goldsmith Street												
1	L2	11	0.0	0.164	25.5	LOS B	1.6	11.1	0.86	0.67	0.86	24.9
2	T1	186	0.0	0.821	30.1	LOS C	6.6	45.9	0.96	0.94	1.25	22.0
3	R2	61	0.0	0.821	36.8	LOS C	6.6	45.9	1.00	1.05	1.41	21.1
Approach		258	0.0	0.821	31.5	LOS C	6.6	45.9	0.97	0.95	1.27	21.9
NorthEast: Auburn Street												
4	L2	84	0.0	0.171	16.0	LOS B	2.5	17.2	0.68	0.64	0.68	29.1
5	T1	487	0.0	0.857	26.3	LOS B	15.6	108.9	0.92	1.03	1.21	23.2
6	R2	32	0.0	0.857	31.2	LOS C	15.6	108.9	0.94	1.07	1.27	23.1
Approach		603	0.0	0.857	25.1	LOS B	15.6	108.9	0.89	0.98	1.14	23.9
NorthWest: Goldsmith Street												
7	L2	52	0.0	0.190	25.7	LOS B	1.8	12.6	0.87	0.71	0.87	24.5
8	T1	133	0.0	0.948	44.4	LOS D	8.3	58.4	0.98	1.25	1.80	18.1
9	R2	87	0.0	0.948	51.8	LOS D	8.3	58.4	1.00	1.34	1.97	16.9
Approach		272	0.0	0.948	43.2	LOS D	8.3	58.4	0.97	1.17	1.68	18.6
SouthWest: Auburn Street												
10	L2	44	0.0	0.195	16.1	LOS B	2.9	20.2	0.69	0.60	0.69	29.3
11	T1	516	0.0	0.974	47.0	LOS D	21.8	152.4	0.92	1.35	1.65	17.5
12	R2	49	0.0	0.974	59.3	LOS E	21.8	152.4	0.98	1.55	1.90	15.8
Approach		609	0.0	0.974	45.8	LOS D	21.8	152.4	0.91	1.32	1.60	17.9
All Vehicles		1742	0.0	0.974	36.1	LOS C	21.8	152.4	0.92	1.12	1.41	20.3

**Table B3: Signalised Intersection Performance of Auburn Street with Goldsmith Street Weekday PM Peak Hour Existing Conditions with Motel Traffic**



Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	of Queue Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
NorthEast: Sloane Street												
5	T1	553	0.0	0.486	4.3	LOS A	4.2	29.6	0.53	0.51	0.53	42.6
6	R2	33	0.0	0.486	8.2	LOS A	4.2	29.6	0.53	0.51	0.53	42.8
Approach		585	0.0	0.486	4.5	LOS A	4.2	29.6	0.53	0.51	0.53	42.6
NorthWest: Goldsmith Street												
7	L2	94	0.0	0.410	11.8	LOS A	3.0	20.7	0.87	0.97	0.96	34.2
9	R2	153	0.0	0.410	15.6	LOS B	3.0	20.7	0.87	0.97	0.96	34.7
Approach		246	0.0	0.410	14.1	LOS A	3.0	20.7	0.87	0.97	0.96	34.5
SouthWest: Sloane Street												
10	L2	91	0.0	0.634	3.5	LOS A	7.5	52.5	0.28	0.37	0.28	42.5
11	T1	892	0.0	0.634	3.5	LOS A	7.5	52.5	0.28	0.37	0.28	44.4
Approach		982	0.0	0.634	3.5	LOS A	7.5	52.5	0.28	0.37	0.28	44.2
All Vehicles		1814	0.0	0.634	5.3	LOS A	7.5	52.5	0.44	0.50	0.45	42.1

**Table B4: Roundabout Intersection Performance of Sloane Street with Goldsmith Street Weekday PM Peak Hour Existing Conditions with Motel Traffic**



## 14.2 ROAD NAMING - DA/0183/1718, 131 MARYS MOUNT ROAD GOULBURN (TENERIFFE)

**Author:** Ryan Gill, Development Assessment Officer

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. **Plan of proposed road naming - 131 Marys Mount Road, Goulburn**



<b>DA Number:</b>	DA/0183/1718
<b>Address:</b>	131 Marys Mount Road, Goulburn
<b>Proposal Description:</b>	<p>Staged subdivision of land and associated civil work and landscaping comprising:</p> <p>Stage 1 - 2 lot subdivision and Right of Way (<i>Complete</i>)</p> <p>Stage 2 - 388 residential lots and associated works</p>

### RECOMMENDATION

That:

- The report on Road Naming for the consent DA/0183/1718 for staged subdivision of land comprising a 2 lot subdivision and Right of Way for Stage 1, and 388 residential lots subdivision for Stage 2 at 131 Marys Mount Road Goulburn (formally 133 Marys Mount Road, Goulburn) be received.
- Council endorse the following proposed road name which will then be publicly exhibited for 15 days and consultation undertaken with prescribed authorities in accordance with clause 7 of the *Roads Regulation 2008*:
  - Road 7 Nell Way – Dick Nell, known in the Goulburn motorcycle community engineer and aviator from Goulburn.***
- Should no objections to the proposed names be received, Council proceed with the name listed above and undertake the necessary notices to the public and prescribed authorities in accordance with clause 9 of the *Roads Regulation 2008*.

### BACKGROUND

Development Application DA/0182/1617 for a staged subdivision of land comprising a two (2) lot subdivision and right of way for Stage 1, and 388 residential lots subdivision for Stage 2 at 133 Marys Mount Road, Goulburn was approved by Council on 28 September 2018. Stage 1 has been completed and the development lot is now 131 Marys Mount Road, Goulburn. Condition No. 73 of the development consent requires proposed road names to be in accordance with the *Goulburn Mulwaree Pre-Approved Names List for Roads and Places*. If the proposed road names are not on the pre-approved list, the applicant is required to make a written request to Council.

The request must then be considered at a Council meeting. If Council resolves to endorse the proposed road names, the proposal must then be endorsed by the Geographical Names Board (GNB) of NSW.

At its meeting held 7 May 2019, Council considered a report in relation to the proposed road names for the subject subdivision development where Roads 1-6 and Roads 8-9 were endorsed by Council.

However, Council did not endorse Road 7 (Lazenby Way) and instead resolved that a new name (one which is not after a living person) be put forward by the developer. The suggested name is addressed in this report and meets the request of the 7 May 2019 resolution.

## REPORT

The attached plan referred to in this report indicates the proposed new road name being Nell Way and the eight names that have been endorsed by Council on 7 May 2019. Of the names proposed, none are included in the pre-approved list, therefore Council's endorsement is being sought.

The applicant has submitted the following proposed name as it is appropriate for the theme based on the motorcycle history of Goulburn.

Road	Proposed Name	Background
7	Nell Way	Nell Way is the family name of the late Dick Nell, a local aviator who flew Tiger Moth planes, a local adventurer and engineer. Mr Nell was also involved in the Goulburn motorcycle community which included the late Mr Phillip Roebuck

The proposed name is appropriate given it is:

- Unique within the Goulburn Mulwaree Council areas and adjacent local government areas;
- Thematic names for roads in this subdivision;
- Are appropriate to the cultural character of the area;
- Their origin is stated as a theme of recognition of the motorcycle racing history, famous persons of Goulburn and items that are associated with the previous property;
- Do not refer to living persons; and
- Are not offensive or likely to give offence, incongruous or out of place nor refer to a commercial entity or company.

Should Council agree to the proposed road name, the name is required to be exhibited in the local newspaper and referred to the prescribed authorities in accordance with the Roads Regulation 2008. An exhibition period of fourteen (14) days will enable members of the public and the prescribed authorities to make submissions to Council as the roads authority.

If any submissions in the form of an objection be received, the matter will be reported back to Council.

If Council is supportive of this recommendation then approval by the Geographic Names Board will be required.

## FINANCIAL IMPLICATIONS

The cost of the advertising and notification is minimal and will be met by Council.

## LEGAL IMPLICATIONS

Nil







### 14.3 PLANNING PROPOSAL TO REMOVE CEMETERIES IN E2 AND E3 ZONES - POST EXHIBITION REPORT

**Author:** Kate Wooll, Business Manager Strategic Planning

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** Nil

<b>Link to Community Strategic Plan:</b>	Strategy EN1 – Protect and enhance the existing natural environment, including flora and fauna native to the region. Strategy EN2 - Adopt environmental sustainability practices. Strategy EN3 - Protect and rehabilitate waterways and catchments. Strategy EN4 - Maintain a balance between growth, development and environmental protection through sensible planning.
<b>Cost to Council:</b>	Nil
<b>Use of Reserve Funds:</b>	Nil

#### RECOMMENDATION

That:

1. The post exhibition report from the Business Manager Strategic Planning concerning the removal of cemeteries as a permissible use within the E2 and E3 zones be received.
2. Council endorse the current Planning Proposal to amend the *Goulburn Mulwaree Local Environmental Plan 2009* to:
  - a) *remove Cemeteries as being 'Permissible with Consent' in Zones E2 Environmental Conservation and E3 Environmental Management and;*
  - b) *include Cemeteries as an additional permitted use for the Bungonia (Lot 1 DP 89405 and Lot 2 DP 1130082) and Tallong (Lot 7312 DP 1145878) Cemeteries in Schedule 1 of the Goulburn Mulwaree LEP 2009.*
3. A Draft Instrument be prepared that is consistent with the above amendment.
4. The Planning Proposal and relevant documentation be forwarded to the Department of Planning and Environment for making as soon as possible.

#### BACKGROUND

Council at its meeting of 21 August 2018, resolved to prepare a planning proposal to remove the permissibility of cemeteries from the E2 Environmental Conservation and E3 Environmental Management zones whilst identifying two historical cemeteries at Bungonia and Tallong within the additional permissible uses schedule to facilitate their continued operation as follows:

1. *The report from the Graduate Strategic Planner on the definition of Cemeteries be received.*
2. *Council staff draft a Planning Proposal amend the Goulburn Mulwaree Local Environmental Plan 2009 to:*
  - a) *remove Cemeteries as being 'Permissible with Consent' in Zones E2 Environmental Conservation and E3 Environmental Management and;*
  - b) *include Cemeteries as an additional permitted use for the Bungonia (Lot 1 DP 89405 and Lot 2 DP 1130082) and Tallong (Lot 7312 DP 1145878) Cemeteries in Schedule 1 of the Goulburn Mulwaree LEP 2009.*

3. *The Planning Proposal once drafted - be submitted to the Minister of NSW Planning & 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 NSW Planning & 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.*

The Planning Proposal seeks to amend Goulburn Mulwaree LEP 2009 as outlined in Table 1:

Amendment Proposed	Rationale
Remove <i>Cemeteries</i> as being 'Permissible with Consent' in Zones E2 Environmental Conservation and E3 Environmental Management.	<p>This has the desired outcome of prohibiting Cemeteries from land zoned for its environmental sensitivities. This will protect environmental values from potentially incompatible land uses.</p> <p>While the judgement referred to in the Council Report of 21 August 2018 referred to land zoned E3 Environmental Management, E2 Environmental Conservation Zones also allow for cemeteries as a permissible use. The E2 Environmental Conservation zone is generally considered to be land of higher environmental value therefore Council considered it a reasonable approach to extend the prohibition of cemeteries to both the E2 Environmental Conservation and E3 Environmental Management zones.</p>
Include <i>Cemeteries</i> as an additional permitted use for the Bungonia (Lot 1 DP 89405 and Lot 2 DP 1130082) and Tallong (Lot 7312 DP 1145878) Cemeteries in Schedule 1.	<p>Prohibiting cemeteries in the E3 Environmental Management zone could cause a potential issue for operational cemeteries in the E3 Environmental Management Zone.</p> <p>Two operational cemeteries have been identified in the E3 Environmental Management zone; Bungonia (Lot 1 DP 89405 and Lot 2 DP 1130082) and Tallong (Lot 7312 DP 1145878). It is noted that these cemeteries may be able to continue to operate under existing use rights; however, further interments would be made more difficult. This unnecessary difficulty would be avoided by including the two (2) existing cemetery sites to Schedule 1 (Additional Permitted Uses) of the GM LEP 2009.</p>

As noted in Part 4 of the Council resolution, Council sought delegation from the NSW Department of Planning and Environment (DPE) to make – and determine not to make – the proposed LEP under section 3.36 of the *NSW Environmental Planning and Assessment Act, 1979*.

## REPORT

### Gateway Determination

On 13 February, 2019 NSW DPE issued a gateway determination to allow the cemeteries Planning Proposal to progress to public exhibition including the following conditions:

- A minimum twenty eight (28) day public exhibition of the Planning Proposal in compliance with notice requirements;
- Consultation with NSW RFS and Water NSW;

The gateway determination also issued the delegation to Council to be the plan making authority as requested in Part 4 of the Council resolution.

### State Agency Referrals

The Planning Proposal was referred to Water NSW and the NSW RFS, and comments from both State Agencies are provided below:

- Water NSW advised:

*Water NSW is supportive of the proposed amendments as they will protect environmentally sensitive E2 and E3 zoned land from new cemeteries and their associated water quality risks. The removal of cemeteries as a permissible use in the E2 and E3 zones also improves the alignment of the environmental objectives of the zones with their permissible uses.*

### **Regional Plan**

*Water NSW agrees that the proposal is consistent with Direction 18: Secure Water Resources of the South East and Tablelands Regional Plan 2036 and particularly Action 18.1 which seeks to minimise impacts on the drinking water catchments.*

### **Drinking Water Catchment SEPP and Direction 5.2**

*Water NSW agrees that the proposal is likely to have a beneficial effect on water quality.*

*Nonetheless, it would be beneficial for the Planning Proposal to state that the aim of Direction 5.2 is to protect water quality in the Sydney drinking water catchment (p.18).*

*As the Planning Proposal seeks to remove Cemeteries as a permissible use, and formalise as existing use the Tallong and Bungonia cemeteries, the strategic land and water capability assessments were not considered relevant and have therefore not been included in this response.*

- NSW RFS advised:

*Based upon an assessment of the information provided, the NSW RFS raises no objection to the proposal.*

*In relation to the continued operation of the existing cemeteries at Tallong and Bungonia, Council should note that future applications to expand operations may be considered as a place of public assembly and required to address the Special Bushfire Protection Purpose section of Planning for Bushfire Protection.*

### **Public Exhibition**

The Planning Proposal was exhibited for a period of 36 days (additional exhibition days were included due to the Easter holiday period) with notices in the Goulburn Post and on Councils web page. Individual notification letters were posted to:

- Owners of the cemeteries at Tallong and Bungonia; and
- Al-Mabarar Benevolent Society Limited.

The Planning Proposal received two submissions during its exhibition from 4 April 2019 to 10 May 2019. The submissions both supported the Planning Proposal and are summarised below:

- Bungonia and District Historical Inc. supports the retention and the status of the Bungonia Heritage Cemetery (Lot 1 DP8945 and Lot2 DP1130082) as an operational cemetery and for that purpose under the GM LEP 2009 schedule.
- W & G Dally - support the amendment to the E2 and E3 zones to prohibit cemeteries, as this amendment is based on the environmental effects that a cemetery would have on the E2 and E3 zones. This submission also requests that Council respond in a similar way to the environmental concerns relating to State Significant Developments i.e. Marulan Quarry, which is proposed within an E3 Environment Management zone.

## Assessment

Council wishes to protect environmentally sensitive land in line with the strategic framework set out by Federal, State and Local Government. Broadly, environmentally sensitive land has been identified by applying the zoning of E2 Environmental Conservation or E3 Environmental Management under the GM LEP 2009. The application of this zoning is intended to prohibit development that is inconsistent with the objectives of the zone in order to protect environmentally sensitive land. Conversely, the land uses that are permissible with consent are considered compatible with the environmental sensitivity of the land.

The planning proposal will not have an impact upon private burials on rural properties. A cemetery is defined in the GM LEP 2009 as:

*cemetery means a building or place used primarily for the interment of deceased persons or pets or their ashes, whether or not it contains an associated building for conducting memorial services.*

Since private burials are effectively an ancillary use to the principal land use (such as residential or agricultural), the amendment to exclude a cemetery in the E2 or E3 zones will not impact upon the permissibility of this activity.

Council's experience with *Al-Mabarat Benevolent Society Limited v Goulburn Mulwaree Council [2018] NSWLEC 1261* ('Al-Mabarat'), identified the need to ensure inappropriate development is excluded from environmentally sensitive lands. This Planning Proposal does not prevent further cemeteries from being developed in the LGA as there are still a number of non-environmental zones including rural zones which permit cemeteries.

The connection between the development and the impact that cemeteries would have on environmentally sensitive land was highlighted by the scale of development and the additional permitted uses that could be considered as ancillary to cemeteries. With no development standards applicable to cemeteries or ancillary development, the decision in the *Al-Mabarat* court case prompted Council to reconsider that development of a necropolis in these zones would inherently involve the clearing of land both through direct and indirect development impacts. This would thereby be in direct conflict with the objectives of the *E2 Environmental Conservation* zone and the *E3 Environmental Management* zone under GM LEP 2009 as previously stated.

## CONCLUSION

In summary, this planning proposal is considered to be a positive outcome for the Goulburn Mulwaree local government area. The intended outcome of this planning proposal is to amend *Goulburn Mulwaree Local Environmental Plan 2009* (GM LEP 2009) to prohibit 'Cemeteries' in zone E3 Environmental Management and zone E2 Environmental Conservation so that cemeteries and ancillary development do not impact on environmentally sensitive land. The second objective of the proposed amendment is to continue to allow historic operational cemeteries in their current locations under the GM LEP 2009.

All submissions received support the Planning Proposal in the current form.

It is recommended that Council proceed to endorse the planning proposal to amend the GM LEP as described above.

**14.4 2019-2020 OPERATIONAL PLAN ADOPTION - INTERNAL SUBMISSIONS****Author:** Brendan Hollands, Director Corporate & Community Services**Authoriser:** Warwick Bennett, General Manager**Attachments:** Nil

<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>	<p>The General Fund's projected unrestricted cash balance as at 30 June 2023 after taking into considerations these submissions is \$3,178,345 (Previously \$3,179,310).</p> <p>The projected unrestricted cash balance of the Domestic Waste Fund is \$758,807 (unchanged)</p> <p>The projected unrestricted cash balance of the Water Fund is \$6,314,644 (previously \$6,301,397)</p> <p>The projected unrestricted cash balance of the Sewer Fund is \$12,626,224 (previously \$12,562,978)</p>
<b>Use of Reserve Funds:</b>	Various as defined through-out the report

**RECOMMENDATION**

That

1. The following changes be made to the draft Operational Plan as a result of the internal submissions
  - (a) An allocation of \$25,000 (a total of \$50,000) be made in each of the 2019/20 and 2020/21 budget years for the celebration of 200 years of settlement in Goulburn in October 2020
  - (b) The budget allocation for the 2020 Australia Day event be increased by \$2,500 to \$10,000
  - (c) The following fees be introduced for the display of promotional flags for tourism related events and packages with the Mobile Visitor Information Centre:
    - (i) Commercial Businesses \$21.00 per week
    - (ii) Not for Profit Organisations \$10.00 per week
  - (d) The contracts budgets for the Water Fund and Sewer Fund be increased by \$50,000 each to enable the Integrated Water Cycle Management Strategy to be reviewed and updated.
  - (e) The contracts budget for the Water Fund be increased by \$50,000 to enable the Drinking Water Management Plan to be reviewed and updated.
  - (f) The following changes be made to the 2019/20 budget as a result of the bringing forward of funds as part of the March Quarterly Budget Review:
    - (i) Riverside Park Capital Project Reduce by \$40,000
    - (ii) Transfer from Unexpended Grant Reduce by \$40,000

- (g) The following changes be made to the 2019/20 budget to reflect the carry-over of funds approved as part of the March Quarterly Budget Review:
- (i) Rewiring – Utilities Wing (Water) Increase by \$15,000
  - (ii) Rewiring – Utilities Wing (Sewer) Increase by \$15,000
  - (iii) Kenmore Hospital SPS Power Supply Increase by \$200,000
  - (iv) Kenmore Bridge Pump Station Upgrade Increase by \$500,000
  - (v) Transfer from Water Infrastructure Reserve Increase by \$15,000
  - (vi) Transfer from Sewer Infrastructure Reserve Increase by \$715,000
  - (vii) St Clair Restoration Works Increase by \$985,672
  - (viii) St Clair – Capital Grants Increase by \$107,000
  - (ix) Transfer from OEH Unexpended Grant Increase by \$190,446
  - (x) Transfer from St Clair Restoration Reserve Increase by \$688,226
- (h) In the Youth Services budget \$40,000 be transferred from Materials into Employee Costs to enable the employment of a Part Time Youth Services Officer
- (i) A budget be created in 2019/20 for the Paperback Café with \$30,000 in income, \$15,000 in expenditure and \$7,500 transferred to a Youth Services reserve and the remaining \$7,500 remains in unrestricted cash reserves.
- (j) The income and expenditure for the Paperback Café be increase by CPI in the forward 3 years of the budget with 50% of the resultant profit being transferred into the Youth Services reserve.
- (k) The fee for Library Overdue Items on page D37 of the appendix document be changed to read “\$0.20 per book per day to a maximum of \$5.00”
- (l) The following fees be added under the Library section of the Fees & Charges:
- (i) USB Devices \$6.00 per device
  - (ii) Headphones \$2.00 each
  - (iii) Replacement Library Cards \$3.50 per card
  - (iv) Grand Goulburn, Tazewell (Book) \$30.00 each
- (m) The following changes be made to the 2018/19 GPAC budget:
- (i) Capital Expenditure Reduce by \$300,000
  - (ii) Transfer to Performing Arts Centre Reserve Increase by \$200,000
  - (iii) Transfer from Unexpended Grants Reduce by \$100,000
- (n) The following changes be made to the draft 2019/20 GPAC budget to reflect the Council resolution of 21<sup>st</sup> May 2019:
- (i) Capital Expenditure Increase by \$2,500,000
  - (ii) Transfer from PAC Reserve Increase by \$200,000
  - (iii) Transfer from Unexpended Grants Increase by \$100,000
  - (iv) Transfer from Land Sales Reserve Increase by \$1,500,000
  - (v) Land Sales Revenue Increase by \$645,000
  - (vi) Transfer to Reserves Increase by \$645,000
- (o) An allocation of \$70,000 per annum be included in the budget toward the internal audit function to be shared with Yass Valley Council and Upper Lachlan Council.



- (p) An amount of \$600,000 be included in the 2019/20 Capital Works program for the Crookwell Rd/Marys Mount Rd Intersection funded by \$300,000 in capital grants and \$300,000 in Transfers from the Marys Mount Traffic s94 Reserve
- (q) An amount of \$50,000 be added to the Regional Roads Block Grant capital income in 2020/21, 2021/22 and 2022/23.
- (r) An amount of \$20,000 be added to the Regional Roads Block Grant operating income in 2020/21, 2021/22 and 2022/23.
- (s) The following additions/amendments be made to the Planning related fees & charges:
  - (i) A new GST Free fixed regulatory fee for “s88G Certificate” be added a page D15. The fee will be set at “Price on Application” with a notation that it will be calculated in accordance with the regulation
  - (ii) The fee for ‘Minor error, mis-description or miscalculation (s4.55 (1) EP&A Act) [Nil where typographical error or Council mistake]’ on page D21 be reduced to \$71 to maintain compliance with the fee fixed by the legislation.
- (t) The CCTV project in Victoria Park be added to the 2019/20 budget as follows:
 

(i) Capital Expenditure	Increase by \$201,500
(ii) Capital Grant Income	Increase by \$ 95,973
(iii) Transfer from Unexpended Grants	Increase by \$ 84,027
(iv) The balance funded from unrestricted cash	\$ 21,500

## BACKGROUND

At its meeting on 2 April 2019 Council was presented with its Draft Operational Plan 2019-20 for consideration.

In accordance with the provisions of the Local Government Act 1993, Council resolved to place the Plan on public exhibition for wider community comments and submissions. The submission period closed on 17 May 2019.

## REPORT

During the public exhibition staff also review the document and recommend additions, corrections and edits to the advertised Plan via “internal submissions”.

Internal submissions can also result from minutes of committee meetings that a ratified by Council during the public exhibition period.

A number of other minor adjustments of typographical errors including wording, grammar and spelling have also been made. These latter adjustments are not reported.

The internal submissions to the Draft Operational Plan 2019-20 are as follows:

### 200<sup>th</sup> Anniversary of the Settlement of Goulburn

The mayor has requested that an allocation of \$100,000 be included in the budget for the celebration of the 200<sup>th</sup> anniversary of the settlement of Goulburn.

As this event will take place in October 2020, it is recommended that the allocation be made over the 2019/20 and 2020/21 in two equal amounts of \$50,000 to enable preparations to commence well in advance of the event.

### VIC Events & Fees

Following a review of the 2019 Australia Day event, it was found that the current budget allocation of \$7,500 is insufficient. Given that the costs associated with the 2019 event were just over \$9,000, it is recommended that the 2019/20 Australia Day budget be increased to \$10,000.

In addition, similar to arrangements at the Visitor Information Centre where members of the Centre can pay for signs/promotional materials to promote events, accommodation deals and other tourism related packages, we now have the ability to carry flags on the Mobile Visitors Centre to undertake similar promotions. It is proposed to set the following fees for the display of these flags:

- Commercial businesses                      \$21.00 per week
- Not-for-profit organisations                \$10.00 per week

### IWCM & Drinking Water Management Plan

Staff have been advised that Council is required to update our Integrated Water Cycle Management Strategy (IWCM). This document is now eight years old and is a requirement of best practice. It needs to be updated to acknowledge the completion of works and changing regulatory requirements. This is also a requirement for the Safe and Secure Water funding in the newly released scheme as they will be funding projects based on Council's IWCM. This could have an impact on potential Marulan WWTP funding.

We have been advised there is Department of Industry funding available for the renewal of IWCM's however we have not made application at this stage. It is recommended that \$50,000 from each of the Water & Sewer Funds be allocated toward this project. Should funding be obtained for this project an adjustment will be made to the budget as part of a quarterly budget review during the new financial year.

A recent email has advised that Council is also required to update its Drinking Water Management Plan. Council has not reviewed this plan since its implementation four years ago. \$50,000 from the Water Fund is required to fund this project. Once again Government funding is available for this project and, as with the IWCM, should funding be obtained for this project an adjustment will be made to the budget as part of a quarterly budget review during the new financial year.

### Quarterly Budget Review

A number of projects/activities were either carried over or brought forward as a part of the March Quarterly Budget Review that was considered by Council at its meeting on 21 May 2019.

An amount of \$40,000 was brought forward to enable planning works for the Riverside Park project to proceed prior to 30 June 2019. Grant funds received to date were identified to fund these works and therefore the transfer to the Unexpended Grant were reduced to reflect this change.

The 2019/20 budget for Riverside Park now needs to be reduced by this amount offset by a corresponding reduction in the transfer from the Unexpended Grant reserve.

The following projects/activities have been carried forward to the 2019/20 budget as part of the March Quarterly Budget Review, and as a result the 2018/19 budget has had these amounts already removed:

- |  |           |
|--|-----------|
| • St Clair Museum Restoration Works    | \$985,672 |
| • Rewiring – Utilities Wing            | \$30,000  |
| • Kenmore Hospital SPS Power Supply    | \$200,000 |
| • Kenmore Bridge Pump Station Upgrade  | \$500,000 |
| • Street Lighting & Traffic Facilities | \$23,000  |

Youth Services Program

In an effort to increase the number and quality of activities and programs, an additional \$40,000 was placed in the Youth Services budget for the purchase of materials. A review of the proposed activities has identified that it would be more beneficial to use those additional funds to employ a part time Youth Services Officer to assist in the delivery of the program. The funds allocated would enable the employment of a Youth Officer for 20 hours per week.

One of the successful programs that commenced this year was the Paperback Café. Due to its success it will be an ongoing activity and, as such, a budget will need to be set for next year and beyond. It is recommended that a budget of \$30,000 income and \$15,000 expenditure be set for 2019/20 with CPI increases being applied over the future years. It is further recommended that \$7,500 (and the equivalent of 50% of the profits generated in future years) be applied to a Youth Services Reserve to enable funding of new Youth programs in future years.

Library Fees & Charges

There are a few minor changes that have been requested to the fees & charges for the library.

Due to a change in the Library Management Software System fines can now be charged daily instead of weekly. As a result, the overdue items fee on page D37 of the appendix document can be changed from "\$1 per book per week" to "\$0.20 per book per day". It is intended that the \$5 maximum charge per book will remain unchanged.

Other fees for the sale of items also need to be added as follows:

- USB Devices \$6.00 per device
- Headphones \$2.00 each
- Replacement Library Cards \$3.50 per card
- Grand Goulburn, Tazewell (book) \$30.00 each

Performing Arts Centre

At its meeting on 21 May 2019 Council approved the progression of the Goulburn Performing Arts Centre with a construction budget of \$18.5 Million. The draft budget will need amending to record this higher budget allocation towards this project.

Additionally, the 2018/19 budget allocated for this project will not be fully spent and, as a result, some of the unspent funding can be used to offset the additional expenditure.

Recommended changes to the 2018/19 budget are as follows:

	Current Budget	Proposed Budget	Change
Expenditure	\$800,000	\$500,000	(\$300,000)
Transfer from Unexpended Grant (ClubGrants)	(\$100,000)	0	\$100,000
Transfer to Performing Arts Centre Reserve	\$800,075	\$1,000,075	\$200,000

With the above changes in mind, it is recommended to amend the draft budget for the Performing Arts Centre as follows:

	Current Budget	Proposed Budget	Change
Expenditure	\$16,000,000	\$18,500,000	\$2,500,000
Capital Grants	(\$3,630,000)	(\$3,630,000)	\$0
Capital Contributions - Veolia	(\$500,000)	(\$500,000)	\$0
Transfer from Reserves – S94A	(\$459,796)	(\$459,796)	\$0
Transfer from Reserves – PAC	(\$1,252,081)	(\$1,452,081)	(\$200,000)
Transfer from Reserves – MPF	(\$488,123)	(\$488,123)	\$0
Transfer from Reserves – Unexpended Grants (Cultural Fund)	(\$1,800,000)	(\$1,800,000)	\$0
Transfer from Reserves – Unexpended Grants (ClubGrants)	(\$170,000)	(\$270,000)	(\$100,000)
Loan Borrowing Income	(\$6,300,000)	(\$6,300,000)	\$0
Transfer from Lands Sales Income Reserve	\$0	(\$1,500,000)	(\$1,500,000)
General Fund Revenue	\$1,400,000	\$2,100,000	\$700,000

Note – the \$1.4 million originally budgeted from Revenue will be recouped from the Veolia Grant over the following 3 year.

An adjustment needs to be made to our projected revenue from land sales in 2019/20 based on recent auction results and projections for other properties identified for sales. As a result, an additional \$645,000 will be included as land sale income in the budget. This additional amount will be then transferred back into the reserves in accordance with previous Council resolutions.

#### Internal Audit

Council is currently in discussions with both Yass Valley and Upper Lachlan Councils in regard to the employment of a shared Internal Audit position. The position would be employed by Yass Valley Council, with Goulburn Mulwaree Council making an annual contribution toward the position for the work the position will perform on Council's internal audit function. Council's annual contribution toward this function is estimated to be \$70,000

#### Crookwell Rd/Marys Mount Rd Intersection

This project was inadvertently omitted from the original draft Operational Plan. Work has been undertaken on the design of the intersection and other associated works in the current financial year. It is expected that the works will cost \$600,000. Council will be seeking 50% funding of the works from the RMS with the other 50% being funded from the Marys Mount Traffic s94 Reserve.

#### Regional Roads Block Grant

An error has been identified in the Regional Roads Block Grant budget for 2020/21, 2021/22 and 2022/23 where an incorrect figure has been recorded in the income section for that program. This is a fully funded RMS program and, as a result, the Grant Income which is in the budget at \$335,000, should match the expenditure budget of \$385,000. Therefore, \$50,000 needs to be added to the Grant income for each of these three years.

An amount of \$20,000 also needs to be added to the operating grant for the same program as this income has also been understated.

Planning Fees & Charges

A number of changes to the fees and charges are required to update the Legislation to which the fee applies and also to better clarify the treatment and/or application of the fees involved. These will have no impact on the fees themselves and the changes will be made before the final adopted document is made available to the public.

That being said there are some changes/additions to the fees as follows:

On page D15 it is recommended that a new s88G fee be added. This Fixed Regulatory fee will be a “price on application” fee (GST Free) and will be calculated using a formula contained in the regulation, which results in the fee being updated quarterly.

The fee for ‘Minor error, mis-description or miscalculation (s4.55 (1) EP&A Act) [Nil where typographical error or Council mistake]’ on page D21 must be reduced to \$71 to maintain compliance with the fee fixed by the legislation.

Victoria Park CCTV

Council were successful during the year in obtaining grant funding under the Safer Communities Program for the installation of CCTV in Victoria Park. The budget for this project needs to be raised in 2019/20 as follows:

- |                                  |           |
|----------------------------------|-----------|
| • Capital Expenditure            | \$201,436 |
| • Capital Grant Income           | \$95,973  |
| • Transfer from Unexpended Grant | \$84,027  |

**14.5 2019-2020 OPERATIONAL PLAN ADOPTION - EXTERNAL SUBMISSIONS****Author:** Brendan Hollands, Director Corporate & Community Services**Authoriser:** Warwick Bennett, General Manager**Attachments:** 1. External Submissions [!\[\]\(950a62bbddad88d64435fd35607dfc42\_img.jpg\)](#) [!\[\]\(80ae2b64037a63e4dd106d2cfb4205ab\_img.jpg\)](#)

<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 – The \$1,174,884 savings through additional grants for Roads to Recovery will be applied to the Goulburn Performing Arts project as part of the internal submissions recommendations in a separate report in this Business Paper
<b>Use of Reserve Funds:</b>	Not applicable

**RECOMMENDATION**

That

1. The report by the Director Business Services on the 2019/20 Operational Plan Adoption – External Submissions be received.
2. In relation to the submission by Southern Tablelands Football Association no changes be made to the draft Budget and a Water Refill Station be installed at Cookbundoon Sports Fields within the existing budget allocations for the 2019/20 financial year.
3. In relation to the submission by Taralga Earth Vacuum Excavations Pty Ltd:
  - (a) The minimum charge for supply of less than 5,000 ltrs from a standpipe (page D60) be removed.
  - (b) The reference to Bourke Street in the Access Key fees be replaced by “Potable Water”
4. In relation to the submission by Bruce Harvey no change be made to the draft Budget due to a provision of footpath works along Crookwell Road from Mary Martin Drive to Marsden Bridge already being included in the draft Operational Plan.
5. In relation to the submission by Maan Beydoun no changes be made to the draft Budget.
6. The above submitters be thanked for their submissions and be notified of the outcomes of their submissions
7. In response to the Circular from NSW Office of Local Government
  - (a) No change be made to the draft Budget
  - (b) Council lodge an objection to any increase in the Emergency Services Levy above rate pegging and requesting a deferral of any increase until the 2020/21 budget to enable Council to identify budget savings to cover the additional cost and/or having IPART include the additional levy in its rate pegging determination for 2020/21.
8. In response to the letter from Department of Infrastructure, Transport & Regional Development:
  - (a) The additional amount of \$1,074,884 to be received from the Roads to Recovery Program be allocated to the following projects:
    - (i) Pockley Shannon Drive Extension \$500,000

(ii)	Rural Road Construction (2020/21)	\$392,000
(iii)	Urban Road Rehabilitation (2021/22)	\$182,884
(b)	The revenue funding originally allocated to these projects be redirected to the Goulburn Performing Arts Centre.	
9.	The 2019/20 Operational Plan be adopted with the amendments approved as a result of both the internal and external submissions received.	

## BACKGROUND

At its meeting on 2 April 2019 Council was presented with its Draft Operational Plan 2019-20 for consideration.

In accordance with the provisions of the Local Government Act 1993, Council resolved to place the Plan on public exhibition for wider community comments and submissions. The submission period closed on 17 May 2019. Council is required to consider these submissions before adopting the final Delivery Program 2017-2021 and Operational Plan 2019-20.

## REPORT

Six submissions were received from the public during the public exhibition period. The submissions received were from

- Jason Broadbent - Southern Tablelands Football Association
- Terry Bennett – Taralga Earth Vacuum Excavations Pty Ltd
- NSW Office of Local Government
- Bruce Harvey
- Maan Beydoun
- Department of Infrastructure, Transport & Regional Development

### Southern Tablelands Football Association

The Southern Tablelands Football Association have requested that Council consider the installation of a drink refill station (similar to one installed at Carr Confoy) at the Cookbundoon Sports Fields.

Council has installed a number of refill stations around the LGA at locations including Carr Confoy Sporting Fields and the Visitor Information Centre. The approximate cost to purchase and install the stations is approximately \$5,000 (depending upon the plumbing requirements). In the case of Cookbundoon Sporting Fields the cost would be in excess of this amount if the location of the refill station is any distance away from the canteen facility. Should the location be close to the canteen facility, the water refill station could be installed within exiting budget allocation.

