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BUSINESS PAPER

Ordinary Council Meeting

2 June 2020

Warwick Bennett
General Manager

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

Tuesday, 2 June 2020 at 6pm
in the Council Chambers, Civic Centre
184 - 194 Bourke Street, Goulburn

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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

The Mayor will call for any apologies.

Council will resolve to accept any apology.

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

6 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.

7 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.

8 PRESENTATIONS

Nil

9 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.

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 19 MAY 2020

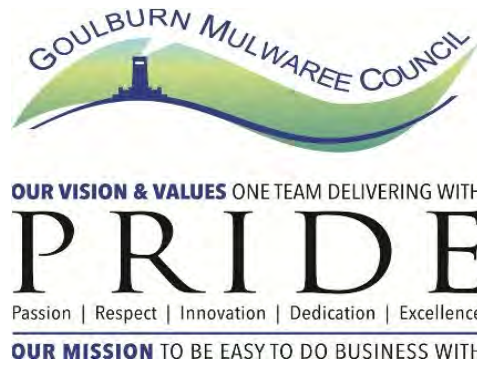
Author: Warwick Bennett, General Manager

Authoriser: Warwick Bennett, General Manager

Attachments: 1. Minutes of the Ordinary Meeting of Council held on 19 May 2020

RECOMMENDATION

That the Council minutes from Tuesday 19 May 2020 and contained in Minutes Pages No 1 to 22 inclusive and in Minute Nos 2020/157 to 2020/194 inclusive be confirmed.



MINUTES

Ordinary Council Meeting

19 May 2020

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7	Disclosure of Interests	6
8	Presentations	6
	Nil	
9	Public Forum	6
10	Confirmation of Minutes	6
	10.1 Minutes of the Ordinary Meeting of Council held on 5 May 2020	6
11	Matters Arising	7
	11.1 Matters Arising from Council Meeting Minutes from the 5 May 2020	7
	11.2 Outstanding Task List from All Previous Meetings.....	7
12	Mayoral Minute(s)	7
	Nil	
13	Notice of Motion(s)	7
	Nil	
14	Notice of Rescission(s)	7
	Nil	
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17	Conclusion of the Meeting	22

**MINUTES OF GOULBURN MULWAREE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,
GOULBURN
ON TUESDAY, 19 MAY 2020 AT 6PM**

PRESENT: Cr Bob Kirk (Mayor), Cr Peter Walker (Deputy Mayor, 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), Brendan Hollands (Director Corporate and Community Services), Marina Hollands (Director Utilities), Scott Martin (Director Planning & Environment, Matt O'Rourke (Director Operations) and Amy Croker (Executive Officer).

1 OPENING MEETING

Mayor Bob Kirk opened the meeting 6pm. The Mayor advised that the meeting would be webcast live.

2 ACKNOWLEDGEMENT OF COUNTRY

Mayor Bob Kirk made the following acknowledgement.

"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 opening prayer was read by Cr Denzil Sturgiss.

4 APOLOGIES

RESOLUTION 2020/157

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

That the apology received from Cr Andrew Banfield be accepted.

CARRIED

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

RESOLUTION 2020/158

**Moved: Cr Sam Rowland
Seconded: Cr Margaret O'Neill**

That the application for leave of absence be received from Cr Andrew Banfield and leave of absence granted due to work commitments taking him out of the region.

CARRIED

6 LATE ITEMS / URGENT BUSINESS

An email from Jennie Gordon from the Mulwaree Aboriginal Community Group on Item 15.2 Social Sustainability Strategy and Action Plan - Post Exhibition Report was tabled for Councillors information.

7 DISCLOSURE OF INTERESTS

Deputy Mayor Peter Walker declared a non-pecuniary/non-significant conflict of interest in Item 16.1 "Purchase of Hockey Facility from the Goulburn Workers' Club" as he is a former employee of the Goulburn Workers Club. As the disclosure was not of a significant nature Deputy Mayor Peter Walker remained in the meeting while discussion took place.

Deputy Mayor Peter Walker declared a non-pecuniary/non-significant conflict of interest in Item 15.8 "Proposal to amend name Rotary Park to Goulburn Rotary Park" as he is a member of one of the Goulburn Rotary Clubs. As the disclosure was not of a significant nature Deputy Mayor Peter Walker remained in the meeting while discussion took place.

Cr Carol James declared a non-pecuniary/non-significant conflict of interest in Item 15.8 "Proposal to amend name Rotary Park to Goulburn Rotary Park" as she is a member of one of the Goulburn Rotary Clubs. As the disclosure was not of a significant nature Cr Carol James remained in the meeting while discussion took place.

Cr Alfie Walker declared a non-pecuniary/non-significant conflict of interest in Item 15.2 "Social Sustainability Strategy and Action Plan - Post Exhibition Report" as Pejar Local Aboriginal Lands Council was mentioned in the strategy and he is a member of the Board of that Lands Council. As the disclosure was not of a significant nature Cr Alfie Walker remained in the meeting while discussion took place.

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

A written presentation by Bob Philipson from Community Voice for Hume on Item 15.2 Social Sustainability Strategy and Action Plan - Post Exhibition Report was read to the meeting

A video presentation from Stewart Thompson to the meeting on Item 15.4 Post Exhibition Report - Strategic Planning Fees and Charges

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 5 MAY 2020

RESOLUTION 2020/159

Moved: Cr Carol James

Seconded: Cr Peter Walker

That the Council minutes from Tuesday 5 May 2020 and contained in Minutes Pages No 1 to 12 inclusive and in Minute Nos 2020/139 to 2020/156 inclusive be confirmed.

CARRIED

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 5 MAY 2020

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

RESOLUTION 2020/160

Moved: Cr Margaret O'Neill

Seconded: Cr Peter Walker

That:

- 1. Council notes the Matters Arising and authorises the deletion of completed tasks including the Draft Social Plan which is included in this Business Paper and retain the Ducks Lane task.**
- 2. Council hold a meeting with in the next three months with the proponents of the Ducks Lane/Shannon Drive DA proposal.**

CARRIED

12 MAYORAL MINUTE(S)

Nil

13 NOTICE OF MOTION(S)

Nil

14 NOTICE OF RESCISSION(S)

Nil

15 REPORTS TO COUNCIL FOR DETERMINATION

15.1 COVID-19 UPDATE

RESOLUTION 2020/161

Moved: Cr Carol James

Seconded: Cr Denzil Sturgiss

That the updated report from the General Manager on COVID-19 Update be received.

CARRIED

15.2 SOCIAL SUSTAINABILITY STRATEGY AND ACTION PLAN - POST EXHIBITION REPORT

RESOLUTION 2020/162

Moved: Cr Alfie Walker
 Seconded: Cr Leah Ferrara

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 6:49pm.

CARRIED

RESOLUTION 2020/163

Moved: Cr Peter Walker
 Seconded: Cr Leah Ferrara

That Council move back into Open Council.

Council moved back into Open Council at 7:19pm.

CARRIED

RESOLUTION 2020/164

Moved: Cr Peter Walker
 Seconded: Cr Leah Ferrara

That

1. The report from the Business Manager Strategic Planning regarding the *Social Sustainability Strategy and Action Plan* be received.
2. Council adopt the *Social Sustainability Strategy and Action Plan* subject to the following changes.

Section	Page	Heading / Sub-Heading	Suggested Change
Message from the Mayor	4	Message from the Mayor	Add Mayor Bob Kirk's name and date of adoption of this strategy
Contents	5	Contents	The words Country and Mayor to have capital letters
Introduction	10	Goulburn Mulwaree's Social Sustainability Framework	Delete "or" from list of matters under 1A and 1C
Introduction	6		Remove capital "I" in "informed"
Introduction	15	Education and Learning Facilities	Add: <i>Country Universities Centre, TAFE +Hub, and University of the Third Age. Delete '3 secondary schools' and replace with '5 secondary schools'.</i>
Objective 1.1	19	What we heard	Add: <i>Stakeholders in various youth services also identified the need for alternative schooling opportunities.</i>
Objective 1.1	19	Action	Add: <i>Undertake a Skills gap analysis in education in order to lobby for</i>

			<p><i>appropriate courses being provided in TAFE and CSU.</i></p> <p>Responsible - NSW Department of Education</p> <p>Resourcing - Community Services</p> <p>Timing - Ongoing</p> <p>Priority – 4</p> <p>Current priorities 4, 5 & 6 to be renumbered 5, 6 & 7 respectively</p>
Objective 1.2	20	What we heard	<p>The second paragraph to read as follows to include the bolded words:</p> <p><i>Bringing generations together was seen as one way to generate mutual respect and pass skills across generations, with an outcome being that our area fosters youth growth and development.</i></p>
Objective 2.1	24		<p>The words Aboriginal and Indigenous need to be consistently capitalised - correct typo in second action.</p>
Objective 2.1	24	Why is this important for social sustainability?	<p>Rewrite to read:</p> <p><i>The Goulburn Mulwaree region has been settled for tens of thousands of years (refer to the Aboriginal Heritage Study 2012 and Heritage Study Review 2018). The Goulburn Mulwaree region was traditionally a meeting place for different first nations to meet one another. Today Goulburn Mulwaree is home to 1,185 Aboriginal and/or Torres Strait Islanders. Community engagement highlighted the need to celebrate Aboriginal culture and increase the visibility and consultation with the Aboriginal community. This is an important first step in healing, reconciliation and pride for the Aboriginal and wider community.</i></p> <p><i>Increasing visibility and consultation is important to strengthen local Aboriginal pride and to inform decision making. There are opportunities to embed representations of Goulburn Mulwaree’s Aboriginal past, present and future in infrastructure projects and through the public domain – as well as reviewing signage at heritage sites to ensure that it is appropriate and acknowledges Aboriginal cultural heritage in a respectful way.”</i></p>
Objective	24	What we heard	<p>After the words Local Aboriginal Land</p>

2.1			Council add (LALC) Refer to <i>Aboriginal Heritage Study 2012 and Heritage Study Review 2018.</i>
Objective 3.1	28	First action	Change the word ‘Ensure’ to ‘Promote’. “White Ribbon Day” no longer known as this, amend to “Walk to End Domestic and Family Violence”.
Objective 3.2	29	First action	Add: “Advocate and assist/support for funding...” Add in the resourcing column – “Grants Section to assist with compilation of grants for the community (note – not actually do the grants – may mean running a workshop etc on “how to”?”
Objective 3.3	30	Why this is important for social sustainability	Second paragraph – Sixth line. Delete the words ‘and more extreme’. Second paragraph – Eighth line. Replace the word ‘stresses’ with ‘impact’.
How will we measure our success?	32	In “Create stronger bonds between community members and community groups” strategy	Add: <i>Increased Council involvement in community sector and networks.</i> Under “What does success look like”
Appendix 1	42	How Culturally diverse is Goulburn Mulwaree?	Correct capitalisation in title to read: “How culturally diverse is Goulburn Mulwaree?”
Appendix 1	43	A strong Aboriginal community	Re-write to read: New heading ‘A collaborative Aboriginal Community’ And the first paragraph to read: <i>The Goulburn Mulwaree region has been settled for tens of thousands of years (refer to the Aboriginal Heritage Study 2012 and Heritage Study Review 2018). The Goulburn Mulwaree region was traditionally a meeting place for different first nations to meet one another. Today Goulburn Mulwaree is home to 1,185 Aboriginal and/or Torres Strait Islanders. Community engagement highlighted the need to celebrate Aboriginal culture and increase the visibility and consultation with the Aboriginal community. This is an important first step in healing, reconciliation and pride for the Aboriginal and wider community.</i>
Appendix 2	53	Council’s Social Infrastructure, Services and Programs	Youth Services – Amend third point to read “Ensure staff have the knowledge to direct youth to the appropriate organisation to help with anything ranging from schooling, Centreline jobs etc.”

			<p>Youth Services – delete the last dot point as the “breakfast before school” program is not accessible to all people (very specific program).</p>
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3. Council reviews the *Sustainability Policy* to include a broader policy on sustainability beyond organisational sustainability and to provide a clear Council policy framework.
4. Council to engage with local Aboriginal community organisations and individuals, including its existing relationship with Pejar Local Aboriginal Land Council in relation to planning related issues associated with Culture and Heritage.
5. The General Manager to address all the actions in the Social Plan and inform Council, through the budgetary processes, how to implement those actions either within existing resources or the cost of additional resources needed.

CARRIED

Council took at 30 minute recess for dinner at 7.21pm.

At 7:49 pm, Cr Denzil Sturgiss left the meeting and did not return.

Open Council resumed at 7.49pm.

15.3 COMMON STREET DEVELOPMENT CONTROL PLAN AMENDMENT - POST PUBLIC EXHIBITION REPORT

RESOLUTION 2020/165

Moved: Cr Leah Ferrara

Seconded: Cr Carol James

That:

1. The post public exhibition report from the Strategic Planner regarding the proposed amendment to the Common Street site specific controls in the *Goulburn Mulwaree Development Control Plan 2009* be received.
2. The amendment to the *Goulburn Mulwaree Development Control Plan 2009* attached to this report be adopted by Council, with the following changes being incorporated after the public exhibition period:
 - (a) Inclusion of Water NSW guidelines relating to stormwater quality improvement devices;
 - (b) Limiting the application of site coverage controls to the B6 Enterprise Corridor and IN1 General Industrial zones in the subject area;
 - (c) Removal of controls requiring an upgrade to the Common Street and Sydney Road prior to certain development on Common Street being approved;
 - (d) Limited and inconsequential rephrasing of various controls for clarity purposes; and
 - (e) Correction of various inconsequential spelling and grammatical errors.

CARRIED

15.4 POST EXHIBITION REPORT - STRATEGIC PLANNING FEES AND CHARGES

RESOLUTION 2020/166

Moved: Cr Peter Walker
Seconded: Cr Leah Ferrara

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 7:52pm.

CARRIED

RESOLUTION 2020/167

Moved: Cr Leah Ferrara
Seconded: Cr Carol James

That Council move back into Open Council.

Council moved back into Open Council at 8:33pm.

CARRIED

RESOLUTION 2020/168

Moved: Cr Peter Walker
Seconded: Cr Margaret O'Neill

That:

1. The post exhibition report on Strategic Planning Unit fees and charges by Council's Business Manager Strategic Planning be received.
2. The planning proposal/rezoning fees as follows be adopted :

Fee Name	Amount (GST Exclusive)
Planning Proposal Commencement (covers pre lodgement meetings, assessment and report to Council) <div style="text-align: center;"> Anomalies & Minor Amendments/Minor Planning Proposal \$1,800 Major Planning Proposal /Land Release \$4,500 </div>	
Planning Proposal Fee - Anomalies and minor amendments, no specialist studies required) e.g. adding or removing a heritage item or other matter not requiring complex assessment. <i>Note - proposals will be combined and processed on a 6 monthly basis (not as individual LEP amendments).</i>	\$2,100
Planning Proposal Fee – Minor Planning Proposal (1 lot and less than 1ha) <i>Note – does not include specialist studies and public hearings (if required) which are at the cost of the proponent.</i>	\$6,312
Planning Proposal Fee – Major (More than 1 lot and greater than 1 ha) <i>Note – does not include specialist studies and public hearings (if required) which are at the cost of the proponent.</i>	\$22,100

<p>Planning Proposal Fee – Land Release (Area greater than 10 ha where a residential, rural residential or industrial zoning is proposed). <i>Note – does not include specialist studies and public hearings (if required) which are at the cost of the proponent.</i></p>	<p>\$42,000</p>
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3. The Development Control Plan fees as follows be adopted:

<p>Development Control Plan Amendment – Anomaly or minor amendment</p>	<p>\$1,800</p>
<p>Development Control Plan Amendment</p>	<p>\$5,250</p>
<p>Preparation of site specific Development Control Plan or Development Control Plan Chapter (i.e. for new land release)</p>	<p>\$15,000 – this fee may be waived by Council if the proponent prepares and submits a site specific DCP chapter in consultation with Council and in accordance with a master plan for the release area.</p>

- 4. The General Manager to implement a procedure that ensures actual time is noted against each application and a refund or additional costs be made to ensure the final fee reflects the actual time in processing the planning proposal. Council notes that the fees in paragraph 2 & 3 above are indicative costs.**
- 5. The General Manager prepare a Policy for Councils consideration which sets out the criteria that Council will consider for reviewing planning proposal /rezoning fees.**

CARRIED

15.5 ELLESMERE STREET TIMED PARKING RESTRICTIONS

RESOLUTION 2020/169

Moved: Cr Margaret O'Neill

Seconded: Cr Alfie Walker

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 8:37pm.

CARRIED

RESOLUTION 2020/170

Moved: Cr Alfie Walker

Seconded: Cr Carol James

That Council move back into Open Council.

Council moved back into Open Council at 8:45pm.

CARRIED

RESOLUTION 2020/171

Moved: Cr Margaret O'Neill

Seconded: Cr Peter Walker

That the report of the Business Manager Environment & Health be received and no action be taken.

CARRIED

15.6 TENDER 1920T0003 - COMPOST PAD EXTENSION

RESOLUTION 2020/172

Moved: Cr Leah Ferrara

Seconded: Cr Carol James

That

- 1. The report from the Director Utilities be received on Tender 1920T0003 Compost Pad Extension**
- 2. The tender from Denrith Pty Ltd trading as Divall's Earth Moving and Bulk Haulage is accepted in accordance with the specification and documents for tender 1920T0003. This acceptance is for the lump sum price of \$345,181.25.**
- 3. The General Manager be given a delegated authority for variations up to 10% of the contract lump sum. This being \$34,518 (incl. GST).**

CARRIED

15.7 TENDER 1920T0013 - SOLAR PANELS FOR WASTE WATER TREATMENT PLANT GOULBURN**RESOLUTION 2020/173**

Moved: Cr Carol James
Seconded: Cr Leah Ferrara

That

- 1. The report from the Director Utilities be received on Tender 1920T0013 Solar Panels for Waste Water Treatment Plant Goulburn**
- 2. The Tender from NG Energy (SA) Pty Ltd is accepted for the Solar Panels for Waste Water Treatment Plant Goulburn Contract in accordance with the specification and documents for Tender 1920T0013. This acceptance is based on the lump sum price of \$717 539.**
- 3. The General Manager be given a delegated authority for variations up to 10% of the contract lump sum - being \$71,754 (incl.GST).**

CARRIED

15.8 PROPOSAL TO AMEND NAME ROTARY PARK TO GOULBURN ROTARY PARK**RESOLUTION 2020/174**

Moved: Cr Peter Walker
Seconded: Cr Carol James

That

- 1. The report from the Business Manager Property & Community Services and the Property Coordinator on the proposed renaming to Goulburn Rotary Park of part of the Marsden Weir Park proposal be received.**
- 2. Council renames that part of Marsden Weir Park from Fitzroy Street to the gates of Marsden Weir to Goulburn Rotary Park.**

CARRIED

15.9 PROPOSED NEW LICENCE - GOULBURN GREYHOUND RACING CLUB INC.**RESOLUTION 2020/175**

Moved: Cr Margaret O'Neill
Seconded: Cr Alfie Walker

That:

- 1. The report from the Property Coordinator on the proposed new Licence to Goulburn Greyhound Racing Club Inc. for occupancy of facilities at Goulburn Recreation Area be received.**
- 2. Council endorse the terms negotiated for the new Licence as set out in this report and grant authority for the General Manager to sign the Licence in accordance with s377 of the *Local Government Act, 1993*.**

CARRIED

At 9:02pm, Cr Alfie Walker left the meeting. At 9:04pm, Cr Alfie Walker returned to the meeting.

15.10 2020 AUSTRALIAN BLUES MUSIC FESTIVAL - POST EVENT REPORT**RESOLUTION 2020/176****Moved: Cr Leah Ferrara****Seconded: Cr Carol James**

- 1. That the report from the Business Manager Marketing, Events & Culture on the 2020 Australian Blues Music Festival – Post Event Report be received and noted.**
- 2. The 2021 Australian Blues Music Festival not proceed in light of the COVID-19 restrictions, and uncertainty around when restrictions on events and festivals may ease.**
- 3. The \$30,000 allocated in the 2020/21 draft budget for the 2021 Australian Blues Music Festival be considered for reallocated to the 2021/22 budget.**

CARRIED**15.11 COVID-19 ECONOMIC IMPACT****RESOLUTION 2020/177****Moved: Cr Alfie Walker****Seconded: Cr Peter Walker**

That the report from the Communications & Business Development Officer be received and noted for information.

CARRIED**15.12 WOLLONDILLY WALKING TRACK UPDATE****RESOLUTION 2020/178****Moved: Cr Peter Walker****Seconded: Cr Sam Rowland**

That the report from the Director of Operations on the Wollondilly River Walking Track update be received.

- 1. Council endorse the route around the Goulburn Correctional Centre to be along the northern bank of the Wollondilly River from Tully Park Golf Club.**
- 2. Future sections of the shared path network be implemented as follows and when funding permits.**
 - A – Mortis St Cemetery to Lower Sterne Street (1,500m).**
 - B – Old sewer aqueduct to Joseph’s Gate development (2,400m).**
 - C – Upgrade the existing section of existing path around the Golf Club (2,050m).**
- 3. The location of the proposed walking track from Taralga Road to Mortis St Cemetery via Cemetery Street, including a Wollondilly River Crossing (2,400m) be discussed with the Department of Corrections and the Local State Member of Parliament for Goulburn prior to confirmation.**

CARRIED

15.13 TRANSPORTATION ASSET MANAGEMENT PLAN**RESOLUTION 2020/179****Moved: Cr Margaret O'Neill****Seconded: Cr Sam Rowland****That**

- 1. The report from the Director of Operations on the Transportation Asset Management Plan be received.**
- 2. Council acknowledge the maintenance back-log at this point in time is unachievable but Council continues to investigate additional revenue sources for infrastructure back-log works.**
- 3. Council acknowledges as a policy statement that all decision relating to additions to any asset base are made having regard to the ability to fund ongoing maintenance and renewal requirements.**

CARRIED**15.14 KINGHORNE STREET LOAD LIMIT****RESOLUTION 2020/180****Moved: Cr Peter Walker****Seconded: Cr Margaret O'Neill****That:**

- 1. The report from the Road Safety and Traffic Officer on the Kinghorne Street load limit be received.**
- 2. Council impose a 12 tonne limit along the full length of Kinghorne Street.**
- 3. Buses be exempt from the 12 tonne limit.**
- 4. Council initiate periodic load monitoring on Kinghorne Street through South East Weight of Loads (SEWOL).**
- 5. A grace period of two weeks be given to educate heavy vehicle drivers on the load limit.**
- 6. Staff investigate the feasibility and cost associated with traffic calming measures to assist with implementation of the load limit.**

CARRIED**15.15 MONTHLY FINANCIAL REPORT****RESOLUTION 2020/181****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 Monthly Financial Report 01 May 2020 be received and noted for information.

CARRIED

15.16 STATEMENT OF INVESTMENTS & BANK BALANCES**RESOLUTION 2020/182**

Moved: Cr Peter Walker
Seconded: Cr Margaret O'Neill

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 be received.

CARRIED

15.17 QUARTERLY BUDGET REVIEW**RESOLUTION 2020/183**

Moved: Cr Alfie Walker
Seconded: Cr Margaret O'Neill

That:

1. The report of the Director Corporate & Community Services on the Quarterly Budget Review be noted.
2. The budgeted variations contained within the March 2020 Quarterly Review be approved noting the reduction to the projected unrestricted cash balance levels at the 30th June 2020 amounting to \$346,843 primarily associated with a correction to the budget for the War Memorial Museum at Rocky Hill.

CARRIED

15.18 MINUTES OF THE RAY HARVEY SPORTS FOUNDATION COMMITTEE MEETING HELD ON 27 APRIL 2020**RESOLUTION 2020/184**

Moved: Cr Margaret O'Neill
Seconded: Cr Sam Rowland

That:

1. That the report from the Business Manager Community Facilities in regards to the Ray Harvey Sports Foundation Committee minutes from Monday 27 April 2020 be received and the decisions of the Committee become the decisions of Council.
2. The unallocated balance of \$4,050.00 from the 2019/20 Ray Harvey Sports Foundation be carried over and included in the 2020/21 Ray Harvey Sports Foundation.
3. All applications received in Round 2 2019/20 of the Ray Harvey Sports Foundation be accepted and included in Round 1 of the 2020/21 Ray Harvey Sporting Foundation.
4. Letters be sent to each applicant received for Round 2 of the 2019/20 Ray Harvey Sports Foundation thanking them for their application and notifying them that they will be included in Round 1 of the 2020/21 meeting of the Ray Harvey Sports Foundation.

CARRIED

15.19 COUNCILLOR BRIEFING SESSION SUMMARY

RESOLUTION 2020/185

Moved: Cr Margaret O'Neill

Seconded: Cr Carol James

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

CARRIED

15.20 CORPORATE & COMMUNITY SERVICES DIRECTORATE REPORT APRIL 2020

RESOLUTION 2020/186

Moved: Cr Sam Rowland

Seconded: Cr Margaret O'Neill

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

CARRIED

15.21 OPERATIONS DIRECTORATE REPORT APRIL 2020

RESOLUTION 2020/187

Moved: Cr Margaret O'Neill

Seconded: Cr Carol James

That the activities reported for April 2020 by the Director Operations be received and noted for information.

CARRIED

15.22 PLANNING & ENVIRONMENT DIRECTORATE REPORT APRIL 2020

RESOLUTION 2020/188

Moved: Cr Sam Rowland

Seconded: Cr Margaret O'Neill

That the activities report by the Director Planning & Environment be received and noted for information.

CARRIED

15.23 UTILITIES DIRECTORATE REPORT - APRIL 2020

RESOLUTION 2020/189

Moved: Cr Margaret O'Neill

Seconded: Cr Sam Rowland

That the report from the Director Utilities be received and noted for information.

CARRIED

15.24 EXTERNAL MEETING MINUTES**RESOLUTION 2020/190****Moved: Cr Sam Rowland****Seconded: Cr Alfie Walker**

That the report from the General Manger on the Heron Woodlawn Community Consultative Committee Meeting minutes from 22 April 2020 be received.

CARRIED**16 CLOSED SESSION**

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

RESOLUTION 2020/191**Moved: Cr Margaret O'Neill****Seconded: Cr Sam Rowland**

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:

16.1 Purchase of Hockey Facility from the Goulburn Workers' Club

This matter is considered to be confidential under Section 10A(2) - di 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

16.2 Request for Rate Relief

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.

CARRIED

Council resolved into Closed Session at 9.40pm.

Council resolved into Open Council at 10.09pm.

RESOLUTION 2020/192**Moved: Cr Sam Rowland****Seconded: Cr Peter Walker**

- 1. That Council moves out of Closed Council into Open Council.**
- 2. That the resolutions of the Closed Session meeting which were submitted to Closed Session in accordance with s10A Local Government Act 1993 be adopted.**

CARRIED

16.1 PURCHASE OF HOCKEY FACILITY FROM THE GOULBURN WORKERS' CLUB**RESOLUTION 2020/193****Moved: Cr Alfie Walker****Seconded: Cr Sam Rowland****That:**

- 1. The report from the Business Manager Property & Community Services and the General Manager on purchase of the hockey facilities from the Goulburn Workers' Club be received.**
- 2. Council approve in principle the purchase of land from the Goulburn Workers Club commonly known as the Hockey Facility at the Workers Arena on Finlay Road, Goulburn, at a price yet to be finalised, and authorise the General Manager to forward the sale and purchase contract to the Goulburn Workers' Club for their input and signature. The price to reflect any liabilities associated with the site as a Hockey Facility.**
- 3. The General Manager be given authority to sign all documentation associated with the subdivision and development consent of the Hockey Facility from the Goulburn Workers' Club.**
- 4. Council's seal be affixed to all documentation necessary to complete this purchase at the proposed end settlement date to be signed by the Mayor and General Manager.**
- 5. The General Manager to organise discussions with the Goulburn Hockey Association to keep them informed of all developments in regard to this proposed purchase.**
- 6. The General Manager commence discussions with the Goulburn Hockey Association on a lease agreement for this facility if this sale proceeds.**

CARRIED**16.2 REQUEST FOR RATE RELIEF****RESOLUTION 2020/194****Moved: Cr Peter Walker****Seconded: Cr Carol James****That**

- 1. The report from the Director Corporate & Community Services on the Request for Rate Relief be received**
- 2. The request for rate relief be declined.**
- 3. The applicant be advised that all future contact in relation to property matters be solely with the listed owners of that particular property.**

CARRIED

17 CONCLUSION OF THE MEETING

The Meeting closed at 10.10pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 2 June 2020.

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

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

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 19 MAY 2020

Author: Warwick Bennett, General Manager

Authoriser: Warwick Bennett, General Manager

Attachments: Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

Author: Warwick Bennett, General Manager

Authoriser: Warwick Bennett, General Manager

Attachments: 1. Task List - 2 June 2020 [↓](#) 

RECOMMENDATION

That Council notes the Task List and authorises the deletion of completed tasks.

REPORT

Please find attached the Task List for matters resolved at previous Council meetings that are still currently under action.

OUTSTANDING TASK LIST



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>General Manager</p>	<p>General Manager to organise a meeting with the proponents of the Ducks Lane development</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>We are awaiting the lawyers from both parties to agree on wording for the deed.</p>
<p><u>Draft Urban and Fringe Housing Strategy</u></p> <p>This matter has been deferred for three months from the 21 April 2020</p>	<p>Director Planning & Environment</p>	<p>Report on amendments to the 16 June 2020 Council Meeting with final strategy to 21 July 2020 Council Meeting</p>

OUTSTANDING TASK LIST



Item/Task	Responsible Officer	Status
<p><u>Future use of Irrigation Farm Land</u></p> <ol style="list-style-type: none"> 1. Sale of Lot 2 DP1043955 To adjoining land owner 2. Rezone Lot 1 & 2 DP1003261 To residential 3. Discuss with ARTC Safe access across rail line 4. Commence rezoning from Council infrastructure zoning 5. EOI for public/private partnerships on farm land 	<p>Director Utilities</p>	<ol style="list-style-type: none"> 1. EOI to adjoining land owners has been circulated. Report to Council in July 2020 2. Obtaining contamination reports. Rezoning can't occur until after Housing Strategy is endorsed 3&4. Will not pursue this matter at this time until Council has determined future and final use of the Waste Water Farm 5. EOI for PPP will be advertised in June 2020
<p><u>Lansdowne Street DCP</u></p> <p>Seeking Department of Planning approval and then be placed on public exhibition</p>	<p>Director Planning & Environment</p>	<p>Report included in this Business Paper RECOMMEND COMPLETION</p>
<p><u>B6 Enterprise Corridor Planning Proposal</u></p> <p>Seeking Department of Planning approval and then be placed on public exhibition</p>	<p>Director Planning & Environment</p>	<p>Awaiting Department of Planning approval. Time frame beyond Council's control</p>
<p><u>Mogo Road Hi Quality</u></p> <p>General Manager to report back on works to be undertaken to fully implement development application</p>	<p>General Manager</p>	<p>Consultation occurring with Hi Quality</p>
<p><u>Tarago Rail Siding</u></p> <p>The General Manager to keep the Council informed on actions by Transport for NSW in regard to the lead contamination at Tarago</p>	<p>General Manager</p>	<p>Further Briefing with Transport for NSW 16 June 2020.</p>

OUTSTANDING TASK LIST



Item/Task	Responsible Officer	Status
<p><u>Goulburn 2020 Celebration</u></p> <p>The Goulburn 2020 Group to be invited to a Councillor Briefing to explain their proposed program and what request for further funding will be sought</p>	<p>General Manager</p>	<p>Mayor and General Manager have met with event organisers and they still intend to proceed with this event and may call on \$20,000 of Council fees RECOMMEND COMPLETION</p>
<p><u>Community Safety & Social Infrastructure Plan Working Party</u></p> <p>Councillors to notify Director of Corporate and Community Services names suitable for this working party</p>	<p>Director Corporate and Community Services</p>	<p>Council approved two community representatives on this essential working party. We are waiting on feedback from Councillors and can't progress this until that feedback is received.</p>
<p><u>Coronavirus</u></p> <p>The General Manager to report to each meeting of Council</p>	<p>General Manager</p>	<p>Report included in this Business Paper RECOMMEND COMPLETION</p>
<p><u>DA/0116/1920, 555 Forest Siding Road Middle Arm</u></p> <p>Council commence investigation of the additional structure and wastewater system that has also been identified during the above development application process. Compliance action, including further Penalty Infringement Notices and Orders, will commence if works are confirmed to be unauthorised. The outcome of the investigation to be reported back to Council.</p>	<p>Director Planning & Environment</p>	<p>Additional works have been undertaken on site. A further report to Council on the 16 June 2020</p>
<p><u>Draft Operational Plan 2020/21</u></p> <p>The Draft Operational Plan 2020/21 and budget placed on public exhibition from Thursday 9 April until Friday 15 May 2020 for wider community comment.</p>	<p>Director Corporate and Community Services</p>	<p>Report included in this Business Paper RECOMMEND COMPLETION</p>
<p><u>New Police Station</u></p> <p>The Mayor and General Manager to discuss options with NSW Police on appropriate sites in Goulburn for new Police Station.</p>	<p>General Manager</p>	<p>Awaiting correspondence from NSW Police on their investigations on all sites in Goulburn</p>

OUTSTANDING TASK LIST



Item/Task	Responsible Officer	Status
<p><u>Strategic Planning Fees and Charges</u></p> <p>Policy required in regard to subsidies paid where sufficient reports have already been presented to Council prior to the 19 May 2020</p>	<p>Director Planning and Environment</p>	<p>Report will be presented to Council meeting in July</p>
<p><u>Hockey Facility</u></p> <p>The General Manager to continue negotiating with Goulburn Workers Club over the purchase of 3.28 hectares of land at the Goulburn Workers Arena</p>	<p>General Manager</p>	<p>Negotiations continue. Will report when final draft agreement is ready for approval.</p>

12 MAYORAL MINUTE(S)

Nil

13 NOTICE OF MOTION(S)

Nil

14 NOTICE OF RESCISSION(S)

Nil

15 REPORTS TO COUNCIL FOR DETERMINATION

15.1 COVID-19 UPDATE

Author: Warwick Bennett, General Manager

Authoriser: Warwick Bennett, General Manager

Attachments: Nil

Link to Community Strategic Plan:	Leadership in the Community
Cost to Council:	Unknown at this time but we propose to undertake ongoing reviews of the budget implications.
Use of Reserve Funds:	Nil

RECOMMENDATION

That:

1. The report from the General Manager on COVID-19 Update be received.
2. The General Manager is only required to report to Council meetings on COVID-19 issues when there is a matter that needs to be addressed by Council.

REPORT

Since the last meeting of Council we have received notification from State Government that Libraries, Galleries and Museums can open but are restricted to 10 people in the door at any one time.

We are currently seeking clarification on the Visitor Information Centre whether or not that can open.

The State Government has also allowed for indoor swimming pools to be open but only a maximum of 10 people at any one time. Each person would have to stick to their own lane and the current indoor pool only has 6 lanes therefore we would have to restrict customers to that number. With the cost of heating the pool, air-conditioning and the employment of casual life guards for full operating hours makes the opening of the indoor pool financially inefficient.

Sports fields have been reopened subject to the State Government guidelines with the maximum of only 10 people at any one time and that social distancing is adhered to. Thus only training can take place. The Veolia Arena and Basketball Arena remain closed.





We have also sought clarity on whether or not members of the public can attend Council meetings and address Council through the public forum. The short answer is no whilst Council have more than 10 people (including Councillors and staff) attending meetings.

At the beginning of this COVID-19 crises it was resolved that I report to Council each meeting. I have done that for the last 4 meetings but now believe that we are running out of issues to include in the report. This report is recommending that I only report to Council from next meeting onwards when there is a specific issue that needs to be addressed by Council. I will continue to keep Councillors informed on operational matter wither through regular emails or via the General Manager Update.

15.2 LANSDOWNE STREET PLANNING PROPOSAL AND SITE SPECIFIC DEVELOPMENT CONTROL PLAN AMENDMENT - POST PUBLIC EXHIBITION REPORT

Author: Nick Thistleton, Strategic Planner

Authoriser: Warwick Bennett, General Manager

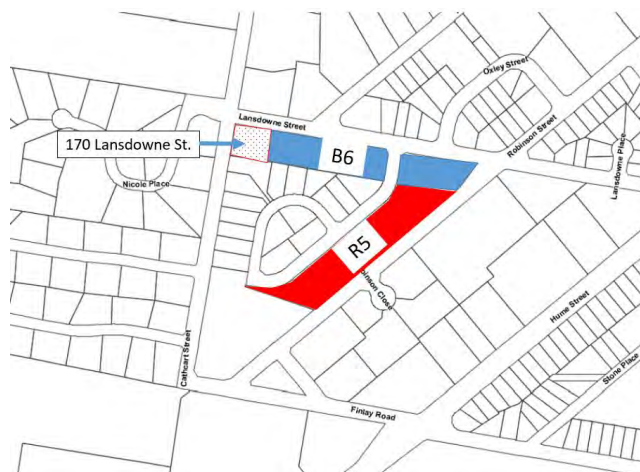
- Attachments:**
1. Planning Proposal (separately enclosed) 
 2. Planning Proposal Supporting Documentation.pdf (separately enclosed) 
 3. All Submissions (Including Water NSW).pdf (separately enclosed) 
 4. Proposed Site Specific DCP Chapter.pdf (separately enclosed) 

Link to Community Strategic Plan:	Strategy EN4: Maintain a balance between growth, development and environmental protection through sensible planning. Strategy CI2: Encourage and facilitate open and respectful communication between the community, the private sector, Council and other government agencies
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That

1. The post public exhibition report by the Strategic Planner regarding the zoning and site specific development controls relating to land on Lansdowne Street, Goulburn be received.
2. Council only proceed in rezoning the portion of Lot 10 DP 1247119 fronting Robinson Street, Goulburn indicated in paragraph 4 of this resolution to R5 Large Lot Residential with a minimum lot size of 1,000m² and no floor space ratio under the *Goulburn Mulwaree Local Environmental Plan 2009*.
3. Council not proceed in making any amendment to the *Goulburn Mulwaree Local Environmental Plan 2009* for any portion of Lot 10 DP 1247119 fronting Lansdowne Street, Goulburn, as indicated in paragraph 4 of this resolution.
4. The zonings as discussed in paragraph 2 and 3 of this resolution be in accordance with this plan.



5. The General Manager use Council's delegated plan-making authority to implement the proposed amendment to the *Goulburn Mulwaree Local Environmental Plan 2009* above as

soon as practicable.

6. The draft site specific amendment to the *Goulburn Mulwaree Development Control Plan 2009* attached to this report be adopted, with the following changes being incorporated to address submissions received and the recommendation to only partially endorse the planning proposal:
 - (a) Removal of the requirement to relocate the Lansdowne Street and Theatre Drive intersection.
 - (b) Introduction of controls to limit operational hours to between 7am and 6pm for the remaining B6 Enterprise Corridor zone on Lot 10 DP 1247119 and restrict noise generation.
 - (c) Insertion of a new control to require a footpath to be constructed along Robinson Street.
 - (d) Prohibition of any residential driveway access onto Lansdowne Street.
 - (e) Correction of any inconsequential spelling or grammatical errors.
7. Council consider the rezoning of 170 Lansdowne Street back to B6 Enterprise Corridor as part of its next overarching or miscellaneous amendment to the *Goulburn Mulwaree Local Environmental Plan 2009*.
8. Council investigate existing industrial traffic congestion, intersection design and on-street parking issues raised in relation to Lansdowne Street (west of Hume Street) and refer this matter to the Traffic Committee.

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

Council has previously considered the zoning of Lot 10 DP 1247119 (Lot 10) on Lansdowne Street, Goulburn on several occasions, including at its meetings on 20 December 2016, 18 December 2018, 3 September 2019 and 22 October 2019. The series of events leading up to this report may be summarised as follows (**Figure 1**):

- Prior to the adoption of the *Goulburn Mulwaree Local Environmental Plan 2009* (GM LEP), all of the land in the subject area and to the immediate North, South and East was zoned '4 Industrial' under the former *Goulburn Local Environmental Plan 1990*. As an industrial zone, it resulted in numerous development consents being issued for industrial development in the local area, most heavily concentrated on the northern side of Lansdowne Street. Many of these approvals remain active today, including some that have little to no limit on the amount of heavy vehicle movements generated per day and some that can operate 24 hours a day, 7 days per week. It was not until the current GM LEP became operational in 2009 that all of this land, including the subject area, was rezoned to B6 Enterprise Corridor. The B6 Enterprise Corridor zone is not considered to be an industrial zone under the NSW planning system and is instead intended to support development of a semi-industrial or commercial nature (e.g. bulky goods retail, warehousing, vehicle dealerships etc.).
- On 7 December 2011, a 17 lot residential subdivision was approved on 150 Lansdowne Street in the B6 Enterprise Corridor zone. At the time dwellings were permitted in the B6 zone.
- On 19 October 2012, an unrelated and overarching amendment to the land use tables in the GM LEP resulted in, amongst other things, dwelling houses becoming prohibited in the B6 Enterprise Corridor zone. This amendment to the GM LEP meant that no residential development could occur on the previously approved 17 lot residential subdivision. The planning proposal did not include a detailed assessment of this particular change to the

land use tables and it is unclear if Council was aware that such an amendment would prejudice this prior approval of a residential subdivision.

- At its meeting on 20 December 2016, Council resolved (16/567) to prepare a planning proposal to rezone of all of the subject area to part R5 Large Lot Residential with a minimum lot size of 1,000m², with no floor space ratio in order to facilitate residential development in the subject area. A smaller parcel was also rezoned as E3 Environmental Management with a minimum lot size of 10,000m² and no floor space ratio, to protect an ecologically sensitive area of the land.
- At its meeting on 18 December 2018, Council considered the submissions made to the planning proposal to rezone the subject area after it was prepared and publicly exhibited. Submissions received raised serious concerns with respect to potential land-use conflict with the proposed R5 Large Lot Residential area and the northern side of Lansdowne Street, which contained multiple businesses with lawful approval to constantly operate and receive heavy vehicle movements, under the previous *Goulburn Local Environmental Plan 1990*. In response to these submissions, Council resolved (2018/602) to proceed with the rezoning, with the exception of the rezoning for Lot 10 DP 1247119, which had not yet been subdivided into smaller residential blocks. This lot is currently acting as a separation between the residential subdivision and the surrounding B6 Enterprise Corridor to the North and East with good effect. Council also resolved that an amendment to the *Goulburn Mulwaree Development Control Plan 2009* (GM DCP) be considered to further limit the potential of land use conflict between any residentially zoned area and the surrounding B6 Enterprise Corridor zone.
- At its meeting on 3 September 2019, Council resolved (2019/345) to proceed with a planning proposal to rezone Lot 10 to R5 Large Lot Residential with a minimum lot size of 1,000m² and no floor space ratio. This decision was based on new supporting noise and traffic reports provided by the landowner of Lot 10 and a new subdivision design intended to minimise land use conflict (**Attachments 1 and 2**) (**Figure 2**). This planning proposal was to be simultaneously publicly exhibited with site specific GM DCP controls to mitigate land use conflict and enforce the alternate subdivision design.
- At its meeting on 22 October 2019, Council considered and resolved (2019/519) to endorse and publicly exhibit the aforementioned site specific GM DCP controls relating to the subject area, supporting the proposed subdivision layout (**Figure 2**).
- The planning proposal for Lot 10 and proposed GM DCP controls completed their period of public exhibition on 20 March 2020 and must now be considered by Council.

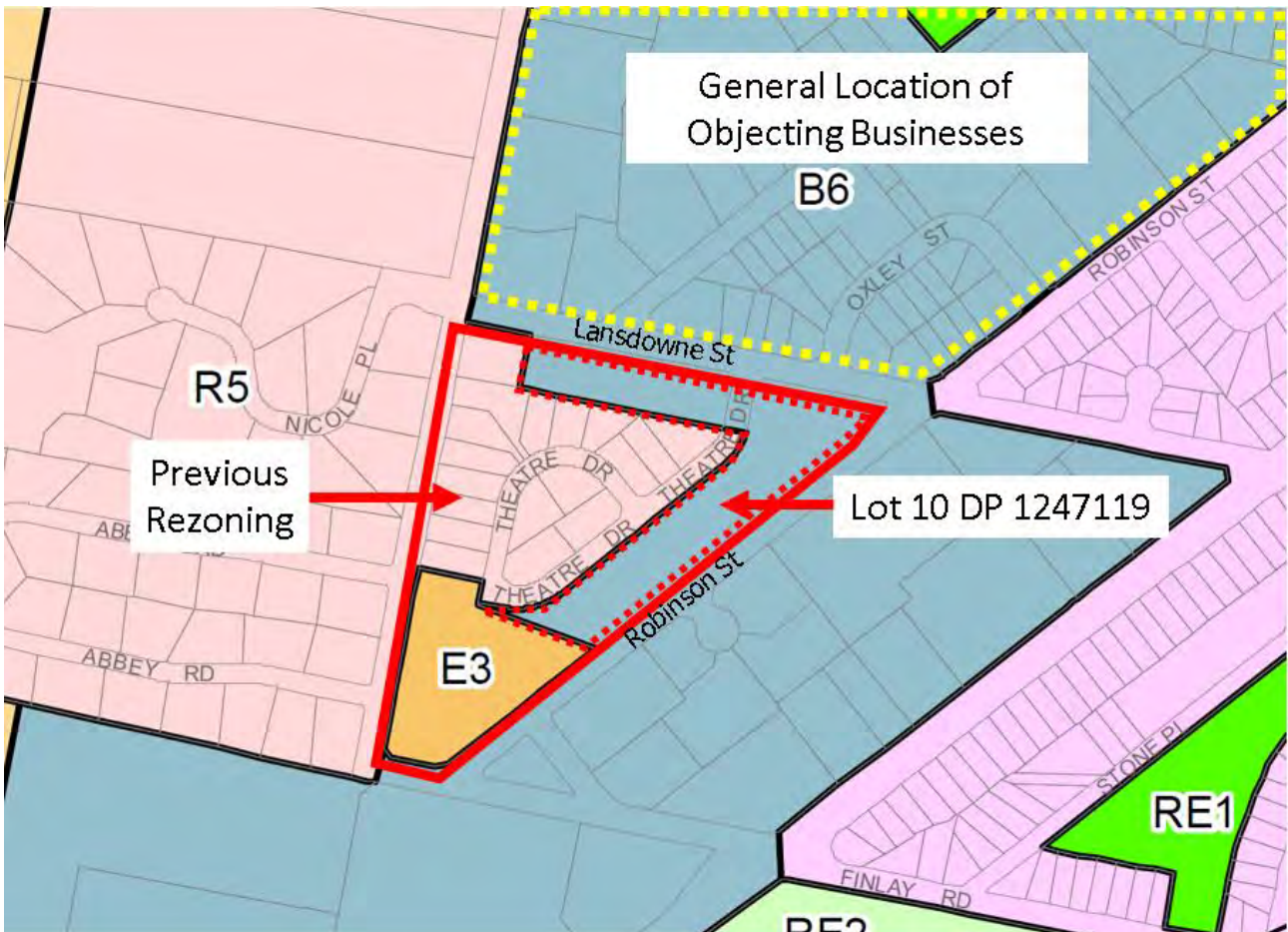


Figure 1: Area subject to rezoning (Lot 10 DP 1247119) outlined in broken red, with the area subject to the proposed GM DCP controls outlined in solid red.

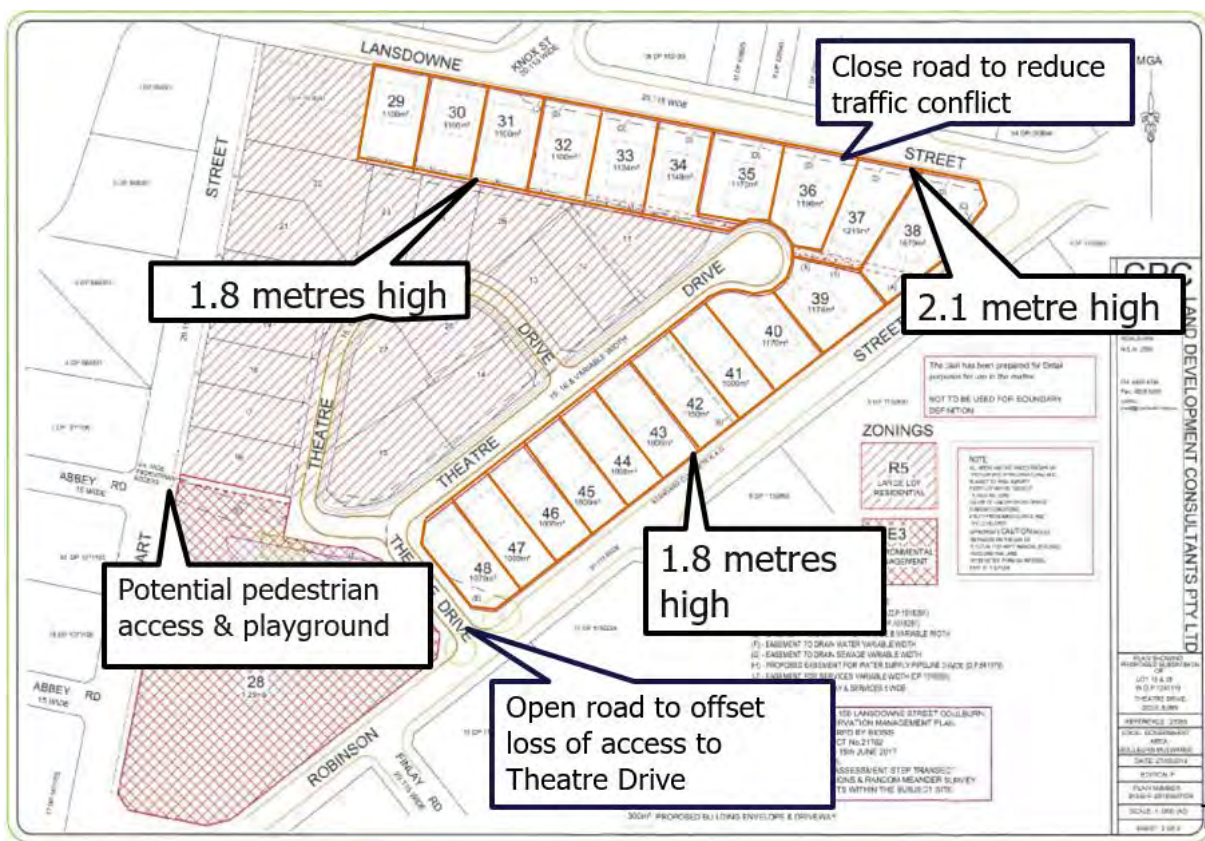


Figure 2: Proposed subdivision layout supported by publicly exhibited GM DCP controls.

REPORT

Introduction

The purpose of this report is to consider the planning proposal to rezone Lot 10 and the associated site specific GM DCP controls proposed for the area, following their simultaneous exhibition from 20 February 2020 to 20 March 2020.

Based on legitimate concerns raised throughout the public exhibition period, the recommendation of this report is for Council to now only endorse the rezoning of part of Lot 10 fronting Robinson Street to R5 Large Lot Residential with a minimum lot size of 1,000m² and no floor space ratio, with all remaining land fronting Lansdowne Street to remain as B6 Enterprise Corridor with no minimum lot size and a floor space ratio of 0.8. This report also recommends the adoption of the proposed GM DCP amendment with post exhibition changes being made to reflect the new recommendation of this report and remove the requirement to move intersection access off of Lansdowne Street, as this would no longer be an enforceable control.

It is noted in this report that the prolonged series of events leading up to this recommendation has meant that there are no all-encompassing means for mitigating every impact for both the residential or industrial uses, and that in this instance it is a matter of weighing up the impacts to find an appropriate balance or compromise.

Details of Exhibited Planning Proposal and GM DCP Amendment

The planning proposal publicly exhibited recommended the rezoning of all of Lot 10 from B6 Enterprise Corridor with no minimum lot size and a floor space ratio of 0.8 to R5 Large Lot Residential with a minimum lot size of 1,000m² and no floor space ratio (**Attachment 1**).

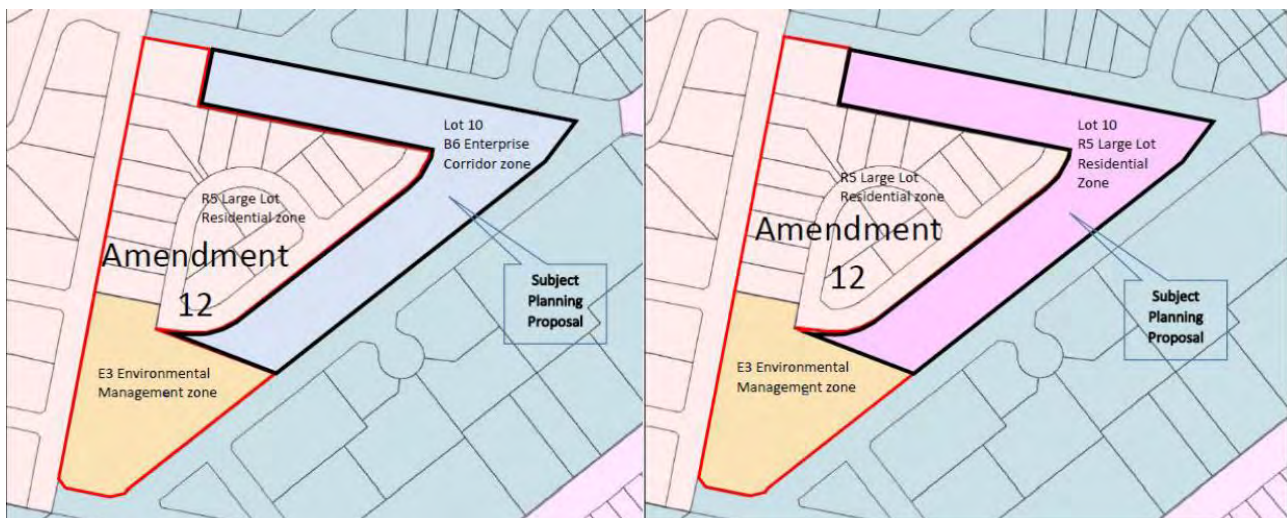


Figure 3: Proposed Rezoning

The corresponding proposed development controls applied to the broader Lansdowne Street/Theatre Drive locality, and sought to introduce a variety of controls to limit land use conflict and protect biodiversity within the subject area. They included:

- The requirement for the existing Lansdowne Street and Theatre Drive intersection to be closed prior to any dwelling approvals for Lot 10 being issued.
- The requirement to limit driveway access onto Lansdowne Street and Robinson Street.
- The prohibition of any use or access of the unformed section of Cathcart Street, which is currently functioning as an important biological corridor.
- The requirement for dwellings to provide acoustic reports demonstrating compliance with the relevant Australian Standard for noise suitability (AS 2107).
- The requirement to erect 1.8-2.1m lapped and capped timber fencing along boundary lines.

- A restriction as to the developable area for the land zoned as E3 Environmental Management, in line with the ecological assessment submitted by the proponent as part of the previous planning proposal for the site.

Public Exhibition Period and Meeting with Business Owners

The planning proposal and draft site specific GM DCP controls were simultaneously placed on public exhibition between 20 February 2020 and 20 March 2020. All proposal documents were advertised and made available together. Advertisements were made in the Goulburn Post Weekly, Council's website and in letters to all parties that placed a submission to the previous planning proposal for the subject area.

During the public exhibition period, Council staff were approached by six (6) local businesses to have a meeting to discuss their concerns for the proposed rezoning of Lot 10 DP 1247119. This meeting was held in the Council Chambers on 11 March 2020 and was attended by the Business Manager of Strategic Planning and Senior Strategic Planner. Some of the concerns and discussion points raised are summarised below:

- All of those present expressed concerns that allowing residential development near to their businesses would result in an escalation of complaints and confrontations with current and potential new residents.
- The existing business operators were very concerned that the recommendations of the supporting noise assessment and development controls would not provide suitable mitigation measures between the business and residential land uses.
- All of those present believed that any future expansion of their businesses, which would otherwise be permissible, would not be feasible if the planning proposal for Lot 10 DP 1247119 proceeds as planned.
- Two (2) of the businesses present had relocated to the area to continue their operations. One had relocated based on Council's advice that the area was conducive to further business expansion. The other business relocated within the area to avoid personal and physical threats to their staff from existing neighbourhood residents.
- Concern that, despite recommendations to limit and buffer residential development on Lansdowne Street, three (3) proposed lots will still have direct access and frontage to Lansdowne Street.
- They believe fencing should be higher (noise assessment recommends 2.1 metres).
- They believe the minimum standards for ambient noise levels required under the GM DCP amendment cannot be achieved.
- They believe traffic data loggers were located so as to give an inaccurate depiction of the traffic movements occurring in the precinct.
- Those present instead proposed that access to Lansdowne Street from Theatre Drive be relocated and that no rezoning be considered for Lot 10 DP 1247119, or at least no rezoning of any land fronting Lansdowne Street.

The meeting concluded with staff recommending those present make submissions in writing during the public exhibition period for Council's consideration. All of those present have made submissions, further contributing to the points above.

Submissions

A total of seven (7) submissions were received throughout the public exhibition period, in addition to a referral from Water NSW, which was required as part of the gateway determination issued on 16 December 2019 (**Attachment 3**). These submissions are summarised in **Table 1** below.