### Taralga Earth Vacuum Excavations Pty Ltd

Taralga Earth Vacuum Excavations Pty have requested a review of Council's standpipe charges which can be found on page D60 in the appendices of the exhibited draft Operational Plan. The current usage charge is \$4.80/kL (proposed to increase to \$5.00/kL). However there is a minimum charge for quantities under 5kL of \$35.00 (proposed to increase to \$37.00)

The minimum charge is a hangover from the time where Council self-administered the standpipes and the minimum charge was designed to cover the administrative costs involved with the metering and billing of small loads. For a number of years the administration (including metering and billing) has been outsourced to AvData and therefore this fee is no longer required. It is therefore recommended that the fee be removed from the schedule of fees & charges.



Also, with the intention of relocating the potable water standpipe from the Bourke Street Depot to another location in the near future, it is recommended to replace the reference to Bourke Street from the access key fees and replacing it with "Potable Water".

#### NSW Office of Local Government

While this is not technically a submission to the Operational Plan, due to its timing and the impact on the budget, it has been included in this report.

In its Circular dated 8 May, it was advised that the funding arrangements surrounding emergency services was changing. In summary, Council's contribution towards Emergency Services (ESL) will be increasing by \$94,686 (21%) in 2019/20. An increase of 5% had been allowed for in the draft budget that was placed on public exhibition, leaving a shortfall of \$71,502 in the 2019/20 budget.

This matter was discussed at the CBJRO Board meeting on 24 May 2019 and it was widely accepted that all Councils lodge an objection in relation to the timing and the lack of consultation surrounding the increase to the ESL and that the increase be deferred until 2020/21 to allow either:

- IPART to include the increase in the ESL in its calculation of the 2020/21 rate peg; or
- Council to identify savings to cover the increase in the ESL

Until a response is received to this objection, it is recommended that no change is made to the draft Budget.

#### Bruce Harvey

This submission has been made requesting the inclusion of a shared foot/cycle path between the Marsden Bridge and Mary Martin Drive.

Council has prepared a design for the length of new footpath between Mary Martin Drive and Marsden Bridge on Crookwell Road. The design has been incorporated into an upgraded intersection design at Marys Mount Road and Crookwell Road. A funding application for the new footpath has been submitted to the NSW Government Active Transport Program. The outcome of the application is expected to be known by September 2019.

#### Maan Beydoun

This submission has been made requesting the sealing of the last 10km of Caoura Road, Tallong.

Council does not plan to increase the length of sealed road in the 2019/20 budget, including Caoura Road. Due to the high capital outlay to seal unsealed road, it is more economical to periodically grade these roads rather than incur the significant expenditure of sealing these roads.

#### Department of Infrastructure, Transport & Regional Development

While this is also not technically a submission to the Operational Plan once again, due to its timing and the impact on the budget, it has been included in this report.

Council received notification during the exhibition period that its Roads to Recovery allocation for the period 2019-20 to 2023-24 would increase by \$1,074,884. It is recommended that the additional amount be allocated to the following projects with the revenue funding currently being allocated to these projects redirected to the Goulburn Performing Arts Centre project as stated in the previous report:

- |   |           |
|---|-----------|
| • Pockley/Shannon Drive Extension (2019/20) | \$500,000 |
| • Rural Road Construction (2020/21)         | \$392,000 |
| • Urban Road Rehabilitation (2021/22)       | \$182,884 |

Ext 1

## External Submission No. 1

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**From:** STFA Comp Admin  
**Sent:** Thursday, 11 April 2019 2:41 PM  
**To:** Council  
**Subject:** Water Refill Station Inquiry

Hi there,

My name is Jason Broadbent, and I am the Competition Administrator for the Southern Tablelands Football Association (STFA).

I just had a general inquiry as to whether the council had any avenues for sporting communities to apply for, and receive one of the free water refill stations, similar to the one out at Carr Confoy fields.

Cookbundoon fields facilities are a bit dated, and we are hoping to improve these facilities bit by bit each year while holding out hope for a big update in the future.

Cookbundoon plays host to age groups from under 6s to all age mens every Saturday from May till October, with summer soccer running through the summer months as well. Through the months of March/April we play host to a load of state and regional games, with teams from the Riverina, south coast and southern NSW representative teams meeting in Goulburn to play their matches.

At the end of this month, we will have over 1000 players, parents and coaches coming to Cookbundoon to compete in the Branch Championships. These age groups vary from under 10s to under 16s in all girls and all boys competitions. With no real spot for teams to fill their drink bottles between games.

I guess my point being that, the water refill station will get good use out of it all year round. If there was a possible avenue to pursue this option through the council.

Could you please let me know if you guys have any options for Cookbundoon in terms of getting one of these stations installed? Or how best for us to pursue this.

Appreciate any consideration, or advice you may have for us. I'm best reached by email, however can take phone calls after 5pm, or between 2pm-3pm whilst on my lunch break.

Many thanks for your time, and looking forward to hearing from you.

Kind regards,  
Jason Broadbent  
STFA Competition Administrator

EXT 2

External Submission No. 2

## TARALGA EARTH VACUUM EXCAVATIONS PTY LTD



13<sup>th</sup> May 2019

General Manager  
Goulburn Mulwaree Council  
Locked Bag 22  
Goulburn NSW 2580

Dear Mr Bennett

We are writing to you in regards to our use of water via the Bourke Street outlet for which we took possession of a key in late March 2019. Key No: K27830.

We are a small local business and have only been in operation since February 2019. We recently received our Statement/Tax Invoice for our water use for March it was only then we realized we were being charged \$35 for each fill. We were only ever given the rate of \$4.80 Per k/l when we applied for the key and were of the understanding that we paid for what we used only. As our water tank on our operation vehicle is only 2000L, we only used 1000L and less for each fill in March hence, it is costing us \$105.00 for 2.30Klitres.

We have previously enquired about a standpipe but have been informed that it wasn't an option as all existing ones are going to be recalled. We are also the holder of a key for the recycled water outlet in River Street which is what we were using to begin with but we couldn't continue to use the water as it was clogging our filters no matter how often we were cleaning them, resulting in lost operational time which we couldn't afford being a new business just kicking off.

After having received and made further enquiries into our invoice, we realize April's Invoice will be a very substantial bill as on many occasions when filling up, what we thought was reduced overspill measures that we were undertaking, we now have learnt that in fact we will be charged \$35.00 for each time we turned the key off and then back on again in the one fill. We have spoken to Marina Hollands, Director Utilities in regards to this matter and she was very understanding of our situation and is prepared to have a look at this when we receive our next invoice.

Being a small business we need to be competitive with our pricing and to do this we cannot pass these water costs onto our current and future customers.

Our business employs a young local man to operate our vehicle and all our work so far has been carried out in the Goulburn district. We have no problems paying for the water we use but we are hoping there is a way in which we can do just that, pay for only the water we use.

Your help in this matter would be so greatly appreciated.

Yours faithfully

Terry Bennett



Office of  
Local Government

EXT 3

External Submission No. 3

## Circular to Councils

<b>Circular Details</b>	Circular No 19-06 / 08 May 2019 / A644248
<b>Previous Circular</b>	NA
<b>Who should read this</b>	Mayors/ Councillors / General Managers
<b>Contact</b>	Refer to <i>Where to go for further information</i>
<b>Action required</b>	Information

### Changes to emergency services funding arrangements

#### What's new or changing

- The NSW Government has made changes to workers' compensation to provide better protection for volunteer and career firefighters affected by work-related cancers.
- The reforms reflect existing arrangements in other States and will ensure those who provide vital community services receive adequate medical care and support.
- This will result in an increase in the cost of providing emergency services across the State, which will be shared, as per the usual funding arrangements between insurance providers, the State Government and local councils.
- The local government share will be 11.7% of the cost of the emergency services levy.

#### What this will mean for your council

- The increase will be included in the annual emergency services levy paid by councils, commencing 1 July 2019.
- Councils will be able to pay the emergency services levy in quarterly instalments which will lessen the impact of the increase. The first quarterly instalment is not due until 30 September 2019 which provides more time for councils to review their budgets.

#### Key points

- The new emergency services levy amounts will vary between councils, depending on existing funding formulas.
- Councils should have already received a notice of assessment from Revenue NSW.

External Submission No. 3



Revenue

## Council Contribution Assessment Notice

Contribution amounts in this notice have been assessed by the Emergency Services Minister for the 2019/20 Tax Year

Issue Date 07 May 2019  
 Enquiries 1300 139 816 (8.30 am - 5.00 pm)  
 Website [www.revenue.nsw.gov.au](http://www.revenue.nsw.gov.au)

GOULBURN MULWAREE CNCL  
 Locked Bag 22  
 GOULBURN NSW 2580

Council ID 144412994  
 Correspondence ID 1689224812

### Assessment details

<b>Total Council Annual Contribution</b> (Combined RFS, SES & F&RNSW)	<b>Amount Due</b> \$ 545,302.53
<b>Individual Contribution Assessment Totals</b>	
NSW RURAL FIRE SERVICE	Amount Due \$ 378,057.00
NSW STATE EMERGENCY SERVICE	Amount Due \$ 47,535.53
FIRE AND RESCUE NSW	Amount Due \$ 119,710.00

### Instalment details

Pay in four instalments	Payment Reference	Due Date	Amount Due
FIRST INSTALMENT	1689224762	30/09/2019	\$ 136,325.63
SECOND INSTALMENT	1689224770	31/12/2019	\$ 136,325.63
THIRD INSTALMENT	1689224796	31/03/2020	\$ 136,325.63
FOURTH INSTALMENT	1689224804	30/06/2020	\$ 136,325.64

You can find information on the current rate of interest at [www.revenue.nsw.gov.au](http://www.revenue.nsw.gov.au).

If your payment is not received by the due date, the instalment will be in arrears and collection activity will commence.

For information on how to set up a direct debit arrangement refer to the back of this notice.

For questions about the calculation of your assessment for the quarters specified, contact the relevant emergency services department. Their contact information is on the back of this notice.

Stephen R Brady  
 Chief Commissioner of State Revenue

External Submission No. 3

## Contribution Assessment matters other than payment

Revenue NSW is responsible for:

- Issuing the Council Contributions Assessment and Instalment Notices
- Collecting Emergency Service Levy Council Contribution payments

For questions about the calculation of your assessment contact the relevant Emergency Services using the details below:



### NSW Rural Fire Service

Contact your local NSW RFS District Manager

[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)



### NSW State Emergency Services

Contact the Finance Helpdesk

Email: [finance@ses.nsw.gov.au](mailto:finance@ses.nsw.gov.au)

Or the SES Finance Manager

Phone: 02 4251 6576

[www.ses.nsw.gov.au](http://www.ses.nsw.gov.au)



### Fire and Rescue NSW

Brian Lin – Director Financial Strategy

Email: [brian.lin@fire.nsw.gov.au](mailto:brian.lin@fire.nsw.gov.au)

Phone: 02 9265 2951

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

## Important Information

Revenue NSW prefers Council Contribution payments by client initiated direct debit. Set up a new Direct Debit arrangement or edit an existing payment arrangement via the Revenue NSW webpage [www.revenue.nsw.gov.au](http://www.revenue.nsw.gov.au).

- Use your council specific login access the secure web portal service
- Nominate your account details prior to the quarterly instalment due date

If you are unable to pay your quarterly instalment, contact [TaxDebt@revenue.nsw.gov.au](mailto:TaxDebt@revenue.nsw.gov.au).

### Property Levies Team contact details



For more information and services visit [www.revenue.nsw.gov.au](http://www.revenue.nsw.gov.au)



1300 139 817



Phone enquiries  
8.30 am – 4.30 pm, Mon. to Fri.



[ESL@revenue.nsw.gov.au](mailto:ESL@revenue.nsw.gov.au)

Revenue NSW ISO 9001 - Quality Certified

Department of Finance, Services and Innovation



EXT 4

External Submission No. 4

SCANNED

Goulburn. 2580.  
9<sup>th</sup> May 2019.

General Manager,  
Goulburn Mulwaree Council,  
Locked Bag 22,  
Goulburn. 2580.

Goulburn Mulwaree Council  
Date Received: 9/05/19 4:13pm  
Signature: \_\_\_\_\_

Dear Mr Bennett,

Re: Draft Operational Plan 2019-2020

Having read part of the draft operational plan I note with alarm that the Crookwell Road from Marsden Bridge to Mary Martin Drive which of course includes the intersection with Marys Mount Road has again been omitted from the proposed operational plan for 2019-2020.

Mr Bennett you have written to me as far back as 28<sup>th</sup> August 2014 informing me that this work will be placed on the following years works programme. You also included a copy of a plan of works to be carried out dated November 2011.

You further wrote to me in a letter dated 7<sup>th</sup> December 2017 stating that a shared pathway, between Marsden Bridge and Mary Martin Drive, for both pedestrians and cyclists would be programmed for 2018.

With the most recent traffic study recording an average of 6500 vehicles using this road per day surely the safety of all users should be of the highest priority. To observe parents and the elderly as well as all other users negotiating the unformed edge (road base) is an accident waiting to happen.

Would you please advise the Councillors ( who make the final decision) to include the Crookwell Road upgrade in the 2019-2020 works programme.

I and many of my fellow residences of Wollondilly Gardens Retirement Village and I am sure many of the persons who live in this area of our city await a positive reply.

Yours faithfully,

Bruce Harvey.



EXT 5

External Submission No. 5

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**From:** m b  
**Sent:** Thursday, 25 April 2019 3:30 PM  
**To:**  
**Subject:** Goulburn 2020 operational plan submission

Dear General Manager

I am submitting proposed revision to your operational plan. I think it is important that the last 10km of Caoura Road Tallong are sealed as soon as possible. Rather than spend some of the budget on resealing currently tarred roads, I urge you to seal Caoura road. Some of the mentioned roads earmarked for resealing do not need it, in my view.

We own a farm at Caroura road. We have had multiple punctured tyres in our Ute due to the gravel, costing hundreds of dollars to replace, as well as near misses with other cars and animals. We have family and friends that visit the farm and they've had similar experience. Over the Easter break this week the road was relatively busy with tourists and others using the road. It is dangerous to keep in its current condition.

I urge you to inspect it and revise your plan accordingly. It also seems that this will save you money in the long term as sealing it means no need for periodic levelling etc...

Regards

Maan Beydoun



EXT 6

External Submission No. 6

The Hon Michael McCormack MP

Deputy Prime Minister  
Minister for Infrastructure, Transport and  
Regional Development

The Hon Scott Buchholz MP

Assistant Minister for Roads and Transport  
Federal Member for Wright

Cr Bob Kirk  
Goulburn Mulwaree Council  
Locked Bag 22  
GOULBURN NSW 2580

Dear Mayor

### AUSTRALIAN GOVERNMENT'S 2019-20 BUDGET ROAD SAFETY ANNOUNCEMENT

We are writing to you in relation to the recently announced Local and State Government Road Safety Package and the Australian Government's focus on reducing the burden of road trauma on the community.

Road safety is everyone's responsibility and all levels of Government have a key role to play in delivering safer roads and vehicles. That is why the Australian Government will deliver an additional \$2.2 billion in road safety funding from 2019-20 through the Local and State Government Road Safety Package.

Local governments are the primary beneficiaries of this initiative, with \$1.1 billion of the additional funding being provided directly to councils under the Roads to Recovery Program. Councils were advised of their original Roads to Recovery allocation for the 2019-20 to 2023-24 period in December 2018 and the additional funding means that your council's allocation for this period will increase by \$1,074,884 to \$5,374,418.

The Government's Statement of Expectations for the Roads to Recovery Program, which was released by the then Minister for Infrastructure and Transport, the Hon Darren Chester MP, urged local councils to focus on improving road safety outcomes when undertaking local road upgrades, whilst maintaining each council's discretion to select projects according to local priorities. We take this opportunity to reiterate the Government's strong desire that, when selecting projects, councils consider the likelihood they will reduce fatalities and serious injuries. A copy of the Statement of Expectations, a Fact Sheet on the Government's road safety initiatives and of the recently determined Funding Conditions for the 2019-20 to 2023-24 period are attached.

The Government's Road Safety Package also includes an additional \$550 million for the Black Spot Program, \$275 million for the Heavy Vehicle Safety and Productivity Program, \$275 million for the Bridges Renewal Program and new funding under the Heavy Vehicle Safety Initiative. Local government has already benefitted significantly from funding under these programs and we look forward to continuing to work together with councils to improve road safety through these successful existing programs.

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Parliament House, Canberra ACT 2600. Tel: (02) 6277 7520 Fax: (02) 6277 4120

The Government is also taking action to deliver safer roads through a variety of other initiatives, including establishing a new Office of Road Safety, which will work closely with states, territories, local government, and road safety stakeholders on key road safety priorities.

There is a continuing commitment to improving the safety of new drivers through the Keys2drive program, continuing funding to the Australasian New Car Assessment Program to encourage the purchase of safer vehicles and an ongoing commitment to safer vehicle design through rigorous and globally harmonised Australian Design Rules.

In the 2019-20 Budget, the Australian Government is providing \$2.6 million to the Australian Road Research Board (ARRB) and \$8 million over two years to the National Heavy Vehicle Regulator, to make professional expertise more readily available to local governments, helping them better understand and assess their road assets. Specific guidance material will be provided to local governments free of charge, and specialist tools will be made available for road assessments. This will support local governments to improve overall road asset management, predictive maintenance and network planning, leading to improved safety and productivity outcomes.

In addition, to provide broader support for the important work councils do, the 2019-20 Budget also allocates \$2.6 billion to local councils through the Financial Assistance Grant program. The Government's Budget proposes to bring forward fifty per cent of this funding for early payment in the 2018-19 financial year. This cash injection of \$1.3 billion will give councils immediate use of these funds in the 2018-19 financial year.

Should you require any further information, the relevant contact officers in my Department are Ms Nicole Spencer ([nicole.spencer@infrastructure.gov.au](mailto:nicole.spencer@infrastructure.gov.au)) in relation to AARB and the National Heavy Vehicle Regulator or Mr Greg Moxon ([greg.moxon@infrastructure.gov.au](mailto:greg.moxon@infrastructure.gov.au)) in relation to the Local and State Government Road Safety Package.

By partnering with local councils we are harnessing the best available local knowledge to fix the local roads which need it and help people get home sooner and safer

Yours sincerely

  
Michael McCormack

  
Scott Buchholz

Enc

**14.6 INTERNAL BORROWING ROCKY HILL MUSEUM****Author:** Brendan Hollands, Director Corporate & Community Services**Authoriser:** Warwick Bennett, General Manager**Attachments:** 1. Proposed Loan Repayment Schedule [↓](#) 

<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>	Interest & Principal repayments made to Sewer Fund rather than external loan provider.
<b>Use of Reserve Funds:</b>	The proceeds of the borrowings will be taken from the Sewer Fund with that fund being reimbursed through the repayments (interest and principal) over the term of the loan.

**RECOMMENDATION**

That

1. Council apply to the Minister for Local Government for approval to borrow \$1 Million internally from the unrestricted Sewer Fund Reserve
2. The loan is to be repaid from the General Fund to the Sewer Fund by way of quarterly instalments over a term of 15 years at an interest rate of 2%
3. The loan principal is to be transferred to the General Fund on 30 June 2019 with the quarterly repayments to be made to the Sewer Fund on 30 September, 31 December, 31 March and 30 June of each financial year until the loan matures on 30 June 2034
4. All transactions in relation to the borrowings be accounted for in specific accounts in Council's ledgers to maintain transparency with the internal borrowing.

**BACKGROUND**

Council has a significant amount of borrowings projected in its General Fund over the next 4 to 5 years. An amount of \$1 million of loan borrowings has been included in the current financial year for the construction of the Museum at Rocky Hill which is well under way.

Due to various successes in gaining grant funding for major projects over the more recent financial years Council's Sewer Fund and, to a lesser extent, Water Fund have built up healthy levels of unrestricted cash despite both their annual charges and user charges having not been increased for a number of years.

**REPORT**

In accordance with Council's Draft Operational Plan, the projected cash level for the Sewer Fund at 30 June 2023 will be \$12.5 Million. This is projected to increase over the remainder of the 10 year Long Term Financial Plan even if the User Fees and Annual Charges only increase by 2.5% per annum and despite there being a healthy capital works program during that period. The funds were accumulated in preparation for a number of recent projects including the Waste Water Treatment Plant Upgrade but grant funding was obtained for these projects and the cash was not required. Council has already responded to this by not increasing the fees & annual charges over the past 3-4 years.

Council is currently undertaking the construction of the museum extension at Rocky Hill. The total cost for this project is just over \$2.5 million and it is being funded through a mix of Grant Funds, Council Revenue and Borrowings.

The Local Government Act (1993) provides a provision for Council to borrow from its reserves with the approval of the Minister. It is recommended that the Council apply for the Minister's approval to internally borrow \$1 million in the current financial year for this project.

At present the interest rates available for Council to invest its surplus funds lies somewhere between 2 and 2.2% (even at 5 years). With the anticipated reductions in the Cash Rate by the Reserve Bank over the coming months it is unlikely these types of rates will not continue to be available. It is therefore recommended that the interest rate of the "loan" be set at 2%. Given the projected long term health of the Sewer Fund it is further recommended that the term of the loan be set at 15 years with repayments being made to the Sewer Fund on a quarterly basis.

Should approval of this borrowing be obtained it is intended that the principal would be transferred to the General Fund on 30 June 2019 with the quarterly transfers being made back to the Sewer Fund on the last day of each quarter until maturity (as per the attached schedule) however Council will have the opportunity to "pay out" the loan early via a transfer between the funds should the Financial situation of either fund change significantly during the term of the loan.

Principal	1,000,000.00	
Interest Rate	2.000%	
Term	15	
No. of Instal.	60	
Repayment	\$19,332.80	\$77,331.21

No.	Date	Interest	Principal	Total	Principal O/S
1	30-Sep-19	5,000.00	14,332.80	19,332.80	985,667.20
2	31-Dec-19	4,928.34	14,404.47	19,332.80	971,262.73
3	31-Mar-20	4,856.31	14,476.49	19,332.80	956,786.25
4	30-Jun-20	4,783.93	14,548.87	19,332.80	942,237.37
5	30-Sep-20	4,711.19	14,621.61	19,332.80	927,615.76
6	31-Dec-20	4,638.08	14,694.72	19,332.80	912,921.04
7	31-Mar-21	4,564.61	14,768.20	19,332.80	898,152.84
8	30-Jun-21	4,490.76	14,842.04	19,332.80	883,310.80
9	30-Sep-21	4,416.55	14,916.25	19,332.80	868,394.56
10	31-Dec-21	4,341.97	14,990.83	19,332.80	853,403.73
11	31-Mar-22	4,267.02	15,065.78	19,332.80	838,337.94
12	30-Jun-22	4,191.69	15,141.11	19,332.80	823,196.83
13	30-Sep-22	4,115.98	15,216.82	19,332.80	807,980.02
14	31-Dec-22	4,039.90	15,292.90	19,332.80	792,687.11
15	31-Mar-23	3,963.44	15,369.37	19,332.80	777,317.75
16	30-Jun-23	3,886.59	15,446.21	19,332.80	761,871.54
17	30-Sep-23	3,809.36	15,523.44	19,332.80	746,348.09
18	31-Dec-23	3,731.74	15,601.06	19,332.80	730,747.03
19	31-Mar-24	3,653.74	15,679.07	19,332.80	715,067.96
20	30-Jun-24	3,575.34	15,757.46	19,332.80	699,310.50
21	30-Sep-24	3,496.55	15,836.25	19,332.80	683,474.25
22	31-Dec-24	3,417.37	15,915.43	19,332.80	667,558.82
23	31-Mar-25	3,337.79	15,995.01	19,332.80	651,563.82
24	30-Jun-25	3,257.82	16,074.98	19,332.80	635,488.83
25	30-Sep-25	3,177.44	16,155.36	19,332.80	619,333.48
26	31-Dec-25	3,096.67	16,236.13	19,332.80	603,097.34
27	31-Mar-26	3,015.49	16,317.31	19,332.80	586,780.03
28	30-Jun-26	2,933.90	16,398.90	19,332.80	570,381.13
29	30-Sep-26	2,851.91	16,480.90	19,332.80	553,900.23
30	31-Dec-26	2,769.50	16,563.30	19,332.80	537,336.93
31	31-Mar-27	2,686.68	16,646.12	19,332.80	520,690.81
32	30-Jun-27	2,603.45	16,729.35	19,332.80	503,961.46
33	30-Sep-27	2,519.81	16,812.99	19,332.80	487,148.47
34	31-Dec-27	2,435.74	16,897.06	19,332.80	470,251.41
35	31-Mar-28	2,351.26	16,981.54	19,332.80	453,269.87
36	30-Jun-28	2,266.35	17,066.45	19,332.80	436,203.41
37	30-Sep-28	2,181.02	17,151.78	19,332.80	419,051.63
38	31-Dec-28	2,095.26	17,237.54	19,332.80	401,814.09
39	31-Mar-29	2,009.07	17,323.73	19,332.80	384,490.36
40	30-Jun-29	1,922.45	17,410.35	19,332.80	367,080.01
41	30-Sep-29	1,835.40	17,497.40	19,332.80	349,582.60
42	31-Dec-29	1,747.91	17,584.89	19,332.80	331,997.72
43	31-Mar-30	1,659.99	17,672.81	19,332.80	314,324.90
44	30-Jun-30	1,571.62	17,761.18	19,332.80	296,563.73
45	30-Sep-30	1,482.82	17,849.98	19,332.80	278,713.74

Principal	1,000,000.00	
Interest Rate	2.000%	
Term	15	
No. of Instal.	60	
Repayment	\$19,332.80	\$77,331.21

No.	Date	Interest	Principal	Total	Principal O/S
46	31-Dec-30	1,393.57	17,939.23	19,332.80	260,774.51
47	31-Mar-31	1,303.87	18,028.93	19,332.80	242,745.58
48	30-Jun-31	1,213.73	18,119.07	19,332.80	224,626.51
49	30-Sep-31	1,123.13	18,209.67	19,332.80	206,416.84
50	31-Dec-31	1,032.08	18,300.72	19,332.80	188,116.12
51	31-Mar-32	940.58	18,392.22	19,332.80	169,723.90
52	30-Jun-32	848.62	18,484.18	19,332.80	151,239.72
53	30-Sep-32	756.20	18,576.60	19,332.80	132,663.12
54	31-Dec-32	663.32	18,669.49	19,332.80	113,993.63
55	31-Mar-33	569.97	18,762.83	19,332.80	95,230.80
56	30-Jun-33	476.15	18,856.65	19,332.80	76,374.15
57	30-Sep-33	381.87	18,950.93	19,332.80	57,423.22
58	31-Dec-33	287.12	19,045.69	19,332.80	38,377.53
59	31-Mar-34	191.89	19,140.91	19,332.80	19,236.62
60	30-Jun-34	96.18	19,236.62	19,332.80	-



**14.7 LEISURE LINK DEBT**

**Author:** Ken Wheeldon, Business Manager Property & Community Services

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** Nil

<b>Link to Community Strategic Plan:</b>	CO1.3 Continue with Council's aged care and disability services.
<b>Cost to Council:</b>	\$4,220.18 in lost revenue
<b>Use of Reserve Funds:</b>	Nil.

**RECOMMENDATION**

That:

1. The report from the Business Manager Property & Community Services on a Leisure Link debt be received.
2. An amount of \$4,220.18 for debtor number 3004483 be written-off.

**BACKGROUND**

The Leisure Link Coordinator has been pursuing a long term Leisure Link debt for 12 months however due to factors outside Council's control, this debt has remained outstanding. This report provides a brief background on the circumstances surrounding this debt and efforts to date to seek payment from NDIS on behalf of an existing Leisure Link client.

**REPORT**

Council's Community Services unit provides Leisure Link services to approximately 60 clients, all of which are on individual NDIS plans. Council invoices NDIS individually for each client, as agreed by the clients as part of their Services Agreements and Bookings.

Each month client debts are monitored and reviewed by the Leisure Link Coordinator and are all generally up to date. However in relation to one client (i.e. Debtor Number 3004483), an amount of \$4,220.18 remains outstanding due to an error made with the original service booking in early 2018. In order to change the original service booking, NDIS are required to change this booking. Unfortunately neither Council nor the client can change this service booking/old plan.

The client now has a new plan in place with service bookings. All payments are up to date with this service plan. In relation to the outstanding debt from the old plan, this has proven difficult to retrieve despite ongoing contact with NDIS. Furthermore the debtor is unaware of this debt due to his disability and it would be detrimental to his mental health if he was made aware of this debt.

**14.8 PUBLIC HEARING - COUNCIL LAND CLASSIFICATION****Author:** Ken Wheeldon, Business Manager Property & Community Services**Authoriser:** Warwick Bennett, General Manager**Attachments:** 1. Public Hearing Report - Reclassification of Various Lands [↓](#) 

<b>Link to Community Strategic Plan:</b>	CO2.3 - Planning for public spaces undertaken to reflect the growing community's needs. CO4.1 - Create a cultural environment that contributes socially and economically to the community. CL2.1 - Undertake community consultation in accordance with adopted Community Engagement Strategies
<b>Cost to Council:</b>	<ul style="list-style-type: none"> <li>- \$3,168 (inclusive of GST) to engage an independent Chair for the public hearing to include preparation of Chair's report on outcome of the hearing.</li> <li>- Advertising 3 x Public Notices prior to the hearing</li> <li>- Advertising 1 x Public Notice after the hearing</li> </ul>
<b>Use of Reserve Funds:</b>	Nil.

**RECOMMENDATION**

That:

1. The report from the Business Manager Property & Community Services on the Public Hearing – Council Land Classification be received.
2. 59-61 Hovell Street, Goulburn be re-classified as 'Operational' land under the *Local Government Act 1993* and arrangements commence for this land to be re-zoned from RE1 – Public Recreation to R1 – Residential.
3. 20 Hercules Street, Goulburn be re-classified as 'Operational' Land under the *Local Government Act 1993* and remain zoned as RU2 - Rural Landscape.
4. The intent of Council previous resolution be confirmed with regard to 30 Albert Street, Goulburn to be subdivided in half with the corner block continue to be classified as 'Community' land and under the *Local Government Act 1993* and remain zoned as RE1 - Public Recreation and the balance of the land be re-classified as 'Operational' land under the *Local Government Act 1993* and arrangements commence for this land to be re-zoned from RE1 – Public Recreation to R1 – Residential.
5. A public notice be advertised informing of Council's decision to re-classify 59-61 Hovell Street, Goulburn, part 30 Albert Street, Goulburn and 20 Hercules Street, Goulburn as 'Operational' land.
6. All submitters be advised of Council's decision and thanked for their input.
7. Private treaty negotiations commence with the owner of 18 Hercules Street to sell them 20

Hercules Street, Goulburn, subject to agreeing to pay the current market value and costs associated with registering a stormwater easement along the northern boundary with both parties to meet own legal fees.

8. Council seal be affixed to all documentation necessary to complete the sale of 20 Hercules Street, Goulburn.

## BACKGROUND

The purpose of this report is to summarise the outcome of the public hearing into the proposed reclassification of various parcels of land under the *Local Government Act 1993*.

## REPORT

At its meeting held on 20 November 2018, Council resolved to commence a public consultation process and public hearing process to re-classify the following properties from 'Community' land to 'Operational' land:

- 59-61 Hovell Street, Goulburn
- 20 Hercules Street, Goulburn and;
- approximately half of 30 Albert Street, Goulburn

A Public Hearing was held on 11 April 2019 and chaired by Stephen Richardson from Cowman Stoddart Pty Ltd who are town planning, agricultural and environmental consultants. The hearing was held following the publishing of 3 public notices, 1 media release and letters being sent to all property owners in the surrounding streets of each property that was the subject of the proposed re-classifications.

Following the hearing, Council staff have reviewed the attached Public Hearing Report prepared by the Chair and comment as follows;

1. A total of 28 people attended the hearing
2. A total of 13 verbal submissions and 5 written submissions were received. A number of the verbal submissions were also supported by written submissions
3. A total of 11 verbal submissions and 4 written submissions were made in relation to the Part 30 Albert Street, Goulburn reclassification proposal
4. A total of 2 verbal submissions and 1 written submission were made in relation to the 59-61 Hovell Street, Goulburn reclassification proposal.
5. No verbal or written submissions were made in relation to the 20 Hercules Street, Goulburn reclassification proposal.

In relation to 59-61 Hovell Street, Goulburn, the main concerns expressed were;

- The need for improved stormwater measures to be put in place if the 59-61 Hovell Street land at the rear of businesses in Finlay Road is developed as a residential estate in conjunction with Council's land at 49-57 Hovell Street. During the hearing it was communicated to attendees that Council would be engaging an independent town planning consultant to prepare a development application for a '*smart, well designed residential estate that would address stormwater and access requirements*'.
- Potential for noise complaints (from new residents if a new residential estate was established on this land) against businesses in Finlay Road that are currently zoned IN1 - General Industrial.

In relation to 20 Hercules Street, Goulburn, the adjoining property owner at 18 Hercules Street attended the hearing as he has previously expressed interest in acquiring 20 Hercules Street which he has maintained for decades (i.e. it is fenced off as part of his yard). Other than already

maintaining this parcel of land at his expense, he would also like to tidy up the title to his property to include 20 Hercules Street rather than his children having to resolve this at a later date.

Council has three options available for the sale of any of its properties. These are:

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

Advantages and disadvantages associated with each of method of sale is summarised as follows:

METHOD OF SALE	ADVANTAGES	DISADVANTAGES
Private Treaty	<ul style="list-style-type: none"> <li>• Vendor is in control of the selling process</li> <li>• Reduced advertising costs</li> <li>• Vendor is in control over the nature and type of industry, particularly in times of severe drought.</li> <li>• Have full knowledge and understanding of whom dealing with.</li> <li>• Performance measures can be included in contract of sale (inc Buy-Back Option)</li> <li>• Can ensure a desired level of employment generation</li> <li>• Can be used to maximise employment generation</li> <li>• Provides sufficient time for proposed purchaser to do their home-work</li> <li>• Most common method in the private sector</li> <li>• Reduces lengthy delays</li> </ul>	<ul style="list-style-type: none"> <li>• There is no defined time limit on the sale.</li> <li>• Purchaser has a cooling-off period.</li> <li>• May not maximise sale price.</li> <li>• Can be viewed as not being an open and transparent method of sale.</li> </ul>
Expressions of Interest	<ul style="list-style-type: none"> <li>• Can selectively target certain industries deemed appropriate for the area/zoning.</li> <li>• Can be used to maximise employment generation</li> <li>• Vendor doesn't need to determine a price at the outset i.e. set by</li> </ul>	<ul style="list-style-type: none"> <li>• Can limit the potential number of suitable purchasers.</li> <li>• May not maximise sale price.</li> <li>• Purchasers decide the market value.</li> </ul>

	the market.	
Public Auction	<ul style="list-style-type: none"> <li>• Intensive marketing takes place</li> <li>• There is a defined timeframe</li> <li>• There is a competitive element</li> <li>• A firm sale is achieved</li> <li>• May maximise sale price</li> <li>• Can be seen as a more open, transparent method of sale</li> </ul>	<ul style="list-style-type: none"> <li>• Vendor pays advertising</li> <li>• Purchasers can be wary of the competitive element</li> <li>• No control over employment generation or lack of if land zoned appropriately.</li> <li>• Is appropriate for unique or high-demand properties only</li> <li>• No control over development taking place i.e. cannot include performance measures in contract depending on zoning of land</li> <li>• Reduced control over type of industry to be established if land zoned appropriately</li> </ul>

Private Treaty and Expressions of Interest offer greater control over the outcome of a sale however these methods can result in a lower sale price and be perceived as less transparent. A Public Auction may maximise the sale price (especially if there are multiple buyers) and is clearly a transparent process.

However, given the current zoning of 20 Hercules Street (i.e. no dwellings can be built on it), its flooding potential, configuration and other land constraints, it only has nominal value (i.e. \$10,000 - \$15,000, subject to a market valuation). It is therefore more appropriate to negotiate a sale with the adjoining property owner at 18 Hercules Street. In addition, the other adjoining property owner (who owns all other parcels of land behind 20 Hercules Street) has written to Council advising they are not interested in acquiring 20 Hercules Street.

In relation to 30 Albert Street, Goulburn, in addition to the verbal and written submissions received on the proposal to re-classify and ultimately re-zone and subdivide half of it, many comments were made on social media opposing this proposal. During the hearing, it was communicated that should Council resolve to re-classify half of 30 Albert Street to 'Operational' land and subdivide/sell half of it, the proceeds of sale would be used to provide new, updated park equipment with remaining proceeds going towards continued improvements at Victoria Park. Although there was strong sentiments at the public hearings to retain the whole block, it still remains the opinion and advice of management to subdivide the block and develop a quality playground facility on the corner part and sell the balance. This will reduce the cost liability to Council of mowing and maintaining of excess land to the neighbourhood needs – remembering that Victoria Park with all its wonderful assets is well within easy walking distance

# **PUBLIC HEARING REPORT**

## **Report on the outcome of Public Hearing into the Reclassification of Various Lands under the Local Government Act 1993**

**Held at Goulburn Mulwaree Council Chambers  
on 11<sup>th</sup> April 2019**

**Prepared for  
Goulburn Mulwaree Council**

**May 2019**

**COWMAN STODDART PTY LTD**

## EXECUTIVE SUMMARY

A Public Hearing was held on the 11<sup>th</sup> April 2019 in accordance with the provisions of Section 29 of the Local Government Act 1993 with respect to the reclassification of various parcels of land from "Community" land to "Operational" land within the Goulburn Mulwaree local government area.