Submission	Summary
Water NSW Referral	Water NSW offered no objection to the planning proposal for Lot 10 DP 1247119 and instead referenced the requirement for any subsequent development of the site to demonstrate a neutral or beneficial impact on water quality, pursuant to the <i>State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011</i> .
<p>Vacvator 107 Cathcart Street, Goulburn</p> <p>Vacvator (cont.) 107 Cathcart Street, Goulburn</p>	<p>The submitter raised numerous concerns with respect to the proposal, including:</p> <ul style="list-style-type: none"> • Increased land use conflict arising from residential development occurring so close to existing industrial or semi-industrial development. • Potentially significant traffic hazard accompanying any residential development with direct access to Lansdowne Street, due to the heavy vehicle movements that occur. • Future residents being able to influence the determination of development applications or modifications to development consent to further restrict operating hours. <p>The submitter also provided a variety of suggestions as part of a compromise for Council’s consideration, including (refer to submission for plan provided):</p> <ul style="list-style-type: none"> • Only proceeding in rezoning land fronting Robinson Street to R5 Large Lot Residential, with all land fronting Lansdowne Street to remain B6 Enterprise Corridor, including 170 Lansdowne Street, which was rezoned to R5 Large Lot Residential following Council’s meeting on 18 December 2018. • A high fence to be erected along the Lansdowne and Robinson Street frontages • Access from Theatre Drive to Lansdowne Street to be closed and converted to a cul-de-sac and alternate access be provided onto Cathcart Street. • Parallel parking be provided on the land to remain as B6 Enterprise Corridor, which would also double as a much needed safe parking option. • Provision of a footpath along the entire frontage of Robinson Street.
Craig Evans Nearby Resident	<p>The submitter raised numerous concerns with respect to the proposal, offering the following observations and concerns:</p> <ul style="list-style-type: none"> • Up to nine (9) cement agitators have been observed being parked on the Lansdowne Street at a time. Other heavy vehicles, including B-doubles, also utilise the street as parking. • Pedestrians are often forced to walk on the road as nearby nature strips and curbs can be overgrown. Ducking in between parked cars and trucks on a road frequently utilised by heavy

	<p>vehicles is a serious hazard.</p> <ul style="list-style-type: none"> Excessive speeding has been observed on Lansdowne Street, further increasing pedestrian and traffic hazard. <p>The submitter concluded that they were concerned for the safety of the public and future children that may need to live there, should the proposal proceed. They also considered Lansdowne Street to be strictly an industrial street and unsuitable as a residential street.</p>
<p>White's Tractors Pty Ltd 50 Robinson Street, Goulburn</p>	<p>The submitter raised concerns over the potential for further aggressive confrontations with current or future nearby residents should any further residential development be permitted in their vicinity.</p> <p>The submitters cited two (2) recent examples of threatening behaviour from local residents relating to the noise emitted by the ordinary and lawful functioning of their business.</p> <p>The submitters have also commented that multiple noise complaints have also been received by Council, despite all noise being emitted in the lawful and ordinary functioning of their business.</p>
<p>Fife's Stockfeeds 51-53 Knox Street, Goulburn</p>	<p>The submitter raised concerns over the potential for further residential development in the area due to their business often requiring heavy vehicle movements at unpredictable times over a 24 hour period. They are concerned that further residential development will result in greater agitation from local residents resulting from their heavy vehicle movements.</p>
<p>Grangers Freight Lines 12-16 Oxley Street, Goulburn</p> <p>Grangers Freight Lines (cont.) 12-16 Oxley Street, Goulburn</p>	<p>The submitter raised numerous concerns with respect to the proposal, including:</p> <ul style="list-style-type: none"> Statements made in noise and/or traffic reports that starting business times in the area are at 7am are incorrect. The submitter states that many businesses operate or can operate at any time during a 24 hour period. The placement of the traffic counters led to total traffic movements in the traffic assessment provided being significantly underestimated. The submitter states that the location of the traffic counters would not have counted many of the heavy vehicle movements of a nearby transport and logistics company and may have missed a minimum of 100 vehicle movements per day. The proposed GM DCP controls do not do enough to prohibit vehicle access onto Lansdowne Street, including allowing Lots 29-31 of the proposed subdivision plan allowing direct access. No mitigation measures have been put in place to limit land use conflict with Boral's operation. The noise assessment does not accurately depict the actual impact of noise. The submitter raised the point that decibels do not necessarily convey the duration, type or pitch of a sound, all of which are arguably more relevant to the actual impact of

	<p>noise generation.</p> <ul style="list-style-type: none"> • Further residential development will increase local congestion on the Hume and Lansdowne Street intersections. The submitter states that it takes up to 15 minutes to proceed through that intersection on some occasions currently. • Further residential development may result in any future development application to expand their operation either being rejected or coming with significantly increased restrictions on operating hours as a result from local objections. • Further residential development in the area will escalate existing threatening behaviour perpetrated by existing or possible future nearby residents. <p>The submitter also offered the following suggestions:</p> <ul style="list-style-type: none"> • Move the proposed entrance to Theatre Drive on Robinson Street 50m towards Lansdowne Street. • Provide parallel parking on the land fronting Lansdowne Street. • Encourage light industrial or commercial buildings on Lot 10, which can themselves act as a buffer between industrial areas to the north and could contain restrictions as to when they can operate and receive heavy vehicles. • Erect a fence along the frontage to Robinson Street with a footpath to act as a sound barrier. • Rezone the adjacent 170 Lansdowne Street (Lot 1 DP 1018281) back to B6 Enterprise Corridor, as this is not owned by the developer of Theatre Drive and Lot 10. • Create a traffic light or roundabout intersection for the Lansdowne and Hume Street intersection to improve traffic flow.
<p>Boral 90 Knox Street, Goulburn</p> <p>Boral (cont.) 90 Knox Street, Goulburn</p>	<p>The submitter raised numerous concerns with respect to the proposal, including:</p> <ul style="list-style-type: none"> • Proposed GM DCP controls generally do not overcome the inherent potential for land use conflict and are otherwise insufficient to ensure that residential amenity is maintained. • Land use conflict could escalate if Boral exercises its flexible 24/7 approval to operate. This flexibility allows Boral to service the development industry in the Goulburn region and it is therefore essential that they maintain this flexibility. • Boral’s current operating hours cannot be used to calculate impact on noise, as they legally can and will extend their operating hours to meet market demand. • A buffer between the proposed residential area and Boral is impossible, given that the area has a direct interface with Boral across the road. The submitter also argued that this lack of buffering is at odds with land use planning best practice. • Raised concern over the potential for any new amendment to the GM DCP being able to be varied by Council, as opposed to the GM LEP, which is a legislated environmental planning instrument.

	<ul style="list-style-type: none"> • The reliance on battle-axe lots to fully develop the site indicates that the lot sizes are too small for the site, whereas larger 2,000m² lots with a corresponding minimum lot size would not require a battle-axe configuration. • The allowance of three (3) lots to maintain access to Lansdowne Street is completely at odds with the objective to limit any direct access or frontage to Lansdowne Street. • The proposal does not follow any established recommendation of Council’s <i>Employment Land Strategy</i> or the <i>Draft Urban and Fringe Housing Strategy</i> and conflicts with the overall objectives of the <i>Employment Land Strategy</i> and Goals 1 and 3 of the <i>South East and Tablelands regional Plan</i>.
<p>Privett Haulage and Roadworks 137-141 Lansdowne Street.</p>	<p>The submitter raised numerous concerns with respect to the proposal, including:</p> <ul style="list-style-type: none"> • Their business operates 24/7 and involves heavy vehicle movements and other machinery equipped with mandatory beepers and squawkers. The concern is that any further residential development will be subject to such noise, resulting in a negative impact on local residents and an escalation in land use conflict. • The noise assessment does not accurately depict the actual impact of noise. The submitter raised the point that decibels do not necessarily convey the duration, type or pitch of a sound, all of which are arguably more relevant to the actual impact of noise generation. • Lapped and capped timber fencing is insufficient to adequately limit noise. Suggested that concrete blocks are a more feasible way of limiting noise impact. • Pointed out that the assumption that most businesses only open at 7am is incorrect, as they and other businesses operate or have lawful approval to operate 24/7. • Traffic counts may have underestimated actual vehicle movements by at least 100 per day. <p>The submitter also recommended relocating the entrance to Theatre Drive from Lansdowne Street to Robinson Street and maintaining the B6 Enterprise Corridor zone across the Lansdowne Street frontage, including rezoning the adjacent 170 Lansdowne Street (Lot 1 DP 1018281) back to B6 Enterprise Corridor, which was rezoned to R5 Large Lot Residential by Council after its meeting on 18 December 2018.</p>

Response to Submission and Recommendations

Based on the concerns raised by submitters it is agreed that the planning proposal should not proceed as proposed as there is little to no possibility of adequately mitigating against land use conflict. All submissions received demonstrated a high level of understanding of what was proposed and used clear logic and evidence to justify their objections and raise legitimate and serious questions as to the merit of the planning proposal. Further, the willingness from some submitters to seek a compromise shows that they have been rational and pragmatic in their response.

The recommendation of this report is to amend the planning proposal as follows:

- Only rezone part of Lot 10 to R5 Large Lot Residential, with a minimum lot size of 1,000m² and no floor space ratio as indicated in the map below (**Figure 3**);
- Introduce controls for the remaining B6 Enterprise Corridor zone on Lot 10 to limit operational hours for any future development to between 7am and 6pm and to ensure that operational noise does not prejudice residential development of the propose R5 Large Lot Residential zone.
- Introduce a control to require footpath construction along the frontage of Robinson Street.
- Introduce a control to completely restrict any residential access onto Lansdowne Street or Robinson Street from the subject area.
- Remove the control requiring the relocation of the Theatre Drive intersection from Lansdowne Street to Robinson Street and instead refer the matter, along with matters relating to parking, to the Traffic Committee.
- Consider the rezoning of 170 Lansdowne Street back to B6 Enterprise Corridor as part of the next overarching or miscellaneous planning proposal.



Figure 3: Indicative proposed new zoning layout

It is important to note that the manner in which this development has evolved has resulted in a situation in which there is now no single solution that Council can implement that would not result in some form of interface impact between industrial and residential development. The recommended solution and proposed GM DCP amendment attached (**Attachment 4**) have therefore been formulated on the basis that a reasonable balance is achieved. With this in mind,

the following assessment is given for the new recommendation with respect to the submissions provided:

- The new recommendation is similar to the compromised zoning arrangement proposed by several of the submitters, with the significant differences detailed and considered further below.
- It is noted that this recommendation would still result in additional residential development near existing industrial and semi-industrial businesses to the north who legally hold approvals to operate 24/7, albeit with noise abatement measures required in the proposed GM DCP controls to facilitate at least some development of the land.
- Following further assessment of the noise and traffic reports provided, it is now considered that they can no longer be used to adequately justify residential development fronting Lansdowne Street. Further detailed assessment of these documents are provided later in this report.
- The concern raised by some submitters that local land use conflict could impact further development is in itself a valid reason to limit the encroachment of residential development to simply the land fronting Robinson Street. While local resident objections may not prevent new businesses from entering the area, they would have a significant impact as to the limitation placed on operational hours and heavy vehicle movements. Council is required to assess the social impacts of a development proposal under s4.15 of the *Environmental Planning and Assessment Act 1979* and the limitation of operational hours and heavy vehicle movements is often the primary method employed by Council to limit future land use conflict. Further residential encroachment on the Lansdowne Street frontage may force Council to consider including such limitations. It is anticipated that limiting residential encroachment to only the Robinson Street frontage would prevent the requirement to implement such restrictions on the expansion of operating hours and heavy vehicle movements.
- By retaining the B6 Enterprise Corridor zone on Lansdowne Street, an additional buffer may be provided with the potential for any future semi-industrial or commercial development on the land acting to be an additional physical barrier.
- While this recommendation is considered to be the preferred option, it will require the removal of any control to require the relocation of the Theatre Drive intersection from Lansdowne Street to Robinson Street. This is because Council can no longer rely on the position that it is required due to significantly increased residential traffic volumes on Theatre Drive, as only very limited residential development would be allowed on the new proposed R5 Large Lot Residential zone.
- The parallel parking suggestion for Lansdowne Street is noted, however this is a matter that extends beyond the scope of the planning proposal and GM DCP amendment. A number of issues relating to existing industrial traffic congestion and street parking in Lansdowne Street have been raised. These issues can be further investigated and referred to Traffic Committee.
- It is agreed that the rezoning of 170 Lansdowne Street back to B6 Enterprise Corridor should be considered. However this will require a new planning proposal and another gateway determination, so it is instead proposed that this matter be considered as part of Council's next overarching or miscellaneous planning proposal to be prepared. Competing priorities within the existing Strategic Planning Program means that there is minimal capacity to undertake this work separately at this point in time.
- It is noted that the remaining B6 Enterprise Corridor zone within Lot 10 will have limited development potential due to the land use table for the zone, the relatively narrow dimensions of the lot and the restrictions proposed in the GM DCP. This outcome is nonetheless considered to be acceptable on the grounds that proceeding with residential rezoning will result in unreasonable levels of land use conflict.

- It is noted that the corner of Lansdowne Street and Robinson Street, to remain as B6 Enterprise Corridor, may be further compromised in terms of development potential due to the limited ability for any potential corner lot to obtain a safe and practical access that does not conflict with the three (3) intersections that are in close proximity. This matter is discussed later in this report along with an alternate recommendation to proceed in rezoning this land to R5 Large Lot Residential as well.

Traffic Assessment

Upon further review of the supporting traffic assessment, it is noted that the location of traffic counters has not clearly been conveyed and that this lack of clarity significantly affects how representative the findings are of local traffic volumes (**Attachment 2**). Of particular note, p.10 of the supporting documentation indicates that traffic counters placed on Lansdowne Street were located 20m west of Lansdowne Place, whereas the indicative map provided later on p.18 appears to indicate that the actual placement of traffic counters was closer to 200m to the west of Lansdowne Place (**Figure 4**). The relevance of this is that the latter location of the traffic counters would not have been able to pick up any traffic movements from the section of Robinson Street north of Lansdowne Street or movement from Southern Transport Services, which would appear to support the claims made by submitters that traffic estimates significantly misrepresent actual traffic volumes in the area.



Figure 4: Traffic counter locations.

Should the location of the traffic counters have actually been placed where indicated on p.18 of the additional information submitted, then it is reasonable to determine that the traffic assessment provided does not accurately convey the actual volumes of heavy vehicle traffic in the locality. The traffic movements on the northern portion of Robinson Street and all businesses on Lansdowne Street are considered relevant to the noise and amenity impacts of the proposed R5 Large Lot Residential zoning on Lansdowne Street.

Noise Assessment

Upon further review of the noise assessment provided, it is now considered that it cannot be relied upon to justify the proposed R5 Large Lot Residential rezoning of land fronting Lansdowne Street. In support of this statement, the following points are provided:

- The assumption that most businesses in the area commence daily at 7am is incorrect. It has been identified that many businesses in fact have approval to operate continuously in the area north of Lansdowne Street, including Boral whose operation was identified as the main contributor to noise.
- The current operational hours of nearby businesses alone cannot be relied upon to determine the impact of noise in the area or the potential for future land use conflict. To determine this, the noise report must have considered potential noise impact if businesses decide to operate at full capacity within the operating hours specified in their development consents. It is reasonable to expect that businesses can and will operate to the fullest possible extent allowable under their development consent conditions should commercial circumstances require them to.
- It is not clear in the noise assessment at what time noise assessments were undertaken or the exact locations of where the measurements were undertaken.
- The noise assessment finds that consistent external noise attenuation is likely unattainable for residential lots closest to the sources of noise.

It should be noted that the final point listed above is unlikely to change with any further noise report should one be provided, unless the initial noise assessment significantly overestimated noise levels. This finding can also be used to further justify the recommendation to not rezone the part of Lot 10 fronting Lansdowne Street to R5 Large Lot Residential.

Finally it is noted that the level of noise is only one of several considerations as to the suitability of the subject site for residential development in relation to land use conflict and amenity. The type, duration and timing of noise is arguably equal to, or of greater importance in regard to overall amenity and impact.

Car Parking and Traffic Issues Lansdowne Street

A number of issues relating to the existing industrial traffic congestion, intersection design and street parking in Lansdowne Street have been raised. Furthermore, there may be existing issues with non-compliance with development consents if heavy vehicles (eg. delivery trucks, concrete agitators, etc.) are using street parking rather than on-site parking for business operation.

These issues can be further investigated and referred to the Traffic Committee.

Alternate Recommendation

Council may alternatively resolve to proceed in rezoning the entire length of Lot 10 fronting Robinson Street to R5 Large Lot Residential for the purposes of maintaining a high level of development potential on the corner of Lansdowne Street and Robinson Street (**Figure 5**). This alternate recommendation is given on the basis that it is acknowledged that the consequence of keeping the corner of Lansdowne Street and Robinson Street as B6 Enterprise Corridor may be that the development potential of the resultant corner lot could be substantially lower. This is due to the increased difficulty that may arise from trying to gain a safe vehicle access, given that vehicle access for any resultant semi-industrial or commercial development would likely require two-way vehicle movement on a comparatively small lot that is immediately adjacent to or opposite from three (3) intersections. If this corner lot was instead rezoned to R5 Large Lot Residential, only a single vehicle width driveway would be required back onto Theatre Drive, thereby preserving a high level of development potential.

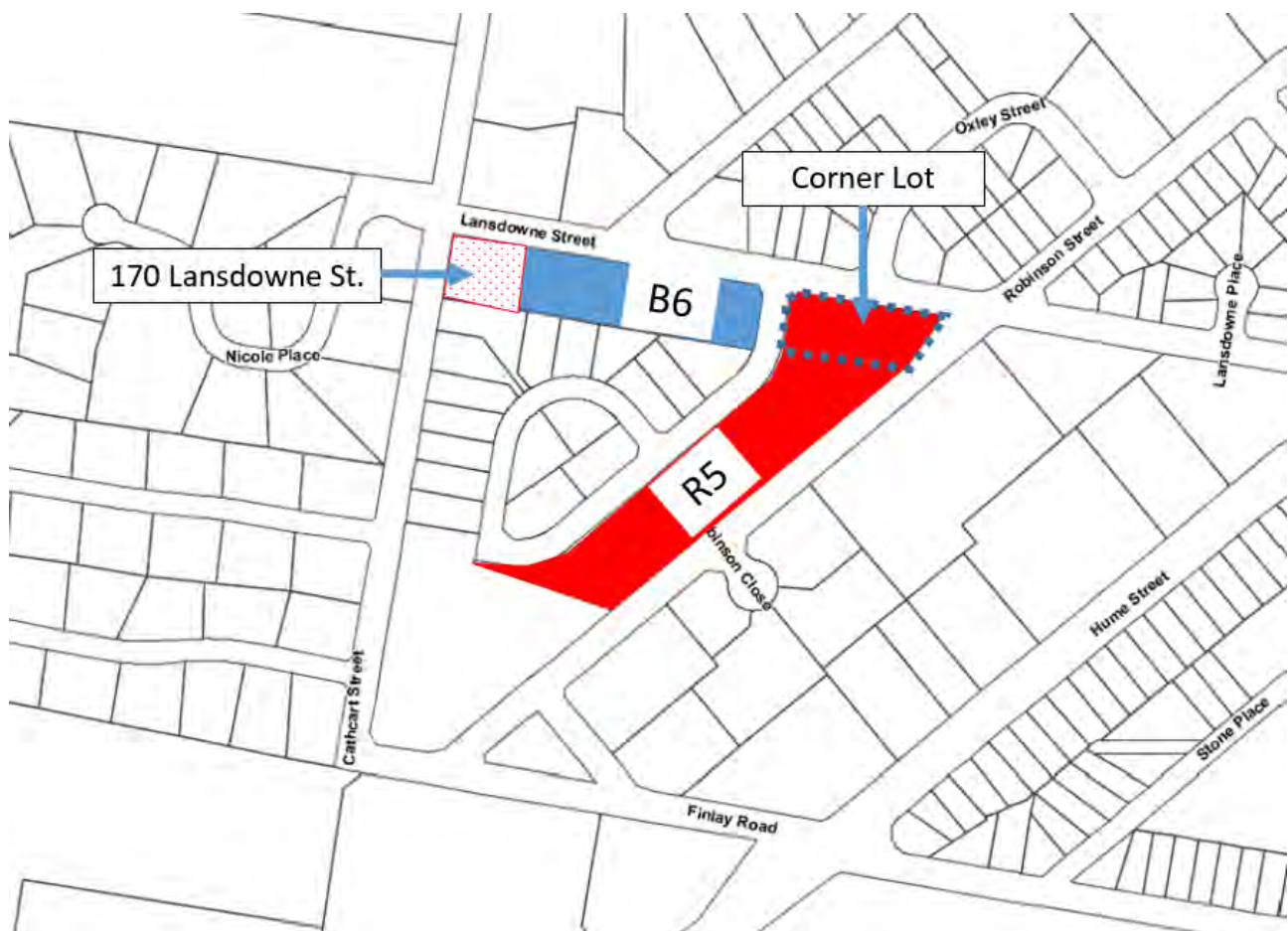


Figure 5: Alternate recommendation.

This alternate recommendation has been put forward for Council’s consideration, however it is not the principle recommendation of this report as it would facilitate further residential interface with semi-industrial businesses on the other side of Lansdowne Street. The additional residential interface is considered to be a less suitable outcome than the creation of a remnant B6 Enterprise Corridor corner lot.

If Council wishes to pursue this alternate solution in place of that being recommended by the report, the following resolution need to be made, noting that that this alternate recommendation only requires the amendment of items 2 and 3 of the original recommendation:

- That:
1. The post public exhibition report by the Strategic Planner regarding the zoning and site specific development controls relating to land on Lansdowne Street, Goulburn be received.
 2. Council only proceed in rezoning the part of Lot 10 DP 1247119 fronting Robinson Street, Goulburn, as indicated in the alternate recommendation of this report, to R5 Large Lot Residential with a minimum lot size of 1,000m² and no floor space ratio under the *Goulburn Mulwaree Local Environmental Plan 2009*.
 3. Council not proceed with making any further amendment to the *Goulburn Mulwaree Local Environmental Plan 2009* in this precinct as it relates to the remainder of Lot 10 DP 1247119, Goulburn.
 4. The General Manager use Council’s delegated plan-making authority to implement the proposed amendment to the *Goulburn Mulwaree Local Environmental Plan 2009* above as soon as practicable.

5. The Draft Site Specific Amendment to the *Goulburn Mulwaree Development Control Plan 2009* attached to this report be adopted, with the following changes being incorporated to address submissions received and the recommendation to only partially endorse the planning proposal:
 - a. Removal of the requirement to relocate the Lansdowne Street and Theatre Drive intersection.
 - b. Introduction of controls to limit operational hours to between 7am and 6pm for the remaining B6 Enterprise Corridor zone on Lot 10 DP 1247119 and restrict noise generation.
 - c. Insertion of a new control to require a footpath to be constructed along Robinson Street.
 - d. Prohibition of any residential driveway access onto Lansdowne Street.
 - e. Correction of any inconsequential spelling or grammatical errors.
6. Council consider the rezoning of 170 Lansdowne Street back to B6 Enterprise Corridor as part of its next overarching or miscellaneous amendment to the *Goulburn Mulwaree Local Environmental Plan 2009*.
7. Council investigate existing industrial traffic congestion, intersection design and street parking issues raised in relation to Lansdowne Street (west of Hume Street) and refer this, matter to the Traffic Committee.

Conclusion









Based on the submissions and legitimate concerns raised with respect to the planning proposal for Lot 10 DP 1247119, it is recommended that Council proceed in rezoning only part of the Robinson Street frontage of this land to R5 Large Lot Residential, with a minimum lot size of 1,000m² and no floor space ratio. It is also recommended that the associated GM DCP amendment also be amended to reflect this recommendation and to ensure that a footpath is constructed along Robinson Street.

As noted in the report, the series of events leading up to this planning proposal has resulted in a situation that necessitates some compromise to find the best available balance between the likely interface issues between residential development and existing industrial uses. In conclusion the recommendation is considered to provide the most balanced option to mitigate land use conflict without significantly impeding the development of the land.

15.3 DA/0287/1920 - 176 SLOANE STREET, GOULBURN - APPLICATION FOR CHANGE OF USE TO BED AND BREAKFAST ACCOMMODATION WITH ALTERATIONS AND ADDITIONS TO THE EXISTING BUILDING

Author: Ryan Gill, Development Assessment Officer

Authoriser: Warwick Bennett, General Manager

- Attachments:**
1. **Structural Design Certificate (separately enclosed)** 
 2. **Development Plans (separately enclosed)** 
 3. **Statement of Environmental Effects (separately enclosed)** 
 4. **Heritage Impact Statement (separately enclosed)** 
 5. **Heritage Management Plan (separately enclosed)** 
 6. **Council's Heritage Advice (separately enclosed)** 
 7. **Submissions (separately enclosed)** 
 8. **Applicant Response to Submissions (separately enclosed)** 

DA Number:	DA/0287/1920
Address:	176 Sloane Street, Goulburn
Proposal Description:	Change of use to bed and breakfast with alterations and additions to the existing building
Type of Development:	Local
Zone:	B3 Commercial Core
Variations to Policy:	Nil
Submissions:	Eight (8) Submissions
Key Issues:	Overshadowing, privacy, impact on heritage, bulk and scale, visual impact of the addition upon adjoining properties

RECOMMENDATION

That:

1. The staff assessment report for development application DA/0287/1920 for the proposed change of use to bed and breakfast accommodation with alterations and additions to the existing building be received.
2. Consent be granted for DA/0287/1920 for a change of use to bed and breakfast accommodation with alterations and additions to the existing building located at 176 Sloane Street, Goulburn subject to the following conditions.

General Conditions

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

Reference/Dwg No	Title/Description	Prepared By	Date
6443- SEE	Statement of Environmental Effects	Randall Dutailis Architects	October 2019
6443-SOHI	Statement of Heritage Impact	Randall Dutailis Architects	October 2019
6443-HMP	Heritage Management Plan	Randall Dutailis Architects	October 2019
6443-DA-001 Rev C	Site & Staging Plan	Randall Dutailis Architects	19 November 2019

6443-DA-002 Rev C	Erosion and Sediment Control Plan	Randall Dutailis Architects	19 November 2019
6443-DA-003-Rev C	Shadow Study	Randall Dutailis Architects	19 November 2019
6443-DA-004-Rev A	Shadow Study	Randall Dutailis Architects	19 May 2020
6443-DA-101-Rev C	Existing & Demolition Plans - Stage 1	Randall Dutailis Architects	19 November 2019
6443-DA-102-Rev C	Proposed Plan - Stage 1	Randall Dutailis Architects	19 November 2019
6443-DA-103-Rev C	Demolition Plan – Stage 2	Randall Dutailis Architects	19 November 2019
6443-DA-104-Rev C	Proposed Plans – Stage 2	Randall Dutailis Architects	19 November 2019
6443-DA-201-Rev C	Existing, Demolition & Proposed Elevations	Randall Dutailis Architects	04 November 2019
6443-DA-202-Rev A	Side Elevations	Randall Dutailis Architects	01 May 2020
6443-DA-301-Rev C	Existing, Demolition & Proposed Elevations	Randall Dutailis Architects	23 September 2019
6443-DA-401-Rev A	Colours and Materials Board	Randall Dutailis Architects	19 May 2020
A355932-02	BASIX Certificate		7 May 2020

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

2. In accordance with clause 145 of the *Environmental Planning and Assessment Regulation 2000*, the plans and specifications submitted with a construction certificate must not be inconsistent with this consent.
3. Pursuant to clause 97A of the *Environmental Planning and Assessment Regulation 2000* the commitments of the BASIX Certificates shall be fulfilled.
4. In accordance with Division 8A of the *Environmental Planning and Assessment Regulation 2000* compliance with the following prescribed conditions are required:
 - Clause 98 Compliance with Building Code of Australia and insurance requirements under the *Home Building Act 1989*
 - Clause 98A Erection of signs
 - Clause 98B Notification of *Home Building Act 1989* requirements
 - Clause 98E Condition relating to shoring and adequacy of adjoining property.
5. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
6. The dwelling incorporating a bed and breakfast is approved under clause 5.10(10) of the Goulburn Mulwaree Local Environmental Plan.
7. This consent does not permit the erection or display of any signage other than signage that is specified by an environmental planning instrument as not requiring prior development consent.
8. The replacement of windows and doors on the Sloane Street elevation must be in the same style and material, and replicate features of the existing windows and doors.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

9. A Construction Certificate pursuant to Section 6.3 of the *Environmental Planning and Assessment Act 1979*, as amended from either Council or an accredited certifying authority certifying that the proposed works are in accordance with the Building Code of Australia is required prior to any works commencing.

10. A detailed photographic survey and written dilapidation report of adjoining properties No's. 174 and 178 Sloane Street, detailing the physical condition of those properties, both internally and externally, including, but not limited to, such items as walls, ceilings, roofs, structural members, finishes and other similar items, must be submitted to and approved by 'Council' prior to the issue of any Construction Certificate.

The survey and dilapidation report must be prepared by an appropriately qualified person agreed to by both the applicant and the owner(s) of the adjoining property. All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Notice of Determination.

In the event that access for undertaking the photographic survey and dilapidation report is denied by an adjoining owner, the applicant must demonstrate, in writing, to the satisfaction of 'Council' that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from 'Council' in such circumstances.

Note: This documentation is for record keeping purposes only and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

11. Consent for this development is conditional upon satisfactory arrangements with the Goulburn Mulwaree Council for the provision of adequate facilities for water supply, the removal or disposal of sewage and the disposal of stormwater. An Application under Section 305 of the *Water Management Act 2000* is required and a Section 306 Notice of Requirements received prior to issue of a Construction Certificate. Note: the Section 306 notice of requirements may require works to be undertaken, payments to be made or plans submitted prior to a Construction Certificate being issued.

12. In accordance with the provision of s4.17 and s7.12 of the Environmental Planning and Assessment Act 1979 contributions are required toward the provision of community facilities and infrastructure in accordance with the Section 94A Levy Development Contributions Plan 2009. The contributions are to be paid prior to the release of the Subdivision Certificate.

The current contributions (2019/2020) under the Section 94A Levy Development Contributions Plan 2009 are based on the cost of construction of the development as follows:

Cost of construction	Rate of levy
\$0 - \$100,000	0%
\$100,001 - \$200,000	0.5%
In excess of \$200,000	1%

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

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

13. Pursuant to Clause 94 of the Environmental Planning and Assessment Regulation 2000, the building shall have the following fire safety provisions incorporated into it. Details which show compliance with the following matters are to be submitted with the application for a Construction Certificate and approved by the Principal Certifying Authority. Or an alternative solution prepared by a C10 Building Professionals Board Accredited Certifier which achieves compliance with Building Code of Australia can be submitted to the Principal Certifying Authority for consideration, with respect to complying with this condition.

- As the proposed rear elevated deck is considered to significantly increase the risk of spread of fire to adjoining properties it is to be a minimum of 900mm from the allotment boundaries.

- Portable fire extinguisher/s containing an extinguishing agent suitable for the risk being protected and fire blankets must be installed in the building in accordance with Australian Standard 2444 - Portable Fire Extinguishers.
 - The walls of the additions to the building, that are within 900mm of the allotment boundaries must have a FRL of 60/60/60 minutes in accordance with Part 3.7.1 of Volume 2 of the *Building Code of Australia* and are to be of masonry construction.
 - Combustible roof lights/skylights are to be a minimum of 900mm from the allotment side boundary in accordance with Part 3.7.1 of Volume 2 of the *Building Code of Australia*.
 - Smoke alarms are to be installed in all bedrooms, hallways and on each storey in accordance with Part 3.7.2 of Volume 2 of the *Building Code of Australia* for a Class 1b Building.
 - Evacuation lighting is to be installed in accordance with Part 3.7.2 of Volume 2 of the *Building Code of Australia* for a Class 1b Building.
 - The existing stairway and balustrade is to comply with Part 3.9 of Volume 2 of the *Building Code of Australia*
14. Fit-out of the food preparation and storage areas are to be in accordance with the Food Standard 3.2.3 and AS4674-2004: Design, construction and fit-out of food premises. Plans detailing the fit-out and demonstrating compliance with the standards are to be approved by Council prior to the issue of a Construction Certificate. The details shall include floor coverings, provision of coving in food preparation and food display areas, mechanical ventilation system provisions, sink locations (including cleaning, food preparation, hand wash basins), plan sections through food display units and counters, cool rooms and refrigerated display units.
15. A photographic record that details the pre-developed condition of the footpath and road reserve must be submitted to Council prior to the issue of a Construction Certificate. If Council is not the Certifier, the Principal Certifying Authority must forward the photographic record to Council.
16. Prior to the issue of a Construction Certificate a Waste Management Plan must be prepared and submitted to the Certifier. The Waste Management Plan is to detail the quantities of each waste type including items of proposed reuse and recycling and the location of disposal to a licenced waste facility.

PRIOR TO COMMENCEMENT OF BUILDING WORK

17. Nominate a Principal Certifying Authority (PCA) and the PCA is to notify the consent authority and Council of their appointment, two (2) days prior to commencing work.
18. Sediment and erosion control measures shall be implemented within the site prior to the commencement of construction activities and are to be maintained, monitored and adapted throughout construction to prevent sediment moving off-site.

DURING CONSTRUCTION AND DEMOLITION

19. In accordance with Section 6.5 of the *Environmental Planning and Assessment Act 1979* and Clause 162A of the Regulations the following Mandatory, Critical Stage Inspections need to be carried out by the Principal Certifying Authority (PCA.)
- Forty-eight (48) hours notice is required prior to these inspections.
- a) After excavation for, and prior to the placement of any footings; and
 - b) Prior to pouring any in-situ reinforced concrete building element; and
 - c) Prior to covering of the framework for any floor, wall, roof or other building element (truss and bracing details required prior to inspection); and
 - d) Prior to covering waterproofing in any wet areas; and
 - e) Prior to covering any stormwater drainage connections; and

- f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.
20. Before any hoardings are erected or work is undertaken in the road reserve, an application to Council as the roads authority under Section 138 under the *Roads Act 1993* is required to be submitted to Council and an approval issued. A pedestrian management plan is to be submitted to and approved by Council as part of the S138 application.
 21. The proposal is to be set out by a Registered Surveyor and a Survey Report is to be submitted to the Principal Certifying Authority to ensure compliance with the Development Application. No part of the building including eaves or guttering are to encroach over the boundaries or easements. If the Principal Certifying Authority has concerns with the set out of the building a Survey Report may be requested prior to pouring of the slab or once the outer wall location is determined.
 22. All construction and demolition work shall be carried out in accordance with the 'Noise Guide for Local Government' published by the NSW EPA as amended from time to time. That all construction and demolition work shall be carried out only between the hours of 7.00am and 6.00pm Mondays to Fridays inclusive and on Saturdays between 7.00am and 1.00pm if inaudible on residential premises, otherwise 8.00am to 1.00pm. No construction work shall take place on Sundays or Public Holidays.
 23. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them being dangerous to life or property in accordance with SafeWork NSW requirements. It will necessary to ensure that the excavation is not within the zone of influence on the footings of buildings on the adjoining properties.
 24. Demolition work must also be carried out in accordance with SafeWork NSW requirements and AS2601.
 25. Any person demolishing the building must upon identifying or suspecting that asbestos is present in the building, immediately notify the SafeWork NSW the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.
 26. Any asbestos removal to be carried out in accordance with the current SafeWork NSW requirements and in accordance with the NSW Government guidelines.
 27. Documentation verifying the lawful disposal of all waste and asbestos is to be kept by the applicant and provided to Council on request.
 28. In accordance with the *Plumbing and Drainage Act 2011*, a plumbing and drainage *Notice of Work (NoW)* must be completed and returned to Council for its records, no later than 2 business days before the work concerned is carried out. The *Notice of Work* is to identify what plumbing and drainage work is carried out by a particular plumber/drainer. On completion of the plumbing and drainage work and prior to Council's Final Inspection of the plumbing and drainage work, the plumber/drainer is to submit to Council a *Certificate of Compliance (CoC)* and a *Sewer Service Diagram*.
 29. All sanitary drainage, plumbing and backflow prevention is to be carried out in accordance with AS 3500 and the *Plumbing and Drainage Act 2011* and the following stages of construction are to be inspected by Council as the Water and Sewer Authority.
Forty Eight (48) hours notice is required prior to these inspections.
 - Plumbing and Drainage before backfilling.
 - Pressure testing of waterpipes within the building prior to fixing of linings.
 - Final inspection of water plumbing and sewer drainage.Inspection fees for plumbing and sanitary are to be paid to Council prior to commencing plumbing and drainage work.
 30. Where requested a works as executed drawing of all sewer plumbing, sewer drainage and stormwater drainage work shall be submitted to the Council at final inspection stage.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

31. The applicant must obtain an Occupation Certificate, pursuant to Section 6.3 of the *Environmental Planning and Assessment Act 1979*, from either Council or an accredited certifying authority, prior to occupation of the building/commencement of the use.
32. A satisfactory inspection from an authorised Council Environmental Health Officer is required prior to the issue of any Occupation Certificate to ensure compliance with the Food Act 2003. The owner is to contact Council's Environment and Health Business Unit to organise an inspection and pay any applicable fee.
33. Prior to the issue of an Occupation Certificate, a works as executed drawing of all stormwater drainage work shall be submitted to Council as the Water and Sewer Authority at final inspection stage.
34. A final inspection of water plumbing and sewer drainage must be conducted by Council as the Water and Sewer Authority. Only after advice that the final water and sewer inspection has been completed in a satisfactory manner may an Occupation Certificate be issued.
35. A 307 Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* for water management works shall be obtained prior to the issuing of any Occupation Certificate.
36. A Certificate of Compliance (CoC) and a Sewer Service Diagram prepared by the plumber(s) who submitted the Notice of Work must be issued to Council prior to issue of the Occupation Certificate.
37. Prior to the issue of an Occupation Certificate for stage two (2), a privacy screen must be installed on both sides of the terrace with upward facing louvers. The privacy screen must be designed to block approximately 80% of the view to the adjoining properties.
38. Prior to the issue of an Occupation Certificate, any damage to the kerb and gutter and concrete footpath that occurred during the construction is to be restored to the pre-development condition. The full cost of the restoration borne by the applicant or developer and at no cost to Council.
39. Prior to the issue of an Occupation Certificate, the street number of the property is to be placed on the front façade of the property in a location that is easily viewable from the street.
40. Prior to the issue of an Occupation Certificate, the person(s) acting on this Notice of Determination must provide to the Certifier copies of all waste disposal receipts and documentation demonstrating that all demolition and construction waste has been lawfully disposed to a licenced facility.
41. Prior to the issue of an Occupation Certificate it will be necessary to submit to the Certifier, a Fire Safety Certificate in respect of the fire safety measures installed within the building.

A Fire Safety Certificate is to state, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated that the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so, and that, as at the date of the assessment, the measure was found to be capable of performing to a standard not less than that required by the schedule to the relevant approval.

ONGOING MANAGEMENT

42. The approved use of a Bed and Breakfast must not commence until the proposed development has been completed in accordance with this consent and an Occupation Certificate. Any other Council approvals which may be required and an Occupation Certificate for Stage 1 has been obtained.
43. The Bed and Breakfast shall be operated as per the following:
 - Maximum guest accommodation per room shall not be more than two adults and one

child under 2 years of age per bedroom at any one time.

- The building must be maintained in a clean and tidy manner at all times,
- Maximum occupation of the dwelling is not to exceed nine (9) persons.
- The bed and breakfast must only be operated by the permanent resident(s) of the dwelling.
- All guest and visitor access to the property must be via the front entryway.
- All waste bins must be stored at the rear of the dwelling.
- Cooking facilities for the preparation of meals are not provided within guest rooms.
- Meals are provided for guests only.
- Dormitory style accommodation is not to be provided.

44. At all times following the issue of an Occupation Certificate, the building must be maintained in accordance with the approved Heritage Management Plan dated October 2019.

45. At all times whilst the Bed and Breakfast is being used, the guests must be provided with guest welcome information pack that includes as a minimum:

- House rules and expectations,
- Emergency Contact Details (Hospital, Doctors, Pharmacy, etc.),
- List of local services, and
- List of local attractions.

46. At all times the rear parking space must not be used by guests or visitors to the property.

47. To protect the amenity of the area, the proposed bed and breakfast shall be managed so that disturbance from guest and visitors does not exceed that of a residential dwelling in ways of nuisance, noise or emission of any other kind. Noise must be controlled to normally accepted hours. The use of the balcony by guests shall be restricted to 7am to 10pm.

48. The owner of the building must:

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

The owner of the building shall:

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

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

BACKGROUND

A development application DA/0287/1920 for a change of use to enable the operation of a bed and breakfast, and alterations and additions to the existing building was lodged with Council on 7 April 2020. The site has an existing approval for a similar development that was approved by delegation on 12 December 2019 (DA/0010/1920) however this is subject to Class 4 Proceedings in the Land and Environmental Court. The basis for the Class 4 Proceedings relates to the description of the

original development application provided during the notification period and on the approval documentation.

Development application DA/0287/1920 is generally considered the same development as per the application under DA/0010/1920. The application was notified to surrounding and adjoining landowners and a notification was placed on Council's Website. Eight (8) submissions were received by Council, which raised concerns in relation to overshadowing impacts, privacy, impact on the heritage value, bulk and scale and the visual impact of the addition upon adjoining properties.

REPORT

Proposed Development

DA/0287/1920 was lodged with Council on 7 April 2020 for a change of use to a bed and breakfast with a second storey addition to the rear of the property. The proposed development will be conducted in two (2) stages.

Stage 1 Demolition of the existing rear wall store room, construct a new wall on the ground level to create a patio area, new dining and kitchen spaces, new ground floor bathroom, new floor structure to ground floor area to rectify changes in level, new roof sheeting to the roof over the ground floor, new extension for a storage room on the upper level, replacement of the Sloane Street windows in timber, and replacement of timber fencing with colorbond fencing.

Stage 2 Comprises a second storey extension, being the conversion of bedroom three (3) to a bathroom, extension of the second storey area to allow a new bedroom three (3), store room and roof top terrace area.

The site is part of a row of heritage listed terraces that are located between 160 Sloane Street (Mandelson's Hotel) and 188 Sloane Street (Southern Railway Hotel). The row of terraces are part of a single heritage item, in which the heritage significance is considered to be their contribution to the streetscape of Sloane Street. The terraces were gazetted as a heritage item under the Goulburn Mulwaree Local Environmental Plan 2009 (LEP).

Council records indicate that the most recent approved use on the site was for a bookshop, approved in 2001 under DA/0187/2001. The bookshop ceased operating several years ago.

On 8 August 2019 DA/0010/1920 was lodged seeking consent for a bed and breakfast within an existing heritage listed building. Council granted consent on 12 December 2019 by delegated authority. A Class 4 judicial review was subsequently lodged with the Land and Environment Court in regards to the description of the development, with proceedings still active.

On 7 April 2020 DA/0287/1920 was lodged seeking consent for a bed and breakfast, and alterations and additions to the existing building.

Site Context

The subject site is located in the Goulburn CBD on Sloane Street. Sloane Street has a range of uses including residential, retail and hospitality. Adjoining the subject site to the north and south are residential properties. To the west is a tyre repair business and the Goulburn Marketplace shopping centre. To the east is an agricultural supply store and Goulburn Railway Station. Additionally, two major accommodation and hospitality business are located in the locality; Mandelson's of Goulburn being 20-25m to the south-east and the Southern Railway Hotel being 20-25m to the north-east.

The subject site is within the B3 Commercial Core, with the B4 Mixed Use zone being to the east and south of the site and includes the agricultural supply store and railway station.



Figure 1: Location of the proposed development.

Consultation and Submissions made in accordance with Act or Regulations

Public Submissions

The proposed development was notified to eleven (11) adjoining and nearby residents. It was also advertised on Council’s website. Public exhibition of the proposal resulted in eight (8) submissions being received (refer Attachment). The Applicant’s response to the issues raised is also included as an attachment.

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

Issue	Concerns and Response
<p>Overlooking into adjoining properties</p>	<p><u>Concern</u> Concerns were raised in regards to potential for overlooking from the balcony onto adjoining properties and the issue of windows along the side walls. Concerns were raised in regards to the use of privacy screening that would still allow viewing from the balcony due to the open lattice design of the screens. Concerns were raised that the privacy screening is only focused on protecting the visitors from adjoining properties.</p> <p><u>Response</u> The open style of louver arrangement is used to permit air-flow when compared the use of a solid wall. The aim of the open louver configuration is intended to reduce the impact rather than creating confined or prison-like conditions between neighbours. The louvered screen will restrict the potential for visitors to look directly into adjoining properties. If the balcony was not proposed, windows at the rear of the dwelling would allow for some overlooking into neighbouring properties which could be considered typical of the built urban form. In conclusion, it is considered that matters of overlooking have been addressed in terms of planning grounds and are considered acceptable.</p>
<p>Overshadowing</p>	<p><u>Concern</u> Concerns were raised on the grounds of the impact of overshadowing on adjoining properties.</p> <p><u>Response</u> The applicant has provided shadow diagrams to predict the likely impact of overshadowing. These include an elevation view of the anticipated shadow. The diagram demonstrates that the shadow does not fully cover the window during the day. The Goulburn Mulwaree Development Control Plan 2009 (GM DCP) requires adjoining residential buildings and “the major part of the landscaped open space” have at least 4 hours of sunlight between 9am and 3pm on 21 June (winter solstice). Upon consideration of the shadow diagram, the majority of the shadow falls upon the roof of the rear section of the adjoining property. The open space on the adjoining property has full solar access throughout the remainder of the morning and the afternoon. The window of the adjoining property is only partially shadowed throughout the afternoon as demonstrated on the shadow diagram, therefore allowing the retention of solar access to the affected room. In conclusion, it is considered that any overshadowing impacts have been satisfactorily addressed by the applicant.</p>
<p>Impact on Heritage</p>	<p><u>Concern</u> Concerns were raised in regards to the heritage item, specifically the impact of the addition on the heritage value.</p> <p><u>Response</u> The heritage value of the row of terrace buildings is to essentially maintain the heritage streetscape character of Sloane Street between Mandelson’s and the Southern Railway Hotel. Anything beyond the façade of the buildings, excluding the roofline as viewed from Sloane Street, are not considered contributory to the underlying heritage relevance. The views of the rear of the building will be from private land, including the Goulburn Marketplace to which future development on the land will further restrict the views of the buildings from the car park. Likewise, the view from Beaurepaires is also from private land.</p>

	<p>Furthermore, this viewpoint is supported by information from the NSW Department of Planning Industry and Environment that identifies the significance of the terrace building as follows:</p> <p><i>“No 166-184 - Row of two storey mix of Victorian and Georgian attached dwellings contribute to streetscape in the area. Some are used for businesses and shops.”</i></p> <p>In conclusion it is considered that matter of heritage significance have been considered and consequently found to be satisfactory and therefore acceptable.</p>
Impact on Building structure	<p><u>Concerns</u></p> <p>Concerns were raised in regards to the impact on the structural integrity of the existing structures as a result of the proposed works.</p> <p><u>Response</u></p> <p>The applicant is supported by a Structural Certification from JN Consulting Engineers certifying that the existing structure is sufficient to support the new works and further that the new works will not compromise the performance of the existing building. Building Code requirements are addressed at the Construction Certificate stage and will be addressed as part of the conditions of the consent. A further condition of consent relating to the undertaking of condition reports on the subject and adjoining buildings is recommended.</p>
Impact on views	<p><u>Concerns</u></p> <p>Concerns were raised in regards to the impact on views to the site from the Marketplace car park and from the adjoining properties.</p> <p><u>Response</u></p> <p>The addition to the rear will be seen from the Goulburn Marketplace car park. The Marketplace is private land. It is noted that an approval is in place for alterations and additions to the Goulburn Marketplace which will ultimately reduce the ability to view the rear of the subject site from the Marketplace car park.</p> <p>The addition will be visible to the adjoining properties. The views from the rear of the terraces are mainly to the Marketplace car park and to Beaurepaires. St Peter and Paul’s Cathedral is also partially visible. The proposed development’s impact on views are limited and are considered acceptable.</p>
Bulk and Scale	<p><u>Concerns</u></p> <p>Concerns were raised in regards to the bulk and scale of the addition proposed to the rear of the building.</p> <p><u>Response</u></p> <p>The addition of bulk and scale is certainly a subjective comment in terms of perspective. The addition is not visible to Sloane Street and the original building is higher and a larger “bulk” compared to the proposed addition. Likewise, It is unreasonable for Council to request a reduction of the bulk given that the views from the Marketplace car park look onto the addition that is of lesser bulk and scale to the original building behind. Notwithstanding this, the Southern Railway Hotel is located 20-25m to the northeast and Mandelson’s 20-25m to the south west and both buildings are heritage items and bulkier.</p>
Same development as previous development application	<p><u>Concerns</u></p> <p>Concerns were raised in regards to the development application being generally the same development as previously approved by Council in December 2019.</p> <p><u>Response</u></p> <p>The application is the same development. The applicant is entitled to lodge a new development application for the same development.</p>
Description of the development	<p><u>Concerns</u></p> <p>Concerns were raised in regards to the description of the development being misleading.</p>

	<p><u>Response</u></p> <p>Whilst it is alleged that the description of the first application could have been misunderstood, the current description clearly details the extent of the intended development.</p> <p>The description of the development is generally used as a brief characterisation of the development, and is to be read in conjunction with the accompanying documentation, including the Statement of Environmental Effects and plans.</p> <p>In conclusion, the description is considered to be satisfactory and reflective of the proposed development.</p>
<p>Lack of plans and detail on Council's Website</p>	<p><u>Concern</u></p> <p>Concerns were raised in regards to the limited number of plans exhibited on Council's website resulting in "Council misleading the public".</p> <p><u>Response</u></p> <p>The limited quantity of plans are to satisfy the requirements of privacy and copyright laws. Members of the public are allowed to make an appointment and view the application in its entirety at Council. This is reflected in Council's standard notification letter.</p> <p>In conclusion, it is considered that the information placed on exhibition is consistent with that of current notification practices and legislative requirements.</p>
<p>Windows facing Sloane Street</p>	<p><u>Concern</u></p> <p>Concerns were raised in regards to the existing timber framed windows facing Sloane Street being replaced with aluminium framed windows.</p> <p><u>Response</u></p> <p>The applicant has a right to propose what they think is appropriate, however, their presence on a proposed plan of works does not necessarily mean that they will be approved by Council. The draft Notice of Determination includes a condition requiring the windows to be timber framed.</p> <p>In conclusion, this matter is considered to have been appropriately addressed.</p>

External Referrals

An external referral was made to Council's Heritage Advisor given that the building is part of a larger heritage item. The development as proposed is supported by the Heritage Advisor.

Assessment against Legislation and Policies

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

The site is located within the Sydney Drinking Water Catchment. The proposal has been assessed as having a neutral or beneficial impact on water quality.

▪ **Goulburn Mulwaree Local Environmental Plan 2009**

1.2 Aims of the Plan

The proposed development aligns with the aim of the LEP, particularly the following:

- a) *to promote and co-ordinate the orderly and economic use and development of land in the area,*
- b) *to protect and conserve the environmental and cultural heritage of Goulburn Mulwaree,*
- c) *to enhance and provide a range of housing opportunities in, and the residential and service functions of, the main towns and villages in Goulburn Mulwaree,*

- d) *to allow development only if it occurs in a manner that minimises risks due to environmental hazards, and minimises risks to important elements of the physical environment, including water quality.*

The change of use to bed and breakfast accommodation and the proposed alterations and additions has been assessed as being consistent with the aims of the LEP. Of particular note are:

- The development facilitates an economic use and development of land.
- The cultural heritage is protected with the development allowing reuse of the site and facilitates proper management of the building to reduce building decay.
- The addition to the rear compliments the heritage value of the property in that the contributions to the streetscape of Sloane Street are not altered and permits the original features to be the dominant feature of the building.

Land Use Table – B3 Commercial Core

The Objectives of the zone are as follows:

- *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.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To reinforce the status of Goulburn as a regional centre.*
- *To ensure the scale and density of development complements the desired future character of the commercial core.*
- *To protect the historic importance of Goulburn and protect heritage integrity of its historic built form.*

The proposed development is defined as *bed and breakfast accommodation* which is permitted with consent in the B3 Commercial Core zone. The *bed and breakfast* land use definition is to be associated with a dwelling, however *residential accommodation* is prohibited in the zone. Notwithstanding the above, the application has nominated an approval pathway under clause 5.10(10) of the LEP.

Clause 4.3 – Height of Buildings

The site has a height restriction under the LEP of 15m. The height of the original building is approximately 11 metres to the top of the chimney. The proposed additions are below the height of the existing roof line, with the addition having an approximate height of 6.15m. This will result in the development being below the restricted height of 15m.

Clause 4.4 Floor Space Ratio

A floor space ratio requirement of 2:1 applies to the site. The site has a total area of 126.5m². The floor space ratio of 2:1 implies that a proposed development can have a floor area of 253m². The floor space ratio of the proposed development has been calculated as being 1.3:1, therefore meeting the requirements of this clause.

Clause 5.4 Controls relating to miscellaneous permissible uses

Clause 5.4(1) details additional controls in regards to the use of a bed and breakfast. The clause states:

If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 7 bedrooms.

Note. Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the Building Code of Australia.

The proposed development intends to provide three (3) bedrooms for the use of the bed and breakfast, therefore, the development will meet the requirements of Clause 5.4.

Clause 5.10 Heritage Conservation

The subject site is listed as a heritage item and the application was referred to Council's Heritage Planner and Council's Heritage Adviser.

Information relating to the heritage significance indicates that the item as a whole, being numbers 166-184 Sloane Street, is considered to be a significant row of four (4) terraces, each two (2) storey in construction and comprising a mix of Victorian and Georgian attached dwellings.

For interest, the heritage value of 160 Sloane Street and 188 Sloane Street from NSW Department of Planning, Industry and Environment is as follows:

- *"160 Sloane Street: Mandelson's is an early Goulburn public house, dating from 1845. Consequently it has an important association with the city's early life and its social history over a long period. Additionally the building has rarity value, for it is one of the few surviving hotels of this age still functioning in its original role. Although it has been altered, the building exhibits many of the characteristics of a hotel built in the Victorian Regency style. A prominent building located on a corner site, the hotel is an integral part of the group of significant buildings on this part of Sloane Street."*
- *"188 Sloane Street: Coolavin Hotel, the former Southern Railway Hotel erected c.1850, is a highly significant component of the architectural heritage of Goulburn. The stuccoed façade which was added c.1880 has a prominent central pediment. The verandah, one of the few remaining on commercial buildings, is highly adorned with cast iron lace and makes a strong statement of affluence typical of the period. The site also has potential archaeological value with the original stone stables remaining extant at the rear of the hotel. The hotel is significant for its association with early hospitality and service to travellers. Royal Express coaches operated from the hotel on the southern line."*

The significance of the 176 Sloane Street is to the streetscape of Sloane Street and its visual streetscape character linkage to the two hotels. It is, therefore, considered that the significance is to the frontage of the building and the importance is on maintains the fabric to Sloane Street streetscape. The Burra Charter does point out that new works such as extensions to the place may be acceptable where it does not distort or obscure the cultural significance of a place.

The plans are in accordance with recommendations of the Charter and the current design has the support of Council's Heritage Adviser.

The applicant has requested approval under Clause 5.10(10) to permit the dwelling use as it is unclear if existing use rights are available due to the building not being used continuously as a dwelling when the LEP prohibited residential accommodation in the B3 Commercial Core.

Under Clause 5.10(10), Council may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected as long as Council is satisfied that it meets the five (5) subclauses of 5.10(10). These are addressed below:

(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent

The proposal will revitalise the existing building and improve the usability of the spaces within it. It will allow the building to be upgraded and conserved to reduce the likelihood of the building falling into disrepair. If the building was not to be maintained and deterioration occurred, this may cause issues to adjoining dwellings within the terrace building.

Materials and finishes that are proposed to be used both externally and internally will be sympathetic to the character of the existing building and that of the neighbouring buildings. The upper level additions will not be readily visible from any public vista, noting that a proposed redevelopment of the Goulburn Marketplace has been approved and in which case will likely make the proposed additions even less visible.

(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority

All elements of the proposed development will be carried out in accordance with the Heritage Management Plan that is attached to this report. The main objectives of the Heritage Management Plan are to detail the current condition of the building items, the repairs required, any proposed works and any long term maintenance requirements. Items that need to be replaced are recommended to be similar to that of the existing item. In this instance, the front windows that face Sloane Street will be required to be timber framed as opposed to aluminium.

This is a key element in the Burra Charter, particularly in relation to meeting Article 16, in that maintaining the place will protect the importance of the building.

(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out

A condition on the consent will require that all necessary conservation work that is listed in the Heritage Management Plan be carried out.

(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance

The materials and finishes proposed to be used both externally and internally will be sympathetic to the character of the existing building and the neighbouring buildings. The addition to the second storey will be of a sympathetic nature and will not imitate the original building. The proposed additions will use brick and fibre cement cladding.

The heritage significance is to the streetscape, principally the linkage between the two (2) hotels. As previously stated the proposed windows will be required to be replaced with those of timber frames, and thus maintaining an original appearance.

(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area

The proposed upper level additions have been designed to be sympathetic to surrounding existing development and to prevent major overshadowing of neighbouring windows and private open space. The roof over the proposed upper level addition has been designed to prevent stormwater from the property impacting neighbouring properties.

The activation of the building will improve the conservation prospects of the property and assist in allowing the building to show its heritage merit.

In conclusion it is considered that the use of Clause 5.10(10) to permit the bed and breakfast use is considered acceptable.

▪ **Goulburn Mulwaree Development Control Plan 2009**

3.2 European Heritage Conservation

The proposal will remove a portion of the rear wall to allow for the new second storey addition. No demolition is proposed to the front façade. The historic value of the terrace houses to the streetscape of Sloane Street will not be altered.

The proposed additions will not be visible from Sloane Street, and proposed materials and finishes will be sympathetic to the character of the existing neighbouring development. However it is important to note that any new work must be readily identifiable as per the Burra Charter.

The application has provided a Heritage Management Plan that details the current condition of the building and proposed works. The works are considered to be non-intrusive in such a way that it allows for the preservation of the site.

3.3 General Heritage Item and Conservation Areas Controls

3.3.1.2 Alterations and Addition

The proposed addition to the back does not alter the front elevation of the building and the addition does not dominate the heritage item. The new work will use fibre cement cladding to differentiate the new work from the original brickwork of the building.

3.3.1.3 Adaption of Heritage Building or Sites

The reuse of the site allows it to be maintained and does not interfere with the fabric of the Sloane Street elevation. The Heritage Management Plan lists the works required to allow the building to meet the requirements of the Building Code of Australia.

3.3.1.4 Change of Use

The proposed change of use to a bed and breakfast is unlikely to create incompatibility with the heritage character of the item, but rather complement the existing cluster of hospitality-based land uses.

3.3.1.5 Demolition

There is minor demolition of the rear wall to allow the extension. These works are not within the front façade of the building. The proposed demolition is acceptable and will allow reuse of the site to occur.

3.3.1.11 Signage and Advertising

The existing signage is proposed to be maintained as a means of enhancing the heritage character of the streetscape.

3.3.1.12 Building Materials, Colours and Finishes

The proposed building materials for the new work will use fibre cement cladding to differentiate the new work from the original brickwork of the building. The use of colours that are appropriate to the surrounding development will ensure that the works are compatible with the building.

3.3.1.13 Building Form, Scale and Style

The addition does not visually dominate the original building, or the neighbouring buildings. It respects the massing of the buildings and does not increase or change the form of the buildings on the Sloane Street elevation.

3.3.1.14 Roof Form and Chimneys

The proposed additions are below the roof line and are therefore not visible from Sloane Street. The use of a skillion roof form at the rear allows solar access and minimises the scale of the new extension.

3.3.1.16 Windows and Doors

The door and windows on the front façade will be retained if in good condition. Windows and doors requiring replacement will be required to be of the same style and material, with the exception of permitting double glazing to promote better thermal efficiency and sound attenuation.

Internal works will be sympathetic to the heritage character of the existing building.