The Public Hearing concerned the following matters:

- The reclassification of a portion of Part 30 Albert Street, Goulburn from "Community" land to "Operational" land; and
- The reclassification of all of 59 – 61 Hovell Street, Goulburn from "Community" land to "Operational" land; and
- The reclassification of 20 Hercules Street, Goulburn from "Community" land to "Operational" land.

This report details the results of the Public Hearing into the reclassification of these three parcels of land.

A total of 28 people attended the Public Hearing.

A total of thirteen (13) verbal submissions and five (5) written submissions were made in relation to the Public Hearing. It should be noted that a number of the verbal submissions were also supported by written submissions.

- Eleven (11) verbal submissions and four (4) written submissions were made in relation to the Part 30 Albert Street, Goulburn reclassification proposal;
- Two (2) verbal submissions and one (1) written submission were made in relation to the 59 – 61 Hovell Street, Goulburn reclassification proposal;
- No verbal or written submissions were made in relation to the 20 Hercules Street, Goulburn reclassification proposal.

The submissions made in relation to the Part 30 Albert Street reclassification proposal largely objected to this reclassification proposal (only one verbal submission did not specifically object to this reclassification proposal). In summary these submissions raised the following reasons for objecting to the reclassification of the Albert Street land:

- It was alleged that the Albert Street park is well utilised by residents from this neighbourhood. The park is frequented and used by people of all ages and for different purposes.
  - Young children walking to and from local public schools.



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**Report on Public Hearing**  
Executive Summary

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- Young people use the park as a meeting place.
- Young families use the park for passive and active recreational pursuits.
- Older residents enjoy the quiet ambience of the park.
- The loss of open space areas such as the Albert Street park will hamper broader community objectives of reducing obesity by removing an open space used for active and passive recreation.
- Many submissions argued that the park would be better utilised if more facilities such as seating and tables or improved playground equipment were installed within the park.
- Submissions were made that small neighbourhood parks such as the Albert Street Park are an important oasis in the urban area:
  - They provide green space particularly as modern housing becomes larger on smaller blocks, leaving less private open space. Small public parks become more important for the physical and social fabric of the neighbourhood.
  - The provision of larger recreation facilities within larger parks often involves removal of trees and vegetation. Smaller parks such as the Albert Street park provide an opportunity to retain green spaces and trees with this City.
  - Smaller parks have environmental attributes as: potential habitat for local fauna (birds); a place where there are trees; and a place to provide a respite to “urban heat islands”.
- The Albert Street park provides social, cultural; and health benefits for a local neighbourhood, and the loss of such parks would have adverse impacts on the local community.
- Larger parks may not be within easy walking distance for young children, reducing accessibility for younger children to open space facilities. Smaller neighbourhood parks are within closer proximity for the recreational needs of younger children.
- The submissions did not support the reduction in area of the Albert Street park. Submissions argued the remaining “community” land would not be adequate to meet the recreational needs of the neighbourhood.
- Submissions also raised the historic basis for the original provision of the park by the Director of War Service Homes as a place “for public garden and recreation space”.
- Submissions also raised concerns that the loss of the Albert Street park would result in a loss of amenity to neighbouring dwellings.
- Submissions also objected to the sale of open spaces like Albert Street park as a means of improving Council’s fiscal situation; or to fund recreational facilities in other parts of the City.

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**Report on Public Hearing**  
Executive Summary

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The submissions made in relation to the Hovell Street, Goulburn reclassification proposal did not raise objection to this reclassification proposal, but did raise issues of concern that should be taken into consideration by Council including:

- Concerns about future rezoning of land to residential and potential amenity conflicts between future residents with existing industrial zoned and developed land (General Industrial IN1) that directly adjoins the Hovell Street land.
- Concerns were also raised about existing stormwater drainage problems that the existing industrial properties located along Finlay Road experience from the stormwater flowing from the Hovell Street land. Future development of the Hovell Street land should not exacerbate existing stormwater problems, but rather should seek to alleviate this problem.
- Concern was also raised about poor vehicle access to the Hovell Street land, particularly the narrow laneways that adjoin this land.

No verbal or written submissions were made in relation to the reclassification proposal concerning 20 Hercules Street, Goulburn.

Pursuant to Section 47(G)(3) of the Local Government Act, no later than 4 days after Council has received this report of the results of the Public Hearing held in relation to the reclassification of these parcels of land; Council must make a copy of the report available for the inspection by the public within the local government area.

## PUBLIC HEARING REPORT

### Report on the Outcome of Public Hearing into the Reclassification of Various Lands under the Local Government Act 1993

Held at Goulburn Mulwaree Council Chambers  
11<sup>th</sup> April 2019

Person presiding at Public Hearing:

Stephen Richardson, M. Appl. Sc., BTP (1<sup>st</sup> Class Hons),  
Grad. Dip. Env. Management, RPIA  
Town Planner and Director  
Cowman Stoddart Pty Ltd

Our ref: 19/08

Report dated 1<sup>st</sup> May 2019

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**Report on Public Hearing**  
Goulburn Mulwaree Council  
Reclassification of Various Sites

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## **1.0 INTRODUCTION**

This report details the outcome of a Public Hearing held at Goulburn Mulwaree Council on the 11<sup>th</sup> April 2019. The Public Hearing concerned the reclassification of a number of parcels of Council owned land within the Goulburn Mulwaree local government area from "Community" land to "Operational" land under the Local Government Act 1993.

The Public Hearing was specifically concerned with the following matters:

- The reclassification of a portion of Part 30 Albert Street Goulburn from "Community" land to "Operational" land; and
- The reclassification of all of 59 – 61 Hovell Street Goulburn from "Community" land to "Operational" land; and
- The reclassification of 20 Hercules Street Goulburn from "Community" land to "Operational" land.

Sections 25 and 26 of the Local Government Act 1993 requires all land vested in a Council (except a road or land to which the Crown Lands Act applies) to be classified as either "Community" or "Operational". The purpose of classification is to identify clearly that land which should be kept for use by the general public (Community) and that land which need not (Operational).

"Community land" would ordinarily comprise land such as Public Parks. "Operational" land would ordinarily comprise: land held temporarily as an asset or as an investment; land which facilitates the carrying out by a council of its functions; or land which may not be open to the general public (such as a works depot or garage).

The classification of land is normally undertaken by the preparation of a Local Environmental Plan or by a resolution of the council under sections 31, 32 or 33 of the Local Government Act.

The classification of land is entirely separate to the land use zonings that might apply to land under a Council's Local Environmental Plan.

The major consequence of classification is that it determines the ease or difficulty with which land may be alienated by sale, leasing or some other means.

Pursuant to Section 29 of the Local Government Act 1993 a council must arrange a Public Hearing where it seeks to reclassify "Community" land as "Operational" land.

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Report on Public Hearing  
Goulburn Mulwaree Council  
Reclassification of Various Sites

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## 2.0 THE RECLASSIFICATION PROPOSALS

The Public Hearing concerned the proposed reclassification of various parcels of land from “Community” land to “Operational” land under the Local Government Act 1993.

In summary the Public Hearing was concerned with the following matters:

- The reclassification of a portion of Part 30 Albert Street Goulburn from “Community” land to “Operational” land; and
- The reclassification of all of 59 – 61 Hovell Street Goulburn from “Community” land to “Operational” land; and
- The reclassification of 20 Hercules Street Goulburn from “Community” land to “Operational” land.

### 2.1 PART 30 ALBERT STREET, GOULBURN

This reclassification concerns Lot 45 DP 32090, Part 30 Albert Street Goulburn (the “Albert Street land”) (refer **Figure 1**). The land in total comprises an area of about 1726 m<sup>2</sup>, however the reclassification proposal seeks to reclassify an area of 850 m<sup>2</sup> comprising the southern portion of this land (**Figure 2**). The remainder of the land would remain classified as “Community” land.

This land is presently zoned RE1 Public Recreation under the Goulburn Mulwaree Local Environmental Plan 2009 (refer **Figure 3**) and is classified as “Community” land under the Local Government Act.

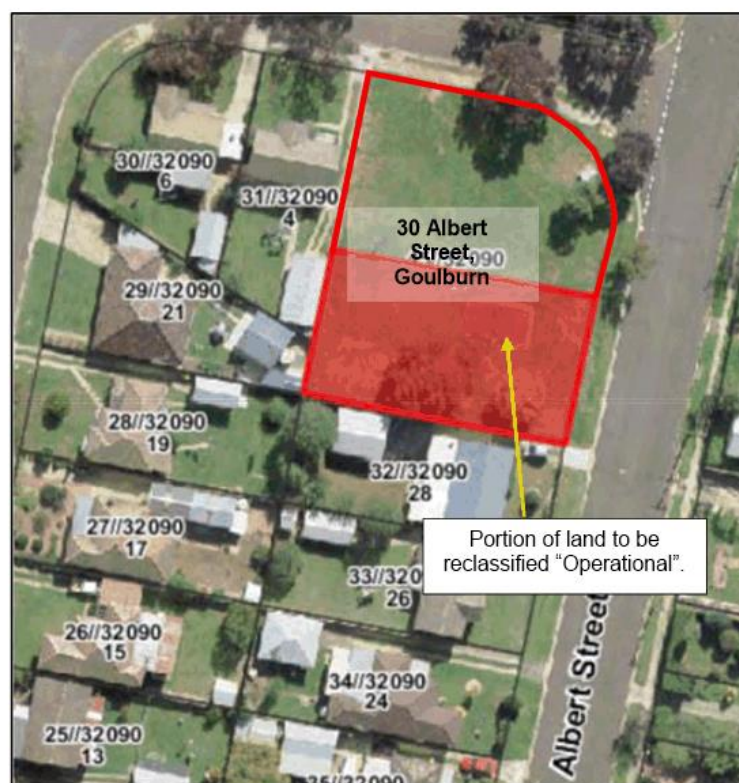
The Albert Street land is a small park with a single swing set and several established trees. (refer **Plate 1**). The land is a corner allotment fronting Albert Street along its eastern frontage and Newton Street along its northern frontage. Dwelling houses are situated on adjoining parcels to the west and south.



**Report on Public Hearing**  
Goulburn Mulwaree Council  
Reclassification of Various Sites

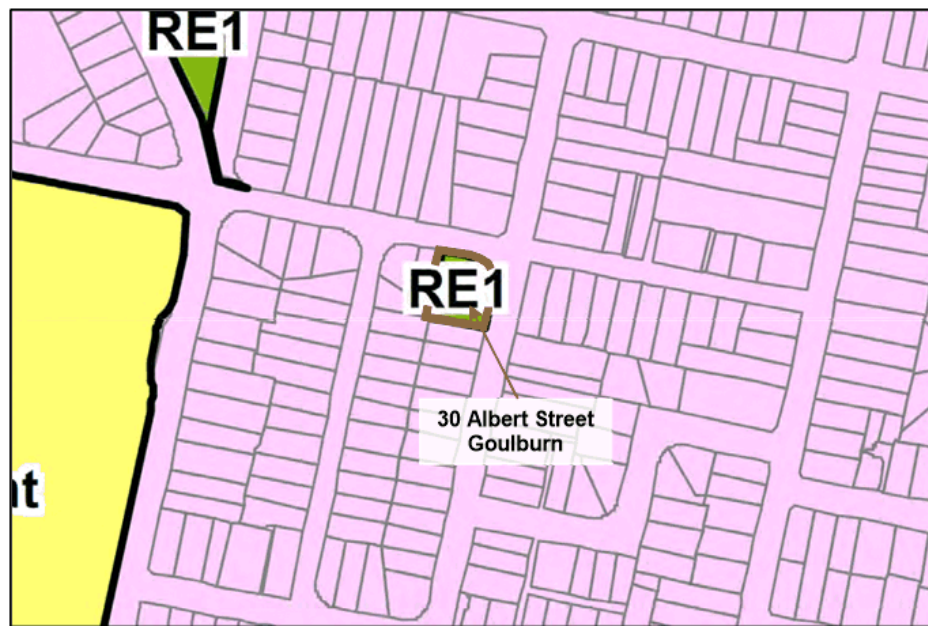


**Figure 1: Aerial photograph depicting Part 30 Albert Street, Goulburn**  
(courtesy Nearmaps)



**Figure 2: Land associated with reclassification of Part 30 Albert Street, Goulburn**

**Report on Public Hearing**  
Goulburn Mulwaree Council  
Reclassification of Various Sites



**Figure 3: Zoning provisions applying to Part 30 Albert Street ,Goulburn under Goulburn Mulwaree LEP 2009.**



**Plate 1: View of Part 30 Albert Street Goulburn.**

**Report on Public Hearing**  
Goulburn Mulwaree Council  
Reclassification of Various Sites

According to advice supplied by Council the Albert Street land was conveyed to the Council by Conveyance No 253 Book 2747 on 13 April 1965. The transferor was the Director of War Service Homes. The transferee was The Council of the City of Goulburn. The purpose of the conveyance was stated to be *"for public garden and recreation space"*. Deposited Plan 32090 was registered on 29 October 1965 and Lot 45 is shown on that plan as *"public garden and recreation space"*.

At that time the provisions of section 340A of the Local Government Act 1919 applied. Relevantly that section provided:

*"340A Public garden and recreation spaces"*

- (1) *Where in the subdivision of land provision is made for public garden and recreation space, such space shall be conveyed or transferred to the council if the council at any time so requires ..."*

It is understood that Conveyance No 253 Book 2747 was made pursuant to that provision.

Council's justifies the reclassification of this land on the following basis:

*"Council has been undertaking a Recreational Needs Strategy (draft currently on exhibition). The Strategy recommends that Council focus resources on the provision of regional recreational facilities such as the proposed upgrades to the aquatic centre, skate facilities and "rage cage" at Victoria Park. The Recreational Needs Strategy identifies some potential for rationalisation of local parks whilst maintaining parks within 5 minutes walking distance of residential areas (i.e. within 400 – 500m).*

*In this case, it is intended that half of the park be reclassified, rezoned to residential and sold to assist with the funding of regional recreational and community facilities. Half of the park is intended to be retained with the swings to be relocated or replaced with the retained portion. Therefore the provision of a local park in this location would continue with a reduced area.*

*It is noted that Victoria Park is approximately 650m away from the Albert Street Park and offers a larger recreational open space area.*

*Proposed New Zone:*

*R1 Residential"*

## **2.2 NO. 59 – 61 HOVELL STREET, GOULBURN**

This reclassification proposal involves Lot 8 DP 832816, 59 – 61 Hovell Street, Goulburn (the "Hovell Street land") (refer **Figures 4 and 5**). This Hovell Street land comprises an area in total of 3.186 hectares. The reclassification proposal concerns the whole of this parcel of land.



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The Hovell Street land is presently zoned RE1 Public Recreation under the Goulburn Mulwaree Local Environmental Plan 2009 (refer **Figure 6**) and is classified as “Community” land under the Local Government Act.

The land is a “battle-axe” shaped allotment with road frontage to Hovell Street at its western frontage. The land is mainly vacant, cleared land (refer **Plate 2**), with some tree plantings along part of its southern boundary, and along its western boundary. The land is bound by industrial developments along its southern boundary (see **Plate 3**); residential development along its eastern boundary; two large lot residential properties along its northern boundary as well as undeveloped residential zoned land fronting Hovell Street.



**Figure 4: Aerial photograph of 59 – 61 Hovell Street, Goulburn**  
(courtesy Nearmaps)

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**Figure 5: Land associated with reclassification of 59 – 61 Hovell Street, Goulburn**



**Figure 6: Zoning provisions applying to 59 – 61 Hovell Street, Goulburn under Goulburn Mulwaree LEP 2009**



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**Plate 2:** View of 59 – 61 Hovell Street, Goulburn.



**Plate 3:** View of industrial development along Finlay Street.  
These industrial developments adjoin the Hovell Street land.

According to information supplied by Council this land was conveyed to the Council by Transfer dated 24 January 1979 registered R079857. The transferors were John Ross Overall, Dorothy Caroline Overall, John Albert Overall and Robert Charles Overall. The

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transferee was The Council of the City of Goulburn. The consideration was payment by Council of the sum of \$41,500.00.

Council's justifies the reclassification of this land on the following basis:

*"This site is identified in the draft Recreational Needs Strategy as being surplus to Council's recreational needs. The site is relatively large and is located on the southern fringe of the residential area in Goulburn. Other parks are within 5 minutes walking distance (Davies Crescent Park 298m and Eldon Park 578m).*

*It is intended that the land be reclassified, rezoned to residential and sold.*

*Proposed New Zone:*

*R1 Residential"*

### **2.3 NO. 20 HERCULES STREET, GOULBURN**

This reclassification concerns Lot 2 Section 9 DP 979849, 20 Hercules Street, Goulburn (refer **Figures 7 and 8**). This land comprises an area of 1012 m<sup>2</sup>. The reclassification proposal concerns the whole of this parcel of land.

This land is presently zoned RU2 – Rural Landscape under the Goulburn Mulwaree Local Environmental Plan 2009 (refer **Figure 9**) and is classified as "Community" land under the Local Government Act.

This land is vacant land and appears to have been fenced off for many years and used by an adjoining property owner (**Plate 4**). A stormwater drain traverses the northern boundary of the land.



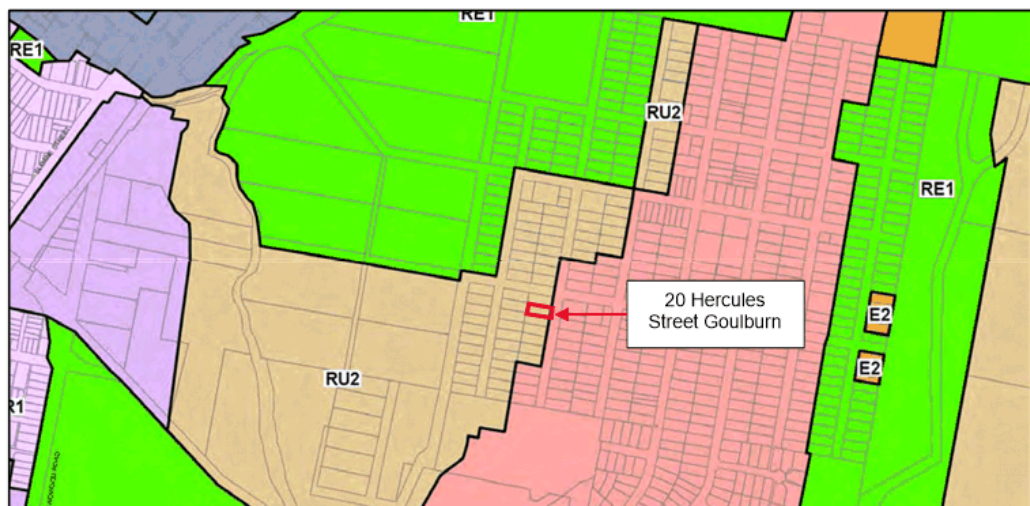
**Figure 7: Aerial Photograph of 20 Hercules Street, Goulburn**



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**Figure 8: Land associated with reclassification of 20 Hercules Street, Goulburn**



**Figure 9: Zoning provisions applying to 20 Hercules Street, Goulburn under Goulburn Mulwaree LEP 2009**

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**Plate 4:** View of 20 Hercules Street, Goulburn.

According to information supplied by Council this land was conveyed to the Council by Conveyance No. 919 Book 2237 dated 26 June 1952. The transferor was the Public Trustee. The transferee was The Council of the City of Goulburn.

The Conveyance states:

*"whereas the said Council of the City of Goulburn in pursuance of section 602 of the Local Government Act 1919 duly applied to the Public Trustee to sell the lands hereinafter described under the provisions contained in the said act and whereas the amount of the improved value of the said land for the time being in force under the Valuation of Land Act 1916 (as amended by subsequent acts) is less than the total amount of the estimated fees and expenses of the Public Trustee on such sale and the rates and charges due to the said Council of the City of Goulburn now this deed witnesseth that in consideration of the sum of Ten Shillings paid by the said Council of the City of Goulburn to the Public Trustee (receipt whereof is hereby acknowledged) the Public Trustee in exercise of the powers conferred on him by Section 603A of the Local Government Act 1919 and of every other power in that behalf him hereunto enabling doth hereby convey unto the said Council of the City of Goulburn (the said land)."*

Council justifies the reclassification of this land on the following basis:

*"The land is currently within a rural zone and is not accessible to the public as it is fenced in with a private land holding. The site has not been identified as public recreational space (as there are larger park areas in close proximity – Eastgrove Park 287m and Carr Confoy Park 500m).*

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*The intention of this reclassification is to facilitate the sale of this site which is surplus to Council's recreational and operational needs. The land requires reclassification in order to be sold. Rezoning of this individual site is not considered appropriate without a review of the zoning for the whole precinct.*

*Proposed Zone:*

*No change – RU2 Rural Landscape”*

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### **3.0 PUBLIC EXHIBITION**

Public notices for the Public Hearing relating to the reclassification of these parcels of land was by Public Notices in the Post Weekly newspaper on the 14<sup>th</sup> March, 28<sup>th</sup> March and 4<sup>th</sup> April 2019.

A Media Release was also issued by Council on the 16<sup>th</sup> March 2019.

Copies of the Public Notices and Media Release are included as **Annexure 1** to this report.

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## **4.0 PUBLIC HEARING**

The Public Hearing was arranged pursuant to the provisions of Section 29 of the Local Government Act. The Public Hearing was held at the Goulburn Mulwaree Council Chambers, at Goulburn on the 11<sup>th</sup> April 2019 commencing at 6:00 pm.

Pursuant to Section 47G of the Local Government Act 1993, the person presiding at the Public Hearing, Mr Stephen Richardson of Cowman Stoddart Pty Ltd:

- (a) is not a Councillor or employee of Goulburn Mulwaree Council; and
- (b) has not been a Councillor or employee of Goulburn Mulwaree Council at any time during the 5 years before the date of his appointment as chair for these Public Hearing.

Section 47G of the Act requires the person presiding to report on the outcome of the Public Hearing. This report has been prepared in accordance with Section 47G of the Act.

Section 47G(3) of the Act, also requires that not later than 4 days after Council has received this report concerning the Public Hearing, Council must make a copy of the report available for inspection by the public at a location within the Council area.

The Public Hearing at Goulburn Mulwaree Council Chambers on the 11<sup>th</sup> April 2019 was attended by Mr Richardson (Chairman), Council staff – Brendan Hollands (Acting General Manager and Director of Corporate & Community Services) and Ken Wheeldon (Business Manager Property & Community Services)..

A register of people attending the Public Hearing was kept and shows 28 people in attendance. (A copy of this register is included as **Annexure 2** to this report.)

This hearing commenced at 6:00 pm and was completed by 7.15 pm.

A total of thirteen (13) individuals made verbal submissions at the hearing. The majority of submissions (eleven (11)) concerned the Albert Street land. Eleven (11) of these submissions raised objections or concerns to the reclassification of this land. Two (2) verbal submission was made in relation to the Hovell Street property; and no verbal submissions were made in relation to the Hercules Street property.

In addition to the verbal submissions, a total of eleven (11) written submissions were also made by the public to Council in response to the public notification of the Public Hearing prior to the Public Hearing taking place. Several of these written submissions were made by persons who also presented verbal submissions to the Public Hearing. Copies of these written submissions were supplied to the Public Hearing Chair prior to the meeting. Copies of the written submissions are included in **Annexure 3** to this report.

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These written submissions included ten (10) submissions concerning the reclassification of the land at Part 30 Albert Street, Goulburn; and one (1) submission concerning the reclassification of the land at 59 – 61 Hovell Street, Goulburn.

No verbal or written submissions were made in relation to the reclassification of 20 Hercules Street, Goulburn.

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## **5.0 ISSUES RAISED AT PUBLIC HEARING**

The following section of the report provides a summary of the issues raised by the individual verbal and written submissions made to the Public Hearing. Also included are summaries of responses from Council staff made to specific verbal submissions where relevant.

### **5.1 PUBLIC HEARING ON 11<sup>TH</sup> APRIL 2019**

#### **5.1.1 Part 30 Albert Street, Goulburn**

At the outset it should be noted that many people who made verbal submissions to the Public Hearing also made written submissions that were either supplied to Council prior to the Public Hearing or were supplied directly to me at the Public Hearing.

#### ***Public Submissions – Verbal***

##### 1. Linda Polosak 76 Verner Street, Goulburn

- Ms Polosak provided the Public Hearing with a written submission in support of her verbal submission.
- Objected to proposed reclassification of Albert Street land.
- Land was originally transferred to Council by the then Director of War Service Homes. The purpose of the conveyance stated at the time to be “for public garden and recreation space”. The Department of Veteran Affairs understood the importance of open spaces which could be enjoyed by all when they handed the land to Goulburn.
- Now more than ever before, local, safe open spaces for children and adults are needed, particularly with ever increasing number of houses being built on small blocks with little outdoor space.
- Understands that Council wants to use funds from sale of this land to compensate and redirect to provision of facilities in Victoria Park. However according to Ms Polosak not everyone wants to use Victoria Park and all its facilities. Many people want the quiet sanctuary of a small park.
- Following hottest summer on record, Ms Polosak is of the view that it is time council consider the effect of urban heat islands that cities and towns become with asphalt and buildings. Established parks in urban settings provide respite and should not be developed.
- Loss of open space also leads to loss of habitat.



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- In Ms Polosak's view we need more parks and open spaces not less. More money needs to be spent on this park not less.
- Ms Polosak advised when she moved to this area, her children used the park and that was over 30 years ago. Since then no maintenance or new facilities have been provided within this park.
- As a separate question Ms Polosak asked what was a "Rage Cage". (This was one of the projects currently planned for Victoria Park.)
- Ms Polosak also queried whether Council had an estimate of what financial return they expected to receive from the sale of part of the Albert Street land.

*Brendan Holland (Council's Acting General Manager and Director of Corporate & Community Services) and Ken Wheeldon (Business Manager Property & Community Services) responded to these last two queries:*

- *A "Rage Cage", which is being constructed in Victoria Park, will essentially be a fenced spaced where a variety of small scale sports can be played without impacting on surrounding areas of the park.*
- *At this point in time Council has not arranged any valuations in relation to the parcels of land the subject of the Public Hearing. Such would be premature as Council would need to proceed through a Planning Proposal process first to enable the planning provision of this land to be altered.*

2. Nikki Shepherd – 43 William Street, Goulburn

- Ms Shepherd provided the Public Hearing with a written submission in support of her verbal submission.
- Objected to proposed reclassification of Albert Street land.
- Green space is critical as it contributes to society's health and well-being.
- It is a valuable space for a number of purposes including: a place for picnics; kicking a ball; using the much loved and utilised swings; space for kids to run, explore and play; a place for Goulburn High School and MHS kids to "chill" and talk; a place for Wollondilly Public School kids to play on their way to and from school; dogs on leads are taken to this park; birds such as Plovers nest at this park every season and other fauna species inhabit this park.
- The green space is already very small. Developing half of it will destroy the quality of the space for the benefit of the local community.
- Part development or whole development of the park will devalue properties nearby and in the neighbourhood.

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- Ms Shepherd has taken her children to play at this park since they were small. Ms Shepherd's family including nephews, nieces, and her sister's mother-in-law (83 years of age Mrs Robin Cole, former Major Keith Cole's wife) have all used and still use and like to spend time in this park.
- Visually green space such as this park contributes to increased mental health and well-being. According to Ms Shepherd, the outer areas of Goulburn are losing its charm with new residential estate developments, which provide few green open spaces.
- According to Ms Shepherd, green spaces around the city need to be protected and even heritage listed as these spaces are not just of social significance, but also of physical and mental health, historical and cultural significance. Green spaces also contribute to supporting the vulnerable state of Goulburn flora and fauna biodiversity.
- This is a public green recreation space. According to Ms Shepherd, Goulburn has so much development currently taking over the outskirts of the city. Green spaces should not become more housing development. According to Ms Shepherd, it is bad for the general health and well-being of Goulburn's residents.
- If any further development were to happen at Albert Street park Ms Shepherd was of the view that it should enhance the health and well-being of the community by planting more shrubs and plants; providing another play area (like the one that has been constructed at Gibson Street park); public seating; an outdoor gym; perhaps picnic table; and BBQ. Any development at this park needs to make it a better green and recreation space.
- With the onset of climate change – existing green spaces need to be held onto.

3. Jenny Campton-Smith – 8 Kadwell Street, Goulburn

- Ms Campton-Smith provided the Public Hearing with a written submission in support of her verbal submission.
- Objected to proposed reclassification of Albert Street land.
- Ms Campton-Smith was appalled Council would countenance selling a green space especially considering increasing temperatures caused by climate change. According to Ms Campton-Smith we need all the green spaces we already have not less.

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- Ms Campton-Smith's children as well as other neighbourhood children all played in this park. The park is still a meeting place for people. Goulburn has a small number of parks throughout the City that provide the opportunity for children and adults to meet and play.
- Ms Campton-Smith does not support concentrating activities around Victoria and Belmore Parks. Ms Campton-Smith indicated that not everyone can or wants to go to larger parks. Only larger parks or those associated with organised sport appear safe from being sold off. The community should retain pockets of green space dotted around the City. The space is valuable as it is. If Council sees 'value' in terms of greater patronage then perhaps Council could install seating for people to use, to improve the use of the park.
- Ms Campton-Smith considers it is a sad day when 'value' to a community is only thought of in restricted terms. The value of parks should not be restricted to a monetary value. Rather such facilities were assets for the whole community.
- Ms Campton-Smith stressed she has never written to Council before about the sale of assets in the past. However, feels very strongly about the reclassification of this land, stating the idea of selling off any park is short sighted. In this day and age, a green space should never be surplus to community needs.
- Ms Campton-Smith was of the view that as no facilities like tables and chairs were provided in the park, and existing facilities were not upgraded or maintained, that the facilities were being deliberately run down to justify that people were not using the park.

4. Cameron Bell – 29 Albert Street, Goulburn

- Mr Bell supplied a written submission to Council prior to the Public Hearing.
- Raises objection to reclassification of this land.
- Mr Bell indicated that one of the reasons they originally purchased their house in this area was the local park, and remained one of the reasons why they enjoy living there.
- Selling public assets should not be solution to get council out of desperate financial situation.
- Parks are an important component of the city and increasingly becoming rare in this day and age.

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- Mr Bell indicates he has walked with his children to and from school through this park for 9 years (so far).
- During this time his children have: witnessed plovers raise chicks each year; played on the swings; been able to learn to kick a football; and summon the courage to climb a tree.
- He has observed the health benefits of having green space near his house.
- Mr Bell pleads that Council should think of local children and the well-being of the local community. Mr Bell requests that Council do not sell the park, because once it has gone it can never be got back.
- Mr Bell also raised concern with what would happen when the land was sold and it was developed. Raised concern about whether future development would be sympathetic to streetscape. Raised concern about other developments approved throughout the City.
- Observed that Council should not be selling off open space. Mr. Bell stressed that local children need outdoor space to provide opportunities for activities and to learn skills (such as kicking a football). Open space also provides opportunities for people to feel better and to be less depressed.
- Mr Bell raised the question as to what Council would do to raise funds once all the open space has been sold off.

5. Adrian Pfoeffer – 37 Albert Street, Goulburn

- Mr Pfoeffer supplied a written submission to Council prior to the Public Hearing.
- Raises objection to reclassification of this land.
- This land is a valued community open space that is used by local residents on most days, and especially during holiday times.
- The demographics of the area are changing. There are many young couples moving back into this area and the park will be used more frequently in the future by these young couples with their children. This open space will become better used as a result of changing demographics in this local area.
- Once open space is lost, it is gone forever.
- Reducing the area of the open space will not benefit the local community.
- The small amount of money that Council could get for this land is minuscule compared to the present and future value as open, green space. The park should be retained as open space.

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- Mr Poeffer enquired as to whether Council has investigated the amount of funds that would likely be raised from the sale of the land. He indicated that any funds obtained would be not be sufficient in his view to outweigh the benefit this park provides to the local community.

*Ken Wheeldon (Business Manager Property & Community Services) responded to this query by stating that Council was only seeking to reclassify the land at present and had not investigated likely valuations for the land.*

**6. Patricia Barber – 3 Auburn Street Goulburn**

- Raises objection to reclassification of this land.
- Raised concern about the lack of trees in Goulburn. Explained she had come from the Illawarra which was very green with trees.
- The development of infrastructure in Victoria Park (extensions to the Aquatic centre etc) according to Ms. Barber results in a reduction in green space in this park. Enquired about how much further green space would be lost in Victoria Park as a result of expansion of the Aquatic Centre for instance.
- As a result of loss of green space in larger parks, according to Ms. Barber smaller neighbourhood parks become more important as green spaces. Smaller parks also provide quiet spaces that larger parks do not provide.

*Councillor and Mayor Bob Kirk addressed the point of extensions to the Aquatic Centre by indicating the extensions would generally be situated within the footprint of the existing centre.*

*At this point the Chair intervened indicating that the proposed extensions to the Aquatic Centre within Victoria Park fell outside the three matters the subject of the Public Hearing.*

**7. Lynne Makin – 29 Hoskin Street. Goulburn**

- Raises objection to reclassification of this land.
- Resided in area for 42 years.
- Confirmed the park was used by the community. Ms Makin outlined her grandchildren visit and play in the park and stated the park is always in use.
- In Ms Makin's view the park would be better utilised if more equipment was installed in the park.
- According to Ms Makin not all people want to visit Victoria Park. Victoria park can be overwhelming. Victoria Park is not suitable for instance for older people according to Ms Makin – it is not necessarily a peaceful place.

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- People need a quiet place. People visit the park for different reasons. The park is used for instance by people with disabilities.
- The Albert Street park is well situated within proximity of 2 schools.
- The park could be improved with the installation of better equipment.

**8. David Mullen – 26 Hurst Street, Goulburn**

- Raises objection to reclassification of this land.
- Agreed with many of the issues raised by other submissions.
- Mr Mullen did not agree with reducing the size of the park by half.
- Rather Mr Mullen indicated consideration should be given to improving the facilities in the park and installing additional park equipment making it more useful.

**9. Deputy Mayor Peter Walker – 43 William Street, Goulburn**

- Did not state a position on this matter due to role in Council.
- Enquired as to whether there was a figure as to how much funds would be re-spent in Park following sale.

*Ken Wheeldon (Business Manager Property & Community Services) responded to this query by stating that Council's resolution with respect to this matter does not go to this detail. Rather simply that Council has resolved that funds from the sale of part of the Albert Street park would be used to improve this park and other park lands.*

**10. Bob Lamb – Hamden Street, Goulburn**

- Raises objection to reclassification of this land.
- Mr Lamb outlined that when he was younger he played sports in this park including cricket and football.
- Indicated there was a need to improve equipment within the park.

**11. Kerry Lamb – Hamden Street, Goulburn**

- Raises objection to reclassification of this land.
- Would like to see Council be more forward thinking by improving existing assets rather than stripping them away.
- Put more money in facilities like this park and more people will use it.
- In the past many sports used this park. If the park was better maintained and equipment installed its use would be improved.

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**Public Submissions – Written**

1. Natasha Boswell – 28 Albert Street, Goulburn

Ms Boswell made two separate written submissions, one attached to an email dated 14<sup>th</sup> March 2019 and the second in an email dated 27<sup>th</sup> March 2019 attached to which were a series of photos of the park and views from her premises of the park. The following is a summary of the issues raised by both submissions:

- Ms Boswell objects to reclassification of this land.
- Ms Boswell states she acquired her property on basis that the land adjoining her property was designated “public recreation” and was “Community land”.
- Ms Boswell states that if the reclassification proceeds the value of her property would depreciate. If this happens Ms Boswell states she will instigate legal action seeking compensation for “injurious affection” as a result of the decrease in sale value of her home having regard to section 55(f) of the *Land Acquisition (Just Terms Compensation) Act 1991*.
- Ms Boswell’s email submission dated 27<sup>th</sup> March 2019 included photographs of the park and views of the park taken from her residence. These photographs show the existing trees located within the park that Ms Boswell indicates would be removed with any future development of the land in question. Views from her residence of the park would also be lost should the land be sold for future development. The photographs supporting Ms Boswell’s submissions are included with her submission in **Annexure 3** to this report.
- Ms Boswell also objects to the reclassification of the land as the land in question is not vacant but is a public park and community ‘greenspace’. The park is used by the local community including local families and school children.
- Ms Boswell also questions whether funds obtained from the future sale of part of this public park will be used to fund other open space, but rather will be used for other unrelated purposes. Any funds gained from such a sale she indicates should be accountable in terms of its future expenditure.
- Ms Boswell also raises concern that the loss of small neighbourhood parks such as the Albert Street park will remove opportunities for active play and physical activity by children. Ms Boswell raises concern that consolidating recreational opportunities in larger parks at the expense of local neighbourhood parks will result in parks and recreational activities that are not within walking distance of where children live and they will not be able to visit such parks on a daily basis



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as they can with smaller neighbourhood parks. The loss of such parks will undermine attempts to encourage children to become more active.