3.3.1.17 Facades

The proposed changes to the front façade are intended to be minimal, and are considered sympathetic to the heritage character of the existing building.

3.5 – Vehicular Access & Parking

One car parking space at the rear is provided to the property. The applicant has demonstrated that the land possesses legal access rights to the private lane located on 182 Sloane Street.

Most parking will be via on-street parking due to the ease of access and the availability of untimed parking. The right of way access will be restricted to residents only, with visitors parking being primarily to Sloane Street. Construction access will be limited to work hours only, with no parking being permitted within the right of way. The proximity of the site to the Goulburn Railway Station is considered to be advantageous to the proposal.

4.1.1 – Site Planning, Bulk, Scale and Density

The subject site is relatively small in size which limits the potential for further ground floor additions. The proposed 2nd storey addition are limited in scale and do not dominate the rear façade of the site and the terraces as a whole.

In conclusion, the proposed development will have very limited impact on the locality in terms of bulk and scale, with the increased density allowing the site to be reused as a bed and breakfast within a commercial core zone that has good access to public transport, established shopping areas and public open space.

4.1.3 – Solar access

The objective of the clause is to “achieve energy efficient urban housing, using passive solar design that provides residents with year round comfort and reduces energy consumption”.

The solar access to the extension is suitable with the use of the skylight to the upper rooms. There is a shadow cast over the adjoining dwelling by the new additions, however the majority of the

shadow falls upon the adjoining roof. Overshadowing was raised within the submissions received. The DCP requires solar access in residential buildings, which shall be designed to ensure that the proposed dwelling, adjoining residential buildings, and the major part of their landscaped open space have at least four hours of sunlight between 9.00am and 3.00pm on 21 June (winter solstice).

The private open space of the adjoining property is overshadowed from 8am to 11am. The private open space receives full solar access throughout the remainder of the morning and afternoon on the winter solstice (21 June).

The window of the adjoining property is only partially shadowed throughout the afternoon. The applicant has provided a shadow diagram to indicate that the shadow only covers a portion of the window while still allowing solar access to the room.

In conclusion, the overshadowing mostly covers the roof of the adjoining property with the private open space having solar access from the late morning and throughout the afternoon. Considering this minimal impact over the whole site it is, an acceptable level of solar access has been demonstrated.

4.1.4 Privacy

The side elevations do not contain any windows that overlook directly into private open space of adjoining properties. The rear balcony will be screened with louvers angled upwards to allow air flow to the terrace whilst reducing the direct line of sight into the adjoining properties.

In regards to acoustic privacy, The DCP only requires an assessment in relation to acoustic privacy for bedrooms, driveway entrances, air conditioning plant and swimming pools. The noise from the rear balcony would be considered to be that of a typical residential nature. It is important to note that the zone is commercial with noise coming from the Southern Railway Hotel and the Goulburn Marketplace being noticeable louder, notwithstanding any vehicular traffic from Sloane Street. Offensive noises from the neighbourhood are covered by the *Protection of the Environment Operations Act 1997*. The Act places restrictions on certain noise sources being audible in habitable rooms of adjoining residences between 8pm and 7am Sunday to Thursday and after midnight to 8am Friday and Saturday.

In conclusion it is expected that noise generated from the property will be that of a typical residential dwelling.

4.1.5 Private Open Space

Private open space is provided via the rooftop terrace and the ground level open space when the space is not utilised for car parking. The site is constrained and cannot provide 75m² of private open space in accordance with the DCP. The rooftop terrace will provide 20m² of useable private open space. This is considered acceptable given its CBD location and close proximity to a number of public open spaces.

4.1.8.1 Car parking and Driveways

On-site parking will be via the right of way at the rear of the property.

Parking for visitors to the bed and breakfast will be absorbed via existing on-street parking spaces along Sloane Street.

Likely Impact of Proposed Development

Context and Setting:

The subject site is located in a row of ten attached buildings which have been identified as a heritage listed item for dwelling purposes. The site is zoned B3 Commercial Core, however, the buildings appear to have been originally designed for residential use. The site is in close proximity to the Southern Railway Hotel, and to the Goulburn Railway Station and is considered suitable for use as short term accommodation. Windows do not overlook adjoining properties and minimal amount of overshadowing is considered acceptable with regard to the requirements of the DCP.

Access, Transport and Traffic:

The location of the bed and breakfast will allow people to walk to local attractions in the Goulburn area, which will reduce the dependency of the use of vehicles for everyday activities. Traffic generation is not considered to have an impact on the capacity of the local road network. Additionally, the site is located close to the Goulburn Railway Station which will allow some visitors to utilise train and bus services to visit Goulburn and be within walking distance of the bed and breakfast.

Visual Amenity:

Visual amenity of the bed and breakfast will be maintained with regard to the original features of the building, allowing the heritage value to be displayed and positively contribute to the Sloane Street streetscape. Colours of the building will be sympathetic to the surrounding development not detract from the Sloane Street streetscape. The addition to the rear does not hinder sightlines from any adjoining building to important vistas. Opportunities for overlooking from the site to adjoining private open spaces and living areas are also considered to be minimal. The visual amenity of the site is suitable, given its CBD location.

Noise & Acoustic Amenity:

In terms of noise and acoustic amenity, the proposed development is considered to be residential in nature, which is less than could ordinarily be expected within a B3 Commercial Core zone.

Safety, Security and Crime Prevention:

The continued occupation of the building will allow passive surveillance to Sloane Street. The rooftop terrace will provide passive surveillance opportunities to the rear right of way. Both opportunities reduce the likelihood for crime such as anti-social behaviour.

Social Impact on the Locality:

The proposed bed and breakfast is not envisaged to have a negative social impact on the locality. The development does not limit social cohesion of the Goulburn community and will not contribute to social displacement.

Economic Impact on the Locality:

The proposed bed and breakfast permits an economic activity to occur on land that is serviced to permit such a use. The reuse of the site for accommodation will add to the mixed visitor accommodation pool for the Goulburn area.

Site Design and Internal Design:

The extension to the rear is below the gutter line of the main building reducing the bulk and height of the rear and does not interfere with the roof profile. The heritage value of the building is to the streetscape and the Sloane Street elevation will not change. Internal rooms within the development

do not look into adjoining properties. Solar access to the adjoining properties is not significantly diminished. Due to the constraints of the site, private open space is limited, however suitable for the proposed development as the site has access to a network of footpaths and other areas of public open space.

Suitability of the Site for the Proposed Development

The proposed development will allow a reuse of the site that has been deteriorating for many years. The bed and breakfast will increase available accommodation for visitors to Goulburn. The addition will provide further space within a small and restricted site while still respecting the heritage importance of the greater heritage item.

Policy Considerations

- Goulburn Mulwaree LEP 2009 (as amended)
- Goulburn Mulwaree DCP 2009 (as amended)
- Goulburn Mulwaree Section 94A Levy Plan 2009

Conclusion and Recommendation

Following assessment of the application, consideration of the matters raised in the submissions and relevant policies of Council, it is recommended that conditional development consent be issued.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

The applicant is entitled to appeal the Council endorsed recommendation to the Land and Environmental Court within six months after the determination date of the Development Application.

15.4 DRAFT LOCAL STRATEGIC PLANNING STATEMENT

Author: Kate Wooll, Business Manager Strategic Planning

Authoriser: Warwick Bennett, General Manager

Attachments: 1. **Draft Local Strategic Planning Statement** [↓](#) 

Link to Community Strategic Plan	The Draft Local Strategic Planning Statement is intended to align with a wide variety of strategies included in the Community Strategic Plan – a Policy Map is included in the Draft Statement.
Cost to Council	Nil
Use of Reserve Funds	Nil

RECOMMENDATION

That:

1. The report on the Local Strategic Planning Statement by Council’s Business Manager Strategic Planning be received.
2. The Draft Local Strategic Planning Statement be placed on public exhibition for a minimum of 28 days.

BACKGROUND

The Environmental Planning and Assessment Act, 1979 was amended in 2018 to include a requirement that all councils must prepare and make a **local strategic planning statement** and review it at least every 7 years.

A local strategic planning statement must be published on the NSW Planning Portal by 1 July, 2020 (for regional areas).

The Local Strategic Planning Statement must set out planning priorities consistent with:

- South East Tablelands Regional Plan 2036
- The Tablelands Regional Community Strategic Plan 2016 – 2036
- Southern Tablelands Regional Economic Development Strategy 2018 – 2022
- GMC Delivery and Operational Plans

The Local Strategic Planning Statement is intended to form a link between State and Regional Plans and Local Plans as indicated in the diagram below:



The Local Strategic Planning Statement is also intended to fit into Council’s integrated planning and reporting as indicated in the diagram below:



In accordance with the legislation, a Draft Local Strategic Planning Statement (**Attachment 1**) has been prepared and is recommended for public exhibition.

REPORT

Preparation of the Local Strategic Planning Statement

Council has already embarked on a number of strategic planning projects in recent times, such as:

- Employment Lands Strategy, 2016
- Heritage Study Review, 2018
- Draft Recreational Needs Strategy 2019
- Draft Urban and Fringe Housing Strategy 2020
- Draft Social Sustainability Strategy and Action Plan 2020

These projects have all involved a significant level of community engagement/consultation and have been used to inform the Local Strategic Planning Statement. In addition to this the following work has been undertaken:

- A review of existing Plans & Strategies (State & Local)
- Internal consultation with the relevant stakeholders
- Attendance at a specific CRJO workshop with state agencies

This process has resulted in the identification of ten (10) Priority Areas for land use planning and associated general Council actions

Each priority includes a vision for 2040, land use planning actions and timeframes:

1. Infrastructure
2. City, Town and Village Centres
3. Community Facilities, Open Space and Recreation
4. Housing
5. Primary Industry
6. Industry and Economy
7. Sustainability
8. Natural Hazards
9. Heritage
10. Natural Environment

Timeframes for land use planning actions are prioritised as either **short** (1-3 years), **medium** (4-10 years) or **long-term** (11+years).

Monitoring and Implementation

In order to deliver the vision identified in the Local Strategic Planning Statement the following actions are proposed to ensure forward planning aligns with the principles and that ongoing monitoring, reporting and review is undertaken.

Actions:

- Consideration of the Local Strategic Planning Statement during the assessment of development applications and planning proposals.
- Consideration of the Local Strategic Planning Statement in the preparation of Council strategies and policies.
- Review the Local Strategic Planning Statement every 7 years as required by legislation.
- Reporting and monitoring of the progress of the Local Strategic Planning Statement in the Council's Annual Report.

Public Exhibition

Council's Community Participation Plan and specifies a minimum public exhibition period for a Local Strategic Planning Statement of 28 days with the exhibition to be advertised on the Council web site and in the Goulburn Post (if available).

Currently due to the COVID-19 pandemic, the Goulburn Post is not publishing a hard copy for distribution. Furthermore, Council's library is currently closed, however copies of the document and a display can be placed in the Foyer. Should social distancing restrictions be lifted, copies of the document will be placed in the Library.

Media releases and direct notification to various community groups are proposed in order to ensure community awareness concerning the exhibition of the draft Statement will be undertaken.

Fulfilling the exhibition requirements will mean that Council will just miss the 1 July 2020 deadline, however this has been openly communicated to the Department of Planning, Infrastructure and Environment for some time. The key reason for the delay can be attributed to Council's already ambitious strategic planning program, in which the likes of the Draft Urban and Fringe Housing Strategy and the newly adopted Social Sustainability and Action Plan have been the focus. Further, Council Officers have taken the view that the Local Strategic Planning Statement should be reflective of those existing plans and strategies, including those currently in draft format, so as to ensure that the community are being provided with the most up to date and relevant document possible therefore ensuring the document's longevity.

CONCLUSION

The preparation and publication of a Local Strategic Planning Statement is a legislative requirement under the *NSW Environmental Planning and Assessment Act, 1979*.

The intention of the document is to provide a link in the hierarchy of plans between State/ Regional Plans and Local Plans (Council strategies, the Local Environmental Plan and Development Control Plan). The Local Strategic Planning Statement can also be used to identify upcoming/future projects for the Strategic Planning Program. In addition to this it may be of assistance in the planning process as a coordinating plan and to inform and support applications for grant funding.

It is recommended that the draft Local Strategic Planning Statement be placed on public exhibition for comment.



GOULBURN MULWAREE COUNCIL
DRAFT

Local Strategic Planning Statement



**GOULBURN MULWAREE
COUNCIL**

p: (02) 4823 4444

e: council@goulburn.nsw.gov.au

w: www.goulburn.nsw.gov.au

Locked Bag 22, Goulburn NSW 2580

Mayor's Message

The Local Strategic Planning Statement sets out a 20 year vision for land use in Goulburn Mulwaree including what we would like to preserve, and how growth and change will be managed into the future.

The document sets out planning priorities consistent with our strategic planning documents such as the Tablelands Regional Community Strategic Plan and Regional Economic Development Strategy along with Council's own strategic framework.

Ten planning priorities have been identified, and within each of these we have set short, medium and long term goals along with a vision for where we would like to be by 2040.

Primarily, we want to see our region continue to grow in a sustainable manner. We want to preserve our heritage, character, environment and space, but also build upon the services and facilities our community desire.

As stated in our vision, we are a proud modern city, located in a vibrant, growing rural region. Strategically located, we will continue to grow while ensuring our natural environment and rural landscapes are preserved. I certainly am looking forward to the progress over the coming decades.

Mayor Bob Kirk



Acknowledgement of Country

We 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 of the Goulburn Mulwaree Local Government Area.

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Abbreviations

ABS	Australian Bureau of Statistics
CBD	Central Business District (Goulburn)
Council	Goulburn Mulwaree Council
CRJO	Canberra Region Joint Organisation
CSP	The Tablelands Community Strategic Plan
DCP	Development Control Plan
DPIE	Department of Planning Industry & Development
DSP	Developer Servicing plan
EP & A Act	Environmental Planning & Assessment Act
ERP	Estimated Resident Population
FIFO	Fly in fly out (workers)
Forecast i.d.	Forecast i.d. – Demographic Resources
GM	Goulburn Mulwaree
GMC	Goulburn Mulwaree Council
.id	.id community – Demographic Resources (also known as profile i.d. or Forecast i.d.)
LEP	Local Environmental Plan
LG Act	Local Government Act 1993
LGA	Local Government Area
LLS	Local Land Services
LSPS	Local Strategic Planning Statement
NGO	Non-Government Organisation
RMS	Roads and Maritime Services (now Transport for NSW)
SEIFA	Socio- Economic Indexes for Areas – Australian Bureau of Statistics
SETRP	South East Tablelands Regional Plan
Transport NSW	Transport for NSW – former RMS
TREDS	Tablelands Regional Economic Development Strategy
URP	Urban resident population

01 Introduction & Purpose

The Goulburn Mulwaree Local Strategic Planning Statement (LSPS) sets out a 20 – year vision for the future of the Goulburn Mulwaree Local Government Area (LGA) as it grows and changes.

Goulburn Mulwaree Council wants to ensure that the LGA continues to grow in a sustainable manner and respond to the unique environment in which it is situated. This LSPS is considered to be an opportunity to identify key issues and opportunities for managing urban, rural and natural environments.

As the LSPS shapes our decisions, it also meets the requirements under the Environmental Planning and Assessment Act, 1979 (EP&A Act). Every council in NSW is required to prepare and make an LSPS that includes the basis for strategic planning in its area having regard to economic, social and environmental matters. The LSPS must set out planning priorities that, in our case, are consistent with the:

- South East Tablelands Regional Plan 2036
- Tablelands Regional Economic Development Strategy 2018-2022
- The Tablelands Regional Community Strategic Plan 2016-2036
- GMC Strategies, Delivery and Operational Plans

A policy map is provided in Attachment 1.

The LSPS must also include actions to deliver the planning priorities that are set out in this document, and the basis for how we will monitor and report on

the implementation of these actions. In this way the LSPS gives us the link between priorities and actions at a regional level into local plans for Goulburn Mulwaree. It allows us to plan for local changes such as new and diverse housing or better transport connections, within the broader context of the South East Tablelands Regions.

The LSPS provides context and direction for land use decision-making in Goulburn Mulwaree. It:

- Provides a 20 year land use vision for the LGA
- Outlines the characteristics that make our community unique
- Directs how future growth and change will be managed
- Informs changes to Goulburn Mulwaree Local Environmental Plan 2009 and Development Control Plan 2009.
- Gives effect to the state, regional and local strategies.
- Identifies where further detailed strategic planning may be needed.



02 Consultation

This draft LSPS has been developed based on information provided by our community, during recent consultation on a number of related projects including:

- The Tablelands Community Strategic Plan 2016 – 2036
- Draft Urban and Fringe Housing Strategy 2019
- Draft Social Sustainability Strategy and Action Plan 2019

Common themes emerging from consultation are:

- Maintain the heritage character of Goulburn
- Facilitate economic development to provide opportunities for the region's young people
- Take advantage of opportunities presented by our proximity to Sydney and Canberra
- Balance development with maintenance of quality of life particular to a regional city
- Access to local jobs and employment opportunities is important.
- We have a strong services sector.
- A desire for improved public transport.
- Our community groups and organisations are important social connectors
- Mental health is an increasing challenge for the community
- Supporting vulnerable community members is important to our community.
- Climate change impacts including drought, fires and flooding impact on our community's wellbeing
- Our parks and open spaces are an important asset for our community



03 Vision For 2040

We are a modern city located in a vibrant, growing rural region...

We are a modern, regional city strategically located to allow easy access to the major metropolitan centres of Sydney and Canberra; offering a lifestyle which blends rural living with city amenity. Our diverse economy is driven by the services we provide for the region however reflects our history as a centre for agricultural production. Our socially connected community enjoys modern facilities and an environment rich in historical and cultural heritage, representing both Aboriginal and European development. Our natural environment, bushland, parks and rural landscapes are intrinsic to the character of our city and villages.

Our sporting, cultural and civic areas are linked with a series of pathways and green corridors.

We have a diversity in housing choice and affordability with most housing located in Goulburn and Marulan. To support this housing there is access to services within Goulburn at a regional level such as the upgraded Base Hospital.

Transport links via road and rail infrastructure to Sydney, Canberra and the South Coast facilitates industry and resident access to other areas.

Goulburn Mulwaree LGA provides the majority of employment, training and education opportunities for residents.

The local community is sustainable and resilient to the impacts of climate change and natural hazards such as flood and bushfires.

04 Goulburn Mulwaree Snapshot

Goulburn Mulwaree LGA is strategically situated on the Hume/ Federal Highways approximately 1 hour from Greater Sydney and 1 hour from Canberra within the Southern Tablelands of NSW and covers an area of 3,223km² with an elevation of 500 – 700m.

The LGA is located within the Sydney drinking water catchment with the confluence of the Wollondilly and Mulwaree Rivers being within Goulburn city.

Goulburn Mulwaree is home to 31,132 residents¹. Almost two thirds of residents live in the township of Goulburn, however there are also a series of towns, villages and rural localities that service local rural communities including Marulan, Middle Arm, Tarago, Tallong, Bungonia, Lake Bathurst, Towrang, Windellama and Parkesbourne.

Two major Aboriginal language groups were identified within the region at the time of European contact being the Gandangarra to the North and the Ngun(n)awal to the south (the original Tindale’s 1974 map of tribal boundaries being based on language). However, boundaries are proximate and by the time languages were recorded in the 1890s local indigenous population had already experienced significant change². The region was also traditionally a meeting place for many Aboriginal Groups. In 1818 Hume and Meehan first crossed the area where Goulburn was to be settled and by 1863, only 45 years later, Queen Victoria had declared Goulburn as Australia’s first inland city.

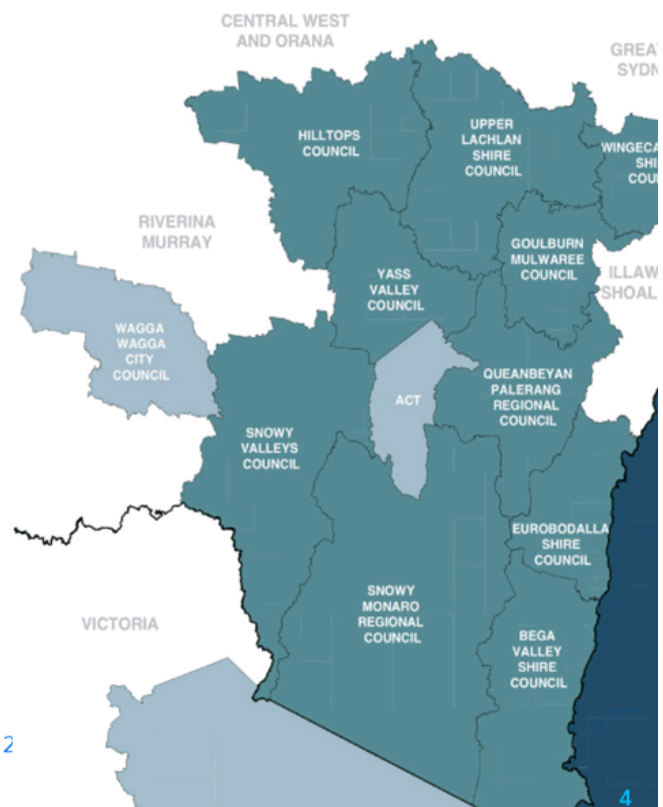
Goulburn’s growth was underpinned by agriculture (in particular the wool industry), a short lived gold rush in the region and further enhanced by the railways, with development focused on Goulburn as a regional centre. The legacy of this is a wealth of significant heritage buildings and landscapes.

Over more recent decades, the economy has transitioned to a broader base. The top sectors by employment (2018/19)³ in order of size (largest to smallest) are: health care and social assistance; construction, retail trade; public administration and safety; accommodation and food services; manufacturing; education and training; agriculture; forestry and fishing.

¹ ABS ERP 2019

² Goulburn LGA Aboriginal Heritage Study p.12

³ Forecast i.d.



05 Goulburn Mulwaree Demographics

Given the size of Goulburn Mulwaree and the concentrations of population density in Goulburn and Marulan, the Forecast i.d. (Demographic Service) areas are used to differentiate statistics for Goulburn, Rural North and Rural South as per the diagram.

Since the Census only occurs every 5 years and the last Census was undertaken in 2016, Council uses Australian Bureau of Statistics (ABS) estimated resident population (ERP) data for the intervening period or Forecast i.d (private demographic service) data.



2016 Census Data

According to the 2016 census, Goulburn Mulwaree LGA was home to 29,609 people⁴. This population predominantly lives within Goulburn (23,320 people, 76% of the total population), with a further 16% (4,897 people) living in the Rural North and 8% (2,545 people) living in the Rural South.

Population Increase between 2009-2019

From 2009 to 2019, Goulburn Mulwaree Council area's population increased from 26,695 to 31,132⁵ people. This represents an average annual population change of 1.37% per year over the 10 year period.

Population 2020

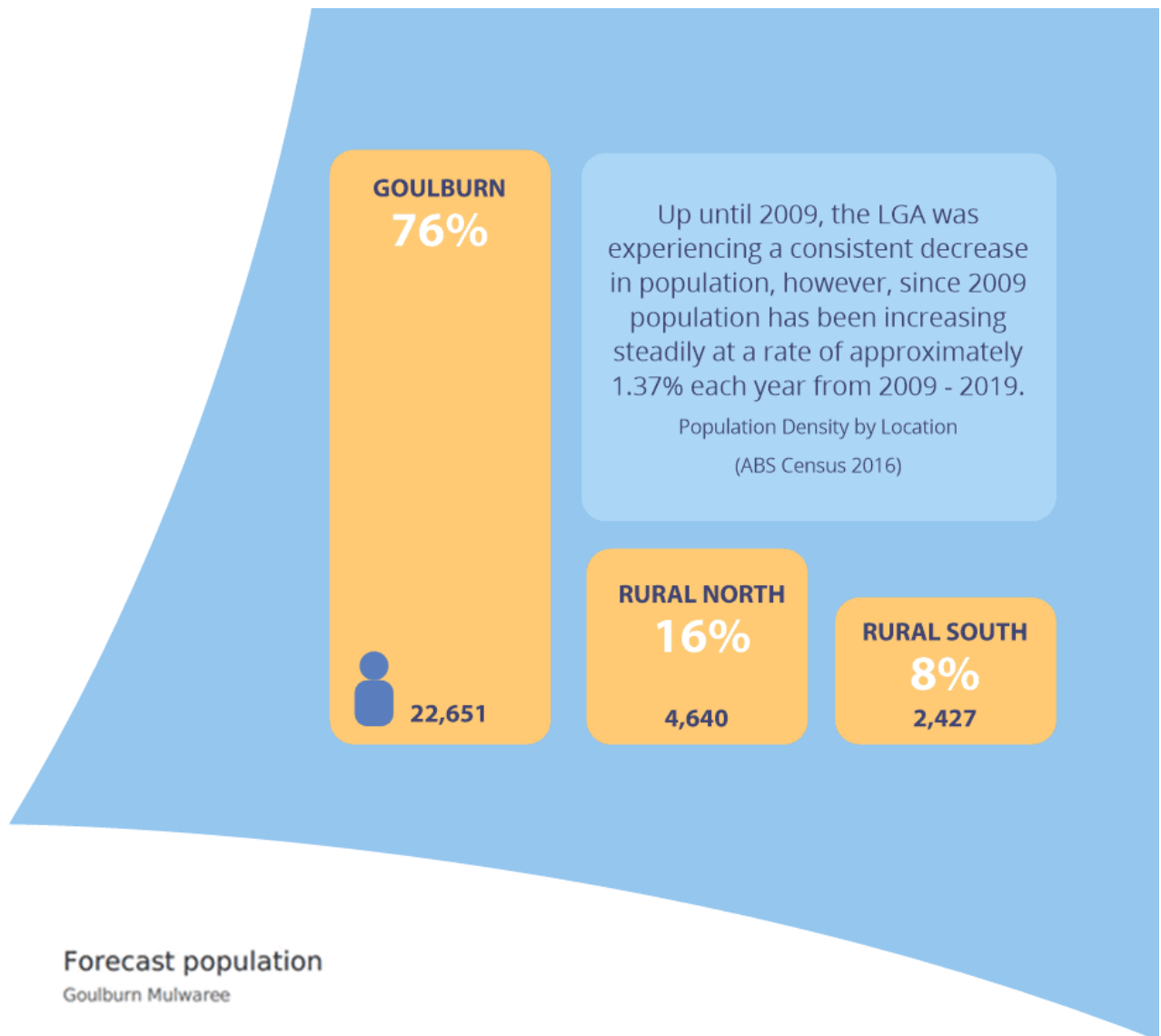
31,817

Population 2036

37,202

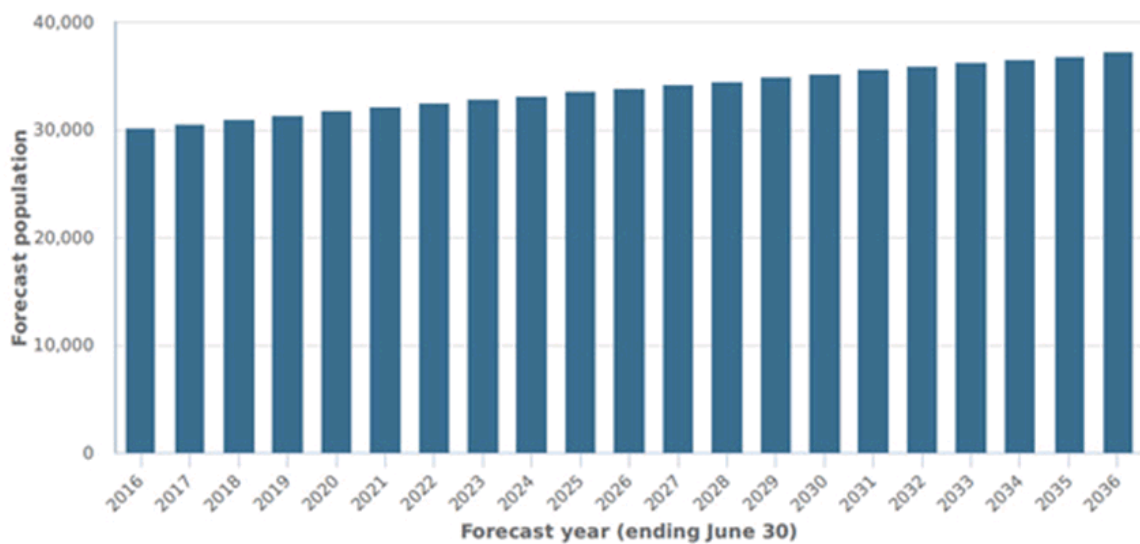
Population 2020-36

16.93%



Forecast population

Goulburn Mulwaree



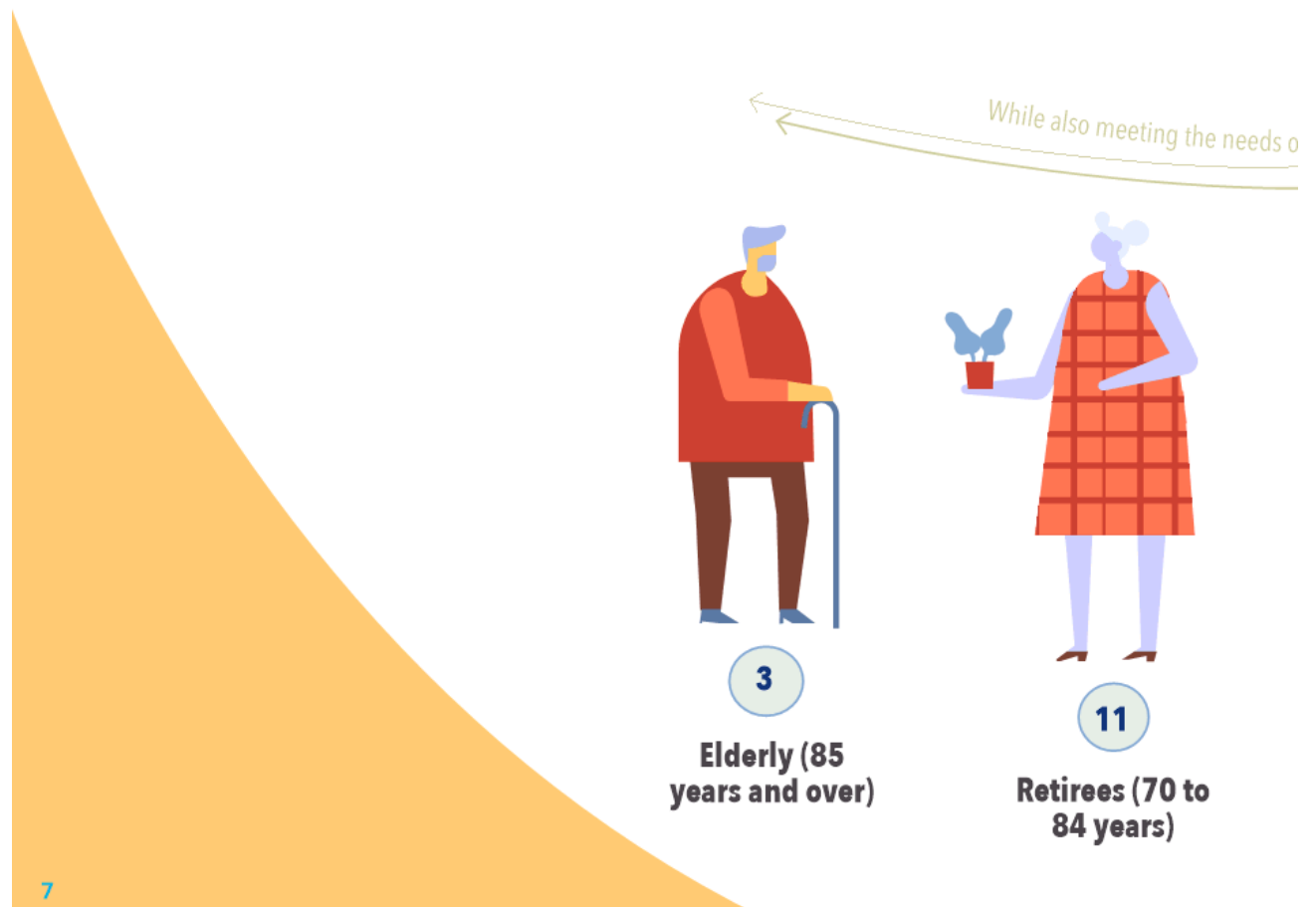
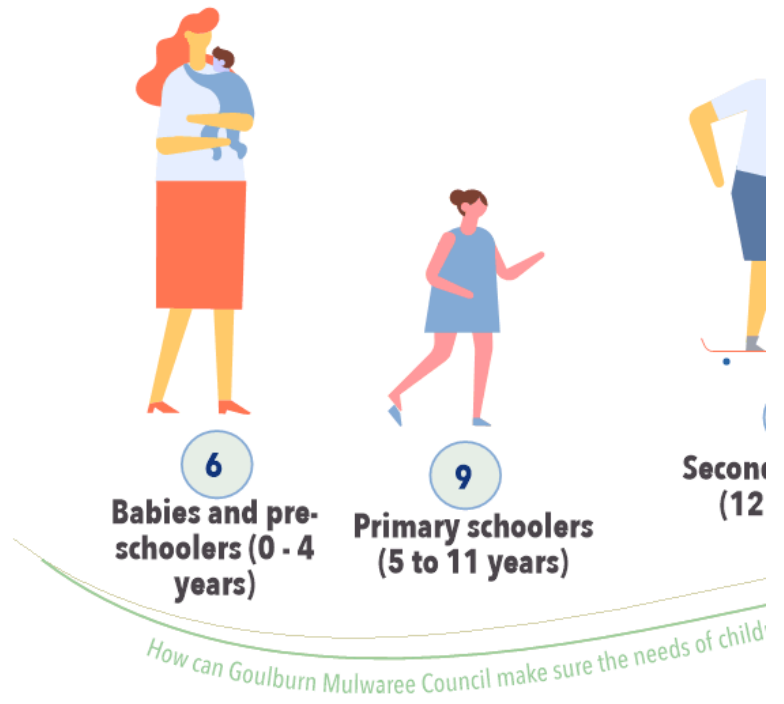
Population and household forecasts, 2016 to 2036, prepared by .id, December 2017.

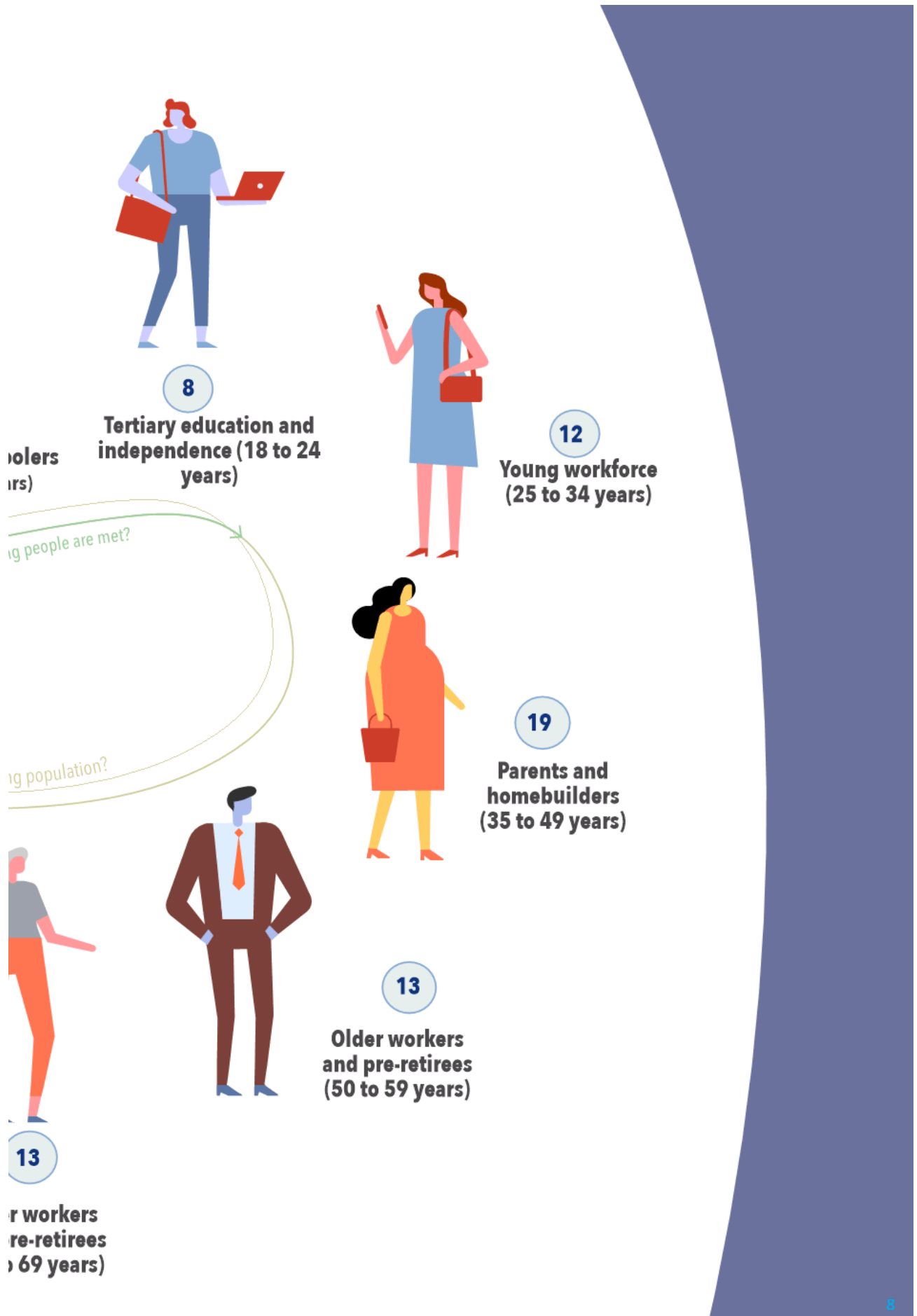


⁴ ABS 2016 URP

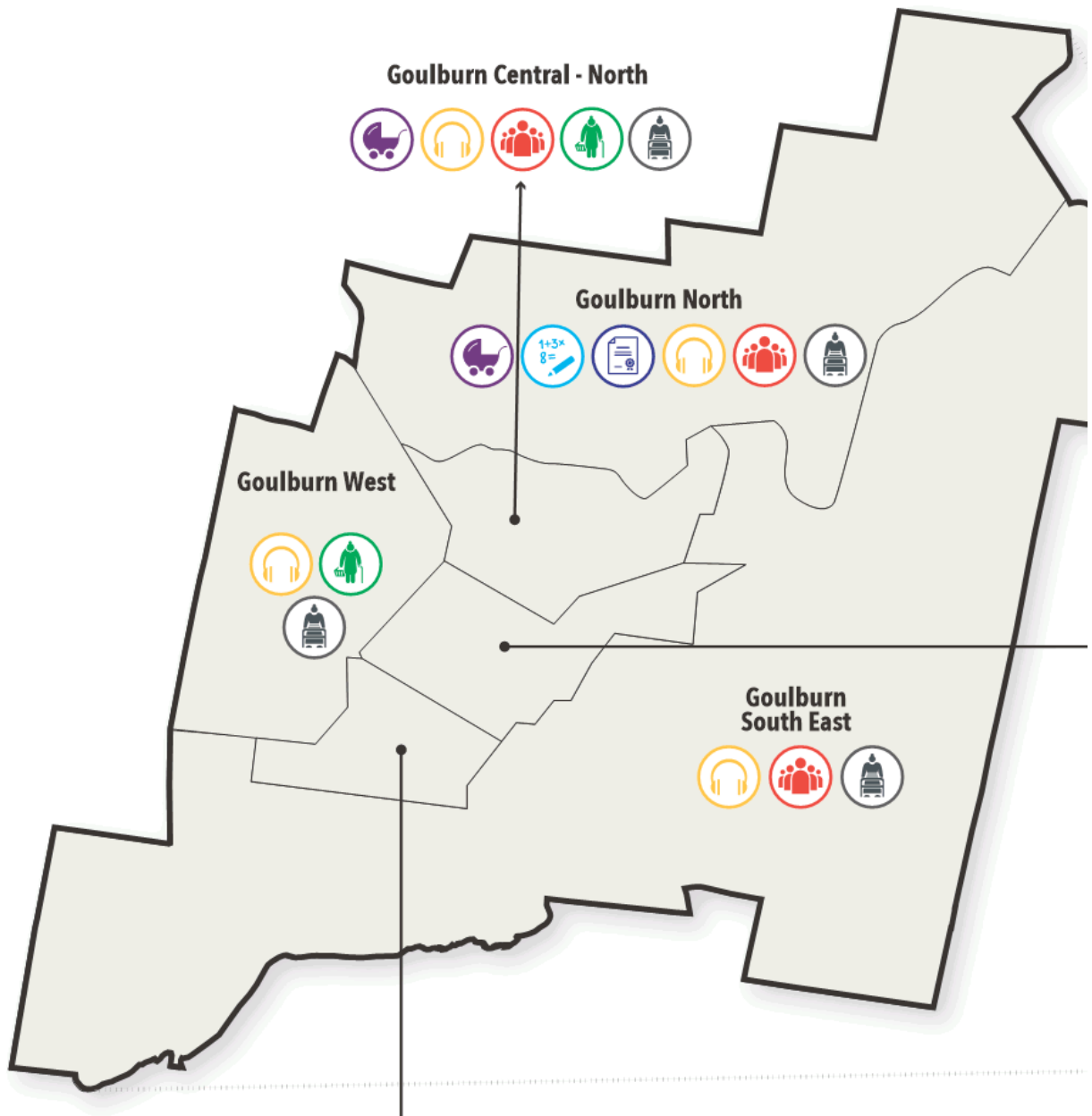
⁵ ABS ERP 2019

IF THERE WERE 100 PEOPLE IN GOULBURN MULWAREE, THERE WOULD BE...













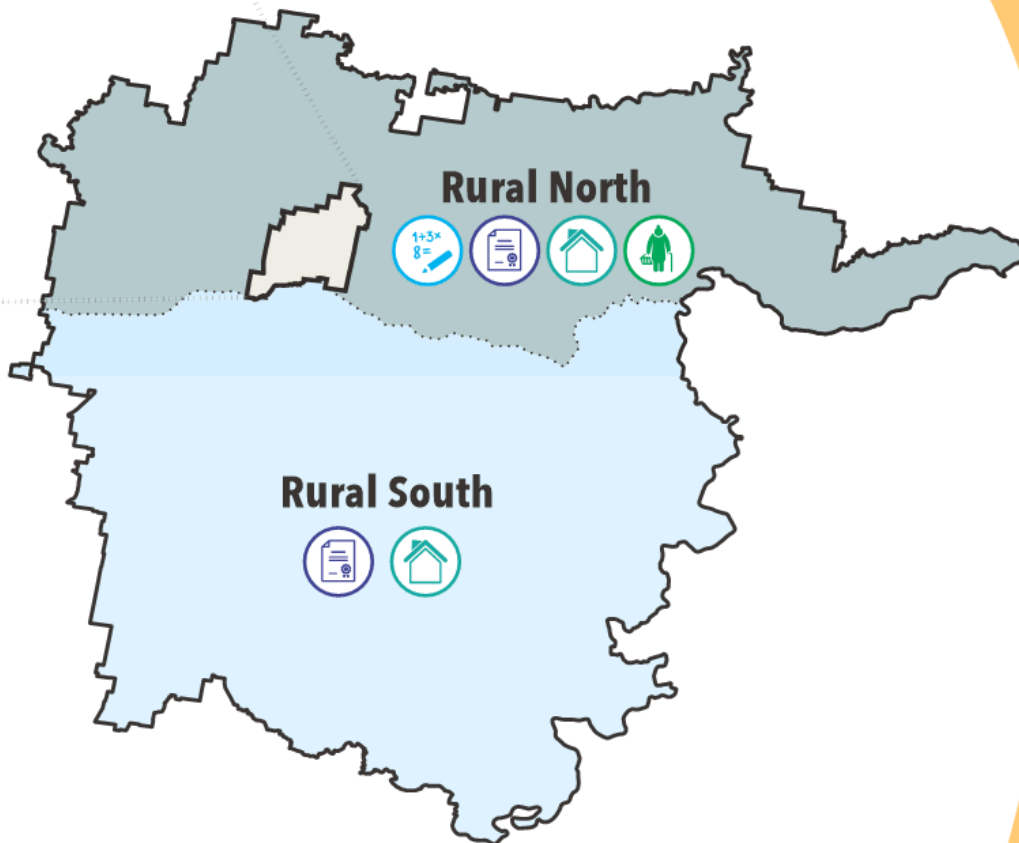
Population Age and Distribution



Comparison to Goulburn LGA averages

-  More than 5.9% of population are aged 0 to 4 years old
-  More than 8.8% of population are aged 5 to 11 years old (primary school)
-  More than 7.2% of population are aged 12 to 17 years old (high school)
-  More than 15% of people aged 18 to 24 years old
-  More than 12% of people aged 25 to 34 (young workforce)
-  More than 12.6% of people aged 60 to 69 (empty nesters and retirees)
-  More than 10.8% of people aged 70 to 84 years old (seniors)
-  More than 2.5% of people aged over 85 years old (elderly)

Goulburn
Central - CBD



06 Goulburn Mulwaree Strategic Context

Goulburn Mulwaree is located within the South East Tablelands and Canberra Regions (and is a member of the Canberra Region Joint Organisation of Councils ⁶).

As Australia's first inland city, Goulburn is a strategic regional centre which provides a variety of high order services such as; a Public Hospital, NSW State Offices, Country Universities Centre, TAFE, NSW Police Academy, Local Court, Goulburn Correctional Facility, Cathedrals, Conservatorium of Music, Aquatic and Leisure Centre, Regional Art Gallery, Library, Museums and a Community Centre. Major regional transport corridors (Hume and Federal Highways) pass through the LGA connecting with Sydney, Canberra and Melbourne. The Main Southern Railway Line also passes through the LGA which has a number of stations including one within the Goulburn CBD.

The LGA is also strategically positioned to provide an alternative route to the South Coast via Nerriga. This route provides economic benefits in relation to heavy vehicles (as it is less topographically constrained than the northern passes to the coast) and offers an alternate tourist drive. The LGA also has major private infrastructure such as the Goulburn Race Course, Speedway, Wakefield Park Raceway and Goulburn Airport.

In recent years State and Council investment in services and assets include; a \$150 million redevelopment of Goulburn Base Hospital, a new wastewater treatment facility in Goulburn, a planned upgrade of the Aquatic and Leisure Centre, upgrades to Victoria Park (a regional park which has had a new adventure playground, a youth "Rage Cage" and new skate park installed) and a CBD enhancement program. Ongoing cultural projects like the Wollondilly Walking Track and adaptive re-use of the prominent heritage listed former Town Hall for a Performing Arts Centre, and the extension of the War Memorial Museum all contribute to community life.

The LGA is rich in natural, Aboriginal and European cultural and built heritage. The European heritage reflecting historical agricultural and gold mining booms that resulted in the construction of many significant buildings particularly within the Goulburn CBD. Goulburn and its surrounding towns and villages – including Marulan, Middle Arm, Tarago, Tallong, Bungonia, Lake Bathurst, Towrang, Windellama & Parkesbourne – combine an easygoing lifestyle and city accessibility. Residents take pride in the city's heritage and modern assets, strong arts and emerging entertainment scene, and economic opportunities.

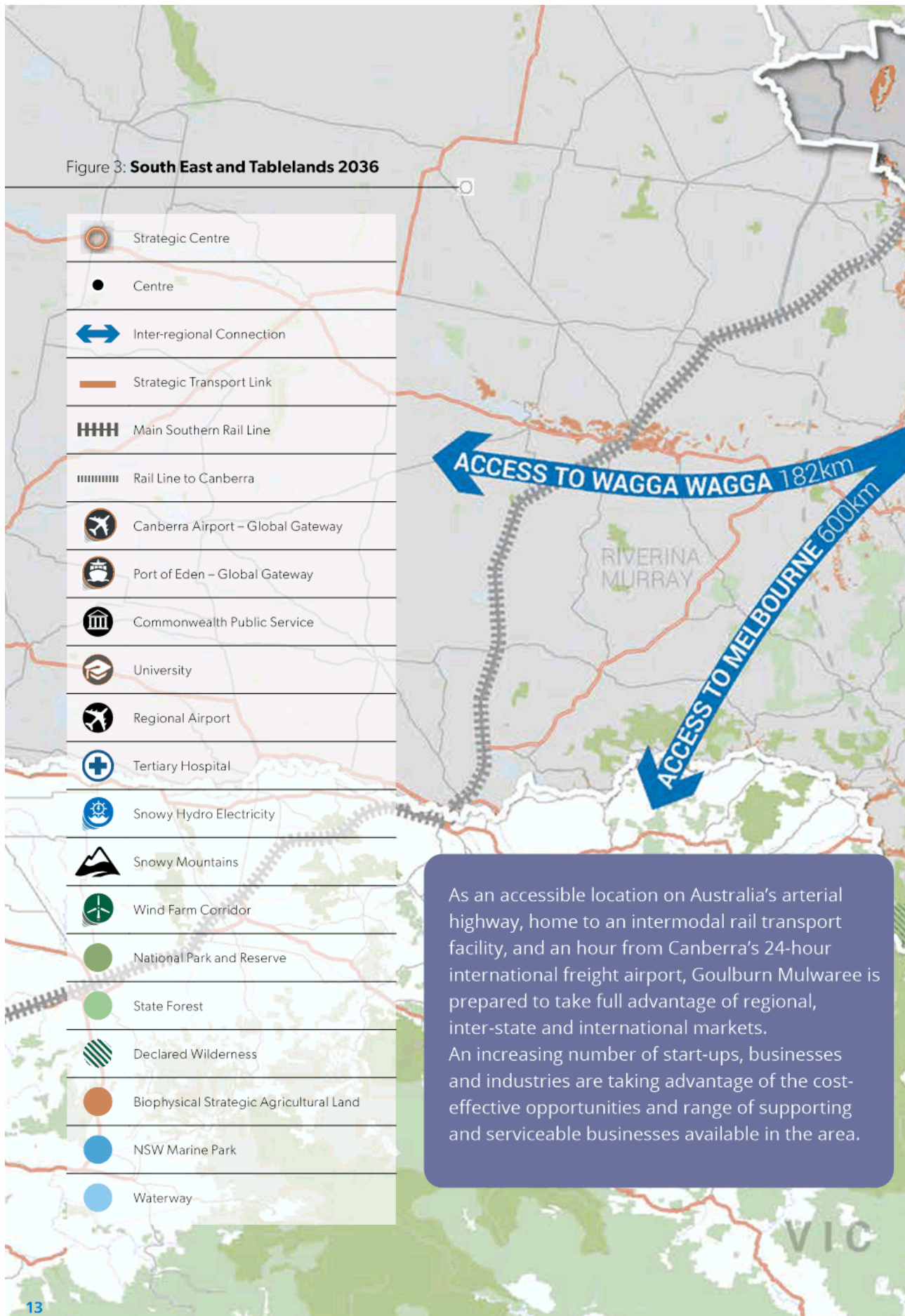
⁶ <https://crjo.nsw.gov.au>

Affordable housing, a better cost of living and proximity to Canberra and Sydney, with easy access to the South Coast and the Snowy Mountains, attract new residents. Goulburn Mulwaree's population is projected to increase by at least 6,941 people by 2036, requiring more than 3,000 new dwellings as the trend is for decreasing household sizes (average occupation rate of 2.31 persons per household). While the city is expected to accommodate most of this growth, it will be a challenge to balance mixed land uses and densities, valued heritage assets, affordable housing prices and access to essential services. Goulburn Mulwaree LGA has expanded from its traditional agricultural base, with the region's largest employers being health care and social assistance, retail trade, construction and public administration and safety. Hard rock and limestone extraction at Marulan and the region's only bioreactor at Tarago contribute to local and national construction markets.

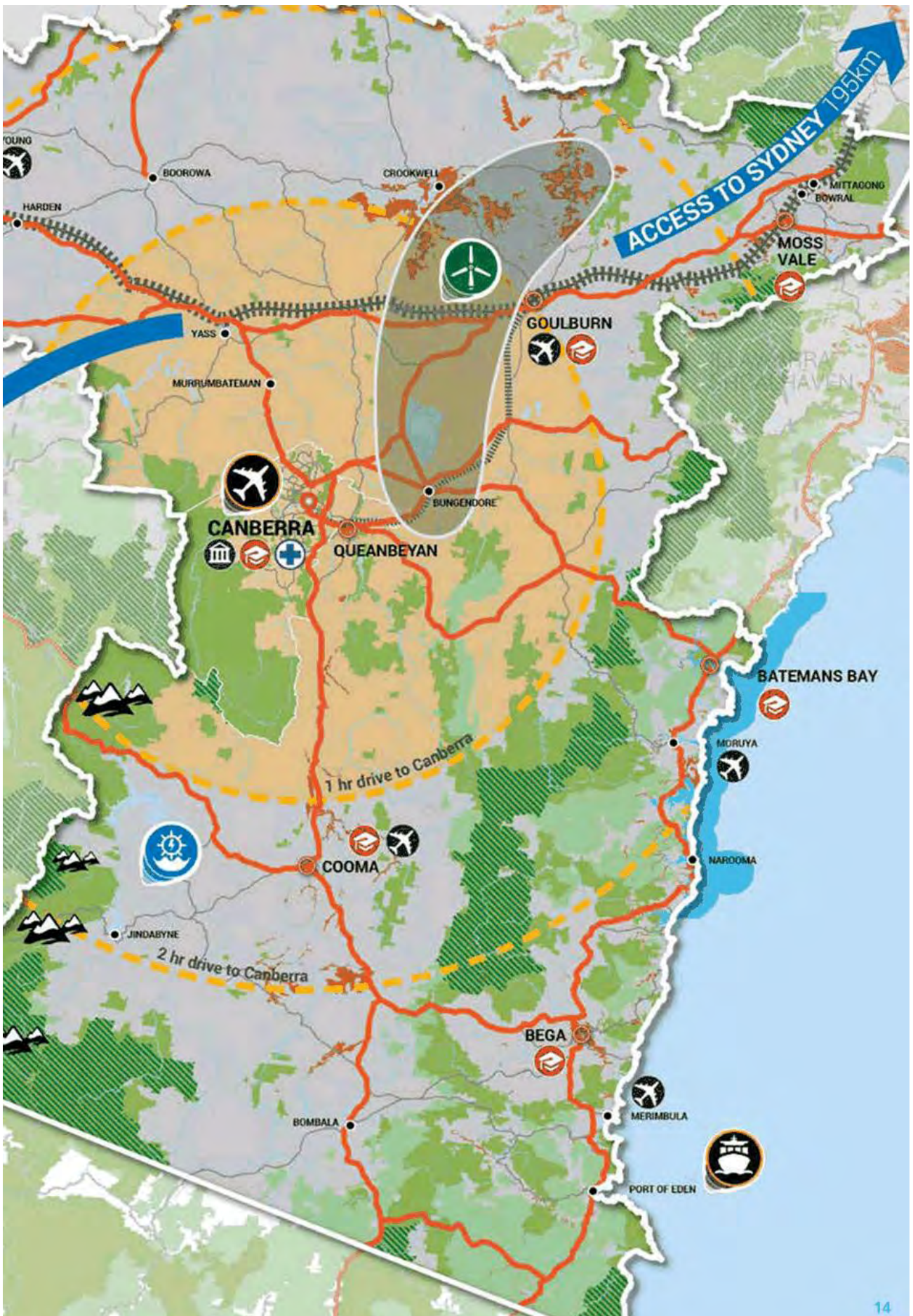
Agriculture continues to be a significant contributor to the economy with livestock meat processing being a significant sector.



Figure 3: South East and Tablelands 2036



As an accessible location on Australia’s arterial highway, home to an intermodal rail transport facility, and an hour from Canberra’s 24-hour international freight airport, Goulburn Mulwaree is prepared to take full advantage of regional, inter-state and international markets. An increasing number of start-ups, businesses and industries are taking advantage of the cost-effective opportunities and range of supporting and serviceable businesses available in the area.



07 Planning Priorities

Ten planning priorities for Goulburn Mulwaree are identified in this Statement:

- 1.** Infrastructure
- 2.** City, Town and Village Centres
- 3.** Community Facilities, Open Space and Recreation.
- 4.** Housing
- 5.** Primary Industry
- 6.** Industry and Economy
- 7.** Sustainability
- 8.** Natural Hazards
- 9.** Heritage
- 10.** Natural Environment

Each priority includes a vision for 2040, land use planning actions and timeframes. Timeframes for land use planning actions are prioritised as follows:

Short	1 - 3 Years
Medium	4 - 10 Years
Long	11 - 20 years

There are related actions to some of the planning priorities which Council may undertake as separate actions. These are listed as Council actions rather than land use planning actions. This is in recognition of the broader role Council plays in strategic planning.

Links are provided where relevant to other documents which may provide a better understanding of an issue or further reading.

Infrastructure

Existing Situation

Community infrastructure is largely centralised and located within Goulburn, with Marulan being the only other settlement within the LGA providing water and sewer infrastructure. Sufficient water supply is available for Goulburn and Marulan to meet the needs of housing identified to 2036. Goulburn’s Waste Water Treatment Plant is recently completed and an upgrade is planned for Marulan.

A relatively low population in the rural areas results in extensive road networks which are expensive to maintain. Furthermore, new link roads will be required in Goulburn if population continues to increase as projected. Goulburn and Marulan Centres are well serviced with community infrastructure but new residential development on the fringes will need access to both.

Goulburn and Marulan waste management centres are relatively close to the town centres and will require protection from more sensitive land uses such as residential development.

Stormwater strategies for Goulburn and Marulan are outdated and require review and potential upgrading.

Transport connectivity is a major consideration for Goulburn Mulwaree, and is highlighted as an important factor required for future growth.

Engagement, collaboration and partnerships with relevant stakeholders are an important aspect of ensuring proper consideration of all actions and undertakings which affect the community as a whole.



Infrastructure

Vision 2040

Infrastructure meets the needs of a growing community

Challenges for Land Use

- Public transport timetables to Sydney and Canberra are limited via bus/rail.
- Council has an extensive road network which is maintained from council rates and grants. As a regional council finding adequate funding is difficult as there is a large length of road compared to the population.
- Limited capacity of local roads and freight networks to support safe and buffered haulage routes for new industries
- Access to Hume and Federal Highways from Goulburn and Marulan currently requires some heavy vehicle movement through the town centres.
- Upgrades required to improve heavy vehicle haulage route to the South Coast.
- Growth in Goulburn and Marulan will create need for additional community infrastructure.
- Access to community infrastructure for rural areas.
- Proportionately high rate of residents without internet access.
- Protection of community infrastructure from encroachment by more sensitive land uses.