- Ms Boswell also indicates that whilst the reclassification will involve only part of the park and therefore retaining part of the existing park for recreational purposes, the reduced area of the park will not be an adequate substitute for the current situation.

2. Kym Weeks (no address provided with email submission)

- Raises objection to reclassification of this land.
- This submission acknowledges that the reclassification concerns only part of the land – however states that this is not good enough.
- The author of this submission takes their grandchildren to the park so they can enjoy the space to run around. They also enjoy picnics in the park after school.
- Objects to Council taking away children's access to a park that is near a local primary school.
- No justification for loss of half a park so Council can sell the land.

3. Sarah Bell – 29 Albert Street, Goulburn

- Raises objection to reclassification of this land.
- Ms Bell advises she is an early childhood educator and can attest to benefits to children who have access to open space to promote physical learning through play. Accessible open space: promotes children's health; combats the obesity epidemic; allows children to engage in imaginative play either alone or with other children; helps children develop crucial social skills.
- Albert Street Park offers:
  - Convenient destination for mini-excursions for family day care children.
  - Pleasant place for local high and primary school students to meet or have a break and play on their walk to and from school.
  - Family with special needs child frequently uses park.
  - Children use park to walk dog.

4. Sam (no surname or address provided)

- Raises objection to reclassification of this land.
- Sam advises he has lived across the road from the Albert Street park since he was 1 years old and has grown up playing soccer and football with his friend and family in the park.

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- Sam states that he is now 14 and does not use the park all that often now but sees its benefit for younger children in the area.

### **5.1.2 No. 59 – 61 Hovell Street, Goulburn**

#### ***Public Submissions – Verbal***

1. Tim White – (Owns industrial property in Finlay Street, Goulburn)

- Did not specifically object to reclassification of land.
- Mr White raised concerns about future rezoning of land to residential and potential conflicts with existing industrial zoned and developed land (General Industrial IN1) that directly adjoins the Hovell Street land. Does not want to see future residential development occur within close proximity of industrial development with potential for future residents complaining about existing industrial uses. His land is zoned IN1 General Industrial which allows a range of industrial uses. These uses should not be frustrated by having residential development situated too close to industrial land.
- Mr White also raised concerns about existing stormwater drainage problems his land is already experiencing from the stormwater flowing from the Hovell Street land above his property. He would not want to see future development of the Hovell Street land exacerbate this stormwater problem.

2. Nick Dominis – 22 Sloane Street, Goulburn

- Did not specifically object to reclassification of land.
- Mr Dominis raised concern about poor vehicle access to land, particularly the narrow laneways that adjoins land. Sought advice as to whether Council had plans to improve access as part of proposal.

*Ken Wheeldon (Business Manager Property & Community Services) responded to this query by stating that Council had no plans as of yet. That the current proposal involved only a reclassification of the land. Council would need to go through a Planning Proposal process which would need to address a range of issues including:*

- *Vehicle access and in particular the adequacy of Sloane Street.*
- *Buffers to industrial zoned land.*

#### ***Public Submissions – Written***

1. Craig Maddren – Signage One (no address provided with email submission)

- This submission does not raise objection to the reclassification of this land. Rather the submission raises several issues for Council's consideration.

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- If the land is sold for residential development Mr Maddren is concerned that this could adversely affect the business he operates from adjoining land. Mr Maddren is concerned that future residents may raise complaints about noise from machinery used in his business. At present he advises that this land provides a good buffer between industrial and residential development.
- Mr Maddren is also concerned that, alternatively, if the land is used for light industry that such could adverse impact upon the amenity of existing residents who had purchased their adjoining residential land on the basis that the subject land was community land and could not be built upon.
- Mr Maddren understands the need for council to sell the land as there is no park for children to use, it is just vacant land that Council is required to maintain. His main concern relates to Council's future intentions for the land and implications for neighbouring property owners.

#### **5.1.3 No. 20 Hercules Street, Goulburn**

##### ***Public Submissions – Verbal***

There were no verbal submissions made at the Public Hearing in relation to the proposed reclassification of the Hercules Street land.

##### ***Public Submissions – Written***

There were no written submissions made in relation to the proposed reclassification of the Hercules Street land.

Copies of all the written submissions are included within **Annexure 3** to this report.

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## **6.0 MAIN ISSUES**

In summary, a total of thirteen (13) verbal submissions were heard and five (5) written submissions were made to the Public Hearing. It should be noted that a number of the verbal submissions to the Public Hearing were also supported by written submissions as well.

- Eleven (11) verbal submissions (including some supported by written submissions) and four (4) separate written submissions were made in relation to the Part 30 Albert Street, Goulburn proposal;
- Two (2) verbal and one (1) written submissions were made in relation to the 59 – 61 Hovell Street, Goulburn proposal; and
- No submissions were made in relation to the 20 Hercules Street, Goulburn reclassification proposal.

The following is a summary of the main issues that have arisen from the verbal submissions heard at the Public Hearing and written submissions made before the Public Hearing.

### **6.1 PART 30 ALBERT STREET, GOULBURN**

The majority of submissions to the Public Hearing concern the proposed reclassification of the Albert Street land.

Of the 11 verbal submissions made in relation to this matter, all but one submission, raised objection to this reclassification proposal. The four (4) separate written submissions also objected to this reclassification proposal.

The main issues raised in objection to the reclassification of the Albert Street land included:

- The Albert Street Park is a well utilised park by residents from this neighbourhood. The park is frequented and used by people of all ages and for different purposes.
  - The park is used by young children particularly those walking to and from local public schools.
  - Young people use the park as a meeting place.
  - Young families use the park for recreation for passive recreation such as picnics, playing on the swings, or a general play area to more active pursuits such as playing cricket or kicking a football.
  - Older residents enjoy the quiet ambience of the park. A number of submissions raised concern that larger parks, such as Victoria Park, generate a lot of activities

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Goulburn Mulwaree Council  
Reclassification of Various Sites

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and can be quite busy and noisy. Parks such as the Albert Street Park provide a quieter alternative open space option for peace and contemplation.

- Submissions pointed out that the loss of open space such as the Albert Street park would hamper overall community aspirations of improving the health and reducing obesity by removal of an open space used for active and passive recreation.
- Many submissions argued that the park would be better utilised if more facilities such as seating or improved playground equipment were installed within the park.
- Submissions were made that small neighbourhood parks such as the Albert Street Park are an important oasis in the urban environment:
  - They provide a green space. Submissions noted that with modern housing becoming larger on smaller blocks, leaving less private open space, small public parks are becoming more important for the physical and social fabric of the neighbourhood.
  - Submissions also outlined that with the development of larger recreation facilities within larger parks involved removal of trees and vegetation. Smaller parks such as the Albert Street park provide an opportunity to retain green spaces and trees within this City.
  - Submissions also pointed out environmental values of small parks like Albert Street Park including: as potential habitat for local fauna (birds); a place where there are trees; and a place to provide respite from “urban heat islands”.
- Many submissions outlined that small parks like the Albert Street park provide social, cultural; and health benefits for a local neighbourhood, and the loss of such parks would have adverse impacts on the local community.
- Submissions raised concern that larger parks were not always within walking distance for young children. Consolidating recreational facilities in larger parks reduced accessibility for younger children to open space facilities. Such frustrates community attempts for children to become more active.
- The majority of submissions did not support Council's proposal to reclassify approximately half the Albert Street land “Operational” retaining a smaller park area as “Community” land. Submissions indicated that the remaining area would not be adequate to meet the recreational needs of the neighbourhood.

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- Submissions also identified the historic basis for the provision of the park. The purpose for the creation of the park originally by the Director of War Service Homes was stated to be “*for public garden and recreation space*”. Submissions identified the Department of Veteran Affairs appreciated the importance of open spaces which could be enjoyed by all when they handed the land to Goulburn.
- Submissions also pointed out the loss of the Albert Street Park would result in a loss of amenity to neighbouring dwellings. One submission in particular threatened to take legal action and potentially seek compensation for “Injurious affectation” and loss of amenity caused by the loss of the park adjacent to their property.
- A number of submissions objected to the sale of open spaces like Albert Street Park to improve Council’s fiscal situation; or to fund recreational facilities in other parts of the City.

## **6.2 NO. 59 – 61 HOVELL STREET, GOULBURN**

Two (2) verbal and one (1) written submission were made in relation to this reclassification proposal.

These verbal and written submissions did not raise specific objection to the reclassification of the Hovell Street land; however, they did raise concerns that they wished to see addressed including:

- Concerns about future rezoning of land to residential and potential conflicts with existing industrial zoned and developed land (General Industrial IN1) that directly adjoins the Hovell Street land. Submissions did not want to see future residential development occur within close proximity of industrial development with potential for conflicts to arise between future residents and existing industrial land uses. The adjoining industrial lands are zoned IN1 General Industrial which allows a range of industrial uses. Submissions sought to ensure that existing and future industrial development should not be frustrated by having residential development situated too close to industrial zoned land.
- Concerns were also raised if in the alternative, the Hovell Street land was instead zoned industrial this could raise conflicts with the amenity of adjoining residential properties. (*According to Council’s Mr Wheeldon this concern however should not arise as Council does not intend to ‘rezone’ this land for industrial purposes.*)
- Concerns were also raised about existing stormwater drainage problems that the existing industrial properties situated along Finlay Road and below the Hovell Street

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land experience from the stormwater flowing from the Hovell Street land. Future development of the Hovell Street land should not exacerbate existing stormwater problems, but rather should seek to alleviate this problem.

- A submission also raised concern about poor vehicle access to land, particularly the narrow laneways that adjoins land.

### **6.3 NO. 20 HERCULES STREET, GOULBURN**

No verbal or written submissions were made in relation to the Hercules Street land.



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## **7.0 CONCLUSION**

A Public Hearing was held on the 11<sup>th</sup> April 2019 in accordance with the provisions of Section 29 of the Local Government Act 1993 with respect to the reclassification of various parcels of land from "Community" land to "Operational" land within the Goulburn Mulwaree local government area. .

The Public Hearing was concerned with the following matters:

- The reclassification of a portion of Part 30 Albert Street, Goulburn from "Community" land to "Operational" land; and
- The reclassification of all of 59 – 61 Hovell Street, Goulburn from "Community" land to "Operational" land; and
- The reclassification of 20 Hercules Street, Goulburn from "Community" land to "Operational" land.

This report details the results of the Public Hearing into the reclassification of these three parcels of land..

A total of 28 people attended the Public Hearing.

A total of thirteen (13) verbal submissions and five (5) written submissions were made in relation to the Public Hearing. It should be noted that a number of the verbal submissions were also supported by separate written submissions.

- Eleven (11) verbal submissions and four (4) written submissions were made in relation to the Part 30 Albert Street, Goulburn reclassification proposal;
- Two (2) verbal submissions and one (1) written submission were made in relation to the 59 – 61 Hovell Street, Goulburn reclassification proposal;
- No verbal or written submissions were made in relation to the 20 Hercules Street, Goulburn reclassification proposal.

The majority of the submissions made in relation to the Part 30 Albert Street reclassification proposal objected to this reclassification proposal (only one verbal submission did not specifically object to this reclassification proposal). In summary these submissions raised the following reasons for objection to the reclassification of the Albert Street land:

- The Albert Street land is utilised by residents from this neighbourhood. The park is frequented and used by people of all ages and for different purposes.
  - Young children walking to and from local public schools.
  - Young people use the park as a meeting place.

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**Report on Public Hearing**  
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- Young families use the park for passive and active recreation pursuits.
- Older residents enjoy the quiet ambience of the park.
- The loss of open space areas will hamper community objectives of reducing obesity by removing open space used for active and passive recreation.
- Many submissions argued that the park would be better utilised if more facilities such as seating and tables or improved playground equipment were installed within the park.
- Submissions were made that small neighbourhood parks such as the Albert Street Park are an important oasis in the urban area:
  - They provide a green space particularly as modern housing becomes larger on smaller blocks, leaving less private open space. Small public parks are important for the physical and social fabric of the neighbourhood.
  - The provision of larger recreation facilities within larger parks often involves removal of trees and vegetation. Smaller parks such as the Albert Street park provide an opportunity to retain green spaces and trees with this City.
  - Smaller parks have environmental attributes such as: potential habitat for local fauna (birds); a place where there are trees; and a place to provide a respite from “urban heat islands”.
- The Albert Street park provides social, cultural and health benefits for a local neighbourhood, and the loss of such parks would have adverse impacts on the local community.
- Concentrating recreational facilities in larger parks which may not be within walking distance for young children; reducing accessibility for younger children to open space facilities.
- The submissions did not support the reduction in area of the Albert Street park. According to many submissions the remaining “Community” land would not be adequate to meet the recreational needs of the neighbourhood.
- Submissions also identified the historic basis for the provision of the park by the Director of War Service Homes as a place “for public garden and recreation space”.
- Submissions also pointed out the loss of the Albert Street Park would result in a loss of amenity to neighbouring dwellings.
- Submissions also objected to the sale of open spaces like Albert Street Park to improve Council's fiscal situation; or to fund recreational facilities in other parts of the City.

The submissions made in relation to the Hovell Street, Goulburn reclassification proposal did not raise objection of this reclassification proposal but did raise issues that they considered should be taken into consideration by Council including:

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**Report on Public Hearing**  
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- Concerns about future rezoning of land to residential and potential conflicts arising between future residents and existing industrial zoned and developed land (General Industrial IN1) that directly adjoins the Hovell Street land.
- Concerns were also raised about stormwater drainage problems that the existing industrial properties fronting Finlay Road experience from stormwater flowing from the Hovell Street land. Future development of the Hovell Street land should not exacerbate existing stormwater problems, but rather should seek to alleviate this problem.
- Concern was also raised about poor vehicle access to the Hovell Street land, particularly the narrow laneways that adjoins this land.

No verbal or written submissions were made in relation to the reclassification proposal concerning 20 Hercules Street, Goulburn.

Pursuant to Section 47(G)(3) of the Local Government Act, no later than 4 days after Council has received this report of the results of the Public Hearing held in relation to the reclassification of these parcels of land; Council must make a copy of the report available for the inspection by the public within the local government area.



Stephen Richardson  
Director and Town Planner  
**COWMAN STODDART PTY LTD**

# **ANNEXURE 1**

## **Public Notices and Media Release**

**Public Notices  
14<sup>th</sup> , 28<sup>th</sup> March 2019 and 4<sup>th</sup> April 2019**

**Media Release dated 26<sup>th</sup> March 2019**

**Public Hearing Report  
11<sup>th</sup> April 2019**

**COWMAN STODDART PTY LTD**

4 POST WEEKLY Thursday March 14, 2019

**GOULBURN MULWAREE COUNCIL**

**Goulburn Mulwaree Council News**  
Website: [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)

LIKE US ON FACEBOOK!

### DEVELOPMENT PROPOSALS

Notice is given that Council has received the following development applications:  
DA 0248/1819  
Subject land: 5 Crundwell St, Goulburn  
Proposal: Erection of new commercial shed  
Applicant: Tim Lee Architects  
Consent Authority: Goulburn Mulwaree Council  
Submissions due: 5pm 15th March 2019

All information is available on our website under "On Exhibition." Please address any submissions to—Goulburn Mulwaree Council, Reference: Please use the DA/MOD number.

### ClubGRANTS FUNDING AVAILABLE

Applications are now being accepted for funding from the ClubGRANTS Scheme 2019 Category 1 Funding.

Goulburn and district community organisations may apply for funding towards local community service needs and priorities from the ClubGRANTS scheme.

#### Category 1 Funding

At least 50% of funding from each club is to be allocated to "Category 1" projects.

Projects in the following categories qualify for Category 1 funding: Community welfare and social services; Community development; Community health services; Employment assistance activities.

Funding applications for programs, projects and services assisting people with disabilities, older people, people from non-English speaking backgrounds, Aboriginal and Torres Strait Islanders, women and young people are particularly encouraged.

Goulburn Mulwaree Council administers the ClubGRANTS Scheme locally on behalf of the Workers' Club and Soldiers' Club. The ClubGRANTS Committee will identify the local priorities from the applications received and make recommendations to participating ClubGRANTS Clubs.

#### How To Apply

- Please go the ClubNSW website [www.clubnsw.com.au](http://www.clubnsw.com.au) for detailed information related to all aspects of ClubGRANTS Funding.
- An Application Form and copy of the Guidelines can be obtained from Goulburn Mulwaree Council's website [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au). Applicants are strongly encouraged to read the Guidelines prior to seeking funding.

For further information, please contact Debbie McCarthy at Goulburn Mulwaree Council on (02) 4823 4552 or email [debbie.mccarthy@goulburn.nsw.gov.au](mailto:debbie.mccarthy@goulburn.nsw.gov.au)

The closing date for applications is 5pm Thursday 18<sup>th</sup> April 2019

### Weed control – Rural Roads and Playing Fields

Please be advised that Council will be undertaking weed control on the following rural roads during the month March 2019 period:

Albion Arm Road, Campbell's Lane, Bumsa Road, Norwood Road, Marble Hill Road, Greys Road, McClellands Road, Kingsdale Road, Denny's Lane, Rhinno Arm Road, Glen Col Road, Mount Pedlar Road, Forest Siding Road, Bell's Lane, Troopers Way, Annes Lane, Tarago Road, Cowry Road, Highland Way, Mountain Ash Road, Windellama Road, Brisbane Grove Road, Bungendore Road, Gurrindah Road, Parkesbourne Road, Range Road and Currawang Road.

Glyphosate and/or selective chemical will be used as necessary to control various noxious weeds including St Johns Wort, Serrated Tussock, Blackberry and African Lovegrass.

Council will also be undertaking broad-leaf and general weed control on various sports fields and reserves including but not limited to working track, Carr Craggy Oval, Apex Park BMX Track, O'Brien Park, Manfred Park, Marsden Vale, Eastgrove South, North Park, Hudson Oval, Pell and Seiffert Ovals, Cooksbourne, Council Dog Parks, City Rose Gardens, Goulburn CBD, median strips and rural villages.

Glyphosate and/or selective herbicides will be used appropriate to the weed and the situation.

For more information, please contact Council's Parks Coordinator at Councils operations Department on 48 234 818 or via email to [christopher.tustin@goulburn.nsw.gov.au](mailto:christopher.tustin@goulburn.nsw.gov.au)

### Notice of Public Exhibition: Proposed Road Naming

Council gives public notice of the proposal to name a Crown Lane adjoining a property at Bulls Pt Road, Brayton. The proposed road name is: **Knowledge Lane**

#### Submission Details

The draft proposal, including a map showing the location of the proposed road, will be on display from 21 February 2019 to 21 March 2019 at the Customer Service Area, Goulburn Civic Centre, 184-194 Bourke Street, Goulburn between the hours of 8.30am and 5pm Monday to Friday or available on Council's website.

Council is seeking community comment on the proposed road names. All interested persons are invited to inspect the exhibited documents and make written submissions (email acceptable) with respect to the proposal. All submissions must be received by 5pm, Thursday 21 March 2019.

Submissions may be submitted via email to [property@goulburn.nsw.gov.au](mailto:property@goulburn.nsw.gov.au), or by post to: The Property Coordinator, Goulburn Mulwaree Council, Locked Bag 22, GOULBURN NSW 2580. Reference: Resolution 2018/4

#### Contact Details

To find out more about the proposal please contact The Property Coordinator on (02) 4823 4444.

### POSITIONS VACANT

#### Executive Assistant - Utilities

Provide executive support to the Director Utilities and the wider directorate.

Commencing Salary \$1,339.50 to \$1,507.85 per week, plus 9.5% superannuation.

Applications close 18 March 2019 at 5pm

### PUBLIC HEARING – COUNCIL LAND CLASSIFICATION

A Public Hearing will be held to consider reclassifying the following parcels of public lands from "Community" land to "Operational" land under the Section 29(1) of the Local Government Act 1993:

**Land: Part 30 Albert Street, Goulburn.**  
Zoning under LEP: RE1 Public Recreation  
Legal Description: Lot 45 in DP 32090.

**Land: 59-63 Howell Street, Goulburn**  
Zoning under LEP: RE1 Public Recreation  
Legal Description: Lot 8 in DP 832616

**Land: 20 Hercules Street, Goulburn**  
Zoning under LEP: RU2 Rural Landscape  
Legal Description: Lot 2 Section 9 in DP 979849

#### Public Hearing

The Public Hearing will be chaired by an independent person:

Date: Thursday 11 April 2019

Time: 6pm

Location: Council Chambers, 184-194 Bourke Street, Goulburn NSW 2580

If you wish to make a verbal submission to the public hearing:

- Phone Council's Property Coordinator on (02) 4823 4509 before 9 April 2019
- Email [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au) before 9 April
- If you are unable to attend the public hearing and have not already made a submission during the public exhibition period, you can email your submission to [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au) before 9 April 2019

The independent chair will prepare and present a report on the outcomes of the public hearing regarding the proposed change in classification of the subject lands to Council. A copy of the independent chair's report will be made available on Council's website [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au) following its presentation to Council.

### Pursuant to Section 101 of the Environmental Planning and Assessment Act, 1979:

The following approvals have been determined. The approvals listed below are available for public inspection, free of charge, ordinary office hours at Goulburn Mulwaree Council's Customer Service Centre, 184-194 Bourke Street.

APPROVED – January 2019		
DA/0081/1819	95 Auburn Street, GOULBURN	Replace an existing sign at the site store
DA/0117/1819	19 Cook Place, BUNGONIA	Construction of a single storey dwelling
DA/0115/1819	42 Clyde Street, GOULBURN	Retrospective development application for structure (studio and shed) that has been
DA/0190/1819	70 Gullerston Way, GOULBURN	Construction of 2 semidetached dwellings
DA/0173/1819	87 Scone Street, GOULBURN	Construction of a shed with bathroom
DA/0174/1819	19 Goulburn Street, MARULAN	3 lot subdivision
DA/0178/1819	67 Kingsdale Road, KINGS DALE	Construction of a single storey dwelling and existing dwelling to secondary dwelling
DA/0175/1819	124 Verner Street, GOULBURN	Construction of a steel framed shed
DA/0180/1819	28 Crestwood Drive, GOULBURN	Garageport (garage and car port)
DA/0181/1819	3 Galaher Place, GOULBURN	Additions to existing dwelling to create a new and new carport
DA/0183/1819	6 Cottonwood Avenue, GOULBURN	Construction of a two storey dwelling
DA/0191/1819	14 Duke Street, GOULBURN	Extension and roofed pergola
DA/0192/1819	314 Mulwaree Street, TARAGO	Construction of a single storey dwelling and
DA/0193/1819	327 Rosemont Road, GUNDARY	Relocated dwelling
DA/0197/1819	2 Loosely Avenue, MARULAN	Car shed 1x1 to be built on property
DA/0198/1819	622 Thornford Road,	Construction a single storey colourbond dw
DA/0301/1819	330 Run-O-Waters Drive, RUN O	Construction of 2x carports and 2x shed
DA/0202/1819	3 Kingsfisher Road, GOULBURN	Construction of a shed
DA/0203/1819	72 Mulwaree Street, TARAGO	Construction of a single storey dwelling
DA/0206/1819	1 Riverview Place, GOULBURN	Construction of a single storey dwelling
DA/0210/1819	80 Mistral Park Road, GOULBURN	Construction of a single storey dwelling
DA/0211/1819	58 Mistral Park Road, GOULBURN	Construction of a single storey dwelling
DA/0212/1819	34 Mistral Park Road, GOULBURN	Construction of a single storey dwelling
DA/0214/1819	10-14 Memorial Road, GOULBURN	Upgrade boundary fence to 2.4m high security fence
DA/0215/1819	70 Mulwaree Street, TARAGO	Construction of a single storey dwelling
DA/0216/1819	32 Huxtable Place, GOULBURN	Construction of 6000/6000 colorbond shed
DA/0217/1819	153 Red Hills Road, MARULAN	Construction of in-ground fiberglass swimming pool
DA/0446/1516	35 Ada Street, GOULBURN	Two detached dual occupancy dwellings
CD/0077/1819	49 Quail Street, GOULBURN	Dwelling alterations and additions
CD/0041/1819	199 Parkesbourne Road, YARRA	In ground fiberglass swimming pool
CD/0043/1819	3 Vendetta Street, GOULBURN	Construction of a single storey dwelling
CD/0045/1819	12 Voyager Avenue, GOULBURN	Construction of a single storey dwelling
CD/0046/1819	8 Huxtable Place, GOULBURN	Proposed principal & secondary dwelling
CD/0048/1819	11 Cottonwood Avenue, GOULBURN	Construction of a single storey dwelling
CD/0050/1819	5 Voyager Avenue, GOULBURN	Construction of a single storey dwelling
CD/0051/1819	24 Morris Place, MARULAN	Construction of a single storey dwelling
CD/0057/1819	49 Quail Street, GOULBURN	Dwelling alterations and additions

### Public Exhibition – Proposed Air Quality Monitoring Station -Leggett Park, Goulburn

Pursuant to Clause 47A of the Local Government Act 1993, notice is hereby given that Council is proposing to install a Leggett Park to the Office of Environment and Heritage for the purposes of installing and operating a Quality Monitoring Station.

The NSW Air Quality Monitoring Network is operated by NSW Office of Environment and Heritage (OEH) to help the community with accurate, real-time air quality data and information via the OEH website.

The location of the Station (proposed station footprint 5.2m x 5.2m) details of the proposed lease are as follows:

- Lease to: Office of Environment and Heritage
- Purpose: To install and operate an Air Quality Monitoring Station
- Area: Northern portion of Leggett Park
- Term of Lease: 5 years with a 5 year renewal option.

The proposal may be inspected at the Customer Service Counter, Goulburn Civic Centre, 184-194 Bourke Street, Goulburn, during business hours or through <http://www.goulburn.nsw.gov.au>.

Any person may, during the period of twenty eight (28) days from this notification, make written submission opposing the proposal to Council by 5:00 pm on Thursday, 28 March 2019. Submissions can be emailed to [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au) or sent to Locked Bag 22, Goulburn NSW 2580. If a submission includes objection to the proposal, the grounds of objection must be specified.

Any submissions made will be collected for reporting and could form part of a report available to the public. Further information, please do not hesitate to contact Council's Business Manager Property & Community Services Ken Wheelton on 4823 4484.



POST WEEKLY Thursday March 28, 2019

goulburnpost.com.au/entertainment

# WHAT'S ON

## GOULBURN NSW SENIORS TENNIS TOURNAMENT

On Friday, March 29 to Sunday, March 31, Goulburn Railway Tennis Club and the Goulburn Tennis Club. Telephone: 0418 162 252

All players are required to be a member of Tennis Seniors Australia.

## THE ART OF AGEING

From Friday, March 29 to Saturday, May 11, Goulburn Regional Art Gallery. Admission: free. Telephone: 4823 4434

This exhibition presents the work of five photographers, each from a regional city in New

South Wales, exploring, turning and flipping the idea of seniority.

## HSRCA AUTUMN FESTIVAL OF HISTORIC MOTORSPORT

On Saturday, March 30, 9am-3pm and Sunday, March 31, 9.15pm to 5pm, Wakefield Park. Telephone: 9988 4743

There'll be a wonderful field of historic cars, including sports, racing and touring cars from the '30s to the '90s, driven with verve and vigour around the classic countryside circuit.

## MARKET IN TARAGO

On Saturday, March 30, 9am-2pm, Tarago

Town Hall. Admission: Gold coin donation. Telephone: 0429 200 458

Some of your old favourite stall holders will be returning as well as some exciting new ones! Music, food, coffee, shopping and friends!

## HAULIN' THE HUME


On Saturday, March 30, 10am-2.30pm, Goulburn Recreational Area. Admission: free. Telephone: 0459 991 929

An incredible display of historic commercial vehicles will be available for viewing for a short time. We will be raising funds for ASPECT Autism Spectrum Australia.

Listings: [goulburnaustralia.com.au](http://goulburnaustralia.com.au)



Play a bit of tennis at the Goulburn Seniors Tennis Tournament.



## Goulburn Mulwaree Council News

Website: [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)

LIKE US ON FACEBOOK!

### DEVELOPMENT PROPOSALS

Notice is given that Council has received the following development applications:

**DA 0252/1819**

**Subject land:** 12 Copford Road, Goulburn

**Proposal:** Change of use for premises to general industry.

**Applicant:** CPC Land Development Consultants Pty Ltd

**Consent Authority:** Goulburn Mulwaree Council

**Submissions due:** 5pm 4th April 2019

All information is available on our website under "On Exhibition." Please address any submissions to: Goulburn Mulwaree Council, Reference: Please use the DA/WD number.

### POSITIONS VACANT

**CAD Officer**

Commencing salary between \$42,891 – \$93,283 per annum, inclusive of 3.5% Civil Liability.

**Applications close 3 April 2019 at 5:00pm.**

**Casual Customer Service Officer**

Commencing salary between \$35.24 – \$39.67 per hour.

**Applications close 3 April 2019 at 5:00pm.**

**Team Leader Rural Drainage Maintenance**

Commencing salary between \$1,119.20 – \$1,259.70 per week.

**Applications close 3 April 2019 at 5:00pm.**

**Senior Lifeguard**

Commencing salary between \$966.90 – \$1,110.80 per week.

**Applications close 8 April 2019 at 5:00pm.**

Further information: [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)

### REQUESTS FOR TENDER

**171870017 Seiffert Oval Lighting Upgrade**

Goulburn Mulwaree Council is seeking tenders from suitably qualified companies to design and construct an upgraded lighting system to Seiffert Oval Sporting Fields in Goulburn.

**Tenders close promptly at 2pm on Tuesday, 16 April 2019**

**181970016 Wundulilly Walking Track Solar Lighting**

Goulburn Mulwaree Council is seeking tenders from suitably qualified companies to supply and deliver of 140 solar powered LED path lights and mounting poles.

**Tenders close promptly at 2pm on Tuesday, 16 April 2019**

**181970011 Hydro Vacuum Excavation Truck**

Goulburn Mulwaree Council is seeking tenders from suitably qualified companies to supply a Hydro Vacuum excavation truck, poles.

**Tenders close promptly at 2pm on Tuesday, 16 April 2019**

For all three of these projects tender documents are available from, and responses are to be submitted at, [www.tenderlink.com.au/goulburn](http://www.tenderlink.com.au/goulburn). All enquiries are to be submitted via the Tenderlink forum.

### PUBLIC HEARING – COUNCIL LAND CLASSIFICATION

A Public Hearing will be held to consider reclassifying the following parcels of public lands from "Community" land to "Operational" land under the Section 28(3) of the Local Government Act 1993:

**Land Part 30 Albert Street, Goulburn.**

**Zoning under LEP:** RE1 Public Recreation

**Legal Description:** Lot 45 in DP 32090

**Land 39-61 Howells Street, Goulburn**

**Zoning under LEP:** RE1 Public Recreation

**Legal Description:** Lot 8 in DP 832816

**Land 20 Hercules Street, Goulburn**

**Zoning under LEP:** RU2 Rural Landscape

**Legal Description:** Lot 2 Section 9 in DP 973849

Council already owns each of the parcels of land the subject of this re-classification.

Port 30 Albert Street was transferred to Council by the then Director of War Service Homes on the 13 April 1965. The purpose of the conveyance was stated at that time to be "for public garden and recreation space".

59-61 Howells Street was acquired by Council by Transfer dated 24 January 1979. No purpose was identified for this acquisition at that time.

20 Hercules Street was transferred to Council from the Public Trustee on 26 June 1952. No purpose was identified for the transfer of this land at that time.

The major consequence of classification is that it determines the ease or difficulty with which land may be alienated by sale, leasing or some other means. That is to say the reclassification of the Albert and Howells Street properties in particular will remove their public reserve status and they will be no longer be protected under the Local Government Act from potential future sale once they have been reclassified to operational.

Council considers these parcels of land have no strategic or operational value to the future growth or livability of the region. The reclassification of these parcels of land to "operational" will enable Council to dispose of these properties by sale which will present an opportunity for Council to consolidate assets and utilise sale proceeds to fund much need community capital projects.

There are no interests to be discharged for any of these parcels of land. Interest refers to property ownership as well as rights and privileges affecting land, such as leasehold, easements and covenants and mortgages. Council does however intend to register a 1m easement for stormwater purposes over 20 Hercules Street.

**Public Hearing**

The Public Hearing will be chaired by an independent person. **Date:** Thursday 11 April 2019

**Time:** 5pm **Location:** Council Chambers, 384-194 Bourke Street, Goulburn NSW 2580

If you wish to make a verbal submission to the public hearing you can do this via

- Phone Council's Property Coordinator on (02) 4823 4509 before 9 April 2019
- Email [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au) before 9 April

The independent chair will prepare and present a report on the outcomes of the public hearing regarding the proposed change in classification of the subject lands to Council. A copy of the independent chair's report will be made available on Council's website [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au) following its presentation to Council.

### Code of Conduct Policy

Council, at its meeting on 19 March 2019 considered the Draft Code of Conduct Policy and resolved to place this Policy on public exhibition. Copies of this Policy are available from the Customer Service desk in the Civic Centre, the Goulburn Branch Library or from Council's website: [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)

Submissions on the Draft Code of Conduct Policy are invited and will be received up to close of business on 24 April 2019. For submissions to be considered, they must be addressed to Council's Business Manager Governance with the subject line: Submission – Draft Code of Conduct Policy

- Email to: [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au)
- Mail to: Locked Bag 22, Goulburn NSW 2580

Please note submissions cannot be kept confidential and may be included in a Council report. For more details, please call Council on 02 4823 4444.

### Code of Meeting Practice Policy

Council, at its meeting on 19 March 2019 considered the Draft Code of Meeting Practice Policy and resolved to place this Policy on public exhibition. Copies of this Policy are available from the Customer Service desk in the Civic Centre, the Goulburn Branch Library or from Council's website: [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)

Submissions on the Draft Code of Meeting Practice Policy are invited and will be received up to close of business on 24 April 2019. For submissions to be considered, they must be addressed to Council's Business Manager Governance with the subject line: Submission – Draft Code of Meeting Practice Policy

- Email to: [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au)
- Mail to: Locked Bag 22, Goulburn NSW 2580

Please note submissions cannot be kept confidential and may be included in a Council report. For more details, please call Council on 02 4823 4444.

### ClubGRANTS FUNDING AVAILABLE

Applications are now being accepted for funding from the ClubGRANTS Scheme 2019 Category 1 Funding.

Goulburn and district community organisations apply for funding towards local community needs and priorities from the ClubGRANTS scheme.

**Category 1 Funding**

At least 50% of funding from each club is allocated to "Category 1" projects.

Projects in the following categories qualify for Category 1 funding: Community welfare and services; Community development; Community health services; Employment assistance activities.

Funding applications for programs, projects, services assisting people with disabilities, people from non-English speaking backgrounds, Aboriginal and Torres Strait Island women and young people are particularly encouraged.

Goulburn Mulwaree Council administers ClubGRANTS Scheme locally on behalf of Workers' Club and Soldiers' Club. The ClubGRANTS Committee will identify the local priorities for applications received and make recommendations to participating ClubGRANTS Clubs.

**How To Apply**

- Please go to the ClubNSW website [www.clubnsw.com.au](http://www.clubnsw.com.au) for detailed information related to all aspects of ClubGRANTS Funding.
- An Application Form and copy of the Guidelines can be obtained from Goulburn Mulwaree Council's website [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)

Applicants are strongly encouraged to read the Guidelines prior to seeking funding.

For further information, please contact Debbie McCarthy at Goulburn Mulwaree Council on (02) 4823 4552 or email [debbie.mccarthy@goulburn.nsw.gov.au](mailto:debbie.mccarthy@goulburn.nsw.gov.au)

The closing date for applications is 3pm Thursday 18th April 2019

### Public Exhibition Notice – Planning Proposal

In accordance with Schedule 1 Clause 4 of the Environmental Planning and Assessment Act 1979 Goulburn Mulwaree Council hereby gives public notice of the exhibition of a planning proposal 745 Crookwell Road, Kingsdale (Lot 16 DP 1069310) to amend the Goulburn Mulwaree Local Environmental Plan 2009 to permit a restaurant or cafe as an additional permitted use under Schedule 1 (Note: this will only apply to the subject land).

**Exhibition details:**

The planning proposal and supporting information will be on public exhibition from Thursday 28 March 2019 until close of business Friday 26th April 2019. It will be available to view at the Civic Centre (184 Bourke Street Goulburn), the Goulburn Mulwaree Library or at [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)

Submissions shall be made in writing addressed to the General Manager, including the planning proposal number (REZ/D002/1718) and can be lodged in person at the Civic Centre, via post to Locked Bag 22 Goulburn, NSW, 2580 or emailed to [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au)

Please note, submissions may be made public in accordance with the Government Information (Public Access) Act 2009 including both the substance of the submission and the identity of the author. Submissions will potentially be provided or published in Council reports and correspond on Council's website, to government agencies, in court proceedings or to any person seeking a review. The onus is on anyone making a submission to include with their submission advice if they have made any political donations within the last two (2) years.

**Contact Details:**

If you would like to speak with a Council officer about the proposed amendment, please contact Council's Strategic Planning Team on (02) 4823 4444 during business hours.







## Goulburn Mulwaree Council News

Website: [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)

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### DEVELOPMENT PROPOSALS

Notice is given that Council has received the following development applications:

**DA 0279/1819**

**Subject land:** 138 Clyde Street, Goulburn

**Proposal:** 7 Lot Staged Subdivision

**Applicant:** Landteam

**Consent Authority:** Goulburn Mulwaree Council

**Concurrence Authorities:** Water NSW

**Submissions due:** 5pm 18th April 2019

**DA 0291/1819**

**Subject land:** 74 Clinton Street, Goulburn

**Proposal:** Demolition of above ground structures (former service station, canopy, associated buildings), removal of underground fuel storage, and remediation works.

**Applicant:** GHD Pty Ltd

**Consent Authority:** Goulburn Mulwaree Council

**Concurrence Authorities:** Water NSW

**Submissions due:** 5pm 18th April 2019

All information is available on our website under "On Exhibition." Please address any submissions to— Goulburn Mulwaree Council, Reference: Please use the DA/MOD number.

### POSITIONS VACANT

#### Senior Lifeguard

Commencing salary between \$986.90 - \$1,110.80 per week.

**Applications close 8 April 2019 at 5pm.**

#### Water Quality Officer

Commencing salary between \$1,339.50 - \$1,507.85 per week.

**Applications close 15 April 2019 at 5pm.**

#### Team Leader Marketing (Fixed Term)

Commencing salary between \$1,339.50 - \$1,507.85 per week.

**Applications close 15 April 2019 at 5pm.**

**Business Manager Design & Asset Management**  
Commencing salary between \$138,465 - \$155,841 per annum, inclusive of 9.5% superannuation and 3.5% Civil Liability allowance.

**Applications close Monday, 22 April 2019 at 5pm.**

Further information: [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)

### Expression of Interest Number 1819E2003 – Australian Blues Music Festival (2020-2024)

Goulburn Mulwaree Council is seeking Expressions of Interest from individuals or an organisation to undertake the organisation and management of the Australian Blues Music Festival for a period of five years (2020-2024 Festivals).

The Request for Expression of Interest can be found at:

<https://www.goulburn.nsw.gov.au/Information/EOI1819E2003-Australian-Blues-Music-Festival-2020-2024.aspx>

Enquiries regarding the Expression of Interest can be made by contacting Debbie McCarthy on (02) 4823 4552.

**EOI closes 2pm Tuesday 30 April 2019.**

### REQUESTS FOR TENDER

#### 1718T0017 Seiffert Oval Lighting Upgrade

Goulburn Mulwaree Council is seeking tenders from suitably qualified companies to design and construct an upgraded lighting system to Seiffert Oval Sporting Fields in Goulburn.

**Tenders close promptly at 2pm on Tuesday, 16 April 2019**

#### 1819T0016 Wollondilly Walking Track Solar Lighting

Goulburn Mulwaree Council is seeking tenders from suitably qualified companies to supply and deliver of 140 solar powered LED path lights and mounting poles.

**Tenders close promptly at 2pm on Tuesday, 16 April 2019**

#### 1819T0011 Hydro Vacuum Excavation Truck

Goulburn Mulwaree Council is seeking tenders from suitably qualified companies to supply a Hydro Vacuum excavation truck, poles.

**Tenders close promptly at 2pm on Tuesday, 16 April 2019**

For all three of these projects tender documents are available from, and responses are to be submitted at, [www.tenderlink.com/goulburn](http://www.tenderlink.com/goulburn). All enquiries are to be submitted via the Tenderlink forum.

### PUBLIC HEARING – COUNCIL LAND CLASSIFICATION

A Public Hearing will be held to consider reclassifying the following parcels of public lands from "Community" land to "Operational" land under the Section 29(1) of the Local Government Act 1993:

**Land: Part 30 Albert Street, Goulburn.**

**Zoning under LEP:** RE1 Public Recreation

**Legal Description:** Lot 45 in DP 32090.

**Land: 59-61 Hovell Street, Goulburn**

**Zoning under LEP:** RE1 Public Recreation

**Legal Description:** Lot 8 in DP 832816

**Land: 20 Hercules Street, Goulburn**

**Zoning under LEP:** RU2 Rural Landscape

**Legal Description:** Lot 2 Section 9 in DP 979849

Council already owns each of the parcels of land the subject of this re-classification.

Part 30 Albert Street was transferred to Council by the then Director of War Service Homes on the 13 April 1965. The purpose of the conveyance was stated at that time to be "for public garden and recreation space".

59-61 Hovell Street was acquired by Council by Transfer dated 24 January 1979. No purpose was identified for this acquisition at that time.

20 Hercules Street was transferred to Council from the Public Trustee on 26 June 1952. No purpose was identified for the transfer of this land at that time.

The major consequence of classification is that it determines the ease or difficulty with which land may be alienated by sale, leasing or some other means. That is to say the reclassification of the Albert and Hovell Street properties in particular will remove their public reserve status and they will be no longer be protected under the Local Government Act from potential future sale once they have been reclassified to operational.

Council considers these parcels of land have no strategic or operational value to the future growth or liveability of the region. The reclassification of these parcels of land to 'operational' will enable Council to dispose of these properties by sale which will present an opportunity for Council to consolidate assets and utilise sale proceeds to fund much need community capital projects.

There are no interests to be discharged for any of these parcels of land. Interest refers to property ownership as well as rights and privileges affecting land, such as leasehold, easements and covenants and mortgages. Council does however intend to register a 3m easement for stormwater purposes over 20 Hercules Street.

### Public Hearing

The Public Hearing will be chaired by an independent person: **Date:** Thursday 11 April 2019

**Time:** 6pm **Location:** Council Chambers, 184-194 Bourke Street, Goulburn NSW 2580

If you wish to make a verbal submission to the public hearing you can do this via

- Phone Council's Property Coordinator on (02) 4823 4509 before 9 April 2019

- Email [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au) before 9 April

The independent chair will prepare and present a report on the outcomes of the public hearing regarding the proposed change in classification of the subject lands to Council. A copy of the independent chair's report will be made available on Council's website [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au) following its presentation to Council.

### Public Exhibition Notice – Planning Proposal

In accordance with Schedule 1 Clause 4 of the *Environmental Planning and Assessment Act 1979*, Goulburn Mulwaree Council hereby gives public notice of the exhibition of a planning proposal at **745 Crookwell Road, Kingsdale (Lot 16 DP 1069310)** to amend the *Goulburn Mulwaree Local Environmental Plan 2009* to permit a **restaurant or café** as an additional permitted use under Schedule 1 (Note: this will only apply to the subject land).

#### Exhibition details:

The planning proposal and supporting information will be on public exhibition from **Thursday 28 March 2019 until close of business Friday 26th April 2019**. It will be available to view at the Civic Centre (184 Bourke Street Goulburn), the Goulburn Mulwaree Library or at [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)

Submissions shall be made in writing addressed to the General Manager, including the planning proposal number (**REZ/0002/1718**) and can be lodged in person at the Civic Centre, via post to Locked Bag 22 Goulburn, NSW, 2580 or emailed to [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au)

Please note, submissions may be made public in accordance with the *Government Information (Public Access) Act 2009* including both the substance of the submission and the identity of the author.

Submissions will potentially be provided or published in Council reports and correspondence, on Council's website, to government agencies, in court proceedings or to any person seeking a copy. The onus is on anyone making a submission to include with their submission advice if they have made any political donations within the last two (2) years.

#### Contact Details:

If you would like to speak with a Council officer about the proposed amendment, please contact Council's Strategic Planning Unit on (02) 4823 4444 during business hours.

### Public Exhibition Notice – Planning Proposal Draft Amendment to Goulburn Mulwaree Local Environmental Plan 2009

In accordance with Section 3.34(2)(c) of the *Environmental Planning and Assessment (EPA) Act 1979*, Goulburn Mulwaree Council hereby gives public notice of the exhibition of a Planning Proposal to amend the *Goulburn Mulwaree Local Environmental Plan (GM LEP) 2009* by prohibiting cemeteries as a land use within the E2 – Environmental Conservation and E3 – Environmental Management zones. Council has been issued an authorisation to exercise its delegations to be the *Relevant Planning Authority* (RPA) under Section 3.36(2) of the EPA Act 1979 for this Planning Proposal.

The intended outcome of the proposed amendment is to:

The intended outcome of this Planning Proposal is to amend *Goulburn Mulwaree Local Environmental Plan 2009* (GM LEP 2009) to prohibit 'Cemeteries' in zone E3 Environmental Management and zone E2 Environmental Conservation so that cemeteries and ancillary development do not impact on environmentally sensitive land. The second objective of the proposed amendment is to continue to allow historic operational cemeteries at Bungonia (Lot 1 DP 89405 and Lot 2 DP 1130082) and Tallong (Lot 7312 DP 1145878) under the GM LEP 2009 (Schedule 1).

#### Exhibition details:

The draft plan and supporting information will be on public exhibition from

**Thursday 4<sup>th</sup> April 2019 until Friday 10<sup>th</sup> May 2019** at the Goulburn Civic Centre (184 Bourke St, Goulburn), Goulburn Mulwaree Library, and on our website: [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)

Submissions shall be made in writing addressed to the General Manager, including the planning proposal number (**REZ/0001/1718**) and can be lodged in person at the Civic Centre, via post to Locked Bag 22 Goulburn, NSW, 2580 or emailed to [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au)

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The onus is on anyone making a submission to include with their submission advice if they have made any political donations within the last 2 years.

#### Contact Details:

If you would like to speak with a Council officer about the draft plan, please contact Council's Strategic Planning Unit on (02) 4823 4444 between 8:30am and 5:00pm from Monday to Friday.

### ClubGRANTS FUNDING AVAILABLE

Applications are now being accepted for funding from the ClubGRANTS Scheme 2019 Category 1 Funding.

Goulburn and district community organisations may apply for funding towards local community service needs and priorities from the ClubGRANTS scheme.

#### Category 1 Funding

At least 50% of funding from each club is to be allocated to "Category 1" projects.

Projects in the following categories qualify for Category 1 funding: Community welfare and social services; Community development; Community health services; Employment assistance activities.

Funding applications for programs, projects and services assisting people with disabilities, older people, people from non-English speaking backgrounds, Aboriginal and Torres Strait Islanders, women and young people are particularly encouraged.

Goulburn Mulwaree Council administers the ClubGRANTS Scheme locally on behalf of the Workers' Club and Soldiers' Club. The ClubGRANTS Committee will identify the local priorities from the applications received and make recommendations to participating ClubGRANTS Clubs.

#### How To Apply

- Please go the ClubsNSW website [www.clubsnsw.com.au](http://www.clubsnsw.com.au) for detailed information related to all aspects of ClubGRANTS Funding.
- An Application Form and copy of the Guidelines can be obtained from Goulburn Mulwaree Council's website [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au). Applicants are strongly encouraged to read the Guidelines prior to seeking funding.

For further information, please contact Debbie McCarthy at Goulburn Mulwaree Council on (02) 4823 4552 or email [debbie.mccarthy@goulburn.nsw.gov.au](mailto:debbie.mccarthy@goulburn.nsw.gov.au)

**The closing date for applications is 5pm Thursday 18<sup>th</sup> April 2019**

### Draft Recreational Needs Strategy

Goulburn Mulwaree Council is seeking feedback on the Draft Recreational Needs Strategy, which has been prepared to provide a framework for the future investment in open space and sports facilities throughout the Council area.

Some of the key findings of the draft strategy are that:

- The local government area should focus on the development of regional or state level facilities.
- Council should explore the opportunity of co-locating athletics, cricket, AFL and cycling in Victoria Park with upgraded facilities to be funded through the sale of the land on which they are currently located.
- Council should continue work on the Riverside Walk and associated parks along it.
- Council should work to maintain and improve a contiguous network of recreational open space.
- Gibson Street Park, Buffalo Crescent Park, Hovell Street Reserve and Thoroughgood Park have been identified as underutilised and could be reduced in size or disposed of to fund and improve more centralised and highly utilised recreational facilities such as the Goulburn aquatic centre.
- New controls should be included in the *Goulburn Mulwaree Development Control Plan 2009* to require large residential subdivisions to provide adequate recreational open space and maintain green corridors.

The draft strategy may be found on Council's website at <https://www.goulburn.nsw.gov.au/>.

The Draft Recreational Needs Strategy will be on public exhibition until close of business 9 May 2019. Submissions shall be made in writing and addressed to the General Manager and can be made in person at the Civic Centre (184 Bourke St, Goulburn), by post to Locked Bag 22 Goulburn, NSW 2580 or emailed to [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au). Feedback is also encouraged on Goulburn Mulwaree's Yoursay page at <https://yoursay.goulburn.nsw.gov.au/>. All submissions shall be published and addressed at a Council meeting following public exhibition.





**26<sup>th</sup> March 2019**

Mayor: Councillor Bob Kirk

General Manager: Warwick Bennett

FOR IMMEDIATE RELEASE



## MEDIA RELEASE

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### Public hearings for land reclassification

A public hearing to consider reclassification of public land from community to operational land has been set for Thursday 11<sup>th</sup> April. The hearing will be chaired by an independent person as required under the Local Government Act 1993.

The public hearing will discuss land in Albert Street, (currently zoned RE1 Public Recreation), Hovell Street (RE1 Public Recreation) and Hercules Street (RU2 Rural Landscape). The meeting comes following the council meeting held 20<sup>th</sup> November where Councillors considered a number of properties around the region that have no strategic or operational requirements into the future.

Mayor Bob Kirk encouraged community members to come along to the public hearing to provide important feedback before council moves forward.

"In November we considered a number of properties and parcels of land that are not of strategic or operational value to the future growth or liveability of the region. We believe that it's an opportunity for council to consolidate assets and utilise sale proceeds to fund much need community capital projects."

"An essential part of the process is consulting with the community to make sure our priorities align, and the public hearing will be a great chance to do this."

The hearing will commence at 6pm in the Council Chambers, 184 Bourke Street, Goulburn on Thursday 11<sup>th</sup> April. Submissions are also able to be made via email to [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au) or verbally by phoning Council's Property Coordinator on 4823 4509 – these are due before 9<sup>th</sup> April.

One team delivering with **Passion** **Respect** **Innovation** **Dedication** **Excellence**

**MEDIA INTERVIEWS:** Please contact Goulburn Mulwaree Council's Communications Manager  
Jackson Reardon on 4823 4515

# **ANNEXURE 2**

## **Register of Attendees to Public Hearing**

**Public Hearing Report  
11<sup>th</sup> April 2019**

**COWMAN STODDART PTY LTD**



## Public Hearing Attendance Record Sheet – Thursday 11<sup>th</sup> April 2019

	Name	Address	Contact Details	Comments
1	KEN WHEELTON	1/- GMC 184-194 BRIDGES	48234484	GMC STAFF.
2	Betty Lamb	Hampton St	48216628	
3	Robert Lamb	HAMPDEN ST Goulburn	48216628	
4	Lynne Makin	29 Hoskins St Goulburn	48217380	
5	Rob Moxey	PO Box 65		
6	Brendan Hollands	14 GMC	48234427	GMC STAFF
7	ANNE KEENE	7 DOWHIRST ST	0448215568	
8	Jenny Campton-Smith	8 Kadwell St. Goulburn.		
9	Linda Polosak	76 Verner St Goulburn	48218150.	
10	Doreen Sturges	Tarago	48494609	Councillor
11	Doris Muller	26 HARVEST ST Goulburn	0418259616	
12	Dawn Ballin	43 HOSKINS GOULBURN	48214434	
13	Shirley Davis	37 HOSKINS GOULBURN	4222553	
14	David Fennamore	24 Rieuwlaan St	48214779	
15	Don Cole	10 Newton St	0452-271783	
16	Nick Dominis	22 Selwyn St	047328869	
17	Janah Bell	29 ALBERT ST	0458 0321828	
18	Cameron Bell	29 ALBERT ST	0456 825303	
19	Samuel Bell	29 ALBERT ST	—	
20	ADRIAN PROFFER	37 ALBERT ST	0417 997 806	
21	Herold DROVER	18 HERCULES ST.	0245218564	

Grace White 17-19 Finlay Rd 0400023991  
 Cr Leah Ferrara Goulburn Mulwaree Council.  
 Cr Carol James. Goulburn Mulwaree Council.  
 Cr Bob Kirk " " Mayor.  
~~Cr Peter Walker " " Deputy Mayor.~~  
 Louise Thawer Goulburn Post Editor



## Public Hearing Speaker Registration Sheet – Thursday 11<sup>th</sup> April 2019

	Name	Address	Contact Details	Comments
1	??????? on behalf of Natasha Boswell			Approved by Steve Richardson
2	<del>GMC</del>	<del>Faraya</del>	<del>02-48494605</del>	
3	Linda Polosak	76 Verner St Goulburn	48218150	
4	Jenny Campton-Smit	8 Kadwell St. Goulburn		
5	Cameron Bell	29 Albert St	0456825303	
6	ADRIAN PROEFFER	37 ALBERT ST		
7	Nicki Shepherd	43 William St	0402330159	
8	TIM LATH	17-19 Ferry Rd.	040265097	
9				
10				
11				
12				
13				
14				



# **ANNEXURE 3**

## **Written Submissions made by Public**

**Public Hearing Report  
11<sup>th</sup> April 2019**

**COWMAN STODDART PTY LTD**

### Submission to Steven Richardson

**Regarding:** The reclassifying of the land at 30 Albert St, Goulburn from Public Recreation to Operational land.

1. The land at 30 Albert St was transferred to the Council by the then Director of War Service Homes on the 13<sup>th</sup> of April, 1965. The purpose of the conveyance was stated at the time to be "for public garden and recreation space". (Goulburn Mulwaree Council News in the Post Weekly 04/04/2019). I am sure that the Department of Veterans Affairs understood the importance of open spaces, which could be enjoyed by all, when they handed over the land to Goulburn. (War Service Homes is under the Department of Veterans Affairs.)



2. I feel quite certain that now, more than ever before, that local, safe, open spaces for children and adults are needed. Particularly, with the ever increasing number of houses being built on small blocks with little outdoor space.
3. Not everyone wants to walk/drive to Victoria Park; many people want the quiet sanctuary of a small local park. In any case, Victoria Park has many uses and includes on its 18.61 hectare site a large Rose Garden, a Skate Park which is soon to be extended, the Goulburn Leisure and Aquatic Centre, (incidentally, the heated, indoor pool will be closed for maintenance for the school holidays.

What a great decision when the weather is cooling rapidly, it was 2.6 degrees this morning!), 2 full size cricket fields (Prell Oval and Seiffert Oval), a leash-free dog area, exercise equipment, presumably for adults and a \$1.5 million adventure playground for children, that opened in late 2018.

4. This begs the question, does the Council want to split this tiny, open urban area in two and change the zoning of one half to Operational land so that it can then be sold off and, with another zoning change, be built upon. Thereby regrouping some of the costs of Victoria Park?
5. Having had the hottest Summer on record in 2018-2019, it is time that the council consider the effect of the urban heat islands that cities and towns become with all our asphalt and buildings. Established parks in urban settings should not be available to be developed, therefore the land should not be reclassified to Operational.
6. With every loss of open space we increase habitat loss.
7. We need more parks and open spaces, not less. More money needs to be spent on this park, not less.

Linda Polosak.  
Polosak.

## Stephen Richardson

---

**From:** niki shepherd <nikishepherd@gmail.com>  
**Sent:** Monday, 8 April 2019 2:48 PM  
**To:** Council  
**Subject:** Fwd: Part of Lot 45 - Albert Street Park. Attention to Mr Ken Wildon

Dear Mr Ken Wildon,

I would like to express my objection to the selling of Part of Lot 45 - Albert Street Park.

The following are my reasons for not wanting this green space to become a construction site for further housing development..

1. Green space is a critical player that contributes to society's health a well being
2. It is a valuable space for a number of uses. These uses include - a place for picnics, kicking a ball, using the much loved and utilised swings, space for kids to run and explore and play, a place for Goulburn High School and MHS kids to chill and talk, a place for Wollondilly kids to play and walk through to and from school, dogs on leads are taken to this park, birds such as Plovers nest at this park every season and other fauna species inhabit this park.
3. The green space as it is is already a very small block, developing half of it will destroy the quality of our current benefit experienced by our community now.
4. Part development or whole development of the park will devalue properties near by and in the neighbourhood of the park.
5. I have taken my children to play at this park since they were small (2005, my nephews and nieces and my elderly sister's mother in law (83 years of age Mrs Robin Cole former Major Mr Keith Cole's wife) have used and still use this park now they still go and like to spend time at this park.
6. Visually green space such as this park contributes the increased mental health and well being, the research is there and the evidence of this is in. Our outer perimeter of Goulburn is losing it's charm with developments such as;
  - Snowgum estate
  - Joseph's Estate
  - Boatshed Estate
  - Merino estate
  - Tillage Estate
  - Mary's Mount Estate

To name a few.

The little green spaces left in Goulburn ( like Part of Lot 45 - Albert Street Park) around the city need to be protected and even heritage listed as these spaces are not just of social significance but also of physical health and mental health significance and historical significance and cultural significance not to mention how green spaces such as these contribute to supporting the vulnerable state of Goulburn flora and fauna biodiversity.

I request that you please forward my email on to Mr Steven Richardson and also Jackie Harmer please.

This is a public green recreation space. Goulburn has so much development currently taking over the outskirts of our beautiful city. Please do not let our city's green spaces become even more housing development. It is wrong, it is bad for the general health and well being of Goulburn's valuable residents.

If any further development were to happen at Albert Street park it should to enhance the health and well being of our community such as with the planting of more shrubs and plants or perhaps another play area like the one that has been constructed at Gibson Street park, some public seating so people can comfortably sit at the park like the seating constructed recently along the Wollondilly track, even an outdoor gym and perhaps a picnic table and BBQ. Any development at this park needs to make it a better GREEN and RECREATION space.

Please contact me to confirm you have received this email before the Public Hearing. If I am unable to attend I would like to request that Steven Richardson be given a copy of this email and that someone please read this email out during the meeting.

Kind regards,  
Niki Shepherd

Please call me on 0402330158 if you would like to speak to me. I would be happy to talk to you about this matter

--

Kind regards,  
Niki Shepherd

w: [www.nikishepherd.com.au](http://www.nikishepherd.com.au)  
e: [nikishepherd@gmail.com](mailto:nikishepherd@gmail.com)  
m: 0402330158

10/04/2019

General Manager: Warwick Bennett

General Manager: Warwick Bennett

X DELETE

↩ REPLY

↩ REPLY ALL

➡ FORWARD

...



Campton-Smith, Jennifer

Fri 11/01/2019 3:58 PM

Mark as unread

To: council@goulburn.nsw.gov.au;

Dear Mr. Bennet,

I am contacting you because of an article that appeared in the *Goulburn Post* late last year about the proposed sale of some Council assets. I spoke to Peter Walker about my concerns and he suggested I contact you. He also requested you send my email to the other councillors.

My concern is over the proposed sale of 30 Albert Street, which is a park on the corner on Newton and Albert Streets. I live in Kadwell Street. I am appalled to think that Council would countenance selling a green space in the city, especially considering we live in a period of increasing temperatures because of climate change. We need all the green spaces we already have, not less.

My four children when they were young, as well as our neighbours' children, would all play in the park. They also met other children there as well. A colleague who lives across the road from 30 Albert Street has told me it is still a meeting place for people. Goulburn has a small number of parks throughout the city that provide the opportunity for children and adults to meet and play. Why would Council even think of selling such an asset?

I hope the thought is not to concentrate activities around Victoria and Belmore Parks. Not everyone can, and wants to, go to these larger parks. Why is it that only the larger parks, or those associated with organised sport, appear to be safe from any proposed sell off? We should retain these pockets of green spaces dotted around the city. The space is valuable as it is but if Council sees "value" in terms of greater patronage, perhaps they could install seating for people to use. At present, there is none.

I think it's a very sad day when "value" to a community has to only be thought of in restricted terms. In the *Goulburn Post* on Wednesday 9<sup>th</sup> January, 2019, an online comment was "Leave the parks alone!". I totally concur.

I have never written to Council about any past sale of assets. However, I feel very strongly about this situation. The idea to sell off any park in the city is a short-sighted proposal.

Yours sincerely,  
Jenny Campton-Smith.  
(8 Kadwell Street, Goulburn)  
0467 640 348

In this day & age,  
a green space should  
never ever be surplus  
to community needs

**Stephen Richardson**

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**From:** apfo7443@bigpond.net.au  
**Sent:** Monday, 8 April 2019 4:01 PM  
**To:** Council  
**Subject:** council land classification

Dear Sir/Madam,

We oppose the rezoning and sale of the Albert Street Park (Part 30 Albert Street, Goulburn NSW 2580) as proposed in your letter of 8th march 2019.

This land is a valued community open space that is used by local residents on most days, and especially during holiday times. There are also many young people moving back into this area and the park will be used more frequently in the future by these young couple with their children and infants.

Once open space is lost, it is gone forever. The small amount of money that council could get for this land is minuscule compared to the present and future value as open, green space.

Regards

Adrian Pfoeffler & Constance McCabe  
 37 Albert St.  
 Goulburn NSW 2580



## Stephen Richardson

**From:** Ken Wheeldon <ken.wheeldon@goulburn.nsw.gov.au>  
**Sent:** Tuesday, 2 April 2019 10:13 AM  
**To:** Stephen Richardson  
**Cc:** Kate Wooll  
**Subject:** Albert Street Park Rezoning

Hi Stephen

Another submission / objection received (see below).

We will send an acknowledgment letter today.

Cheers

**Ken Wheeldon**  
**Business Manager Property & Community Services**

**P:** 02 4823 4484 | **M:** 0408 978 765  
**Goulburn Mulwaree Council** | Locked Bag 22 Goulburn NSW 2580  
**W:** [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au) | [Find us on Facebook](#)



**From:** Jacqueline Harmer  
**Sent:** Tuesday, 2 April 2019 9:49 AM  
**To:** Ken Wheeldon  
**Subject:** FW: Albert Street Park Rezoning

**From:** Cameron Bell [<mailto:deburghsteel@gmail.com>]  
**Sent:** Monday, 1 April 2019 7:05 AM  
**To:** Council  
**Subject:** Albert Street Park Rezoning

Goulburn Mulwaree Council  
 1st April 2019

Dear Sir/Madam,

I read in the paper that Goulburn Mulwaree Council is planning to rezone and sell our little park in Albert Street.

I object to this.

I suppose council has found itself in a desperate financial situation, but selling our assets should not be the solution. They can only be sold once; then what?

Parks are important components of our city. They are increasingly rare in this day and age, and they must be held on to, and treasured.

As a resident of Albert St I have walked with my children to and from school through our park for nine years so far. We have watched the plovers raise their chicks there each year. I have pushed my kids on the swings there since they could walk. I taught my son to kick a footy there. I watched my kids summon the courage to climb the tree. We have all felt the health benefit of having a green space near or house.

Please don't sell our park. Once it's gone we can never get it back.

Please think of our children. please consider the well-being of our community.

Faithfully,

Cameron Bell  
29 Albert Street  
Goulburn

## Stephen Richardson

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**From:** Ken Wheeldon <ken.wheeldon@goulburn.nsw.gov.au>  
**Sent:** Tuesday, 2 April 2019 10:28 AM  
**To:** Stephen Richardson  
**Cc:** Kate Woolf  
**Subject:** Albert Street park sale. Attention Ken Wheeldon

Hi Stephen

Another submission / objection received (see below).

We will send an acknowledgment letter today.

Cheers

Ken Wheeldon  
 Business Manager Property & Community Services

P: 02 4823 4484 | M: 0408 978 765  
 Goulburn Mulwaree Council | Locked Bag 22 Goulburn NSW 2580  
 W: [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au) | Find us on Facebook

-----Original Message-----

From: Kym Weeks [mailto:kymweeks40@gmail.com]  
 Sent: Sunday, 31 March 2019 8:01 PM  
 To: Council  
 Subject: Albert Street park sale. Attention Ken Wheeldon

Attention Ken Wheeldon,

I writing to voice my objection to the 30 Albert Street park sale/reclassification. With consultation with residents in our local area who use the park on a daily basis, I feel the need to express my discontent about the proposed sale. I do know that there are plans to keep some of the park but to local residents it is really not good enough. I take my grandchildren to the park and they enjoy the large space to run around. We also enjoy picnics there after school. I think it is ridiculous that council would take away children's access to a park - especially one that is so near a local primary school. Why should they lose half a park so that you can sell the land? We are not happy!

K. Weeks.

Sent from my iPhone

Attention Ken Wheeldon,  
Goulburn Mulwaree Council,

My name is Natasha Boswell, I reside at 28 Albert street and I am writing to you regarding the sale of the Albert street park (Lot 45 in DP 32090), located next door to my house. I would have liked to attend the public hearing and voice this submission in person, however I am due to give birth to my first child April 15. As such, please consider this my written submission and rejection of council's proposal to reclassify 30 Albert street. I expect this submission to read out at the council meeting, Thursday April 11, 2019, and for this written submission to be on file should I decide to take further action.

For background, I purchased 28 Albert street largely because of its location; confident that the neighbouring block would remain classified as community land given its long-term status as such and also given the sign erected front-and-centre, declaring it as part of a; *'Nation Building Project: Economic Stimulus Plan ... rebuilding infrastructure for the future.'* I understand that this sign was erected under the Rudd government as part of a 150 million-dollar roads package which also funded community infrastructure: parks and community venues. I purchased my house and land in 2012, secure in the knowledge that the parcel of land beside it was designated for 'public recreation' and was 'community' land.

As I understand it, council now plans to reclassify this land from 'community' to 'operational' because they have decided it is, *'considered surplus to strategic*

*requirements.*' Reclassifying this land is required so that council might use that [surplus money] which quote; "may be disposed of in the future."

My first objection is this; given that my house is valued in large part due to its neighbouring location to 'community land' (and I can prove this via third-party property valuations), if this reclassification should go ahead, my property value would immediately depreciate. This would be through no fault or action of my own but due to council intervention. I would like it noted that should this happen, I will seek legal action to be compensated for the decrease in the potential sale value of my home. This would also affect other neighbouring homes who will likely take similar legal action. Highlighted is the overview of compensation for which I am entitled as determined by the Land and Environment Court of NSW:

Reference:

[www.lec.justice.nsw.gov.au/Pages/publications/issues\\_in\\_focus/compensation\\_for\\_compulsory\\_acquisition\\_of\\_land\\_overview.aspx](http://www.lec.justice.nsw.gov.au/Pages/publications/issues_in_focus/compensation_for_compulsory_acquisition_of_land_overview.aspx)

Summary of relevant law and regulation:

**Increase or decrease in value of adjoining or severed land (s 55(f))**

A decrease in value of adjoining or severed land (sometimes called injurious affection) may give rise to a claim for compensation, whereas an increase in their value (sometimes called betterment) may give rise to a downward adjustment in the compensation payable: s 55(f).

For example, the compulsory acquisition of land for, and subsequent creation of, a road may result in a decrease in the value of the owner's adjoining land due to higher levels of noise, or it may result in an increase in value due to easier access.

For example, in the case of acquisition of an easement over land, market value compensation is the difference between the value of land without the easement and the value of the land with the easement.

As you can see, if the value of my home and land depreciates due to injurious affection, I will be entitled to claim for compensation under New South Wales law.

Secondly, I object because this park is a positive fixture within the neighbourhood and is frequented all day by local residents. On November 26, 2018, the Goulburn Post printed an article which quoted council directly. It stated that; *'large tracts of vacant land ... are being sold ... to help pay for projects such as the proposed Aquatic Centre and Victoria Park redevelopment.'* Erroneously, 30 Albert street is not 'vacant' because it is, at its very essence, a park and a community greenspace. Council members may not have spent any length of time at the Albert street park however I can assure you that it is regularly used by the local neighbourhood. The area is a neighbourhood of families, whose children attend the nearby Wollondilly Public School and Goulburn High, and the park is an afternoon pit-stop for children and their parents in the afternoons and even for a quick swing before the school bell rings. The so-called 'vacant' space is also perfect for local picnics on weekends, kicking a ball, and for running around with a dog on a leash. Spend any amount of time at the park and you will see all of these things.

Third, the argument that money from the sale of this land will go to fund Victoria Park (as quoted by the local paper) is not a reassuring one. Although I'm sure families appreciate the 'adventure playground' and the opportunity to line up behind

thirty other parents for their own child's five-minute chance on the swing, it does not balance out the loss of a small neighbourhood park. Not everyone wants to be elbowing people out of the way just to spent some quality time with their children or to sit quietly and read a book under a shady tree. If, in fact the land where children play on a daily basis is truly considered merely 'surplus' to council then the worry that they will use the future sale money for projects other than greenspaces is also likely and very concerning. Taking away childrens' access to green spaces to fund other green spaces is not moving in a forward direction and taking that access away to fund roundabouts or shopfront paving is even worse. Where is this money really going and can you prove it? I believe council should be held accountable for its redistribution down to the very cent of sale price.

My fourth objection is that you are effectively stealing children's opportunity for active play and physical activity. Council is attempting to remove neighbourhood parks where children can kick a ball before dinner, creating a scenario wherein they need to schedule park time and active play because the other community spaces are not in easy walking distance. The argument could be made that Victoria Park is only blocks away however a minimum two block walk for a child is not feasible on a daily basis, nor should they be expected to cross many busy roads to get there; Goldsmith Street being of particular concern. Furthermore, if children are encouraged by community and government initiatives to engage in minimum of thirty minutes of active play and physical activity per day, then why are you removing the very greenspaces which make this possible?



Fifth, there is a rumour – and it is only that, as I have had a distinct lack of communication from council – that a small park will remain on the corner after the land is divided into two residential blocks and sold. I can only surmise that this is on the table because council recognizes just how important the current park is to local residents and seeks to placate them with a paltry offering so that they do not voice their objection as I am doing. Having spoken to local residents I can assure you that a postage-sized piece of grass is not an adequate substitute for what they currently have. There was also no mention of any community land remaining available within the March 8, 2019, written correspondence I received.

I am writing this submission because this is a matter that I and the local neighbourhood plan to take further action on – including going to our local government representative, newspaper and legal representatives. There is no justification to why rate-paying citizens and their children are losing out in the realm of community infrastructure for council's own fiscal gain. Reclassifying this land from community to operational is simply a low blow to the neighbourhood so that council can have 'surplus' funds for redistribution. Why would council want to take swing-sets away from children? And won't this so-called surplus be eaten up by adjoining land-owners compensation claims anyway?

Natasha Boswell

28 Albert street, Goulburn.

Email: [tashboz@hotmail.com.au](mailto:tashboz@hotmail.com.au) or phone: 0432744431

**Stephen Richardson**

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**From:** Natasha Boswell <tashboz@hotmail.com>  
**Sent:** Wednesday, 27 March 2019 5:22 PM  
**To:** Stephen Richardson  
**Subject:** 30 Albert street reclassification  
**Attachments:** IMG\_1586.jpg; ATT00001.txt; IMG\_1587.jpg; ATT00002.txt; IMG\_1589.jpg; ATT00003.txt; IMG\_1590.jpg; ATT00004.txt; IMG\_1591.jpg; ATT00005.txt

Hi Stephen,

As I was walking my dog this afternoon, it struck me that it might be a good idea to take some photos to support my submission. As you can see, this is the park and beside it is my house. There at two beautiful shady trees beside the swings whereas there is no established vegetation on the side where the new corner park would be put. These two trees would sadly be cut down if reclassification should go ahead.

I've also included the views from my kitchen and dining room windows so that you can truly assess just how detrimental the reclassification would be to my current property value. My gorgeous park view would instead become the brick facade of new construction.

Thank you again for your time and consideration.