Planning Principles

- Ensure planning decisions protect important infrastructure assets including water, haulage routes, waste and sewerage management facilities from encroachment by more sensitive or unsuitable uses.
- Work with the NSW Government and agencies to improve public transport services to Canberra and Sydney, including investigation of a fast rail link, with Goulburn Station to remain located in the CBD
- Identify, maintain and upgrade essential community infrastructure in the main population centres of Goulburn and Marulan to meet contemporary standards.
- Improve the active travel and public transport networks for existing and new urban areas where possible



Actions - Planning

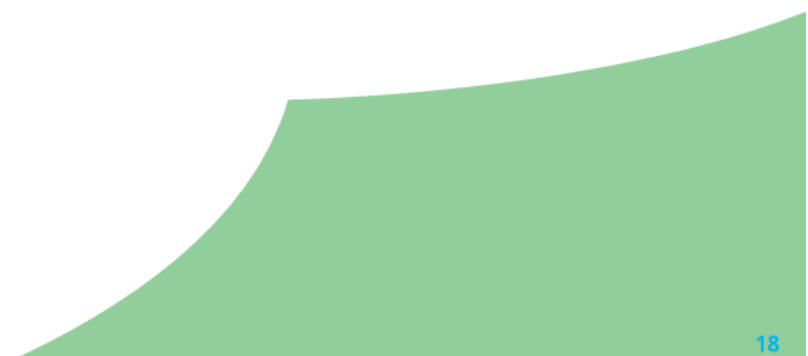
Action	Timeframe
Review infrastructure funding within Developer Contributions Plans (Section 7.11 and 7.12 plans under EPA Act, and Section 64 LG Act).	Short
Upgrade Hume Highway access to North Goulburn and South Marulan	Medium – Long (industry and economy)
Upgrade the East-West haulage route from Nerriga to Goulburn.	Medium (as per above)
Planning decisions at all levels made to protect essential infrastructure such as water/waste sewerage facilities from encroachment from other land uses.	Ongoing

Actions - Council General

- Marulan sewer system upgrade.
- Advocate for State to improve digital connectivity for our rural areas.
- Advocate for State to improve public transport timetables for bus and rail to Sydney and Canberra.

Related Policies and Plans

- SE Tablelands Regional Economic Development Strategy.



City, Town and Village Centres

Existing Situation

Goulburn Mulwaree is uniquely placed in that the area's population is centred on the city of Goulburn. The Goulburn core central business district (CBD) is relatively large covering an area of 48 hectares and the broader CBD area covers 132 hectares, and contains attractive heritage buildings, streetscapes and precincts such as that around Belmore Park.

The Goulburn CBD is a major retail and government administrative centre. Commercial and retail development is focused on the ground floors of existing buildings with upper storey areas underutilised.

It is envisaged that despite the impacts from online retailing, the population growth identified in the Draft Urban and Fringe Housing Strategy will provide some impetus for businesses in the CBD. Improvements to CBD infrastructure will also support additional retail, commercial and residential growth. Growth in Goulburn must be balanced with maintaining its strong sense of place

by encouraging adaptive reuse of heritage items and maintaining streetscapes. Supporting or supplementary infrastructure will be encouraged to enhance the sense of place and highlight heritage or contributory items.

Encouraging additional residential development within the CBD will assist to revitalise the centre, make better use of existing infrastructure and provide a greater range of dwelling types which are less reliant on private transport.

Each of Goulburn Mulwaree's towns, villages and localities have their own distinct character, constraints and opportunities. In recent times either Council or local extractive industries have funded plans for Marulan and Tarago. These plans identify a number of capital works/civic improvements for these centres. A combination of these plans identifying civic improvements and review of precinct character planning provisions in Council's Development Control Plan is required.



Vision 2040

Vibrant, accessible town centres which provide a range of services to meet the community's needs.

Challenges for Land Use

- Encouraging urban development and renewal whilst highlighting and enhancing a sense of place.
- Currently very little night time activity in the Goulburn CBD.
- The Goulburn CBD is bounded to the East/South East by the Main Southern Railway Line and the Mulwaree Ponds/River with associated parkland and suburb of Eastgrove. Improved connectivity to the eastern side of Goulburn to the CBD is considered to be of benefit to the liveability and productivity of the CBD area.
- Traditional retail is under threat from online shopping, it is important to recognise and enhance the values associated with this key public domain.
- Maintaining Goulburn's CBD as the main retail precinct in Goulburn, whilst also ensuring that new essential retail services are also provided within walking or riding distance of new residential areas on the outskirts of Goulburn.

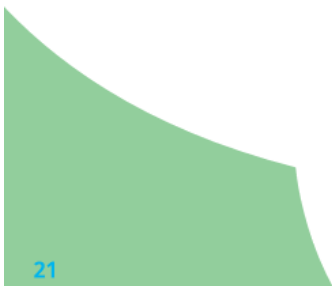


Planning Principles

- Ensure an appropriate mix of development within Goulburn CBD while maintaining its character and sense of place.
- Increase residential occupancy in Goulburn CBD, including activation of shop-top housing, whilst promoting an active main street and commercial centre
- Undertake place-based planning appropriate to the hierarchy and role of Goulburn, towns, villages and rural localities, as reflected in the Tarago and Marulan Village Plans.
- Enhancement of town and village centres via promotion of urban design principles which identify and articulate a sense of place for each settlement.
- Encourage a vital night time economy in the Goulburn CBD.

Actions - Planning

Action	Timeframe
Review LEP and DCP provisions including height, FSR and car parking controls to facilitate urban renewal of the Goulburn CBD.	Short
Review Employment Lands Strategy recommendations for Goulburn CBD and inclusion of retail hierarchy study/ recommendations for Goulburn.	Medium
Prepare a Night Time Economy Strategy for Goulburn CBD	Medium
Review Council's Development Control Plan, to include character precincts to emphasize individual character areas.	Short





Actions - Council General

- Promotion of Goulburn Mulwaree as a destination.
- Continue to fund or support modern art installations.
- Streetscape/urban design improvements in main streets.
- Main street maintenance/enhancement grants.
- Retail occupation audit in Goulburn CBD.
- Swap the classified road status of Auburn Street with Sloane Street to facilitate streetscape/landscape enhancements on Auburn Street.
- Upgrade railway crossings on Blackshaw Rd, Goulburn to allow for better connectivity between the CBD, riverside parkland and Eastgrove.
- Survey and investigate a pedestrian crossing of the railway line to link the Goulburn Visitor Information Centre car park with parklands fronting Mulwaree Ponds.
- Construct a pedestrian link from Victoria Park via Belmore Park and Montague Street to the proposed Mulwaree Ponds green space.

Related Policies and Plans

- Goulburn CBD Studies by EDAW and Space Lab
- *Tablelands Regional Economic Development Strategy*
- *NSW DPIE Character Guidelines*

Community Facilities, Open Space and Recreation

Existing Situation

Goulburn Mulwaree as a regional centre enjoys an extensive array of public community facilities including: bushland reserves, river foreshore reserves and walkways, regional parks, local parks, museums, library, regional art gallery, community centre, aquatic centre, sports grounds, enclosed sporting area and show ground. Goulburn as a regional centre is the most appropriate location for regional level cultural and sporting facilities.

Council will continue to provide a series of pathways to link areas of open space. In addition to the ongoing development of the Riverside Walk, there are opportunities to link other facilities including the wetlands, heritage sites, cultural and civic areas. Casual walking is identified as the most common recreation activity and the ongoing development of linkages between facilities will enhance this activity.

There is an oversupply of local pocket parks within specific precincts within Goulburn,

however, these parks contribute to the character of the city and are integral to the amenity and heritage values of residential areas. The oversupply of local parks allows Council and the community to focus on the potential public use of these spaces. It is common for residents to expect that all parks will be mown, irrigated, and have play facilities, at considerable cost to Council. However, there is an opportunity to further consider the diversity of functions and types of parks available and explore opportunities for rationalisation of some parks with a focus on regional facilities. Regional facilities include the upgrades to Victoria Park, upgrade of the Aquatic Centre and Regional Hockey Facility.

Cultural enrichment is a focus for the community with recent upgrades to the Rocky Hill War Memorial and Museum, renovations to St. Clair Museum and to the Regional Art Gallery. Council has also committed to build a Performing Arts Centre.

Vision 2040

Physical, social and cultural activity is supported by a range of facilities and shared spaces.

Challenges for Land Use

- An accessible interconnected range of open space facilities.
- An appropriate mix of local and regional facilities to service growing populations in towns and the broader rural communities.
- Cultural facilities and opportunities that befit a regional centre.
- A higher rate of overweight and obese persons compared to the average across NSW.

Planning Principles

- Advocate for funding from government, sporting groups and NGO's to upgrade sporting and recreational facilities to meet community demand.
- Plan and secure funding for facilities and spaces that foster healthy, creative, culturally rich and socially connected communities, which are of a standard that reflects Goulburn's status as a regional centre.
- Ensure new subdivisions and development includes open space using both natural systems such as riparian corridors and areas for active recreation use and provides pedestrian & cycle connectivity to existing footpath and cycleway networks.
- Identify, plan and embellish multi-purpose regional parks and sporting facilities within Goulburn.
- New land releases for housing development have appropriate master planning for open spaces and site specific DCP requirements.

Actions - Planning

Action	Timeframe
Adopt, implement and monitor a Draft Recreational Needs Strategy and its actions.	Short
Implement and monitor the ongoing Social Sustainability Strategy and its actions.	Ongoing
Review and update Plans of Management.	Short
Continue to develop the riverside pathways.	Ongoing
Update Council's Bicycle Strategy 2008 - 2018.	Short
Update developer contributions plans to ensure appropriate funding of open space and consider options such as differential rating of properties in new urban release areas to fund additional open space maintenance.	Short

Actions - Council General

- Continue to investigate funding opportunities for the Goulburn to Crookwell Rail Trail.
- Continue to investigate/ develop a Regional Hockey Facility.
- Continue to develop the Performing Arts Centre, Community Centre and Aquatic Centre re-development.
- Continue to undertake community cultural events.

Related Policies and Plans

- NSW Cultural Infrastructure Plan 2025 +





Housing

Existing Situation

Housing in Goulburn Mulwaree is primarily located within Goulburn, although in recent years Marulan has been rapidly growing. Overall the population has been growing steadily over the last decade at around 1% per annum. The focus on housing provision is largely on Goulburn and Marulan being the only two urban areas which are serviced with reticulated town water and sewer services. Furthermore, these areas provide better access to employment, services and public transport.

There is very little diversity of housing in Goulburn and Marulan which is an issue which needs attention. Goulburn Mulwaree's population is aging and the household size projected to fall between now and 2036. These factors will drive a greater demand for a diversity in dwelling types. In the Goulburn Mulwaree, the

'lowest' income quartile was the largest group in 2016, comprising 31 per cent of households with income, therefore there is an identified need for affordable and social housing. Waiting times for public housing for dwellings under three bedrooms in size is between 5 and 10 years and three-bedroom properties have wait times of 2 to 5 years. This indicates there is a significant lack of public housing in general, and particularly studio and one bedroom dwellings available within Goulburn. Combined with the increasing number of lone person households, there is expected to be a higher demand for one bedroom dwellings. Accordingly, Council will continue to advocate for increased affordable and social housing provision and to consider changes to planning provisions where necessary to facilitate this form of housing.

Council's Draft Urban and Fringe Housing Strategy vision is of the delivery of housing that:

- Encourages higher density residential development closer to the Goulburn CBD
- Relies on the already zoned land to continue to deliver infill and medium density housing in suitable locations
- Considers sites on a merits-basis where serviced lots within the existing urban footprint become surplus to needs, or the land uses change
- Maximises the use of existing infrastructure and minimises the cost of development to Council and the community
- Encourages and meets the demand for a range of lot sizes and dwelling types
- Provides adequate open space, green linkages, and opportunities for walking and cycling
- Considers opportunities for larger lots, especially around Marulan, with a suitable supply of land for this purpose provided for to 2036, identified within the Strategy
- Recognises that rural residential subdivision is land intensive, therefore proposals to rezone to urban residential or to reduce minimum lot sizes outside the areas nominated in this Strategy will generally not be considered by Council
- Avoids environmentally sensitive areas and areas of high value conservation and natural hazards
- Meets the strategic direction articulated in the Regional Plan
- Council will continue to review planning controls provisions to better utilise existing urban areas for housing whilst also providing for employment lands, open and green spaces.

Challenges for Land Use

- Sustained population growth and aging infrastructure such as drainage.
- Aging population and reduction in household size over time.
- Lack of diversity in housing stock in relation to affordability, size, style and adaptability,
- Significant areas of relative disadvantage in the Socio- Economic indexes for Areas (SEIFA) (ABS).
- Social housing is aging and waiting times are significant, studio and one-bedroom properties have the longest wait time of more than 10 years.
- Access to services for residents in rural areas.
- Rural residential development is land intensive and potentially causes land use conflict with rural land uses.
- Meeting housing supply and type for a growing population.
- Identifying constraints and opportunities for residential development in the villages.

Vision 2040

A range and diversity in housing type, which is contextual and affordable and is primarily centred around Goulburn and Marulan.

Planning Principles

- Goulburn continues to be the focus of housing growth for the region.
- Collaborate on housing affordability and social housing provision with NSW Government and Not for Profit housing providers.
- Identify fully serviced precincts within or in proximity to the CBD where medium to higher density residential development is suitable
- Ensure that residential development is supported by relevant infrastructure
- Facilitate a broader range of housing types to meet the needs of a changing population – ageing, smaller households etc
- Housing is contextual, well designed and liveable.

Actions - Planning

Action	Timeframe
Adopt, implement and monitor an Urban and Fringe Housing Strategy	Short
Review planning provisions to improve aged, social and affordable housing supply.	Short - Medium
Prepare a Villages Strategy, to identify what if any capacity the relevant villages have for further growth.	Medium
Monitor the take up of shop top housing, and housing supply/demand in the CBD.	Ongoing

Actions - Council General

- Continue to work with NSW Land and Housing Corporation and the Department of Family and Community Services on Place Plans.
- Continue to work with Government and Non-Government Organisations on the provision of affordable and social housing.
- Promotion of Goulburn Mulwaree as a lifestyle alternative.



Primary Industry

Existing Situation

Goulburn Mulwaree's rural areas play a significant role in the shaping of our past, present and future. Council's planning provisions need to ensure that there are adequate protections in place for agricultural land such as from encroachment by more sensitive uses such as residential.

The rural economy makes a significant contribution to Goulburn Mulwaree economy, the largest commodity being meat processing which accounted for 68.6% of Goulburn Mulwaree's total agricultural output in value terms. The largest exporting industries by value are sheep, grains, beef and dairy cattle; and meat and meat product manufacturing. Sheep, beef cattle and grain farming is a key industry, making up 8.6% of employment⁷. Proximity to Canberra Airport, which has now introduced freight services, creates opportunities for additional markets for meat processing.

Renewable energy and extractive industries are growing sectors in Goulburn Mulwaree, however, ideally should not compete for land identified as being of prime crop and pasture potential. Areas of higher crop and pasture potential in our area tend to be lower lying areas surrounding water courses. Currently the Department of Primary Industries (Agriculture) is preparing regional maps to identify important agricultural land. This mapping combined with mapping identifying mineral resources and buffers will contribute to Council preparing a Agriculture and Resource Lands Strategy. Historically Goulburn Mulwaree has been

the source of natural resources such as gold, limestone, hard rock, sandstone, granite, marble, slate, zinc, copper and silver. Extractives in our LGA are dominated by non-metallic mineral mining and quarrying. The overall mining sector has had the largest economic value in growth output increase out of any economic sector. Extractive industries through developer contributions and charitable funds assist with financing road upgrades and community facilities. However, these industries also add significant heavy vehicle traffic to roads and can cause other environmental issues if not appropriately managed. Decommissioned quarry and mines sites that have not been revegetated or rehabilitated (in some cases this is due to the sites predating the current planning system) can also pose problems. They can also provide opportunities such as the Veolia bioreactor at Woodlawn.

The main zones which facilitate rural uses under the GM LEP 2009 are the RU1 Primary Production and RU2 Rural Landscape zones. Approximately 9500ha in various locations is zoned RU6 Transition. This area is excessive and goes well beyond that required to manage interface issues between rural land use and residential land use. However, the range of permissible rural land uses is limited within this zone which potentially sterilises the agricultural capacity of affected land. Furthermore, the title of the zone is suggestive of transition to residential usage which is misleading. A review of the extent of the RU6 Transition zone is therefore considered a priority.

Challenges for Land Use

- Identification and management of important agricultural land.
- Identification and management of natural resources.
- Land use interface between extractive industries and agricultural uses.
- Land use interface between primary industry and residential development.
- Access for primary industry to markets.

Vision 2040

Primary resource land is a valued asset; and primary industry is a significant economic sector within the LGA which contributes to positive environmental and social outcomes.

Planning Principles

- Ensure local planning provisions provide adequate protection for primary industry activities while also balancing the interests of the community
- Support localisation of the agricultural processing supply chain in particular livestock processing
- Promote renewable energy projects
- Collaborate with the NSW Government to improve access to transport corridors for freight/bulk haulage for agricultural and extractive industries such as East West route

Actions - Planning

Action	Timeframe
Prepare an Agriculture and Resource Lands Strategy	Short
Identify potential agricultural resource lands and appropriate buffers in the LEP and update DCP provisions to protect resource lands.	Medium
Identify and protect extractive resources and associated haulage routes; note in the DCP as areas where residential development/ access is to be avoided.	Short
Identify and upgrade key livestock and freight routes into and out of the LGA	Medium
Review heavy vehicle haulage provisions in Developer Contributions Plan/s.	Medium

Actions - Council General

- Grow agricultural based tourism and events
- Promoting Goulburn Mulwaree as a destination for tourism
- Attending Community Consultative Committees for State Significant Development.

Related Policies and Plans

- GM Rural Living Handbook
- LLS Rural Living – A guide for rural and rural residential landholders for the South East Region

⁷ 2016 Census of Population and Housing 30



Industry and Economy

Existing Situation

The majority of residents are employed within Goulburn Mulwaree which reinforces the position of Goulburn as a regional city centre. To ensure that the LGA provides for ongoing employment associated with growth in the housing sector, areas of existing productivity need to be supported with additional opportunities for diversity identified.

The top three industries in which workers are employed are health care and social assistance, public administration and safety, and retail trade. In recent years, there has been growth in the manufacturing sector.

Access to heavy vehicle haulage routes to/from Goulburn and Marulan is also considered important for local industry and the economy (**refer to Community Infrastructure Section**).

NSW has made a significant investment in Goulburn with the NSW Police Academy and Driver Training Centre and Goulburn Correctional Centre. The \$150 million upgrade to the Goulburn Base Hospital

will provide a stimulus to the growing health and services sector. Ancillary medical and health services facilities may also be attracted to Goulburn. The new Base Hospital will include a palliative care unit as well as a range of other services. This may provide opportunities for additional growth in the aged services sector and other associated health services industries. Value adding to local State infrastructure and ongoing development of State infrastructure will be important for local industry and the economy.

Goulburn Mulwaree has a strong history and association with motor sports. The area has a Speedway and Motor Cross Track in Goulburn, Wakefield Park Raceway outside of Goulburn and a racetrack at Marulan.

Goulburn Mulwaree is also a centre for equine pursuits and animal racing. Goulburn has two horse racing tracks, with gallopers located at the Goulburn Race Course and Harness Racing Club and Greyhound Racing at the Goulburn Recreation Area.

Challenges for Land Use

- Local employment is available for a growing population, opportunities to attract employment generating business need to be maximised.
- Shortage of short term accommodation for fly in fly out (FIFO) workers and medical personnel.
- Identifying opportunities to value add upon State infrastructure investment.
- Heavy vehicle haulage access to Hume Highway and East – West route to South Coast.



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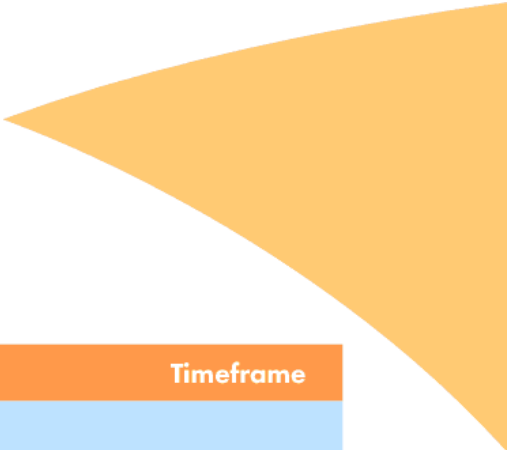
Vision 2040

Local industry provides for the employment needs of the region within a thriving and diversified economy which is resilient to change.

Planning Principles

- Collaborate with other levels of government, industry and other stakeholders to identify, plan and secure investment for infrastructure required to support growth and sustainability in the region.
- Engage with major NSW State Government stakeholders particularly Police, Corrective and Health Services to maximise opportunities for economic development associated with the NSW Police Academy, Goulburn Correctional Centre and Goulburn Base Hospital.
- Improve connectivity of Goulburn and Marulan to Hume Highway
- Advocate for digital connectivity: reliable 4G and NBN internet access, improved mobile reception for rural enterprises.
- Manage the interfaces between industrial, rural and urban services land and other uses.
- Support the night time economy and develop strategies to make Goulburn CBD more active at night.





Actions - Planning

Action	Timeframe
Review and update the Economic Development Strategy, taking into account identified endowments and specialisations and areas of opportunity identified in regional planning documents.	Medium
Review and update the Employment Lands Strategy 2016	Medium
Develop a health precinct around Ross Street	Short

Actions - Council General

- Apply for funding with relevant Councils to upgrade the haulage route from Nerriga to Goulburn (East - West link Hume Highway/Goulburn to south coast)
- Continue to monitor the occupancy rate of commercial/ retail buildings in the Goulburn CBD.
- Promote our competitive advantages to businesses considering relocating or struggling with high operating costs and overheads in Sydney, particularly industries leaving Sydney due to second airport and growth western Sydney/Sydney generally.

Related Policies and Plans

- Refer also to the Community Infrastructure Section.
- Southern Tablelands Regional Economic Development Strategy



Sustainability

Existing Situation

Goulburn Mulwaree is exposed to extremes of climate, with cold winters and hot summers. Temperature is the most reliable indicator of climate change, and across the South East and Tablelands Region all of the models agree that average, maximum and minimum temperatures are increasing. Studies have shown that urban green corridors, particularly street trees, significantly contribute towards localised reduction of the impacts of heat within built environments. Green grids are mainly comprised of street tree planting which aligns well with our traditional streetscapes. Goulburn in particular has the advantage of potential connections of street tree green grids with natural green grids being the Wollondilly and Mulwaree Rivers. Water bodies naturally provide a cooling effect which can be distributed via the street tree linkages. The recent upgrade of the Goulburn sewerage treatment plant also provides opportunities for use of recycled water in industry, open spaces and streets reducing pressure on potable supplies.

Building climate resilience will be increasingly important for the long term health and sustainability of our area's community and environment. Housing stock if appropriately designed can be made more resilient to extremes of weather. Currently building sustainability is regulated by BASIX controls and Part J provisions in the Building Code of Australia. These provisions are considered to be minimalistic and could be improved to be more regionally specific and relevant.

Council has initiated programs to reduce carbon emissions and to manage energy, water and waste more efficiently. These projects include: changing street lighting over to LED luminaires, a solar energy project at the Goulburn Wastewater Treatment plant and the installation of solar panels on Council buildings and facilities.

Council needs to provide waste and recycling services and infrastructure to meet the needs of the growing community in such a way that it achieves environmental and sustainability improvements. Council has committed to ongoing improvements but needs to work toward a circular economy with local reuse and recycling options.



Vision 2040

A sustainable environment which utilises best practice to minimise waste and maximise renewables.

Challenges for Land Use

- Supporting increased take up of renewable energy generation and use.
- Building stock upgraded or designed to be resilient against extremes of climate.
- Management the impacts of heat in the urban environment.
- Provision of waste management facilities that supports a circular economy with local reuse and recycling options.

Planning Principles

- Improve community energy, water and waste efficiency
- Incorporate best practice energy, water and waste management in new development.
- Promote uses of water through development that promotes green corridors and urban cooling.
- Improve connectivity via a “Green Grid” of tree canopy cover between urban areas and natural areas such as the rivers within Goulburn.
- Building design is to be resilient to extremes of climate.

Actions - Planning

Action	Timeframe
Review energy, water and waste provisions in planning provisions	Medium
Expand Council’s Climate Change Adaption Risk Management Plan to sit under a broader Climate Change Policy to include recommendations for amended planning provisions, to facilitate resilience in building/housing stock to climate extremes, with subdivisions to include measures for urban cooling “connecting to the Green Grid”.	Medium
Advocate that the State Government to increase the requirements of the Building Sustainability Index (BASIX) and Part J requirements under the Building Code of Australia.	Short

Actions - Council General

- Investigate funding options for recycled water reuse to be extended throughout Goulburn to facilitate public domain plantings and the implementation of a “Green Grid”.
- Council’s Sustainability Committee to regularly review and update Council’s Sustainability Plan and Action Plan to include broader recommendations beyond organisational sustainability.
- Review and update the Climate Change Risk Adaptation Action Plan 2009.
- Implement reduce, reuse recycle principle for waste management.
- Collaborate with the CRJO and industry on a regional response to waste
- Upgrade to Goulburn Waste Management Facility

Natural Hazards

Existing Situation

More frequent and severe heatwaves, droughts, storms, bushfires and floods are predicted for the LGA as the climate continues to change.

The South East and Tablelands Region is expected to experience an increase in average and severe fire weather in the near future and far future. The increases in average and severe fire weather are projected to occur mainly in spring and summer. Although the increases in severe fire weather are relatively small in magnitude (up to two more days every five years by 2030) they are projected to occur in prescribed burning periods (spring) and the peak fire risk season (summer). Autumn is projected to have a decrease in severe fire weather days. As fire weather measurements take into account rainfall, it is likely that the decrease in FFDI is due to projected increases in autumn rainfall across the region.

The City of Goulburn is located immediately upstream (west) of the confluence of

the Wollondilly and Mulwaree Rivers. Historically, mainstream flooding due to the Wollondilly and Mulwaree Rivers at Goulburn has been a relatively infrequent occurrence, however the impact of flooding is significant to the community. Historic newspaper articles indicate that major flood events, known to have caused flooding of properties in Goulburn, have occurred in April 1870, July 1900, June 1925, June 1950, October 1959, November 1961 and August 1974. More recently, significant flooding in Goulburn has occurred in August 1990, December 2010, March 2012 and June 2012.

Extended periods of heat and decreasing rainfall and drought has recently seen the extension of the bushfire period. The majority of Goulburn Mulwaree with the exception of central urban areas is identified as bushfire prone land. It is important to ensure that new subdivisions and development is located and designed in a manner to ensure that public safety is maximised.



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Vision 2040

A sustainable environment which utilises best practice to minimise waste and maximise renewables.

Challenges for Land Use

- Whilst rainfall is expected to decrease over time, the intensity of rain fall is expected to increase which has the potential to affect flooding.
- Reduced rainfall periods will exacerbate risk of bushfire and extend the bushfire period.
- More frequent and severe heatwaves, droughts, storms, bushfires and floods are predicted for the LGA as the climate continues to change.

Planning Principles

- Public facilities to include climate extremes mitigation measures.
- Identification and mitigation of vulnerabilities to natural hazards is incorporated into planning provisions.

Actions - Planning

Action	Timeframe
Maintain an updated Floodplain Risk Management Study and Plan for Goulburn city	Ongoing
Update planning provisions for flooding both within identified flood study areas and generic provisions for areas without flood studies	Short
Identify shortfalls in infrastructure for urban drainage where affected by localised flooding	Medium
Maintain updated developer contributions/developer servicing plans (DSPs) for urban drainage	Short (and Ongoing)
Prepare a Bushfire Management Strategy as a part of the planning for urban growth.	Short
Maintain up to date bushfire prone land mapping.	Ongoing

Actions - Council General

- Investigate grant funding for further flood studies and mitigation works.
- Liaison and coordination with State agencies to ensure appropriate identification, management, mitigation and response to natural hazards is undertaken.

Related Policies and Plans

- GM Sustainability Policy
- GM Climate Change Risk Management Plan, 2009
- South East Tablelands Climate Change Snap Shot, Adapt NSW
- Integrated Regional Vulnerability Assessment: SE NSW, NSW Office of Environment and Heritage, 2012

Heritage

Existing Situation

The LGA enjoys a rich Aboriginal and European cultural heritage with over 500 individual items of heritage identified within Council's LEP and a very large heritage conservation area identified within central Goulburn and smaller heritage conservation areas on the periphery of Goulburn and in South Marulan and Bungonia.

Council's Aboriginal Heritage Study 2012 identifies management recommendations for Aboriginal cultural heritage, including the need for site specific assessment of potential at relevant stages of the planning process. Furthermore, any such assessment of cultural heritage sites must be in consultation with the Aboriginal community.

The extensive nature of heritage in the LGA and in particular the rural areas requires support and management, with development posing

a risk to heritage if appropriate identification of potential sites has not been undertaken.

Whilst assessment of individual European heritage items and conservation areas (particularly urban areas) has been extensive, assessment of cultural heritage landscapes within the LGA has not been undertaken - this is considered to be an area for further study.

There are some significant heritage properties which are currently abandoned or in a state of disrepair which poses a challenge to both landowners, Council and State government.

Vision 2040

Goulburn Mulwaree's cultural heritage is conserved, actively adapted for use (where appropriate) and celebrated.