Natasha Boswell



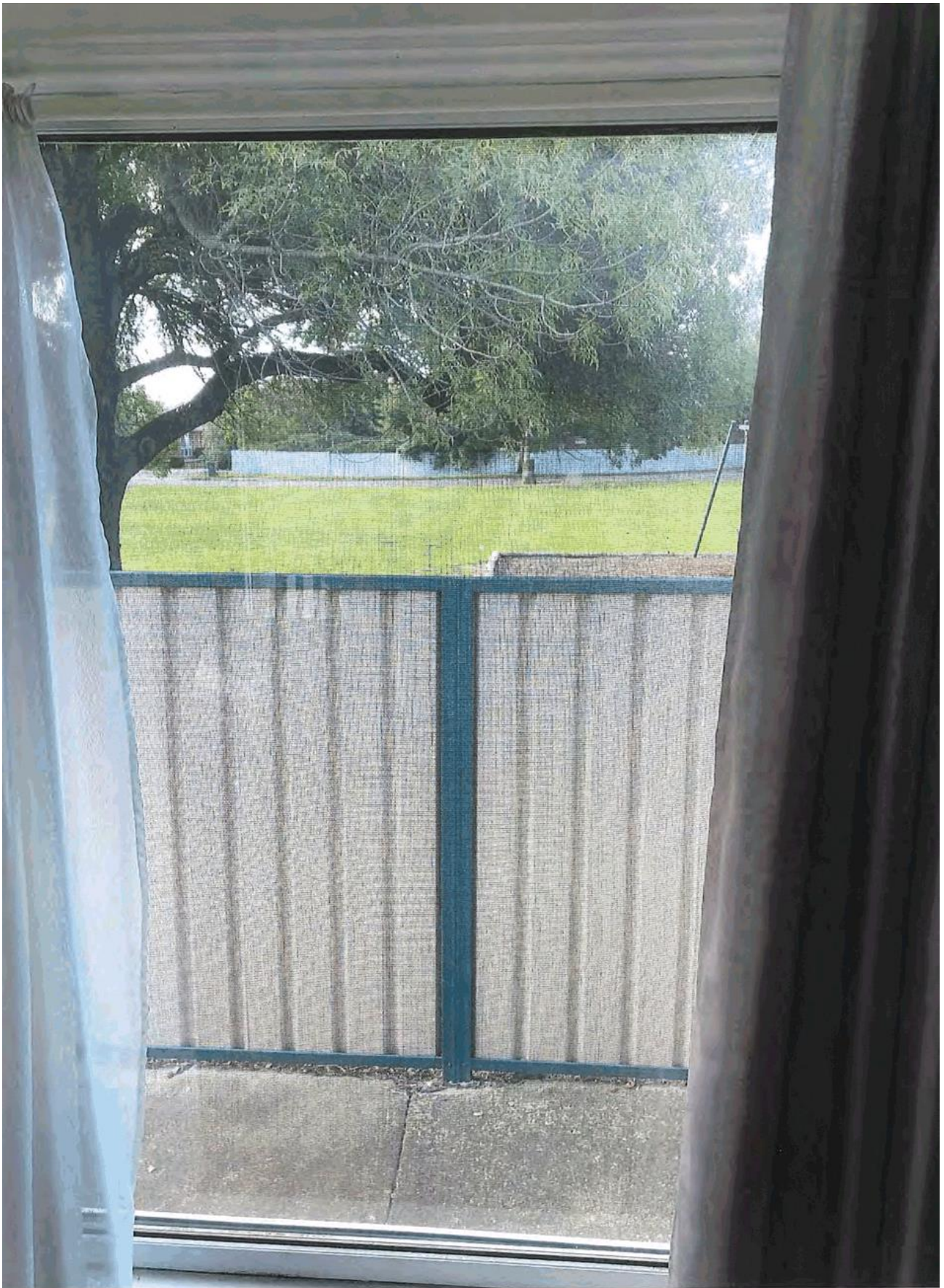


















**Stephen Richardson**

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**From:** lax ! <sam160804@gmail.com>  
**Sent:** Sunday, 7 April 2019 8:40 AM  
**To:** Council  
**Subject:** Albert Street Park

Please don't sell my park. I have lived across the road from this park since I was 1 year old and grew up playing soccer with friends and kicking the footy with my dad and sister. I am now 14 and unfortunately do not often find the time to use the space but can certainly see it's value to younger kids in the area. And I sure hope you can too.

Thank you

**Stephen Richardson**

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**From:** S Bell <sjdbell@gmail.com>  
**Sent:** Sunday, 7 April 2019 9:27 AM  
**To:** Council  
**Subject:** Albert Street Park

Dear Sir/Madam,

I am writing to express my objection to the proposed rezoning of our park in Albert Street.

As an early childhood educator I can attest to the benefits to our children of the availability of open green space to promote physical learning through play.

Regarding Albert Street Park in particular:

- The simple swing set offered convenient destination for mini-excursions with my family day care children.
- The park serves as a pleasant place for Goulburn High School students to chill with their mates as they wait for their parents to pick them up after school.
- I also notice that the family of a special-needs child frequently utilises the park.
- My children always enjoyed having this space to play with our dog.
- Wollondilly Public School children often take a break from their walk home to enjoy playing on the swing.

Regarding parks and green space in general, it is pretty obvious that easily accessible open green space helps children's physical health and helps combat the current obesity epidemic.

Easy access to an open green park allows children to engage in imaginative play; alone and with other children. This helps children develop crucial social skills, improving their chances of becoming valuable and successful members of society.

Dr. Annemarie Wright of VicHealth says "Green space is an important determinant of health, not just because it enables physical activity but also because it has been shown to promote higher levels of mental wellbeing and social connectedness". Many studies have supported this view.

Any green space within our city contributes to the physical and mental wellbeing of our population. Any plan to rezone and sell any of these spaces is trading the health of our children, in order to make developers even richer. This simple fact suggests gross shortsightedness and incompetence at best, or plain old corruption.

Please do not sell our parks. Once they are gone we will not be able to get them back.

Yours Faithfully,

Sarah Bell

29 Albert Street  
Goulburn

**Stephen Richardson**

---

**From:** Ken Wheeldon <ken.wheeldon@goulburn.nsw.gov.au>  
**Sent:** Tuesday, 19 March 2019 5:06 PM  
**To:** Stephen Richardson  
**Cc:** craig@signageone.com  
**Subject:** 59-61 Hovell Street Goulburn

Hi Stephen

Please refer to the email below.

As the appointed independent Chair of the upcoming Public Hearing on the proposed re-classification of 3 parcels of Council owned land, please liaise with Mr Maddren on Council's behalf.

In the meantime I am happy to contact Mr Maddren to explain the difference between 'Community' and 'Operational' land under the LG Act and also Council's proposed future plans to re-zone 59-61 Hovell St to Residential land noting that the adjoining parcel of Council land above 59-61 Hovell St is already zoned residential.

Please note, if 59-61 Hovell Street is re-zoned to Residential, Council intends to prepare a Development Application to ensure an adequate vegetation buffer strip is retained directly behind the light industries in Finlay Road as part of any development considerations for this site.

Hi Craig

I am out of the office tomorrow and Thursday but happy to contact you before Friday if you would prefer.

Cheers  
Ken Wheeldon

Sent from my iPhone

Begin forwarded message:

**From:** Craig Maddren <craig@signageone.com>  
**Date:** 19 March 2019 at 4:42:08 PM AEDT  
**To:** "Ken.Wheeldon@goulburn.nsw.gov.au" <Ken.Wheeldon@goulburn.nsw.gov.au>  
**Subject:** 59-61 Hovell Street Goulburn

Hi Ken,  
I have called your office today however just managed to get your message bank so I thought I would just send you this email.

I have a few questions re this Public Hearing of 59-61 Hovell st.

The first question is:  
What does the word "Operational" really mean.  
Is this land to be sold as residential or light industry or something else altogether.

My concern is if it is sold as residential how is that then going to effect my business with the noise of our machinery, as it is now we have a very good buffer from us to the current residential housing as this land is now classed as community. My next concern is if it is classed as light Industry, will this not then effect the current residential homes that these people would have purchased at the time fully aware that this was in fact community land and could never be built on.

I fully understand the needs of council to sell off this land to me it's a given that you would do this it just makes sense as there is no park there for kids to use and it's just another lot of land that has to be maintained by council staff. I fully understand this, I just would like to know what really is the end goal here with this land.

I look forward to your reply.

Regards



**14.9 1819T0016 - WOLLONDILLY WALKING TRACK SOLAR LIGHTING****Author:** Adam Kiss, Business Manager Projects**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. 1819T0016 - Detailed Evaluation (Signed) - Confidential  
 2. 1819T0016 - Evaluation Report (Signed) - Confidential

<b>Link to Community Strategic Plan:</b>	CSP: IN4 – Maintain and update existing community facilities, and support the development of new community infrastructure as needed.
<b>Cost to Council:</b>	<p>The 2018/19 budget allocation for this project is \$444,087 which is the amount of the Community Sports Infrastructure Federal government funding program.</p> <p>The total amount of engagement is \$253,290, therefore there is sufficient funds within this budget.</p>
<b>Use of Reserve Funds:</b>	Nil as a result of this report.

**RECOMMENDATION**

That:

1. The report from the Business Manager Projects on 1819T0016 Wollondilly Walking Track Solar Lighting Tender Report be received.
2. The tender from Leadsun Pty Ltd is accepted for the supply and delivery in accordance with the specification and documents for Tender No 1819T0016. This acceptance is based on their lump sum price of \$253,290 (GST excl.)
3. The General Manager is authorised to approve a variation of up to ten (10) percent (\$25,329) for this project.

**BACKGROUND**

Tenders were called for the supply and delivery of solar powered LED path lights. The lights will be installed by Council staff along the entire length of Stages 1 and 2 of the Wollondilly Walking Track, between Marsden Weir and the Kenmore Bridge. This is a grant funded project with funding made available from the Community Sports Infrastructure Federal government funding program.

**REPORT**

This report is to summarise tenders received for the supply and delivery of solar lighting for the Wollondilly Walking Track under tender 1819T0016 and recommend a successful tenderer to undertake the proposed works

Tenders were called for on the 21<sup>st</sup> March 2019 under 1819T0016 Wollondilly Walking Track Solar Lighting. The tender process was conducted in accordance with the Division of Local Government Tendering Guidelines.

Tenders closed on the 16th April 2019 and submissions were received from the following companies:

Company	Address
Norwest Plant Hire Trust	PO Box 4020, Nemingha Tamworth NSW 2340
Technilux Pty Ltd	41-49 Norcal Rd, Nunawading Melbourne VIC 3131
Solar Street Lights Australia	1/60 Edithvale Rd, Edithvale VIC 3196
Solar Lighting Designs	Unit 1/14 Stennett Rd, Ingleburn NSW 2565
Rexel Electrical Supplies Pty Ltd	Building B, 12 Julius Ave, North Ryde NSW 2113
Pecan Lighting Pty Ltd	13/19 Heath St, Lonsdale SA 5160
Orion Solar	36/30 Mudgeeraba Rd, Worongary QLD 4213
Orca Solar Lighting Pty Ltd	PO Box 4016, Ashmore Plaza Gold Coast QLD 4214
Metal Manufacturers Ltd T/A TLE Electrical	PO Box 6164, Silverwater BC NSW 1811
Luxygen Pty Ltd	PO Box 124, Deakin West Canberra ACT 2600
Leggero Pty Ltd	3/14 Peachtree Rd, Penrith NSW 2750
Leadsun Pty Ltd	E6, 2A Westall Rd, Clayton Melbourne VIC 3168
Greenplate Pty Ltd	2./15 Natasha St, Capalaba QLD 4157
Green Frog Systems	51 Langford St, Pooraka Adelaide SA 5095
Ecoray Pty Ltd	2 Hughes Cres, Kiama NSW 2533
Aura Renewable Energy Ltd	S6, 1st Floor, 860 Doncaster Road, Doncaster East VIC 3109
Power By watts Pty Ltd	P.O. Box 78 Mossvale NSW 2577
JRW Trading Pty Ltd T/AS Jaydub Electrical Services	9/1 Boden Road Seven Hills Sydney NSW 2147
Havencord Pty Limited T/A Connor Electrical Services	P.O. Box 3047 Parramatta NSW 2124



A Tender Evaluation Panel was established comprising of:

- Business Manager Projects (Chair);
- Business Manager Community Facilities; and
- Projects Officer.

The evaluation process was carried out by The Panel following the process as outlined in the Evaluation and Probity Plan. The Procurement Plan and the Evaluation and Probity Plan were completed and signed prior to advertisement.

The final Evaluation Report is attached to this Council report.

The panel met to determine whether the tenders were conforming to mandatory submission requirements. For this evaluation all tenders conformed. The panel then completed the detailed evaluation of non-price criteria in accordance with the following weightings:

- Company Experience and Performance 20 %
- Lighting Analysis Plan 45 %
- Delivery Timeline 35 %

Price was kept separate from the evaluation of the non-price criteria to avoid bias in the non-price evaluation. The weighting for price and non-price criteria were applied at:

- Non-price criteria 40%
- Price criteria 60%

The overall value for money was assessed and the overall ranking was determined to be:

Ranking	Tenderer
1	Leadsun Pty Ltd
2	Technilux Pty Ltd
3	Rexel Electrical Supplies Pty Ltd

Following the completion of the tender evaluation process, The Panel recommends Leadsun Pty Ltd be nominated as the preferred tenderer in accordance with the documentation for 1819T0016. This recommendation is based on Leadsun Pty Ltd being the highest ranking proponent at the completion of the evaluation process combining both non-price and price criteria.

The Evaluation Report is included with the Closed Session reports in accordance with s10A(2)(d) *Local Government Act 1993* as it contains commercial information that would, if disclosed, prejudice the commercial position of the person who supplied it. It is not appropriate for this to be provided in an Open Session as it relates to tender information.

**14.10 VP137752 EXCAVATOR REPLACEMENT PURCHASE****Author:** Andrew Cartwright, Business Manager Works**Authoriser:** Warwick Bennett, General Manager**Attachments:** 1. RFQ Excavator Evaluation Report.pdf - Confidential

<b>Link to Community Strategic Plan:</b>	IN3.2 Implement Road Infrastructure Capital Works and Maintenance Programs
<b>Cost to Council:</b>	To be funded from the 2018/19 Heavy Plant Replacement Program. The budget for this excavator is \$190,000 excluding GST. The remaining budget for the current 2018/19 financial year is \$689,331
<b>Use of Reserve Funds:</b>	Funded from the internal Plant Replacement Reserve 38164. The projected balance of this reserve at the 30 <sup>th</sup> of June 2019 is \$1,271,792

**RECOMMENDATION**

That

1. The report of the Business Manager of Works on the replacement of Plant 301 Excavator be received
2. Council approve the purchase of Komatsu Excavator model PC138US-8 Crawler Excavator from Komatsu Australia Pty Ltd at a cost of \$202,750.00 excluding GST to replace plant 301 Excavator

**BACKGROUND**

Annually Council replace plant as part of the Heavy Plant Replacement Program. Included in the current program for the 2018/19 financial year is plant number 301 - 27 tonne Hitachi Excavator. It was ascertained that the replacement excavator needed to be more suitably sized (14 tonne) to undertake a larger range of works within Council's road reserve. This piece of plant will be essential to Council as it assists the Operations Directorate in delivering both Capital and Maintenance works on a daily basis.

**REPORT**

To achieve Councils level of service in attending to maintenance tasks and undertaking Capital Works projects Council require a replacement excavator for the existing plant number 301 - 27 tonne Hitachi Excavator with 8460 hours of use. The current excavator was identified and approved for replacement in the 2018/19 financial year budget.

Council undertook a quotation process under an agreement established by a prescribed person in accordance with Section 55 of the Local Government Act, 1993, Local Government (General) Regulation, 2005 and Tendering Guidelines of NSW Local Government (General) Regulation, 2009. For this contract the prescribed person was responsible for the contract was Local Government Procurement.

The Request for Quotation process was issued via the Vendorpanel (LGP Contractors) portal on the 5<sup>th</sup> of March 2019 and the closing date was the 29<sup>th</sup> of March 2019.

Following the evaluation the panel recommended to the Procurement Delegate the preferred tenderer with a view of making an engagement.

In total Council received five (5) tenders by the closing date.

Tenders were received from the following companies:

Company	Address
JCB Construction Equipment Australia	112-116 Long Street Smithfield, New South Wales 2164
Komatsu Australia Pty Ltd	50-60 Fairfield Street Fairfield NSW, New South Wales 2165
Wes Trac Pty Ltd	1 Crescent Street Holroyd, New South Wales 2142
Hitachi Construction Machinery (Australia) Pty Ltd	Building 3, 1 Foundation Place Greystanes, New South Wales 2145
Clark Equipment Sales Pty Ltd	152 South Gippsland Hwy Dandenong South, Victoria 3175

A Tender evaluation Panel (TEP) was established. The TEP consisted of

- Chair Carina Smith – Operations Centre Manager
- Member Andrew Cartwright – Business Manager Works
- Member Rodney Painter – Workshop Team Leader
- Member Raymond Shepherd – Operator

The TEP met to evaluate Tenders on the 15/11/18

The evaluation criteria and respective weighting are as follows

- Specification and compliance 40%
- Workshop 10%
- Operator 10%
- Price 40%

Price was kept separate from the evaluation of the non-price criteria to avoid bias in evaluation.

Evaluation of the tenders received against the price and non-price

Criteria established an overall Value for Money ranking as shown in the following table

1	Komatsu Australia Pty Ltd
2	Hitachi Construction Machinery (Australia) Pty Ltd
3	Wes Trac Pty Ltd
4	Clark Equipment Sales Pty Ltd
5	JCB Construction Equipment Australia

**JCB Construction Equipment Australia** submitted a conforming submission for a JCB JZ140DLC Excavator that satisfied most of the qualitative criteria.

The general operation and setup of the machine was within the specified requirements. The machine was deemed to have a satisfactory delivery period stated within the submission.

The panel considered recent experiences and the level of service received from prior purchases of other JCB Equipment. Based on the negative experiences with other Council owned JCB Equipment and the level of service received, the decision was made not to pursue this machine.

The panel determined that a demonstration was not required.

**Clark Equipment Sales Pty Ltd** submitted a conforming submission for a Doosan DX140 LC Crawler Excavator that satisfied most of the qualitative criteria.

The general operation and setup of the machine was within specified requirements, however the submission failed to satisfy appropriate after-sales servicing arrangements and delivery period.

The panel considered that the machine does not align with existing Council fleet to enable ongoing cost saving by way of interchangeable parts, filters, buckets, etc.

The panel determined that a demonstration was not required.

**Wes Trac Pty Ltd** submitted a conforming submission for a Caterpillar 315FL Hydraulic Excavator that satisfied most of the qualitative criteria.

The general operation and setup of the machine was within the specified requirements. The machine was deemed to have a satisfactory delivery period stated within the submission.

The panel considered the budgetary implications, as the price of the machine is substantially higher than the amount budgeted for the machine replacement.

The panel determined that a demonstration was not required.

**Hitachi Construction Machinery (Australia) Pty Ltd** submitted a conforming submission for a Hitachi ZX135US-5 that satisfied all of the qualitative criteria.

The general operation and setup of the machine was within the specified requirements, with adequate delivery time and warranty conditions.

The panel determined that the machine was suitable for demonstration.

**Komatsu Australia Pty Ltd** submitted a conforming submission for a PC138US-8 Crawler Excavator that satisfied all of the qualitative criteria.

The general operation and setup of the machine was within the specified requirements. The machine was deemed to have a satisfactory delivery period stated within the submission.

The panel considered Council's existing fleet and prior experiences with Komatsu Australia Pty Ltd which were all noted as being positive and adequate. The safety features and accessibility of this machine were considered to be exceptional.

The panel determined that the machine was suitable for demonstration.

The evaluation panel was satisfied that two (2) out of the five (5) companies considered for detailed evaluation could meet the requirements outlined in the tender documents

Komatsu Australia Pty Ltd submitted a tender that satisfied all criteria. The proposed plant was well suited to Council requirements and the evaluation panel determined a low level of risk and high level of confidence in claims of the tenderer.

Based on this evaluation it is recommended that Council accept Komatsu Australia Pty Ltd as the preferred Tenderer for the Provision of Plant 301 Replacement Excavator.

**14.11 ROAD AND MARITIME ISSUES UPDATE****Author:** Warwick Bennett, General Manager**Authoriser:** Warwick Bennett, General Manager**Attachments:** 1. RMS Letter Auburn Street transfer road safety liability responsibility 10 May 2019  

<b>Link to Community Strategic Plan:</b>	IN3 Maintain and improve road infrastructure and connectivity
<b>Cost to Council:</b>	At this time there are no additional cost to Council for the interim transfer of Auburn Street and any improvements works will be subject to an additional report with estimated costs within approved budget
<b>Use of Reserve Funds:</b>	Nil

**AT THIS TIME THERE IS NO ADDITIONAL COST TO COUNCIL AND ANY IMPROVEMENTS WORKS TO BE UNDERTAKEN ON AUBURN STREET RECOMMENDATION**

That:

1. The report from the General Manager on Roads and Maritime Services Issues Update be received.
2. Council accepts the interim offer from RMS and accepts the road safety responsibility for the operations of Auburn Street between Clinton and Goldsmith Street
3. Council works with RMS (and its successor) to finalise the reclassification the full length of Auburn Street as a local road and the reclassification of Sloane Street as a State Road.

**BACKGROUND**

As council is aware we have been endeavouring to undertake a road swap to make Sloane Street a state road and Auburn Street the local road

**REPORT**

One of the concerns for a number of years in Goulburn has been the fact that Auburn Street is still a State Road and thus the heavy traffic route for vehicles driving through our CBD. Although most vehicle users are aware that Street is the preferred and most user friendly route, there is still some traffic being directed to Auburn Street because of the GPS instructions.

We have for some time endeavouring to negotiate with RMS to undertake a road swap and ensure that the Google GPS directed traffic to the more suitable Sloane Street. The progress has been slow but we are now making progress.

Please find attached a letter from RMS stating that they have now agreed with the swap and that we can proceed with the documentation to make this a reality – finally. The letter offers this transferrin two parts – the first interim where Council takes responsibility for the road now and the second part will be after the completion of documentation the transfer will be completed. We don't have a timeframe for the second part – the transfer – at this time but we assure Council we will pursue the matter with vigour.

The interim offer allows Council to undertake any improvements works on the road that we consider appropriate for the betterment and improvements to the CBD. This includes the removal of the centre median and landscaping if that is affordable.

This report recommends that Council accepts this offer and proceed with the transfer of Sloane Street as a State Road and Auburn Street as a local road





10 May 2019

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

Dear Mr Bennett

**Auburn Street, Goulburn – transfer of road safety liability responsibility**

Roads and Maritime Services is progressing the request from Goulburn - Mulwaree Council (Council) to reclassify roads within Goulburn city.

In the interim period, Roads and Maritime will transfer road safety responsibility and liability of Auburn Street between Clinton and Goldsmith streets to Council. The transfer of road safety responsibility and liability will enable Council to implement outcomes of community engagement activities that are to be undertaken by Council. This will help support the delivery of street scaping improvements on Auburn Street as per Council's longer term plans for the Goulburn city centre. The transfer of the road safety liability will take effect from the date of the below concurrence.

The transfer of road safety accountability and liability to Council means all road safety matters become the responsibility of Council.

For clarity, it should be noted the traffic signals on Auburn Street will remain an asset owned and maintained by Roads and Maritime.

We also wish to advise that, as you may be aware, the NSW Government has announced that a wider review of regional roads and associated asset ownership and management will be undertaken in the near future. The above arrangements will need to be noted as part of this process, but in the spirit of enabling Council to progress its plans for Auburn Street in Goulburn, we wish to proceed with the above arrangement accordingly.

To formalise this agreement, could you please sign the below acceptance and return back to me either via email or post at PO Box 477, Wollongong NSW 2500.

For more information, please contact me on 02 4221 2401 or [Sam.t.Knight@rms.nsw.gov.au](mailto:Sam.t.Knight@rms.nsw.gov.au)

Yours sincerely

Council acceptance



**Sam Knight**  
Director, Southern Region  
Roads and Maritime Services

**Warwick Bennett**  
General Manager  
Goulburn – Mulwaree Council

**14.12 WOODLAWN - HERON****Author:** Matthew O'Rourke, Director Operations**Authoriser:** Warwick Bennett, General Manager**Attachments:** 1. Draft Heron Woodlawn Mine Interim Traffic Report [↓](#) 

<b>Link to Community Strategic Plan:</b>	IN3.2 Implement road infrastructure capital works and maintenance programs.
<b>Cost to Council:</b>	The available budget for the Heron-Woodlawn traffic assessment is \$40,000.00, with Heron-Woodlawn and Goulburn Mulwaree Council contributing 50% each.
<b>Use of Reserve Funds:</b>	Nil

**RECOMMENDATION**

That

1. The report from the Director of Operations on the status of the Heron-Woodlawn traffic impact assessment be received.
2. The feedback from the stakeholder meeting on 5 June 2019 be incorporated into the final report.
3. A follow up report be presented to Council based on the key findings from the final report, including identification of tasks for further investigation.

**BACKGROUND**

Heron Resources Limited's (Heron) Woodlawn zinc-copper project involves re-establishing mining and processing operations at the former Woodlawn base metal mine located near Tarago, between Goulburn and Canberra.

The Woodlawn project comprises large, medium grade tailings resource plus a high-grade underground resource which are to be processed at a new facility to produce three separate sulphide concentrates for export.

Full containers will be loaded onto trucks at the Woodlawn mine site and then transported to port by road using a single fleet of B-Double combinations. Empty containers will be transported back to Woodlawn mine.

There are a number of stakeholders that will be consulted in this engagement. These include Goulburn Mulwaree Council (Council), Roads and Maritime Services (RMS), Heron Community Consultative Committee (Heron CCC), Tarago & District Progress Association Inc (TADPAI), Veolia and Hi Quality. Council will coordinate any feedback from the stakeholders and provide consolidated feedback to the consultant.

**REPORT**

The traffic impact assessment is to focus on the transportation route between the Woodlawn mine site and the Hume Highway at south Goulburn and to identify potential impacts of the additional truck volume on this route. This transportation route comprises sections of Collector Road, Bungendore Road through Tarago, Braidwood Road, Sloane Street, Finlay Road, Hume Street and the Hume Highway interchange at south Goulburn. Following is the scope for the traffic impact assessment:

- Initial kick-off meeting to clarify any aspect of this engagement and to confirm the Scope of Works.

- Investigate intersection geometry along the transportation route and suitability for B-Double trucks.
- Investigate cost effective options for road realignment to bypass the Tarago Village.
- Investigate whether any road improvements are recommended within the Village to improve safety considering the increase in truck movements.
- Review the draft Tarago Village Plan for road and road side improvements with the objective of safe travel movements within and through Tarago.
- Investigate potential road improvements for the Braidwood Road/Wallace Street/Lumley Road intersection taking into account intersection levels of service, sight distance, traffic volume, traffic composition and pavement integrity for turning heavy vehicles.
- Investigate potential road improvements between Veolia Crisps Creek and Collector Road intersection on the Tarago-Bungendore Road.
- Identify potential improvements along the haulage routes including curve alignment, clear zones, passing lanes, turning lanes, capacity of drainage structures, vegetation removal, line marking and delineation.
- Carry out an assessment of the Austroads guidelines against the transportation route.
- Prepare a draft traffic assessment report summarising findings of traffic assessment for review by the stakeholders. Any recommendations included in the draft report are to include an estimate of cost.
- Prepare the final traffic assessment report incorporating feedback from the project stakeholders.

A consultant has been engaged to carry out this work, with a draft report being issued to stakeholders for review (a copy of the draft report has been included as an attachment to this report). While the initial draft report has identified a number of issues along the transportation route such as localised pavement failures, some intersections with insufficient width to accommodate truck turning paths, a possible climbing lane on Bungendore Road or a possible bypass of Tarago Village, further investigations are required to confirm the appropriate response to these issues.

It is important to note that while this traffic impact assessment has identified an array of potential issues along the transportation route, there are currently no allocated funds for broad scale road infrastructure improvements along the route. The findings from the final traffic impact assessment may provide the impetus for further investigation works and resolution of the issues identified. However in saying that once the report is complete Council will be able to identify portions of the upgrades required and make applications to State Government for funding under the "Resources for Regions" fund.

The transportation route follows a combination of local rural and urban roads plus regional and state roads. The relevant road authorities being Goulburn Mulwaree Council and the Roads and Maritime Services will be required to play a lead role in any follow up works identified in the final report.

A meeting will be held on 5 June 2019 with project stakeholders to discuss the issues identified in the draft report and receive any feedback for consideration in preparing the final report.

26/04/2019



## Heron Woodlawn Project

Draft Traffic Impact Assessment

**CREATING CERTAINTY.**




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## Document Information

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### Document Control

Rev.	Date	Author	Reviewer	Signed Approval	Notes
1.0	11/03/2019	Jayden Boege	Dave Lavers		Initial Draft
1.1	5/04/2019	Dave Lavers	Rhys Davies		Draft Report – for comment
1.2	26/04/2019	Dave Lavers	Rhys Davies		Final Draft Report

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# 1. Introduction

## 1.1 Background

Ontoït were engaged by Goulburn Mulwaree Council (Council) to undertake a Traffic and Transport Impact Assessment (TIA) to assist with the re-opening of the Woodlawn Mining Facility near Tarago, NSW. Ontoït were advised that the current proposal is to transport material from the Woodlawn facility to the rail yard in Goulburn (see Figure 1), NSW, then by rail to the Port of Botany in Sydney. This TIA will inform the proposal for an increase in freight transport along the existing route from Collector Rd South-West of Tarago to Goulburn rail yards and through to the Hume Highway.

The purpose of the study is to examine existing traffic and transport network conditions and to assess the future traffic impacts arising from an increase in freight vehicle movements along the route. The study has assessed existing and future traffic conditions to ensure the transport infrastructure has sufficient capacity and is in adequate condition to support the proposed increase freight vehicle movements along the existing route.

This report presents a summary of the analysis and results that have been undertaken as part of the TIA. The assessment of traffic impacts generated by the increase in freight vehicular movements has been based on the following information and guidelines:

- The NSW Roads and Maritime (RMS) Guide to Traffic Generating Developments (Version 2.2, October 2002);
- Data and information provided by Council; and
- Review of existing traffic and parking conditions on the surrounding road network.

This report will be updated and finalised after the conduct of a community engagement forum, currently scheduled for June 2019. This forum is important for validation of the TIA and recommendations in context of the draft Tarago Village Plan.

## 1.2 Site Context

The proposed route for the transportation of the mine materials is an approximate 50km drive from the Woodlawn Mines on Collector Rd approximately 4.5km South-West of Tarago, NSW to Hume St Goulburn, NSW. The proposed route will travel through the village of Tarago that is currently home to approximately 426 residents and offers a rural lifestyle in close proximity to the Australian Capital Territory (ACT). Direct access into Bungendore is available South of Tarago via Bungendore Rd which then leads onto Kings Highway into the ACT.

Direct access to Goulburn is via Braidwood Rd from Tarago which then allows access to Hume Highway via Hume St. Goulburn currently has a population of approximately 22,890 and provides a regional city lifestyle for its residents. Goulburn is in close proximity to two major cities, Sydney being approximately 195km North-East and Canberra approximately 90km South-West of the City.

Error! Reference source not found. illustrates the route from Collector Rd through Tarago to Hume St in Goulburn, this being the proposed route freight vehicles will travel from Woodlawn Mines through to the rail yard in Goulburn. The map shows the range of environmental features and small towns which are a part of the route including Tarago, Lake Bathurst, Lake George and Turrigville.

## 1.3 Report Structure

This report provides advice and analysis on the potential future traffic and transport conditions which would potentially result along the proposed route from the additional freight vehicular traffic resulting from the re-opening of the mine facility. The report has been structured as follows:

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- Chapter 2 – Existing Conditions – this section provides an overview of the current traffic and transport conditions along the route and within the area of the proposed mine;
- Chapter 3 – The Route Proposal – this section provides an overview of the proposed route provided by Heron Resources Limited;
- Chapter 4 – Potential Mitigation Measures – T this section provides an overview of the likely impacts to the transport and traffic network as a result of an increased freight vehicular traffic use along the route;
- Chapter 5 – Potential Costs – outlines the high level costs potential costs involved in the project; and
- Chapter 6 – Summary and Recommendations – this section summarises the analysis and key conclusions/ recommendations of the study and the consultation activities.

## 2. Existing Conditions

A comprehensive review of the existing transport and traffic network along the proposed route alignment has been undertaken to establish a baseline of conditions. This section outlines and summarises the findings from this review.

### 2.1 Proposed Route

The route under investigation is in the vicinity of Tarago and Goulburn, NSW (see **Figure 1**). The proposed route is approximately 47km long and consists of:

- Collector Rd between the Woodlawn facility entrance and Bungendore Road;
- Bungendore Rd between the intersection with Collector Road and Goulburn Street;
- Goulburn St/Wallace St within the village of Tarago;
- Braidwood Rd between the village of Tarago and Goulburn;
- Sloane St between Braidwood Road and Finlay Road, Goulburn;
- Finlay Rd between Sloane Street and Hume Street, Goulburn; and
- Hume St between Finlay Street and the Hume Highway, Goulburn.

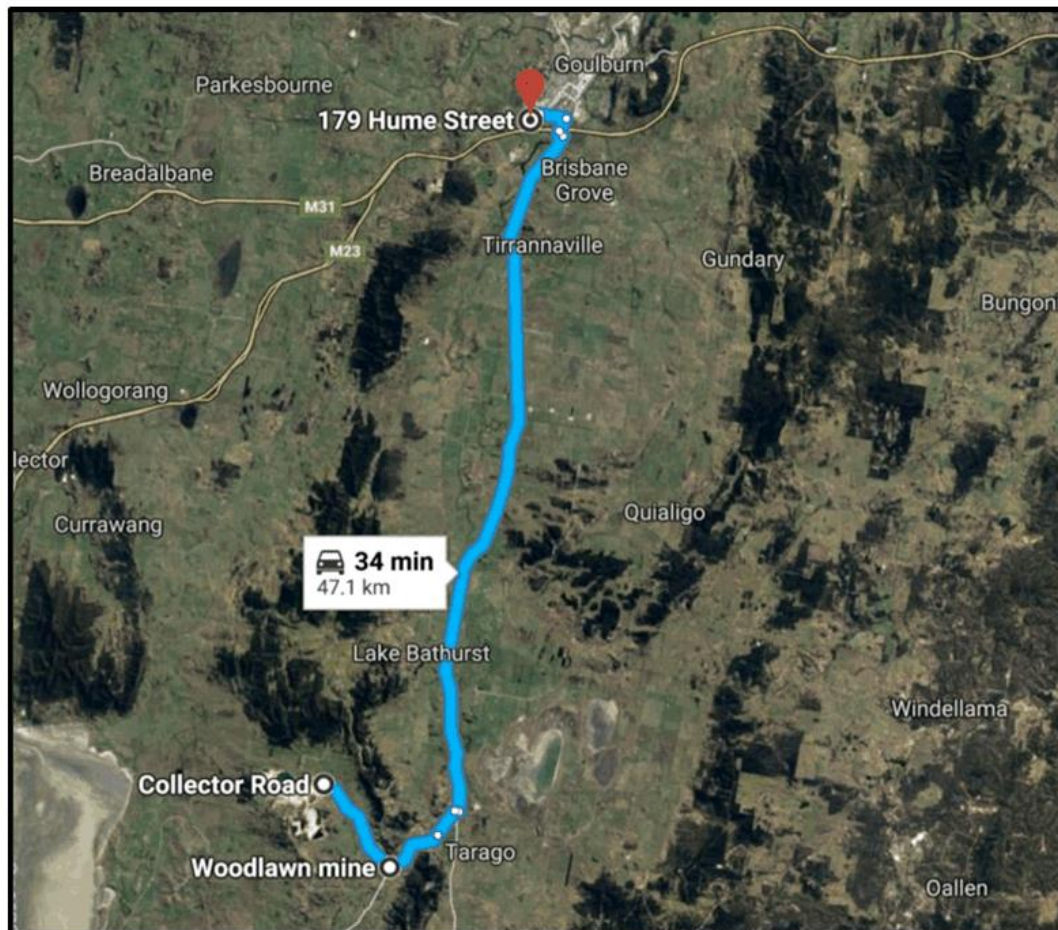


Figure 1 Route from Collector Rd to Hume St, Goulburn, NSW (credit: Google Maps)





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Majority of the roads along the route are classified differently and as such have different road characteristics, a summary of these is provided in the following sections.




### 2.1.1 Site Observations and Condition Assessment

**Table 1** provides a technical assessment of the existing conditions observed along the proposed road corridors that are within the route proposed for the movements of freight vehicles to and from the mining facility. This assessment has been undertaken generally in accordance with the Guide to Pavement Technology Part 5: Pavement Evaluation and Treatment Design, based on photos of sections of the road and / or aerial maps such as six maps. The table provides brief overview of each road corridor including site photos as well as a brief technical assessment of major observations from the site visit and pictures contained below.




Table 1 Site Observations and Condition Assessment Summary Table (credit: SIX Maps, NSW)

Location	Photo of Location	Comment	Technical Assessment
Collector Rd		Collector Rd/Bungendore Rd intersection SW of Tarago, facing east toward Woodlawn Mines	Road appears to be recently re-sealed, new line marking required to be applied around island and edge lines to be painted.  Some loose gravel to be swept from road.
Bungendore Rd		Bungendore Rd SW of Tarago facing North toward Tarago	Road surface appears to be in reasonable condition.  Minimal edge break.  Shoulders appear low and may need additional gravel.  Centre separation line and edge lines visible but faded, possibly require re-line marking.

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Location	Photo of Location	Comment	Technical Assessment
Goulburn St		Goulburn St South of Tarago, facing North toward Tarago Entering Tarago Village	Road surface appears to be in reasonable condition.  Some edge break evident.  Shoulders appear low and may need additional gravel.  Centre separation line, edge-lines and RAIL AHEAD painted sign are visible but faded, possibly require re-line marking.  Road signs appear in reasonable condition.
Wallace St		Wallace St/Braidwood Rd intersection facing NW toward Wallace St	Road surface appears to be in reasonable condition.  Priority control of intersection by GIVE WAY sign set well back from the intersection – possibly to aid larger vehicles turning through the intersection.  Development controls / adequate setback for any building on the block on the north west corner of the intersection should be considered to preserve sight lines (see section 2.1.8 Swept Path Analysis for road / boundary proximity).
Braidwood Rd		Braidwood Rd bend in Tarago	Intersection too narrow for two B-Double trucks to negotiate bend simultaneously - refer section 2.1.8 Swept Path Analysis.  Parking restrictions should be considered for some 50m from the intersection on both sides of Wallace Rd in front of the hotel.

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Location	Photo of Location	Comment	Technical Assessment
Braidwood Rd		Braidwood Rd/Wallace St/Lumley St intersection facing North toward Braidwood Rd	Same intersection as above.  NO PARKING signs should be considered to restrict carparking too close to the intersection to aid sight distances and vehicle turning.
Sloane St		Sloane St/Braidwood Rd intersection facing South toward Sloane St	Road surface and traffic islands appear to be in reasonable condition.  Central splitter island or triangular island in photo foreground to be modified to permit B-Double turning movement – refer section 2.1.8 Swept Path Analysis.  Reconstruction could be concrete 50mm above pavement to restrict standard vehicles but allow larger vehicles to mount island to effect turn movement.
Finlay Rd		Finlay Rd/Sloane St intersection facing West toward Finlay Rd	Road surface except at driveway and traffic islands appear to be in reasonable condition. Pavement repair appears to be required at driveway.  Central splitter island to Sloane St to be modified to permit B-Double turning movement – refer section 2.1.8 Swept Path Analysis.  Reconstruction could be concrete 50mm above pavement to restrict standard vehicles but allow larger vehicles to mount island to effect turn movement. Hold line assoc. with GIVE WAY sign to be moved west to TP on Finlay St, and new line marking at the intersection appears to be required.

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Location	Photo of Location	Comment	Technical Assessment
Hume St		Birds-eye view of Hume St	Photo appears to have been taken during roadworks on Findlay Rd hence the lighter colour of the road pavement around the intersection.

## 2.2 Road Corridor Characteristics

### 2.2.1 Collector Rd

Collector Rd marks the beginning of the route from the Woodlawn Mines which continues through to Bungendore Rd. It connects Bungendore Rd to the Hume Hwy and is one of the less significant roads along this specific route regarding impact of increased traffic. Collector Rd will act as a corridor for trucks, allowing them access to Bungendore Rd from the Woodlawn Mines which then leads into Tarago (see **Figure 2**). Being a minor road in the route to Goulburn, the road reflects these characteristics:

- Sealed single lanes in both directions with approximately 7m width (2 x 3.5m traffic lanes);
- Posted speed limit of 100kph;
- Median of approximately 1.5m toward the end of Collector Rd at Bungendore Rd intersection; and
- Posted give way sign at Collector Rd/Bungendore Rd intersection (turning left onto Bungendore Rd)



Figure 2 Collector Rd/ Bungendore Rd intersection (credit: SIX Maps, NSW)

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### 2.2.2 Bungendore Rd

Bungendore Rd is a major part of the route which allows access from Collector Rd into Tarago. It is part of a State and Regional road network and allows direct access onto Goulburn St which then leads into Tarago Village (see **Figure 3**).

- Sealed single carriageway in each direction which is approximately 7m and slightly wider in some areas (3.5m each lane);
- No central median; and
- Posted speed sign 100kph.



Figure 3 Bungendore Rd heading North onto Goulburn St (credit: SIX Maps, NSW)

### 2.2.3 Goulburn St/Wallace St/Braidwood Rd

Goulburn St allows access into Tarago and connects onto Wallace St which creates a passage through Tarago onto Braidwood Rd. The intersections between these roads appear to provide a safe environment for traffic and pedestrians coming in and out of Tarago. Characteristics of these roads include:

- Single sealed carriageway in each direction in all roads in the area of interest, which is approximately 10m (5m each lane);
- Posted speed sign of 50kph around the vicinity of Tarago (some areas may be 60kph);
- No central median; and
- All intersections are priority controlled and are generally providing access to dwellings.

Images in **Figure 4** illustrate perspective of the intersection between Wallace St, Braidwood Rd and Lumley Rd from each corner of the intersection, displaying the condition of the road and characteristics of the intersection.



Figure 4 Goulburn St/Wallace St/Braidwood Rd (credit: SIX Maps, NSW)



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### 2.2.4 Sloane St

Sloane St is a local access street which allows for traffic to access a majority of the residential areas in Goulburn. It provides access to Finlay St for traffic coming from Braidwood Rd, which then provides easy access onto the Hume Hwy. Characteristics include:

- Sealed single carriageway each way with a width of approximately 9 to 10m (4.5-5m each lane);
- Appear to be a fading of line markings further down the road;
- Small median strips near intersection (appear to be a small median strip at the southern end of the road near Finlay Rd);
- Appear to be signs of cracked pavement; and
- Posted speed limit of 60kph.

Images in **Figure 5** illustrate the characteristics and condition of Sloane St intersection from a range of different angles.



Figure 5 Sloane St intersection from a variety of angles (credit: SIX Maps, NSW)

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### 2.2.5 Finlay Rd

Finlay Rd is another vital road which allows access into a small industrial area in the south and a residential area to the north of the road in Goulburn. It also provides access to Hume St which then connects onto Hume Hwy. Characteristics include:

- Sealed single carriageway each way with a width of approximately 12m (6m each lane);
- Appear to be a fading of line markings;
- Small median strip near intersection (Finlay Rd and Hume St intersection);
- Appear to be signs of damaged pavement
- Road appears to be incomplete in some sections
- Posted speed limit of 60kph.

Images in **Figure 6** illustrate the characteristics and condition of the intersection between Finlay Rd and Sloane St from a range of angles.



Figure 6 Finlay Rd/Sloane St intersection from a variety of angles (credit: SIX Maps, NSW)



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### 2.2.6 Hume St

Hume St is a major road which provides access into Goulburn for traffic that is travelling along Hume Hwy. Hume St, being a major access point in and out of Goulburn from the Highway, must accommodate for a range of vehicle classes. It reflects these characteristics:

- Sealed dual carriageway each way with a width of approximately 20m (3.5m each lane, designated area for stopping on both sides of road)
- Median strip approximately 2-4m width (width changes along the road)
- Round-a-bout approximately 18m in diameter (able to accommodate B-Double vehicle movements by utilising both lanes - refer section 2.1.8 Swept Path Analysis)
- Appears to be clear road markings with designated turning lanes
- Poster speed sign of 60kph

Images in **Figure 7** illustrate the general condition and characteristics of different sections of Hume St.



Figure 7 Overview of sections of Hume St (credit: SIX Maps, NSW)

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## 2.3 Existing Vehicle Volumes

Existing traffic volumes were obtained from traffic counts that were provided and collected by GMC for the locations, date and times displayed in **Table 2**.

Table 2 Summary of traffic count locations, date and times

Location	Date and Time of Survey	Traffic Data
Collector Rd 180m west of Bungendore Rd intersection	14:05 Wednesday, 25 October 2017 to 14:01 Thursday, 23 November 2017	Cls 9 Veh – 33.8% Cls 10 Veh – 3.9%
Bungendore Rd 100m south of Lime St	14:41 Friday, 21 September 2018 to 12:53 Thursday, 18 October 2018	Cls 9 Veh – 1.5% Cls 10 Veh – 0.7%
Bungendore Rd (Wallace St) 90m west of Braidwood Rd	8:47 Wednesday, 21 November 2018 to 11:44 Wednesday, 5 December 2018	Cls 9 Veh – 1.4% Cls 10 Veh – 0.8%
Lumley Rd 90m east of Braidwood Rd	8:03 Wednesday, 21 November 2018 to 11:34 Wednesday, 5 December 2018	Cls 9 Veh – 0.5% Cls 10 Veh – 0.9%
Sloane St between Verner and Montague St	7:26 Tuesday, 7 February 2017 to 1:00 Thursday, 16 February 2017	Cls 9 Veh – 0.7% Cls 10 Veh – 0.6%
Finlay Rd 200m east of Hume St at number 121 Finlay Rd	16:00 Friday, 10 May 2013 to 0:00 Wednesday, 19 June 2013	Cls 9 Veh – 1.7% Cls 10 Veh – 0.8%
Hume Street 160m south of Sotherby St at No180	0:00 Wednesday, 29 March 2017 to 16:58 Friday, 7 April 2017	Cls 9 Veh – 2.6% Cls 10 Veh – 2.2%

The data collected provides traffic volumes along the key roads for the proposed primary vehicular route for transporting the mining materials. However, it is worth noting the following observations about the data provided:

- The data collection times are varied with some traffic counts dating back to 2013;
- The data collection periods are also varied with only two data sets covering the same period between November and December 2018;
- The data collection durations are varied with the shortest collection period being ten days and the longest being one month and nine days; and
- All data sets however have been undertaken over a prolonged period of time with the shortest being ten days of collection.

Despite the above, the data is suitable to gain a basic level of understanding of the current transport and traffic demands across the study. A summary of the traffic count data is provided in **Figure 8** and the raw data from the traffic counts is provided in **Appendix 1**.

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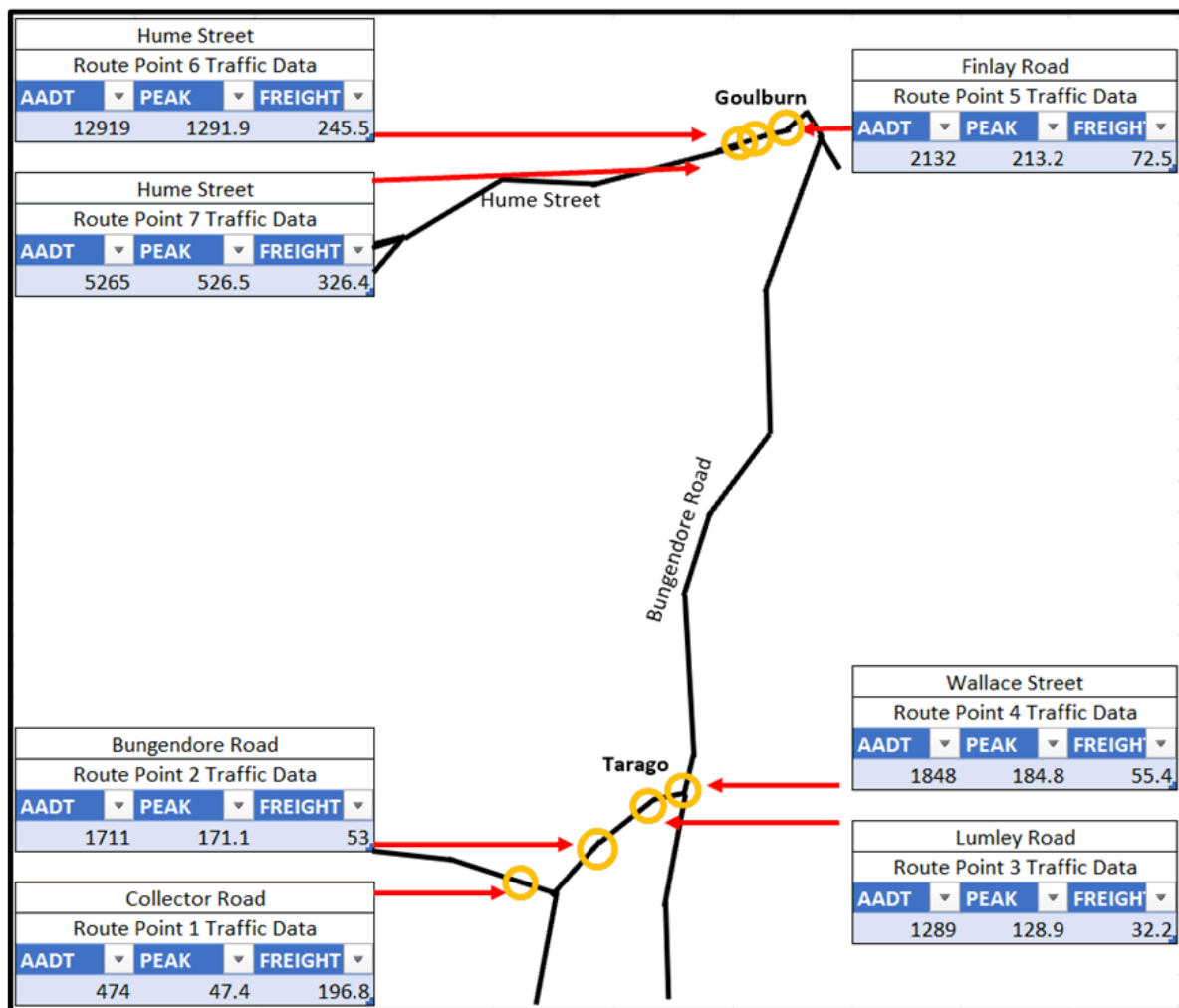


Figure 8 Summary of existing traffic data across the study area as provided by GMC

**Figure 8** illustrates the peak traffic volumes; Annual Average Daily Traffic volumes and peak freight vehicles flows along the proposed route between the mine and the Hume Highway.

## 2.4 Existing Intersections

Due to the length and nature of the proposed route alignment, there are several existing intersections along its length. As such, Table 3 provides an overview of the key intersections along the route and their characteristics.

Table 3 Summary of existing key intersection and their characteristics

Intersection	Key Characteristics
Collector Rd / Bungendore Rd	<ul style="list-style-type: none"> <li>Three-way priority-controlled intersection with priority for traffic on Bungendore Rd</li> <li>Extremely large footprint approximately 2500m<sup>2</sup></li> <li>Dedicated right turn lane for traffic travelling westbound along Bungendore Rd turning into Collector Rd</li> <li>Minor movements are controlled with give way signage</li> <li>All movements are permitted</li> <li>Good lines/sight distance from all directions</li> </ul>
Goulburn St/Wallace St Intersection	<ul style="list-style-type: none"> <li>Three-way priority-controlled intersection with priority movements for traffic travelling eastbound or westbound</li> <li>Wallace St is on a right angle to Goulburn St which results in a tight radius around the corner</li> <li>Intersection is bounded by properties on the south and west side of the intersection</li> <li>Minor movements are controlled with give way signage</li> <li>All movements are permitted</li> <li>Sight lines/distances restricted by existing dwelling</li> </ul>
Wallace St/Braidwood Rd/Lumley Rd Intersection	<ul style="list-style-type: none"> <li>Four-way priority-controlled intersection with priority for northbound and southbound traffic travelling along Braidwood Rd</li> <li>No dedicated right turn lanes on any movements</li> <li>Wallace St entry is bounded by property on both the north side and south side of the road corridor</li> <li>Lumley Rd bounded by property in north side of road corridor</li> <li>Minor movements are controlled with give way signage</li> <li>All movements are permitted</li> <li>Some sight lines/distances restricted by existing hotel</li> </ul>
Braidwood Rd/Sloane St Intersection	<ul style="list-style-type: none"> <li>Four-way priority-controlled intersection with the priority for vehicles travelling along Sloane St</li> <li>Slip lanes are provided between Sloan St into Braidwood Rd and from Broadwood Rd into Sloan St, both are controlled with give way signage yielding to traffic approaching from the right;</li> <li>Right and through movements out of Braidwood Rd are controlled with a stop sign</li> <li>There are no dedicated right turn lanes on Sloan St however the road carriageway is wide enough to enable vehicles travelling through the intersections to pass right turning vehicles</li> <li>Vehicles exiting Mundy St are controlled with give way signage</li> </ul>



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Intersection	Key Characteristics
	<ul style="list-style-type: none"> <li>– Intersection is bounded by properties and a rail corridor on either side of the intersection</li> <li>– All movements are permitted</li> <li>– Good lines/sight distance from Braidwood Rd to Sloane St and vice versa</li> </ul>
Sloane St/Finlay Rd Intersection	<ul style="list-style-type: none"> <li>– Three-way priority-controlled intersection with priority movements for traffic travelling on Sloane St</li> <li>– Vehicle existing Finlay St are controlled with give way signage</li> <li>– No dedicated right turn lane is provided on Sloan St and road corridor appears to narrow for through vehicles to pass traffic yielding before turning right into Finlay Rd</li> <li>– Intersection is bounded by properties and a rail corridor on either side of the intersection</li> <li>– All movements are permitted</li> <li>– Sight lines/distances restricted by existing dwelling</li> </ul>
Finlay Rd/Hume St Intersection	<ul style="list-style-type: none"> <li>– Four-way priority-controlled intersection with the priority for vehicles travelling along Hume St</li> <li>– Dedicated slip lane for vehicle movements turning left from Hume St into Finlay Rd (east)</li> <li>– Left, right and through movements out of Finlay Rd are controlled with a give way sign (both sides of Hume St)</li> <li>– Intersection is bounded by properties on all sides of the intersection</li> <li>– All movements are permitted</li> <li>– Good lines/sight distance from all directions</li> </ul>
Hume St Round-a-bout	<ul style="list-style-type: none"> <li>– Three-way priority-controlled roundabout with two entry and exit lanes on Hume St approaches and a single lane entry and exit on Ducks Ln approach</li> <li>– Dedicated slip lane for left turn movements between Hume St (west) and Ducks Ln</li> <li>– All movements are permitted</li> <li>– Good lines/sight distance from all directions</li> </ul>

During the site visits conducted as part of the study the and as a result of the existing traffic volume data provided by GMC the following observations are made:

- There appears to be potential geometric issues with the Wallace St/Braidwood Rd/Lumley Rd intersection, Braidwood Rd/Sloane St intersection, Sloane St/Finlay Rd intersection and Finlay Rd/Hume St intersection (this is explored further in **Section 3.3.1**);
- No localised queuing on any of the arms appear to be occurring at any of the intersections; and
- No delays were observed at any of the intersections.

We propose to clarify these observations through the community engagement process scheduled for June 2019. This forum will enable qualitative data to be added to the TIA, capturing the perspectives of the community and confirming the consultant observations noted above.

## 2.5 Parking

There is no existing formal / dedicated parking along the entirety of the existing route. However, the site visit indicated informal parking occurring at built up areas of Tarago and Goulburn particularly along Wallace Street and Sloane Street in front of existing properties.

We propose to further confirm the community informal parking behaviours at the upcoming community engagement activity scheduled for June 2019. This forum will enable qualitative data to be added to the TIA, capturing the perspectives of the community.

## 2.6 Active Travel

There are no existing dedicated bicycle travel or parking facilities along the entirety of existing route. Site observations identified formal road markings that appear to denote the outer edge of the traffic lanes. These lines do provide an informal area for on road cyclists. It should be noted however this is not a formal facility and would not meet the minimum standards to be classified as a cycling facility in accordance with Austroads. There are no other active travel facilities along the existing route besides the footpaths within the village of Tarago and Goulburn.

It is proposed that active travel requirements are further informed by the upcoming community engagement activity scheduled for June 2019. This forum will enable qualitative data to be added to the TIA, capturing the perspectives of the community.

## 2.7 Public Transport

There is an active railway station in both Tarago and Goulburn which does not have an immediate impact on traffic along the existing route due to the infrequent services along the rail line. There are no other public transport services in Tarago Village, although there are regular bus routes that currently operate in Goulburn however none appear to travel along the proposed route alignment.

It is proposed that public transport patterns be further informed by the upcoming community engagement activity scheduled for June 2019. This forum will enable qualitative data to be added to the TIA, capturing the perspectives of the community.



### 3. Transport and Traffic Impact Assessment

This section of the report considers the likely impacts that may result from the additional freight vehicular traffic forecasted by the re-opening of the Woodlawn Mine.

#### 3.1 Proposed Development Scenario

The proposed development is predicting to have 25 truck movements a day moving to and from the Mine on Collector Rd and the train yard in Goulburn. This will result in an increase in peak period of about 2.5 vehicles. The relevant data regarding an increase in traffic movement are illustrated in **Figure 9**.

#### 3.2 Future Road Capacity

As noted in **Section 2** of this report and based upon the existing traffic data, all roads that the proposed transport route runs along currently operate well within their daily operational capacity. However, there will need to be further surveys to more effectively understand the future impact on the road network for specific time periods of the day, particularly peak periods. This can only be determined with more detailed traffic data. This is particularly the case related to heavy vehicle uses and intended future use and projections.

**Figure 9** illustrates existing traffic data and displays the predicted traffic distribution post development implementation.

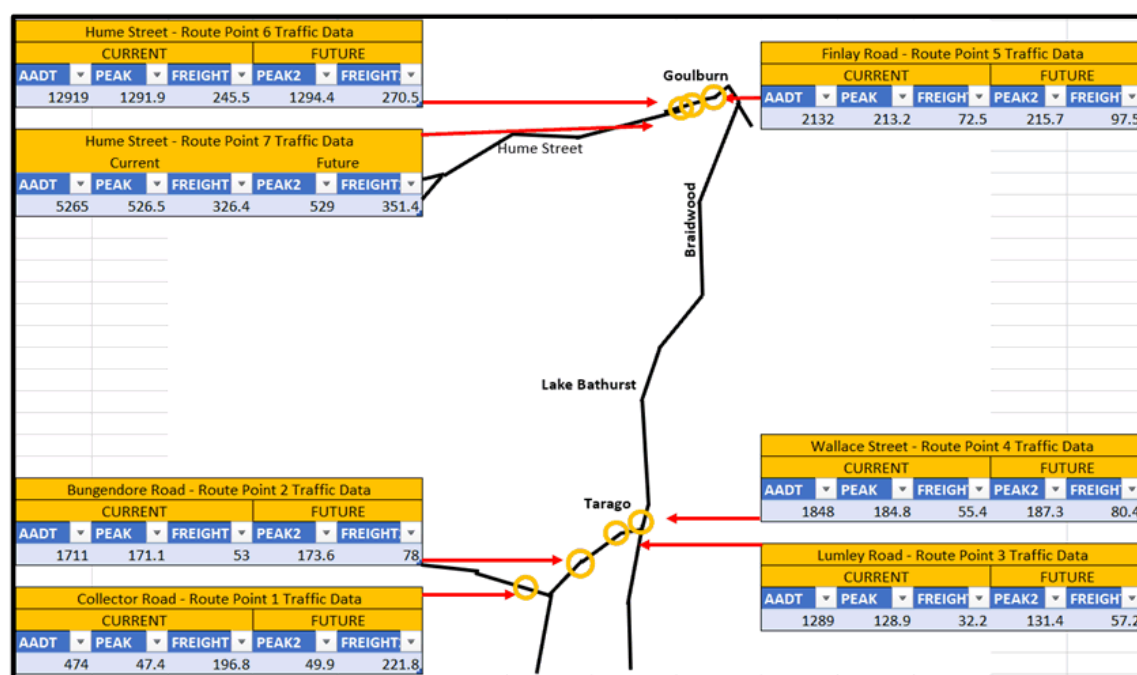


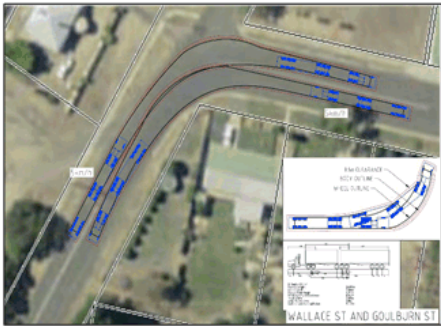
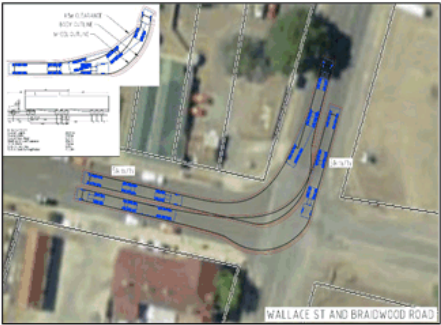
Figure 9 Current and predicted future traffic volumes along the existing route

### 3.3 Intersection Arrangements

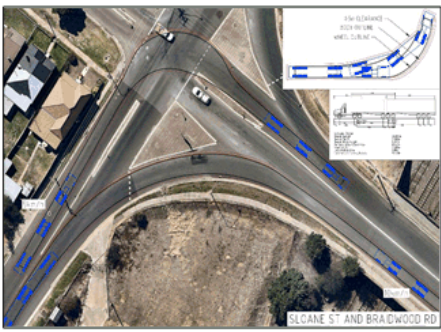
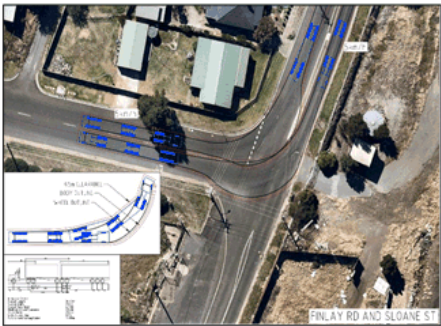
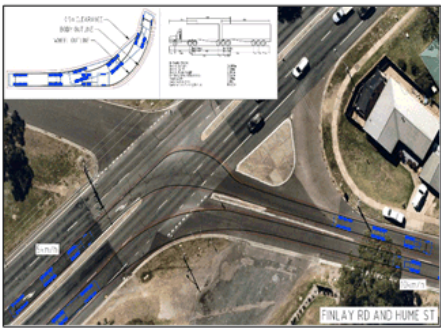
#### 3.3.1 Geometric Assessments

In order to assess the potential impacts and upgrades required to accommodate the proposed freight vehicles that will be utilised for transport mining material between the mine and the Hume Hwy, OntoIt undertook swept path analysis at key intersections along the proposed alignment. A summary of this analysis is presented in **Table 4**.

Table 4 Swept path analysis

Location	Image	Comment	Technical Assessment
Goulburn St/Wallace St Intersection		Heading North on Goulburn St and turning right into Wallace St	The <b>intersection pavement is of insufficient width</b> to allow two B-Double trucks to turn simultaneously. To affect the above the intersection would require to be modified, pavement widened, and shoulders constructed / upgraded.  Should a B-Double negotiate the intersection without other vehicles being present the pavement width <b>would be sufficient</b> , however, the truck would require more than its carriageway to affect the turn.
Wallace St/Braidwood Rd/Lumley Rd Intersection		Heading East on Wallace St and turning left onto Braidwood Rd	The <b>intersection pavement is of insufficient width</b> to allow two B-Double trucks to turn simultaneously. To affect the above the intersection would require to be modified, pavement widened, and shoulders constructed / upgraded.  Should a B-Double negotiate the intersection without other vehicles being present the pavement width <b>would be sufficient</b> , however, the truck would require more than its carriageway to affect the turn.

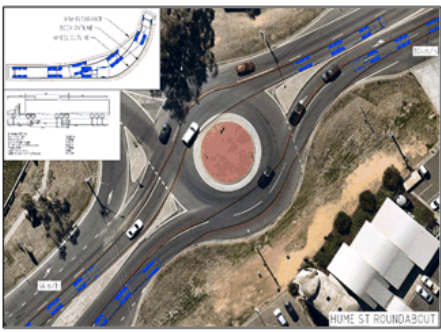
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Location	Image	Comment	Technical Assessment
Braidwood Rd/Sloane St Intersection		Heading North-West on Braidwood Rd and turning left onto Sloane St	<p>B-Double trucks turning into Braidwood Rd from Sloane St <b>can negotiate the intersection comfortably</b>.</p> <p>The intersection <b>will require works to be completed</b> to allow B-Double movements from Sloane St to Braidwood Rd.</p> <p>The splitter islands <b>will need to be modified</b> / removed and replaced with line marking or a mountable concrete island.</p>
Sloane St/Finlay Rd Intersection		Heading South-West on Sloane St and turning right into Finlay Rd	<p>The <b>intersection will require works</b> to be completed to allow B-Double movements.</p> <p>The island in Sloane St <b>will require to be removed</b> and replaced with line marking or a mountable concrete island.</p> <p>The NW kerb on the intersection <b>could be eased</b> to provide a tighter turning movement for trucks returning to the mine.</p> <p>The power pole on the SW corner of the intersection <b>should be protected</b> by a guardrail.</p>
Finlay Rd/Hume St Intersection		<p>Heading West on Finlay Rd turning left onto Hume St</p> <p><b>NB.</b> RMS is currently assessing this intersection and works could be considered under this.</p>	<p>B-Double trucks turning into Hume St from Finlay Rd <b>can negotiate the intersection comfortably</b>.</p> <p>The intersection <b>may require minor works</b> to be completed to allow B-Double movements from Hume St to Finlay Rd.</p> <p>The splitter islands <b>may need to be modified</b> / removed and replaced with line marking or a mountable concrete island.</p>

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Location	Image	Comment	Technical Assessment
Hume St Round-a-bout		Heading South-West on Hume St	B-double trucks <b>can negotiate the roundabout</b> by the driver positioning the truck in the centre of the two carriageways and using the whole of the roundabout pavement to affect the movement.  Should this be accepted then <b>no modifications would be required</b> to the roundabout

**Table 4** illustrates a swept path analysis of key intersections along the existing route, displaying the projected turning ability of a class 10 vehicles (B-Double truck). A technical assessment of the suitability of each intersection to accommodate a B-Double movement is also summarised above. The full drawings are available in **Appendix 2**.

### 3.3.2 Intersection Capacity

No traffic modelling has been undertaken as part of this initial analysis however, a high level (first principles) assessment of the ability of the intersection to accommodate the increased vehicular movements is summarised in **Table 5**.

Table 5 Future capacity and operational issues at intersection along the alignment

Intersection	Capacity and Operation Assessment
Collector Rd / Bungendore Rd	<ul style="list-style-type: none"> <li>Intersection is currently well within operational capacity</li> <li>Peak vehicle volumes through the intersection are less than 240 vehicles</li> <li>No impact on the operation of the intersection is anticipated to result from the additional freight vehicle movements</li> </ul>
Goulburn St/Wallace St Intersection	<ul style="list-style-type: none"> <li>No impact on operational capacity anticipated as vehicles travelling along the priority corridor</li> </ul>
Wallace St/Braidwood Rd/Lumley Rd Intersection	<ul style="list-style-type: none"> <li>No traffic data provided for Braidwood Rd therefore no operational assessment possible</li> <li>Wallace St and Lumley Rd are currently operating well within capacity and unlikely to be significantly impacted by the additional freight traffic</li> </ul>
Braidwood Rd/Sloane St Intersection	<ul style="list-style-type: none"> <li>No traffic data provided for Braidwood Rd therefore no operational assessment possible</li> <li>Wallace St and Lumley Rd are currently operating well within capacity and unlikely to be significantly impacted by the additional freight traffic</li> </ul>
Sloane St/Finlay Rd Intersection	<ul style="list-style-type: none"> <li>No traffic data provided for movements through this intersection therefore no definitive operational assessment possible</li> </ul>



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Intersection	Capacity and Operation Assessment
	<ul style="list-style-type: none"> <li>– Based on local knowledge however, it is possible that this intersection could experience some operational issues due to the size and slow movement of the proposed vehicles through the intersection</li> </ul>
Finlay Rd/Hume St Intersection	<ul style="list-style-type: none"> <li>– No data provided for Sloane St therefore no operational assessment undertaken.</li> <li>– Finlay Rd corridor however is currently operating well within capacity</li> </ul>
Hume St Round-a-bout	<ul style="list-style-type: none"> <li>– Intersection is currently well within operational capacity</li> <li>– Peak vehicle volumes through the intersection are less than 1500 vehicles</li> <li>– Any impact on the operation of the intersection is likely to result due to the large vehicles having to make slow turning movements into and out of side roads</li> <li>– Likely to be some impact to the intersection operation.</li> </ul>


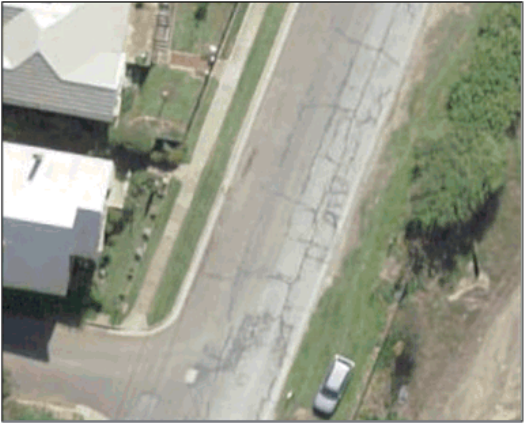
Based on the operational assessment minor improvements are anticipated at some intersections along the route. It is highly recommended that further traffic counts are undertaken to gain a comprehensive understanding of the existing operation of the intersections along the proposed alignment.

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### 3.4 Pavement Failures

Along the route, there is evidence of pavement failure as shown in **table 6**. However, there is no clear evidence as to the cause of this failure - detailed testing could be conducted along the route to ascertain the exact conditions of the pavement.

Table 6 Examples of typical pavement failure along the alignment

Road Section	Assessment & Possible Treatments
	<p><b>Braidwood Rd</b>, shows signs of pavement distress. Located adjacent to access gate to farm paddock.</p> <p><b>Possible Causes:</b></p> <ul style="list-style-type: none"> <li>– misapplication of seal</li> <li>– some action assoc. with farm access</li> </ul> <p><b>Possible Treatments:</b></p> <ul style="list-style-type: none"> <li>– Reseal, including surface correction if rutting has occurred</li> <li>– Re-line-mark edge lines if reseal covers existing</li> </ul>
	<p><b>Sloane St, Goulburn</b>, shows signs of pavement distress – block and meandering cracking</p> <p><b>Possible Causes:</b></p> <ul style="list-style-type: none"> <li>– reflection from underlying joints</li> <li>– shrinkage or fatigue in an underlying bound (cemented) or macadam layer</li> <li>– inadequate slab thickness</li> <li>– ageing and hardening of bituminous surfacing.</li> </ul> <p><b>Possible Treatments:</b></p> <ul style="list-style-type: none"> <li>– crack filling</li> <li>– SAM seals, reinforced seals, ultra-thin overlays</li> <li>– SAMI or geotextile seal plus asphalt overlay</li> <li>– Cold plane and overlay</li> <li>– in situ asphalt recycling and overlay.</li> </ul>



### 3.5 Parking

As discussed in **Section 2** of this report, informal parking was observed during site visits particularly in the village of Tarago along Wallace St and along the road corridor in Goulburn particularly Sloane St and Finlay Rd. As such, the following impacts are anticipated:

- The removal of some informal parking along Wallace St through the installation of 'No Parking' Signage particularly in the close proximity to the intersection with Braidwood Rd. This would be required to ensure sufficient room is available to accommodate the B-Double turning movements through the intersection;
- The removal of some informal parking along Sloan St through the installation of 'No Parking' Signage particularly in the close proximity to the intersection with Braidwood Rd and Finlay Rd. This would be required to ensure sufficient room is available to accommodate the B-Double turning movements through the intersection; and
- The removal of some informal parking along Finlay Rd through the installation of 'No Parking' Signage particularly in the close proximity to the intersection with Sloane St and Hume St. This would be required to ensure sufficient room is available to accommodate the B-Double turning movements through the intersection.

Impacts to informal parking is anticipated to be minimal however will need to be undertaken to ensure that the larger freight vehicles can complete the required turning movements in a safe and timely manner minimising property damage and risks to other road users.

### 3.6 Active Travel Impacts

The exact extent of impacts to active travel users is unquantifiable at this stage. There may be impacts to both pedestrian and cyclist particularly within the built-up areas of Tarago and Goulburn as a result of an increase in vehicular movements in residential areas and as a result of possible changes to intersections to accommodate the larger vehicle movements.

### 3.7 Public Transport

No impacts to existing public transport services are anticipated.

## 4. Potential Mitigation Measures

The proposal is to transport material from the Woodlawn facility to the rail yards in Goulburn, NSW, then by rail to the Port of Botany. This section outlines the proposals associated with the transport of material along the existing route. Some movements may be undertaken entirely by road, to reflect operational and commercial requirements. The route will see increased truck movements through Tarago Village.

### 4.1 Draft Tarago Village Plan

The draft Tarago Village Plan provides context within which to consider any road or traffic improvements. However, it is noted that the validity of the draft Tarago Village Plan will need to be assessed to enable informed judgements on solutions to be made.

A community engagement activity is scheduled for June 2019. This forum will provide the opportunity to undertake a process, facilitated by Ontoit, which will enable judgements to be made on the degree of acceptance of the draft Village Plan. This will enable options for traffic solutions to be socialised with the benefits and disbenefits of various options assessed.

The outcomes of the community engagement activity and the associated impact of this upon the TIA will be detailed in the final Report.

### 4.2 Road Improvements

Two identified road improvements could be made to enhance the overall traffic amenity of the system. These include a climbing lane or similar treatment on Bungendore Rd and Road Realignment to Bypass Tarago Village.

#### 4.2.1 Climbing Lane

Bungendore Rd may experience an increase in traffic movement which may cause operations issues. **Figure 10** illustrates the general area for consideration of a potential climbing lane, or similar treatment, on Bungendore Rd near the Veolia waste facility towards Collector Rd. Implementing a climbing lane, or similar treatment, will reduce the impact of increased vehicle movements along the existing route.



Figure 10 General area where a climbing lane or similar treatment could be considered on Bungendore Rd

These potential for a climbing lane, or similar treatment, should be discussed at the community engagement activity scheduled for June 2019. This forum will enable qualitative data to be added to the TIA, capturing the perspectives of the community. The views of the community will serve to inform decision making in an area of road design that is generally vague and open to various options. This should take into consideration the different truck usages across the road and direction of travel for laden and unladen vehicles and the impact these have upon the other road users.

The warrants for a climbing lane as detailed in the Guide to Road Design Part 3: Geometric Design may not be met for this section of road (long grades over 8%, truck speeds falling to 40 km/h or less, volume of traffic, etc). However, as a minimum a right turn storage lane should be considered at the intersection of Bungendore Road and Collector Road for the B-Double trucks that will be making this turn) A breakout lane could also be considered along the area of the route.

#### 4.2.2 Road Realignment to Bypass Tarago Village

The proposed route to be taken runs through the village of Tarago, Lake Bathurst and into the residential areas of Goulburn. Potential options for road realignment to bypass Tarago Village have been identified (**Figure 11**):

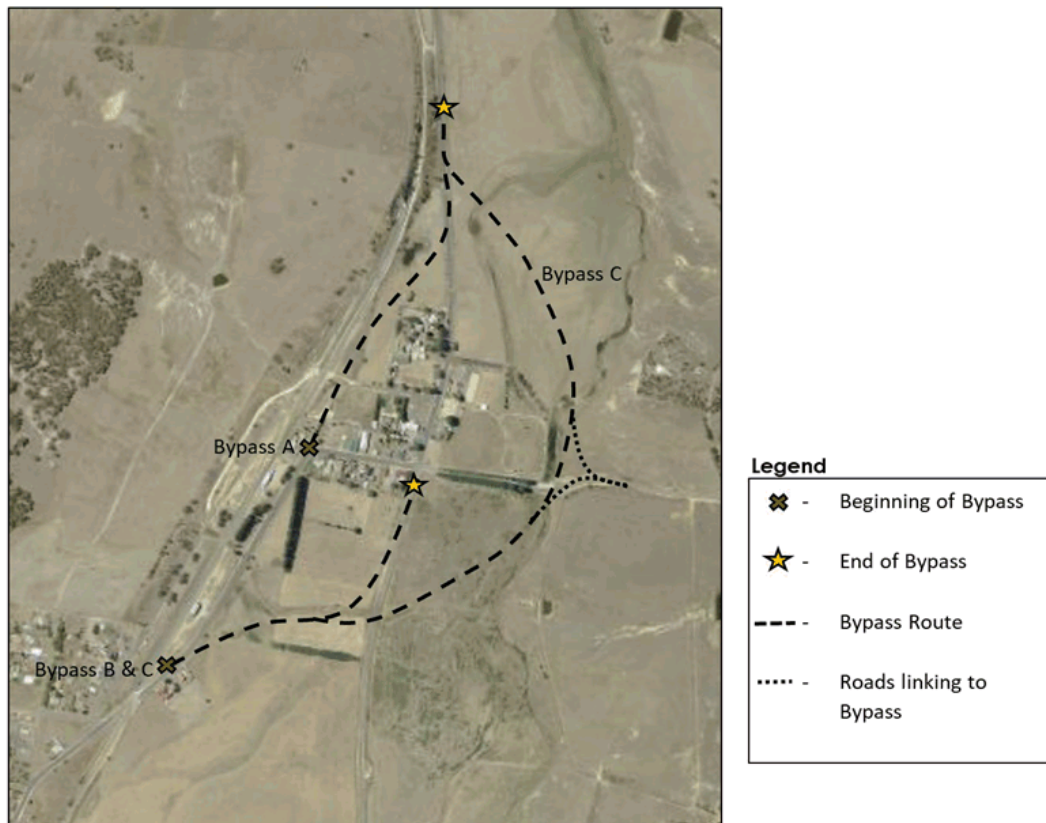


Figure 11 - Image illustrates options for potential bypasses A, B and C (credit: SIX Maps, NSW)

These proposed bypass options should be discussed at the community engagement activity scheduled for June 2019. This forum will enable qualitative data to be added to the TIA, capturing the perspectives of the community. In respect to the options, the following is noted:

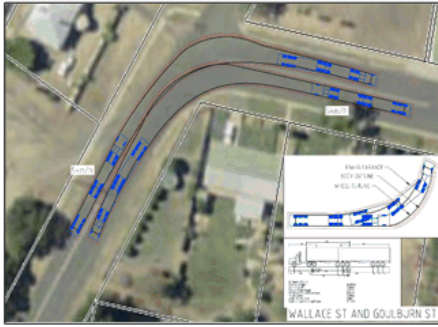
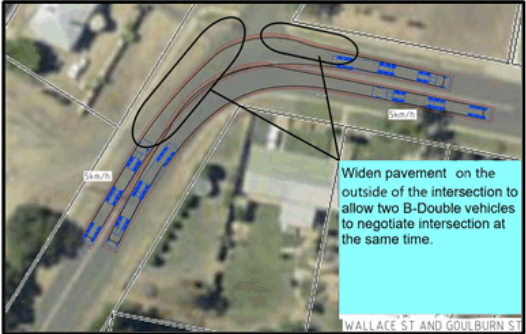
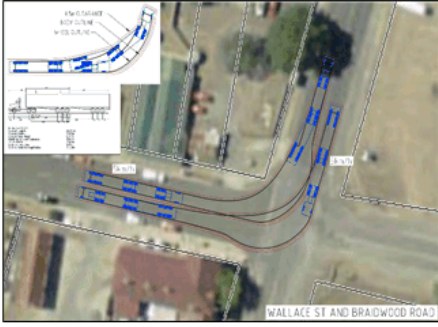
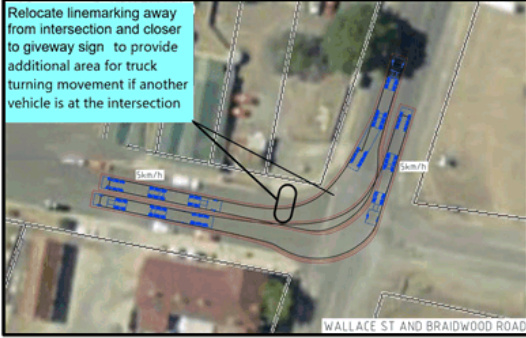
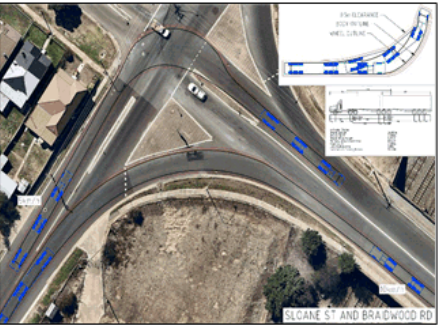

- Bypass A will improve traffic amenity around the school.
- Bypass B will improve traffic amenity for several residents within Tarago Village.
- Bypass C is a genuine bypass of Tarago Village from all directions.



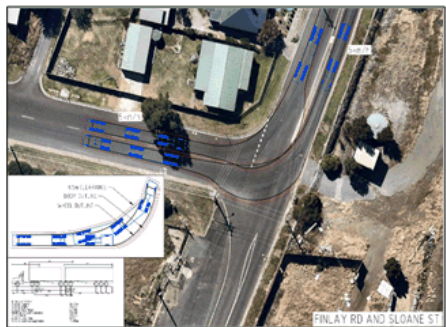

### 4.3 Intersection Improvements

Intersection improvements are proposed for four sites. The concept for the improvements is shown in **Table 7**.

Table 7 Proposed Intersection Improvement Concepts

Location	Image	Intersection Improvement Concept
Goulburn St/Wallace St Intersection		
Wallace St/Braidwood Rd/Lumley Rd Intersection		
Braidwood Rd/Sloane St Intersection		

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Location	Image	Intersection Improvement Concept
Sloane St/Finlay Rd Intersection		 Remove existing island and construct new reinforced concrete island 50mm proud of existing AC.

### 4.3.1 Further Traffic Surveys

To ensure a full understanding of the existing road usage across the study area and to assist in quantifying future operational impacts on the road network and intersection, further traffic counts are recommended. This is required to address a current gap in knowledge about the actual vehicles that travel through the study area.

We recommend an approach that would utilise traffic cameras installed across the study area to capture vehicular movements (rego plate surveys) through both Tarago and Lake Bathurst. This would be supported by tube counter at the same locations. It is suggested that the rego plate surveys are undertaken for a set period covering daytime hours and these surveys are further supported by tube counts which would be taken over a prolonged period. Ontoit proposes two options for Council consideration:

- Option 1: 5 days cameras with 2 weeks tube counter; or
- Option 2: 3 days camera with 3 weeks tube counter.

Ideally, traffic counters would be located along key corridors around the villages of Tarago and Lake Bathurst which are a significant part of the route of interest (see **Figure 12**).

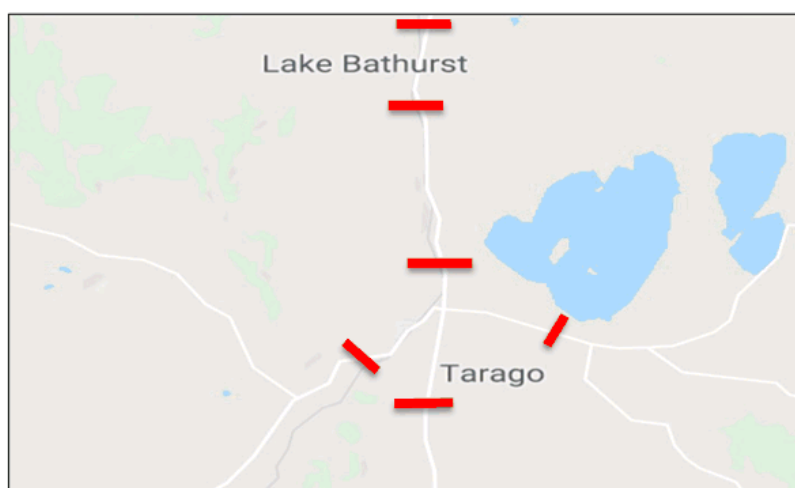


Figure 12- Proposed additional traffic survey count locations

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The key corridors include:

- Bungendore Rd south-west of Tarago
- Braidwood Rd south of Tarago
- Lumley Rd east of Tarago
- Braidwood Rd north of Tarago
- Braidwood Rd south of Lake Bathurst
- Braidwood Rd north of Lake Bathurst

In addition, Onto it also recommends a full traffic count of the Sloane St / Braidwood Rd intersection in Goulburn to enable a full operational assessment of the intersection to be complete. Traffic volumes for all movements should be recorded for this survey.

The options presented by Onto it will provide the required minimum data collection to allow accurate assessments to be made on the road movement patterns and existing traffic flows through the study area. Following completion, the data collected would enable more accurate assessments of vehicular movement patterns through the study area and as a result enhanced recommendation on required treatment. Importantly, this will generate the required data to justify future recommendations.

The data which needs to be collected in further traffic surveys, for a complete TIA, would be summarised in **Table 8** below.

Table 8 Proposed data collection requirements

Location	Total Weekday Combined Direction Volume	Directional Daily Volume (Westbound / Northbound)	Directional Daily Volume (Eastbound / Southbound)
Bungendore Rd			
Braidwood Rd (South)			
Braidwood Rd (North)			
Lumley Rd			
Lake Bathurst (South)			
Lake Bathurst (North)			

In addition to the table above, a traffic count of all movements through the intersection of Sloan St / Braidwood Rd should be undertaken.

## 5. Estimate of Probable Costs

An estimate of the probable costs associated with the mitigation measures proposed in Section 4 of this report is provided within this section. In providing an estimate of the potential costs for each measure the following assumptions were made:

- Based on high level concept designs
- No detailed design undertaken
- No survey undertaken
- No Council fees or charges included
- Council inspects/manages construction
- No Geotech available
- No DBYD undertaken
- No service relocations required
- Contingency included in each amount
- Amount rounded to nearest \$000
- Rates reflect projects small in nature
- Amounts exclusive of GST
- No allowance for signalisation – to be determined once traffic volumes and frequency of B-Double vehicles are reviewed
- No allowance for pavement rectification to Sloane St between Braidwood Road and Finlay Rd
- No allowance for survey if required for design purposes
- No allowance for land / property acquisition
- Tarago by-passes assumed as 7.5m wide roads with 1.5m wide shoulders
- Tarago by-passes assumed to be sealed with two coat seal (10/14mm)
- Tarago by-pass Option C allows for two 35m crossings of Mulwaree River

The estimation of costs is summarised in **Table 8** below.

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Table 9 Proposed data collection requirements

Proposed Improvement Location	Estimated High Level Costs
<b>Finlay Rd and Sloane St</b> Contractor OH&P, insurances etc, traffic management, survey and setout, ESC, saw cutting, remove island, excavation, compact base, construct reinforced concrete 50mm proud of road surface, semi-seal to concrete / pavement joint line marking, 30% contingency and design costs.	\$60,000
<b>Sloane St and Braidwood Rd</b> Contractor OH&P, insurances etc, traffic management, survey and setout, ESC, saw cutting, remove island, excavation compact base, construct reinforced concrete 50mm proud of road surface, semi-seal to concrete / pavement joint line marking, 30% contingency and design costs.	\$60,000
<b>Wallace St/Braidwood Rd/Lumley Rd Intersection</b> Contractor OH&P, insurances etc, traffic management, survey and setout line marking, 20% contingency and design costs.	\$15,000
<b>Braidwood Rd bend at Tarago (road widening)</b> Contractor OH&P, insurances etc, traffic management, survey and setout, ESC, saw cutting, excavation compact base, supply and place base and sub-base, supply and place prime and AC, line marking, 30% contingency and design costs.	\$125,000
<b>Total</b>	\$260,000
<b>Traffic Surveys</b> Increase knowledge of actual vehicle usage through Tarago – this will inform need for by-pass options and other solutions	Option 1: 5 days cameras with 2 weeks tubecounter - \$18,000 Option 2: 3 days camera with 3 weeks tubecounter - \$13,000
<b>Tarago By-pass A</b>	\$3,700,000
<b>Tarago By-pass B</b>	\$3,440,000
<b>Tarago By-pass C</b>	\$12,400,000
<b>Bungendore Climbing Lane</b> Premature to cost	These figures will be informed by the inputs from the community engagement activity scheduled for June 2019
<b>Parking Signage Installation</b> Premature to cost	

## 6. Summary and Recommendations

### 6.1 Summary

A comprehensive traffic and transport assessment have been undertaken for the existing transport route from Woodlawn Mine to Goulburn, NSW. Further data is needed in order to effectively assess the following:

- Future impact on traffic;
- Parking requirements;
- Public transport; and
- Pedestrian and Cycle Impacts

The current analysis has demonstrated the following key conclusions:

- The road network capacity will be able to operate effectively
- Several intersections appear to be incapable of catering for heavy vehicles (B-double) and may be subject to improvement
  - > Wallace St / Braidwood Rd Intersection
  - > Finlay Rd / Hume St Intersection
- Conditions of roads along the existing route may be subject to minor improvements
- No immediate impacts to parking requirements
- No anticipated impact to public transport
- May be a slight impact on Pedestrian and Cyclist safety in Tarago and Goulburn

### 6.2 Recommendations

In undertaking this transport and traffic impact assessment, Ontoit have identified several recommendations for further consideration, which will be further informed by community engagement activity scheduled for June 2019. The community engagement activity is important to validate traffic solutions against the draft Tarago Village Plan:

#### **Proposed development/improvements:**

- Further consideration of genuine bypasses surrounding Tarago;
- Development of key intersections along the route; and
- Minor improvement of road condition along the route

#### **Draft Tarago Village Plan:**

- Alignment of road and road side improvements within Tarago Village with objective of safe travel movement within and through Tarago

#### **Further Data Collection:**

- Data is required for the area of Tarago and Lake Bathurst
- Data will need to be collected in order to fully assess the future impacts on the existing route

#### **Active Travel:**

- Investigation into the impact an increase in heavy vehicles will have in residential areas in Tarago and Goulburn

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**14.13 COMMUNITY CENTRE WORKING PARTY NOTES - 14 MAY 2019****Author:** Warwick Bennett, General Manager**Authoriser:** Warwick Bennett, General Manager**Attachments:** 1. Community Centre Meeting Notes held on the 14 May 2019 [!\[\]\(950a62bbddad88d64435fd35607dfc42\_img.jpg\) !\[\]\(80ae2b64037a63e4dd106d2cfb4205ab\_img.jpg\)](#)

<b>Link to Community Strategic Plan:</b>	CO2 – Encourage and facilitate active and creative participation in community life.
<b>Cost to Council:</b>	Nil
<b>Use of Reserve Funds:</b>	Nil

**RECOMMENDATION**

That the report from the General Manager in relation to the Community Centre Working Party Meeting Notes held on the 14 May 2019 be received.

**BACKGROUND**

A meeting of the Community Centre Working Party was held on the 14 May 2019.

Please find attached the notes from this meeting. There are no recommendations from this meeting that require a resolution from Council.





## Community Centre Working Party Notes

### Meeting Details

Tuesday, 14 May 2019 at 5.30pm  
Council Chambers

### Members

Mayor Bob Kirk, Deputy Mayor Peter Walker, Cr Andrew Banfield, Cr Leah Ferrara, Cr Carol James, Cr Margaret O'Neill, Cr Sam Rowland & Cr Denzil Sturgiss.

### Also Present

Warwick Bennett, Brendan Hollands, Matt O'Rourke & Scott Martin

### Apology

Nil

### Discussion Items

1. Additional Information requested by Councillors needed for future meetings
2. Proposed Policy on charging for users – Outline attached
3. Future of 56 Clinton Street building and tenants
4. Maximising use of Auburn Street Community Centre
5. The progress required on concept design for Bourke Street Community Centre

### Action List

No	Description	Responsible Person	Target Date	Completion Date
1	Staff to prepare a business case on the effectiveness of retaining 56 Clinton Street	Brendan Hollands	June 2019	
2	Staff to update this working party on the existing costs of Auburn Street Community Centre and Bourke Street Community Centre. Also required in this report is the current arrangements with proposed tenants	Warwick Bennett	June 2019	
3	Prepare Policy Report to Council for charging Community Groups to use Council Facilities	Warwick Bennett	June 2019	

Meeting closed: 6pm

**14.14 TOWRANG VILLAGE DISCRETIONARY FUND ALLOCATION WORKING PARTY NOTES**

**Author:** Brendan Hollands, Director Corporate & Community Services

**Authoriser:** Warwick Bennett, General Manager

**Attachments:**

1. Towrang Village DFA Working Group 29 November 2018  
2. Towrang Village DFA Working Group 14 February 2019  
3. Towrang Village DFA Working Group 23 May 2019  

<b>Link to Community Strategic Plan:</b>	CL1 Civic Leadership – Attentive representation of the community
<b>Cost to Council:</b>	Cost to date is attendance of Council representatives included within operational budgets
<b>Use of Reserve Funds:</b>	Nil

**RECOMMENDATION**

That the report of the Director Corporate & Community Services on the discussion items from the Towrang Village Discretionary Fund Allocation Plan Working Party be received.

**REPORT**

Please find attached the discussion items from the following Towrang Village Discretionary Fund Allocation Plan Working Party Meetings:

- 28 November 2018
- 14 February 2019
- 23 May 2019

There are no decisions that require any action from Council.

### Towrang Village Discretionary Fund Allocation Working Group Working Party Discussion Items & Action List

#### Meeting Details

Thursday, 29 November 2018 at 5.00pm  
Towrang Community Hall

#### Attendees

Cr Andrew Banfield, Mark Collins, Jacki Waugh, Geoff Pearson, Annette Ohlback

#### Discussion Items

- The working group were provided with an update of the Stronger Country Communities Fund Project (SCCFP) involving work in and around the Community Hall and the installation of a community sign on the hall grounds.
- The working group were provided with an update on balance of Towrang Village Discretionary Fund which now stands at \$30,367 following the commitment to the SCCFP.
- The working group discussed ideas for projects for future allocation from Village Discretionary Fund including:
  - A potential linking of the Hall and RFS buildings by way of paving or pathway.
  - The construction of school bus shelters within the Towrang district.
- The working group also discussed ways of communicating with other community members to disseminate information and receive feedback/ideas for projects
- The eight guiding principles for the allocation of funds as agreed at a public meeting of the Towrang community on 10 February 2018 were reaffirmed. The principals are as follows:
  1. To benefit as many in the community as possible;
  2. Create something that will last;
  3. Create an open and transparent process;
  4. Try to achieve value for money;
  5. All work to be managed by professional and licenced tradesmen;
  6. All regulatory requirements be satisfied;
  7. Spend the money on things that aren't already the responsibility of others.  
(e.g. services that should be provide by Council or RMS.)
  8. Record and store all communications and transactions in writing, and open for all to see.
- The date of the next meeting was set at 5.30pm on 7 February 2019 at the Towrang Community Hall

#### Action List

No	Description	Responsible Person	Target Date	Completion Date
1	Attend next meeting of Towrang RFS to discuss the opportunity for a project to link the Community Hall with the RFS buildings with paving or path	Cr Banfield	7/12/18	
2	Contact local bus operators to discuss potential location for bus shelters	Mark Collins	7/2/19	
3	Discuss with grants officers potential funding available for bus shelters	Brendan Hollands	7/2/19	
4	Prepare letter for distribution to community members and distribute to working group members	Brendan Hollands	5/12/18	
5	Distribute letter to community members using available contact lists	Working Party Members	17/12/18	

Meeting closed: 6.05pm

## Towrang Village Discretionary Fund Allocation Working Group Working Party Discussion Items & Action List

### Meeting Details

Thursday, 14 February at 5.00pm  
Towrang Community Hall

### 1. Attendees

Brendan Hollands, Cr Andrew Banfield, Mark Collins, Jacki Waugh, Geoff Pearson, Annette Ohlback

### 2. Apologies

Nil

### 3. Previous Actions – Update on Outstanding Items

The action list from the previous meeting was discussed with the following status provided on outstanding items:

1. **Meet with Towrang RFS re: linking shed and Community Hall with paving or path (Cr Banfield)**  
Andrew gave an update on his discussions with the Towrang RFS.
2. **Response from local bus operators for potential location of bus shelters (Mark Collins)**  
Mark gave a verbal report at the meeting advising that 3 potentially suitable sites have been identified. The bus companies advised against shelters located on or near the highway.
3. **Potential grant funding for bus shelters (Brendan Hollands)**  
A verbal report was provided by Brendan which identified potential funding sources under 2 different programs:
  1. Community Partnership Building Fund
  2. Country Passenger Transport Infrastructure Grants Scheme

### 4. Items for Discussion

Submissions were received in relation to the following:

- |                           |  |
|---------------------------|--|
| ▪ Tree removal in park    | ▪ More historical signage                              |
| ▪ Water tanks in park     | ▪ Termites in the park                                 |
| ▪ Play equipment in park  | ▪ Welcome sign   |
| ▪ Rural First Aid Courses | ▪ Bus Stops  |
| ▪ Toilets in park         | ▪ Car park between Community Hall and Towrang RFS shed |

This was then grouped into the following:

- Park improvements
- Signage
- Bus stops
- Car Park between Towrang RFS and Community Hall
- Rural First Aid Course

---

**Towrang Village Discretionary Fund Allocation Working Group  
Working Party Discussion Items & Action List**

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**Items for further investigation and discussion at next Meeting.**

1. Bus shelters – location to be determined.
2. Park improvements – Brendan to contact Park Committee for their list of priorities.
3. Potential works in and around RFS Shed and Community Hall.

**Action List**

No	Description	Responsible Person	Target Date	Completion Date
1	Contact the Towrang Recreational Reserve Park Trust re: priorities for projects in park.	Brendan Hollands	25/03/19	

Meeting closed: 5.55pm

The next Meeting is scheduled for 11 April 2019, however a new date will be determined and advised in due course.

## Towrang Village Discretionary Fund Allocation Working Group Working Party Discussion Items & Action List

### Meeting Details

Thursday, 23 May 2019 at 5.00pm  
Towrang Community Hall

### 1. Attendees

Brendan Hollands, Cr Andrew Banfield, Mark Collins, Jacki Waugh, Geoff Pearson, Annette Ohlback

### 2. Apologies

Nil

### 3. Previous Actions – Update on Outstanding Items

The action list from the previous meeting was discussed with the following status provided on outstanding items:

#### 1. Contact the Towrang Recreational Reserve Park Trust regarding priorities for projects in the park. (Brendan Hollands)

Completed, response from the Towrang Recreational Reserve Park Trust is provided at Item 4.1.

### 4. Items for Discussion

#### 4.1 Peta Skaines provided the park projects priority list for the Working Group. The following projects were agreed:

1. Water tank (32K Litre), pump and storage shed with shelter
2. Dangerous tree removal

In relation to the above two projects it was agreed to contact the Park Trust to receive the project brief and quotes for the works to be carried out.

#### 4.2 The request from Tony Egan regarding bus shelters was considered and it was agreed to contact Tony for further information.

#### 4.3 The additional information provided by Peta Skaines in relation to the park projects was noted.

### Action List

No	Description	Responsible Person	Target Date	Completion Date
1	Contact Tony Egan to seek further information on his request for bus shelters	Brendan Hollands	20/07/19	20/07/19
2	Contact the Towrang Recreational Reserve Park Trust for project brief and quotes	Brendan Hollands	20/07/19	20/07/19

Meeting closed: 5.55pm

The next Meeting is scheduled for **Thursday 25<sup>th</sup> July 2019** commencing at 5pm in the Towrang Community Hall.



**14.15 EXTERNAL MEETING MINUTES****Author:** Warwick Bennett, General Manager**Authoriser:** Warwick Bennett, General Manager**Attachments:** 1. Peppertree Community Consultative Committee meeting held 7 February 2019 [!\[\]\(d66ff64371a51729ac8c1cdaa685ba6f\_img.jpg\) !\[\]\(0f31ebba7abcd47777e178db26f29705\_img.jpg\)](#)

<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 Peppertree Community Consultative Committee meeting held on the 7 February 2019 be received.

**REPORT**

Please find attached the minutes from Peppertree Community Consultative Committee meeting held on the 7 February 2019.



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## Peppertree Community Consultative Committee

### Minutes

Meeting Date: 7<sup>th</sup> February 2019

Location: Peppertree Quarry, Marulan South

CCC Member

Attendees: Geoff Clark (representing Tallong Community Focus Group); Russell Montgomery (community representative); Gordon Kirkby (JBA Urban Planning – Independent Chairperson); Cr Sturgiss (representing Goulburn Mulwaree Council);

Boral attendees: Angus Shedden, Sharon Makin, Chris Brown, Kurt Bridges, Cain Mowbray

Apologies: Tino Foti (local business representative); Charles Mendel (community representative)

Distribution: As above; Department of Planning (Georgia Dragicevic <[Georgia.Dragicevic@planning.nsw.gov.au](mailto:Georgia.Dragicevic@planning.nsw.gov.au)>); Goulburn Mulwaree Council Administration ([amy.croker@goulburn.nsw.gov.au](mailto:amy.croker@goulburn.nsw.gov.au))

Subject: February 2019 Meeting of Peppertree Quarry CCC

Item	Description
<b>Welcome and Introduction</b>	Gordon opened the meeting at 3.11 pm, welcomed all members
<b>Apologies</b>	as above
<b>Site Inspection</b>	not undertaken
<b>Confirmation of minutes from previous meeting</b>	The Committee accept that the minutes from last meeting were an accurate record of the meeting. Moved G.Clark.
<b>Business arising</b>	provide details on Weatherzone forecasting system algorithms – not progressed
<b>Correspondence IN</b>	<b>Department of Planning and Environment</b> <ul style="list-style-type: none"> <li>Site inspection held Friday 1<sup>st</sup> February 2019 regarding Modification 5</li> <li>Supplementary information supplied to Department with more required by end of February</li> </ul>
<b>Correspondence OUT</b>	<b>EPA</b> <ul style="list-style-type: none"> <li>Site inspection November 2018</li> <li>Discussion re Modification 5 Noise conditions</li> <li>Environment Protection Licence Annual return</li> </ul> <b>NSW Water</b> <ul style="list-style-type: none"> <li>Site inspection November 2018</li> </ul>



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	<p><b>G Clark</b></p> <ul style="list-style-type: none"> <li>weather data reviews – weather station monthly reviews (July, August, Sept, Oct, Nov, Dec 2018)</li> </ul>
<b>Progress of Operations to date</b>	<p><b>Safety</b></p> <ul style="list-style-type: none"> <li>Achieved zero LTI's since last CCC (August 2018)</li> </ul> <p><b>Overburden</b></p> <ul style="list-style-type: none"> <li>Overburden works continue with the development of the southern overburden and associated storm water controls</li> <li>Tree planting, top-soiling and hydro-mulching of these areas has commenced</li> </ul> <p><b>Pit update</b></p> <ul style="list-style-type: none"> <li>Mine plan remains a consistent Easterly direction with additional load and haul of rock from top bench as part of the overburden works</li> </ul> <p><b>Processing</b></p> <ul style="list-style-type: none"> <li>A new excavator (150t CAT) has helped increase uptime through our primary plant</li> <li>Continuous improvement works have helped deliver a daily record production volume just this week</li> <li>With improved plant uptime and throughput rates we have now brought in an additional train</li> <li>Currently in the process of building a store for parts to reduce reliance on shipping containers</li> <li>Have added a 5<sup>th</sup> train as well to move product to rail terminals.</li> </ul> <p><b>People</b></p> <ul style="list-style-type: none"> <li>We have recently advertised for 8 new operator roles. Majority of these roles have been filled. This now takes the site to 53 full time employees.</li> </ul>
<b>OH&amp;S</b>	<ul style="list-style-type: none"> <li>No loss time injuries</li> <li>DPI audit on Working at Heights</li> <li>No major issues identified</li> <li>Finalist for the 2018 National IQA safety awards but unsuccessful</li> <li>Hearing tests performed on all Peppertree quarry staff as part of bi annual checks</li> <li>Personal dust monitoring undertaken as part of annual testing</li> <li>Health Control plan developed to assess range of risks to ensure controls are in place</li> </ul>
<p><b>Environment incidents</b></p> <p><b>complaints</b></p> <p><b>Air Quality</b></p>	<ul style="list-style-type: none"> <li>Environmental Incidents (August 2018 to January 2019) <ul style="list-style-type: none"> <li>August 2018 2 spills / 1 sewer</li> <li>Sept 2018 2 spills / 1 wombat</li> <li>Oct 2018 1 potential erosion</li> <li>Nov 2018 1 dust</li> <li>Dec 2018 4 spills / 3 potential erosion</li> <li>Jan 2019 1 spill</li> </ul> </li> <li>Nil complaints</li> <li>Air monitoring results were tabled for discussion. Results are available for dust deposition gauges and high volume air samplers, both total suspended particles (TSP) and particulate matter less than 10 microns (PM10). Dust deposition gauges are all located on Boral land. Measured results are extrapolated to the boundary and therefore possible impacts to</li> </ul>



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<b>Blasting</b>	<p>private property are identified. All results are below the criteria as per the approval</p> <ul style="list-style-type: none"> <li>• PM10, Annual average in compliance. No samples over 24 hour criteria beyond the boundary.</li> <li>• TSP in compliance.</li> <li>• All blasts have complied with noise and vibration measurements requirements.</li> </ul>
<b>Noise</b>	<ul style="list-style-type: none"> <li>• Quarterly Noise monitoring was conducted in July and November 2018. In compliance at all receivers. Monitoring undertaken in January 2019 but results not received as yet.</li> </ul>
<b>surface water</b>	<ul style="list-style-type: none"> <li>• surface water Quarterly monitoring round undertaken in September and November 2018. Total Nitrogen for T1 is in compliance with levels in the dam decreasing during 2017 and 2018. Total dissolved solids in compliance. Turbidity in compliance, with the exception of the dam after a storm event.. pH fluctuates for the dam but T1 downstream is in compliance. Total phosphorus In compliance for T1 but fluctuates for the dam. May be due to changes in water level introducing nutrients from above the site and an increase in water fowl population in the dam. Marulan south creek (background) shows a similar pattern.</li> <li>• Environmental Flow - 10% environmental flow required – in compliance</li> </ul>
<b>Ground water</b>	<ul style="list-style-type: none"> <li>• Groundwater samples - Monitoring conducted July and October 2018. No draw down of ground water from sentinel well .ie no impact on local groundwater. All results are in compliance with some exceptions associated with naturally high background levels of total nitrogen and total phosphorus. Revised statistical review now required as we have 10 sample rounds of data</li> </ul>
<b>Heritage</b>	<ul style="list-style-type: none"> <li>• Heritage salvage works have now been completed.</li> <li>• Next step is to collate and catalogue the artifacts commencing in July 2019</li> </ul>
<b>Rehabilitation</b>	<ul style="list-style-type: none"> <li>• Second Rapid Visual assessment undertaken to identify any rehabilitation site issues</li> <li>• First transect monitoring undertaken on rehabilitated sites. This is undertaken every 2 years to provide guidance on the success of the plantings</li> <li>• 40 000m2 area hydro mulched on the southern overburden</li> <li>• Top of the eastern overburden and slope have been planted</li> <li>• 67 feral goats removed from site with more to be captured</li> </ul>
	<ul style="list-style-type: none"> <li>▪ CVA schools program conducted at Marulan Public school</li> <li>▪ Outward Bound – May 2019</li> <li>▪ Kite festival September 2018</li> <li>▪ 150<sup>th</sup> railway celebrations</li> <li>▪ Representatives at Tallong Armistice Day</li> <li>▪ Marulan Village plan</li> </ul>



	<ul style="list-style-type: none"> <li>▪ Visit to Marulan Public school with other quarry representatives</li> <li>▪ Participation in the CMIC 18 Conference</li> <li>▪ Goulburn Mulwaree Council Charity Golf day</li> <li>▪ Goulburn Mulwaree Community Bike ride</li> <li>▪ IQA Women in Quarrying conference</li> </ul>
<b>Plans for next three months</b>	<p><b>Safety</b></p> <ul style="list-style-type: none"> <li>• Maintain zero harm to our employees and contractors</li> <li>• Focus on pedestrian and vehicle interactions</li> </ul> <p><b>Overburden</b></p> <ul style="list-style-type: none"> <li>• Completion of the Southern overburden dump by June 2019</li> </ul> <p><b>Pit update</b></p> <ul style="list-style-type: none"> <li>• In March 19 we will be constructing a new conveyor to head South across the pit floor</li> <li>• In April 19 the primary crusher will move onto this new conveyor and progress South for the rest of the year</li> </ul> <p><b>Processing</b></p> <ul style="list-style-type: none"> <li>• The store for parts storage will be completed allowing for a large tidy up around site of parts</li> <li>• We will be bedding in the additional train</li> </ul> <p><b>People</b></p> <ul style="list-style-type: none"> <li>• Continuation of training and development of our people</li> </ul>
<b>General Business</b>	<p><b>Weather station update</b></p> <ul style="list-style-type: none"> <li>▪ Site inspection by Alec from Todoroski Air Sciences. Preferred location identified, waiting on report</li> <li>▪ Waiting to confirm current weather station is compatible with the real time noise monitoring</li> </ul> <p><b>Real Time noise monitoring</b></p> <ul style="list-style-type: none"> <li>• Contract has been let to install real time noise monitoring at a sensitive receiver to enable pit operations to be shut down if noise is excessive</li> </ul> <p><b>Independent Audit</b></p> <ul style="list-style-type: none"> <li>• Required every 3 year. Being undertaken by Advisian. Conducted in November 2018 with report to be made available end of January 2019.</li> </ul> <p><b>Drought Contingency planning</b></p> <ul style="list-style-type: none"> <li>• Site has been working on planning for drought with only 2 months of water supply remaining back in December 2018</li> </ul> <p><b>Marulan South Limestone update</b></p> <ul style="list-style-type: none"> <li>▪ The company has lodged a revised EA in December 2018.</li> <li>▪ Department of Planning visited site Friday 1<sup>st</sup> 2019 with Local government representatives visiting Thursday 7<sup>th</sup> February.</li> <li>▪ Next step is for formal public exhibition</li> </ul> <p><b>Peppertree Quarry Modification 5</b></p> <ul style="list-style-type: none"> <li>▪ has been on Public exhibition</li> <li>▪ Number of responses from government authorities and 2 public submissions</li> <li>▪ Preliminary response to comments has been made to the Department with a final response required by the end of February 2019.</li> <li>▪ Site inspection by the Department of planning Friday 1<sup>st</sup> February 2019</li> </ul>





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<b>Actions</b>	<ul style="list-style-type: none"><li>• Provide details on weatherzone forecasting system algorithms</li><li>• Presentation for next meeting to include requirements for the DPE CCC guidelines</li></ul>
<b>Next Meeting</b>	proposed Wednesday 9 <sup>th</sup> May 2019
<b>Meeting Close</b>	5 pm

DRAFT



**15 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:

**15.1 Request to Defer Sale of Land**

This matter is considered to be confidential under Section 10A(2) - b 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 discussion in relation to the personal hardship of a resident or ratepayer.

**16 CONCLUSION OF THE MEETING**

The Mayor will close the meeting.