Challenges for Land Use

- Ensuring that the promotion of heritage as an opportunity rather than constraint to development.
- Ongoing consultation is maintained with all relevant bodies.
- Protection of Aboriginal and European cultural heritage.
- Identification of cultural heritage on isolated rural properties.
- Funding for maintenance and enhancement of cultural heritage.
- Assessment of cultural heritage landscapes.



Planning Principles

- Maintain planning provisions to protect and conserve heritage items and conservation areas
- Undertake planning projects to promote and highlight the area’s heritage assets.
- Ensure the preservation of Aboriginal heritage and culture at both strategic and development assessment stages of planning.

Actions - Planning

Action	Timeframe
Ensure consultation in the preparation of studies and assessments with the Aboriginal community	Ongoing
Maintain an updated Heritage Strategy.	Short
Review Goulburn Main Street Study.	Medium
Review LEP and DCP provisions to ensure sufficient incentives available to encourage the adaptive reuse of heritage items.	Short (and Ongoing)
Undertake a Cultural Heritage Landscape Strategy	Short
Undertake an inventory and maintenance program for Council owned heritage assets to assist with grant applications for maintenance etc.	Ongoing

Actions - Council General

- Continue Local Heritage Grant Scheme.
- Continue Main Street Heritage Grants
- Work with landowners to identify appropriate adaptive reuse opportunities for heritage sites, particularly large significant sites which are currently vacated.
- Continue Local Heritage Advisor Program participation with Heritage NSW

Related Policies and Plans

- GM Heritage Strategy
- GM Heritage Study and Review 2018
- Aboriginal Heritage Study 2012

Natural Environment

Existing Situation

The natural ecosystems of Goulburn Mulwaree have been extensively modified since European settlement and vegetation cover has been reduced by more than half. Clearing has occurred predominately in the more fertile lands and along riparian zones as this is the most productive land. Only a small portion of the LGA is part of formal reserves and the vegetation is only representative of a small proportion of the pre-European vegetation. The main threat to remaining vegetation and to important ecosystem functions (carried out by riparian zones and wetlands) is posed by further clearing associated with agricultural practises, gully erosion and rural residential development in agricultural areas.

Weed invasion, and in particular invasion by perennial grass weeds like Serrated Tussock, African Lovegrass and Chilean Needle Grass, has the potential to reduce, and in some cases, eliminate native and introduced pastures and impact significantly upon agricultural enterprise. Due to the significance of agriculture across Goulburn Mulwaree, we consider that the LGA as a whole is an asset requiring protection. As an area of high agricultural production value with significant areas containing threatened or endangered species Council

and other landholders are required to carry out additional asset protection works, such as being required to suppress, manage or mitigate the impacts of weeds.

Goulburn Mulwaree is located within the upper Warragamba water catchment and forms a part of the Sydney drinking water catchment. Development within the catchment is required to have a neutral or net beneficial impact on water quality. Strategic land use planning provides an opportunity to identify sensitive areas, particularly water courses to ensure appropriate planning provisions are in place to enable the health of waterways to be improved.

Waterways outside of the catchment are also important as water courses provide ecological corridors. The dominance of sheep and cattle grazing as a land use throughout the LGA poses an ongoing management issue for waterways as being one of the major contributors to waterway degradation. Urban development and the use of on-site effluent management systems for rural residential dwellings also pose a threat to water quality. Weed management throughout both urban and rural areas also poses a threat to the health of waterways within the LGA.

Vision 2040

Protection and enhancement of the quality of native environments and systems.



Challenges for Land Use

- Waterways management.
- Soil erosion.
- Land clearing.
- Rural residential development and associated impacts.

Planning Principles

- Preserve and maintain natural environments
- Identify and enhance biodiversity connections.
- Protect waterways and catchments
- Maintain a balance between growth, development and environmental protection

Actions - Planning

Action	Timeframe
Review land use zonings for Environmental zones in the Local Environmental Plan.	Medium
Identify opportunities to link natural areas and habitat corridors through appropriate zoning	Medium
Review LEP provisions relating to management of watercourses	Short
Develop an Integrated Water Management Strategy in partnership with Water NSW for Goulburn Mulwaree to inform LEP and DCP provisions and Council capital works projects.	Short
Review and update the Goulburn Mulwaree Biodiversity Strategy 2007 to include more detailed vegetation mapping.	Short - Medium
Update Council's Development Control Plan (DCP) provisions for vegetation management to reflect changes to legislation.	Short
Update Plans of Management for natural areas, parks and areas of cultural significance.	Short

Actions - Council General

- Investigate potential for large biodiversity offset sites on Council owned land to support future development in the LGA and/or region.
- Continue to undertake weed eradication programs within rural and natural areas
- Update the Goulburn Mulwaree Rural Living Handbook
- Update Goulburn Mulwaree Waterways Plan 2014.

08 Implementation

Delivering, Monitoring and Reporting on the Actions in the LSPS

In order to deliver the vision identified in the LSPS the following actions are proposed to ensure forward planning aligns with the principles and that ongoing monitoring, reporting and review is undertaken.

Actions

- Consideration of the LSPS during the assessment of development applications and planning proposals.
- Consideration of the LSPS in the preparation of Council strategies and policies.
- Review the LSPS every 7 years as required by legislation.
- Reporting and monitoring of the progress of the LSPS in the Council's Annual Report.



References

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ABS Estimated Resident Population 2019

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GM Biodiversity Strategy, Eco Logical Australia, 2007

Goulburn CBD Master Plan, EDAW/AECOM, 2009

GM Climate Risk Assessment Adaptation Report, Echelon, 2009

GM Community Participation Plan, GMC 2019

GM Delivery Program 2017 – 2021

GM Employment Lands Strategy, Hill PDA, 2016

GM Freight Investigation Paper, GHD, 2018

GM Heritage Study Review, Sue Rosen and Associates

GM Draft Recreational Needs Strategy, Purdon Planning/GMC, 2019

GM Draft Social Sustainability Strategy and Action Plan 2019, Cred Consulting

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Goulburn Mulwaree Strategy 2020, Parsons Brinckerhoff 2006

GM Operational Plan 2019 – 2020

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NSW Cultural Infrastructure Plan 2025+, NSW Government

NSW Future Transport Strategy

South East Tablelands Climate Change Snap Shot, Adapt NSW

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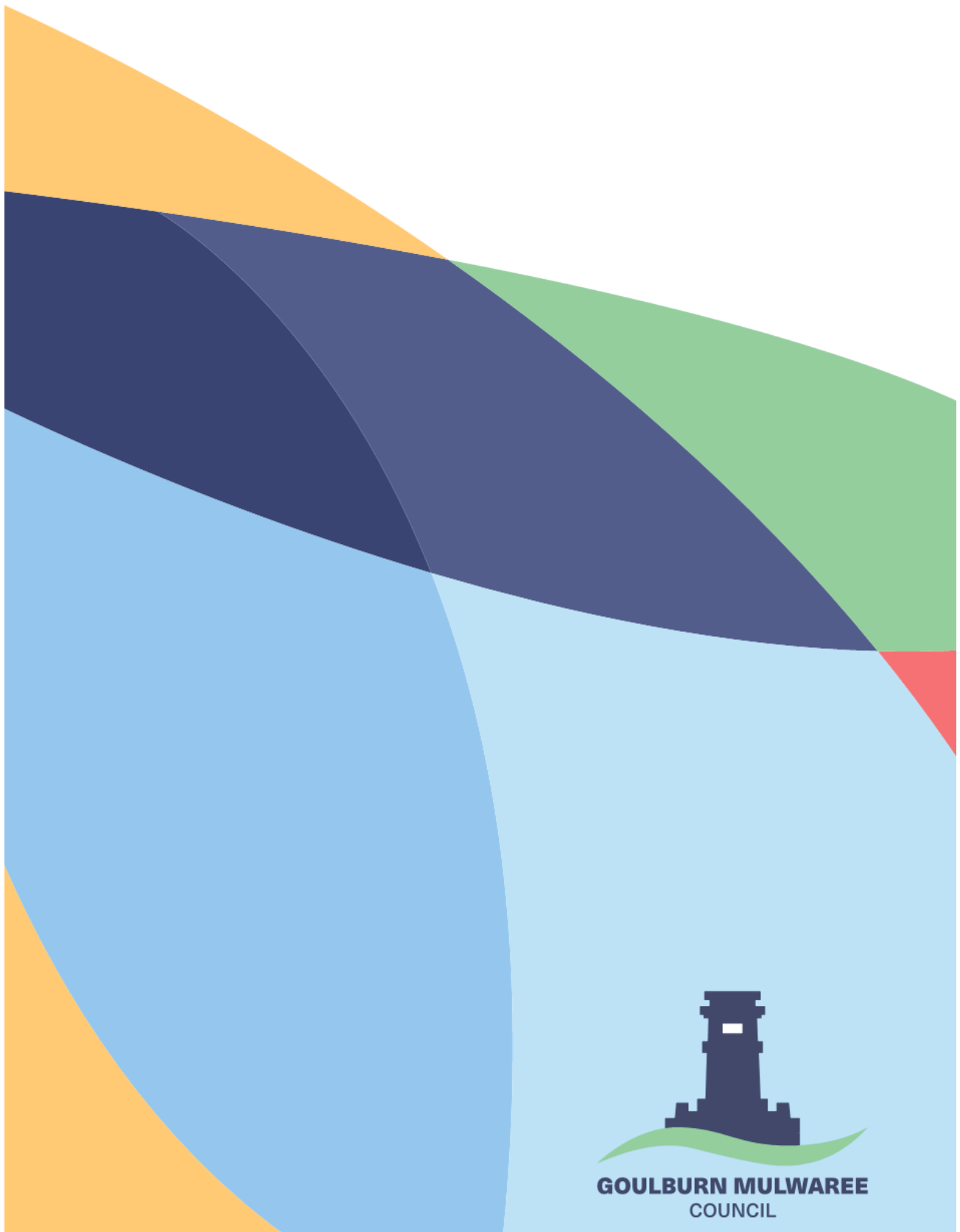
Sydney Canberra Corridor Regional Strategy 2006 – 31, NSW Department of Planning

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- <https://www.abs.gov.au/>
- <https://forecast.id.com.au>
- <https://www.waternsw.com.au/water-quality/catchment/living/stormwater/water-sensitive-design>
- Adapt NSW
- <https://crjo.nsw.gov.au/>



Attachment I – Policy Map

Local Strategic Planning Statement 2020 - 2040 Planning Priority and 2040 Vision	The Tablelands Regional Community Strategic Plan 2016 - 2036	South East and Tablelands Regional Plan 2036
<p>1. Infrastructure</p> <p>Vision 2040 - Infrastructure meets the needs of a growing community.</p>	<p>Strategy IN1 - develop high speed rail links between the region, Canberra, Sydney and Melbourne</p> <p>Strategy IN3 - maintain and improve road infrastructure and connectivity</p> <p>Strategy IN5 - ensure high quality water supply options for the towns in the region</p> <p>Strategy IN7 - secure improvements for, and future proof, telecommunications infrastructure</p> <p>Strategy IN8 - improve accessibility to, and support the development of. Health and medical facilities in the region</p> <p>Strategy IN9 - improve accessibility to, and support the development of, education and training facilities in the region</p>	<p>Strategy IN1 - develop high speed rail links between the region, Canberra, Sydney and Melbourne</p> <p>Strategy IN3 - maintain and improve road infrastructure and connectivity</p> <p>Strategy IN5 - ensure high quality water supply options for the towns in the region</p> <p>Strategy IN7 - secure improvements for, and future proof, telecommunications infrastructure</p> <p>Strategy IN8 - improve accessibility to, and support the development of. Health and medical facilities in the region</p> <p>Strategy IN9 - improve accessibility to, and support the development of, education and training facilities in the region</p>
<p>2. City, Town and Village Centres</p> <p>Vision 2040 - Vibrant, accessible town centres which provide a range of services to meet the community's needs.</p>	<p>Strategy IN2 - improve public transport links to connect towns within the region and increase access to major centres</p>	<p>Direction 12: promote business activities in urban centres</p>
<p>3. Community Facilities, Open Space and Recreation</p> <p>Vision 2040 - Physical, social and cultural activity is supported by a range of facilities and shared spaces.</p>	<p>Strategy IN4 - maintain and update existing community facilities, and support the development of new community infrastructure as needed.</p> <p>Strategy C02 - encourage and facilitate active and creative participation in community life</p> <p>Strategy C03 - foster and encourage positive social behaviours to maintain our safe, health, and connected community</p>	<p>Direction 21: increase access to health and education services</p> <p>Direction 22: build socially inclusive, safe and healthy communities</p>

Local Strategic Planning Statement 2020 - 2040 Planning Priority and 2040 Vision	The Tablelands Regional Community Strategic Plan 2016 - 2036	South East and Tablelands Regional Plan 2036
<p>4. Housing</p> <p>Vision 2040 - A range and diversity in housing type, which is contextual and affordable is primarily centred on Goulburn and Marulan.</p>	<p>Strategy C01 - facilitate and encourage equitable access to community infrastructure and service, such as health care, education and transport</p> <p>Strategy C05 - maintain our rural lifestyle</p>	<p>Direction 24: deliver greater housing supply and choice</p> <p>Direction 25: focus housing growth in locations that maximises infrastructure and services</p> <p>Direction 27: deliver more opportunities for affordable housing</p> <p>Direction 28: manage rural lifestyles</p>
<p>5. Primary Industry</p> <p>Vision 2040 - Primary resource land is a valued asset; and primary industry is a significant economic sector within the LGA which contributes to positive environmental and social outcomes.</p>	<p>Strategy EC4 - foster and develop a diverse, adaptive, and innovative agricultural industry</p> <p>Strategy C05 - maintain our rural lifestyle</p>	<p>Direction 5: promote agricultural innovation, sustainability and value-add opportunities</p> <p>Direction 8: protect important agricultural land</p> <p>Direction 13: manage the ongoing use of mineral resources</p> <p>Direction 28: manage rural lifestyles</p>
<p>6. Industry and Economy</p> <p>Vision 2040 - Local industry provides for the employment needs of the region within a thriving and diversified economy which is resilient to change.</p>	<p>Strategy EC1 - capitalise on the region's close proximity to Canberra and its position as a convenient hub to South East Australia to attract industry and investment</p> <p>Strategy EC2 - jointly develop appropriate tourism opportunities and promote the region as a destination</p> <p>Strategy EC3 - support and foster conditions that enable local and small/home-based businesses to grow</p> <p>Strategy EC5 - encourage collaboration between businesses, government, and training providers to develop employment and training opportunities for young people in the region</p> <p>Strategy IN8 - improve accessibility to, and support the development of. Health and medical facilities in the region</p> <p>Strategy IN9 - improve accessibility to, and support the development of, education and training facilities in the region</p>	<p>Direction 4: leverage growth opportunities from Western Sydney</p> <p>Direction 9: grow tourism in the region</p> <p>Direction 10: strengthen the economic self-determination of Aboriginal communities</p>

Local Strategic Planning Statement 2020 - 2040 Planning Priority and 2040 Vision	The Tablelands Regional Community Strategic Plan 2016 - 2036	South East and Tablelands Regional Plan 2036
<p>7. Sustainability</p> <p>Vision 2040 - A sustainable environment which utilises best practice to minimise waste and maximise renewables.</p>	<p>Strategy IN6 - implement safe, accessible, and efficient waste management and recycling options for general and green waste and sewerage</p> <p>Strategy EN2 - adopt environmental sustainability practices</p> <p>Strategy EN3 - protect and rehabilitate waterways and catchments</p> <p>Strategy EN4 - maintain a balance between growth, development and environmental protection through sensible planning</p> <p>Strategy EN5 - to investigate and implement approaches to reduce our carbon footprint</p>	<p>Direction 6: position the region as a hub of renewable energy excellence</p>
<p>8. Natural Hazards</p> <p>Vision 2040 - Natural hazards are identified, planned for and mitigated where possible throughout the planning process.</p>		<p>Direction 16: protect the coast and increase resilience to natural hazards</p> <p>Direction 17: mitigate and adapt to climate change</p> <p>Direction 18: secure water resources</p>
<p>9. Heritage</p> <p>Vision 2040 - Goulburn Mulwaree's cultural heritage is conserved, actively adapted for use (where appropriate) and celebrated.</p>	<p>Strategy C04 - recognise and celebrate our diverse cultural identities, and protect and maintain our community's natural and built cultural heritage</p>	<p>Direction 23: protect the region's heritage</p>
<p>10. Natural Environment</p> <p>Vision 2040 - Protection and enhancement of the quality of native environments and systems.</p>	<p>Strategy EN1 - protect and enhance the existing natural environment, including flora and fauna native to the region</p>	<p>Direction 15: enhance biodiversity connections</p> <p>Direction 14: protect important environmental assets</p>

15.5 ENFORCEMENT POLICY

Author: Sarah Ainsworth, Business Manager Environment & Health

Authoriser: Warwick Bennett, General Manager

Attachments: 1. Enforcement Policy [↓](#) 

Link to Community Strategic Plan:	EN1 Protect and enhance the existing natural environment, including flora and fauna native to the region CL1 Effect resourceful and respectful leadership and attentive representation of the community
Cost to Council:	The cost of advertising this policy is part of the operational budget
Use of Reserve Funds:	NIL

RECOMMENDATION

That

1. The report from the Business Manager Environment & Health be received.
2. The Draft Enforcement Policy be placed on public exhibition for a period of 28 days.
3. Any submissions or recommended amendments as a result of the exhibition process be reported back to Council for the adoption of the Enforcement Policy.

BACKGROUND

Councils are required to have an adopted Enforcement Policy that provides information for internal and external stakeholders and other interested parties that outline Council’s position on compliance and enforcement matters in the local government area.

Councils previous Enforcement Policy was rescinded by resolution on 17 July 2017 as a thorough review of the Policy was required. The previous Policy also did not give consideration or incorporate the requirements of the NSW Ombudsman ‘*Enforcement Guidelines for Councils*’ or the ‘*Model Compliance and Enforcement Policy*’ (2015). At the time it was also considered that a documented procedure, rather than a policy, would be a more appropriate manner in which to deal with the matter. More recent advice from the NSW Ombudsman has challenged this approach, and as such it is considered necessary to re-adopt a policy related to Council’s enforcement functions.

In summary it is noted that the proposed adoption of an Enforcement Policy is not based on a need to create a new process, or create a new ‘policy’ stance, but rather document Council’s current practices in a more appropriate manner.

REPORT

Local Government organisations are responsible for the enforcement of a diverse range of legislative provisions designed to protect public infrastructure, public health, safety and amenity and the environment.

The guiding principles, under section 8 of the Local Government Act 1993, require Council to ensure that its regulatory powers are exercised fairly and in a consistent manner without bias and in the best interests of the community.

To assist Councils in achieving this requirement the NSW Ombudsman developed the ‘*Model Compliance and Enforcement Policy*’ for Councils to utilise in the development or review of a new or existing Enforcement Policy. This model policy provides a framework for ensuring Council has

made, included and documented the appropriate considerations in regard to the undertaking of Councils regulatory functions and any subsequent enforcement action. In the absence of an adopted Policy position the advice from the NSW Ombudsmen is that a Council may be susceptible to allegations of impropriety, bias or inconsistency in regard to compliance and enforcement actions undertaken. Further to this, without a policy in place the Council, its Officers and the community have less certainty of the processes which should be followed in undertaking these functions.

The attached Draft Enforcement Policy outlines Councils comprehensive approach to enforcement and provides a framework that seeks to promote an understanding of the manner in which enforcement activities and actions will be undertaken. This Policy is supported by detailed internal procedures that provide further guidance to Council officers.

The purpose of the Draft Enforcement Policy is to provide structure for consistency and transparency in decision making, and to facilitate a proportional approach to compliance and enforcement. It is also intended to assist Council staff to act promptly, effectively and consistently in response to allegations of unlawful activity.

This Draft Policy outlines factors to be considered at the various stages of the enforcement process from the receipt and investigation of reports alleging unlawful activity, including how matters are assessed and prioritised for investigation, through to enforcement options available to council and considerations given when determining how to best respond to these compliance matters including whether to commence criminal or civil proceedings.

In determining regulatory actions to be taken in regards to a compliance matter Council will take into account the circumstances surrounding the matter, the risk presented by the non-compliance, community needs and interests and the principles of social justice. Council decision-making in relation to enforcement will continue to be transparent and consistent, albeit with the additional safeguard of an endorsed policy.

It is noted that the Draft Enforcement Policy that is being put forward is generally in accordance with the *'Model Compliance and Enforcement Policy'* as developed by the NSW Ombudsman, apart from minor wording changes, contextual commentary and specific sections that are intended to be customised by Council's based on local considerations.

As previously stated, the proposed adoption of an Enforcement Policy is not based on a need to create a new process, or create a new 'policy' stance, but rather document Council's current practices in a more appropriate manner. Overall this is considered to be in the best interest of the community and its stakeholders.



DRAFT

Enforcement Policy



GOULBURN MULWAREE COUNCIL

ENFORCEMENT POLICY

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GOULBURN MULWAREE COUNCIL

ENFORCEMENT POLICY

1 PURPOSE

This policy provides information for internal and external stakeholders and interested parties about Council's position on compliance and enforcement matters in the Goulburn Mulwaree local government area.

The purpose of this policy is to provide structure for consistency and transparency in decision making, and to facilitate a proportional approach to compliance and enforcement. It is also intended to assist Council staff to act promptly, effectively and consistently in response to allegations of unlawful activity.

This policy outlines factors to be considered at the various stages of the enforcement process from the receipt and investigation of reports alleging unlawful activity, including how matters are assessed and prioritised for investigation, through to enforcement options available to council and considerations given when determining how to best respond to these compliance matters including whether to commence criminal or civil proceedings.

2 SCOPE

This policy applies to all compliance and enforcement actions where Goulburn Mulwaree Council has a regulatory responsibility and is the appropriate regulatory authority under New South Wales legislation. This policy applies to all regulatory and compliance functions including scheduled regulatory programs, investigation of complaints and enforcement actions.

Council's regulatory responsibilities are applicable to actual unlawful activity, as well as a failure to take action (in order to be compliant with certain legislative or legal requirements) including failure to comply with approvals or legal directions. For simplicity, this policy refers to both an act and/or an omission by an alleged offender as 'unlawful activity'.

In certain circumstances Council will have shared enforcement responsibilities with other regulatory authorities. This policy sets out a collaborative and cooperative approach to such matters. Advice and guidance is also provided on the role of Council in building and construction compliance matters where there is a private certifier, and the role of Councillors in enforcement.

Council will undertake compliance and enforcement action where appropriate in accordance with this Policy document. However, Responsible Council staff are not limited by this policy in their use of discretion and exercise of official functions. The full circumstances and facts of each case need to be considered and a decision made on the merits.

3 POLICY OBJECTIVE

Policy objectives:

- To provide clear guidelines and protocols for the management of Councils regulatory activities and to assist Council officers in making decisions in the undertaking of their enforcement functions;
- To specify the criteria which Council will take into consideration when deciding:
 - a) If enforcement action is necessary; and
 - b) The most appropriate type of action.



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- To provide guidelines for the exercising of discretion when dealing with non-compliances including taking into account not only legislative provisions but all relevant information including the available evidence, cost to the community, the circumstances of the individual case, public policy and precedent considerations;
- To provide a consistent approach in the enforcement and resolution of matters and to ensure these matters are managed in a transparent manner;
- To ensure the principles of procedural fairness and natural justice are followed;
- To provide information to the public about Councils role and policy position on enforcement; and
- Ensures that the enforcement process is conducted proportionate to the risk associated.

4 LEGISLATIVE PROVISIONS

Local Government organisations are responsible for the enforcement of a diverse range of legislative provisions designed to protect public infrastructure, public health, safety and amenity and the environment. The guiding principles, under section 8 of the Local Government Act 1993, require Council to ensure that its regulatory powers are exercised fairly and in a consistent manner without bias and in the best interests of the community.

In determining regulatory actions to be taken in regards to a compliance matter Council will take into account the circumstances surrounding the matter, the risk presented by the non-compliance, community needs and interests and the principles of social justice. Council decision-making will be transparent and in accordance with this policy.

This is policy outlines Councils broad approach to enforcement and provides a framework that promotes understanding of the manner in which enforcement activities and actions will be undertaken. This Policy is supported by detailed procedures that provide further guidance to Council officers.

5 APPLICATION

This policy applies to all compliance and enforcement actions where Goulburn Mulwaree Council has a regulatory responsibility and is the appropriate regulatory authority under New South Wales legislation. As a statutory body, the Council cannot act in a particular situation unless it has been given the power to do so by an Act or Regulation. In the exercise of Councils regulatory functions it is required to act in the public interest rather than the private interest of individuals or landowners.

Activities and functions for which Council has an enforcement or regulatory responsibility include but are not limited to:

- | | |
|-----------------------------|-------------------------------|
| • Development and building | • Biosecurity Weeds |
| • Pollution | • Impounding |
| • Environmental Health | • Parking and Traffic Control |
| • Food Safety | • Abandoned Articles |
| • On-site Sewage Management | • Tree Preservation |
| • Companion Animals | • Fire Safety |
| • Swimming Pools | • Boarding Houses |
| • Public Health and Safety | • Water and Sewer |



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6 COMPLIANCE AND ENFORCEMENT PRINCIPLES

The following are the principles that underpin Council actions relating to compliance and enforcement.

Principle	Action
Accountable and transparent	<ul style="list-style-type: none"> Acting in the best interests of public health and safety and in the best interests of the environment Ensuring accountability for decisions to take or not take action Acting fairly and impartially and without bias or unlawful discrimination Providing information about compliance and enforcement priorities and reasons for decisions to improve understanding and certainty and promote trust by the regulated community Ensuring meaningful reasons for decisions are given to all relevant parties, particularly when there is a departure from this Policy. Acting on any complaints or concerns about the conduct of officers in accordance with council's complaints management policy and procedures Advising people and organisations subject to enforcement action of any avenues available to seek an internal or external review of a decision
Consistent	<ul style="list-style-type: none"> Ensuring compliance and enforcement action is implemented consistently Encouraging customer reports about possible unlawful activity by acting reasonably in response to the circumstances and facts of each matter
Proportional	<ul style="list-style-type: none"> Ensuring the level of enforcement action is proportionate to the level of risk and seriousness of the breach Making cost effective decisions about enforcement action Taking action to address harm and deter future unlawful activity
Timely	<ul style="list-style-type: none"> Ensuring responses to reports alleging unlawful activity and decision making in relation to those is timely.

7 RESONSIBILITY

Council receives information about alleged unlawful activity from members of the public, contact from other Government Agencies and information gathered by its Officers during proactive inspections.

All Council staff who deal with reports alleging unlawful activity are responsible for implementing this policy. Council staff are also responsible for ensuring that any other possible unlawful activity identified as a result of an inspection, proactive enforcement or other activity is brought to the attention of the appropriate business unit of council.

Only Council officers with appropriate delegations from the General Manager can undertake investigations or compliance and enforcement actions in relation to this Policy.



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Council staff are required to:

- treat all relevant parties with courtesy and respect;
- communicate with all relevant parties and provide feedback on the progress of an investigation and any reasons for delay without compromising the integrity of the investigation;
- make full and proper records in relation to the assessment and investigation of reports alleging unlawful activity, including reasons for any decisions;
- inform all relevant parties of reasons for decisions;
- provide as much information as possible to all relevant parties about the outcomes of investigations to show that adequate and appropriate action was taken and/or is proposed to be taken in response to a report of alleged unlawful activity;
- provide information to all relevant parties about any avenues to seek an internal or external review of a decision.

All reports alleging unlawful activity are to be entered into Council's customer request management system and actioned within the appropriate risk based time frame by the appropriate business unit.

8 SUBMITTING REPORTS OF UNLAWFUL ACTIVITY

Reports alleging unlawful activity will be recorded in Council's customer request systems and will be allocated a unique reference number. The report will be referred to the relevant Council Officer to commence any necessary action.

The name, address and contact details of the person submitting the report will also be recorded. This information is critical as Council may need to rely on evidence from the complainant to prove any alleged offence and commence enforcement action. Council will advise any complainants of the action, if any, taken or the reasons why no action was taken in the circumstances.

Council generally seeks to keep confidential, personal information identifying a complainant. However, Council may be required to disclose the identity of complainants in a variety of circumstances including the following:

- The matter proceeds to Court or legal proceedings are commenced and the information is disclosed in evidence served;
- When access to the information is permitted under Legislation, including the Government Information (Public Access) Act 2009 or the Local Government Act 1993;
- The person consents to the disclosure;
- The disclosure is required to comply with the principles of procedural fairness;
- The disclosure is necessary to investigate the matter.

It should also be noted that in some circumstances it may be possible to ascertain the identity of the person submitting the report by the nature of the allegation. Council will take seriously any concerns an individual may have about their physical safety being endangered as a result of making a report. However, this may limit council's ability to investigate the matter.



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8.1 What Council expects from people who report allegations of unlawful activity

Council expects that people who report allegations of unlawful activity will cooperate and act in good faith in respect of any investigations conducted by Council. This includes:

- providing a clear description of the problem (and the resolution sought, if relevant);
- providing a clear description/account of the impact that the alleged activity is having;
- giving all available and relevant information to Council, including any new information about the alleged activity that may become known to the person following the making of their report;
- not giving any information that is intentionally misleading or wrong;
- cooperating with Council's inquiries and giving timely responses to questions and requests for information;
- treating Council's staff with courtesy and respect.

If these expectations of the individual are not met, Council may need to set limits or conditions on the continuation of the investigation or may need to restrict any further communications with the individual. Any unreasonable conduct will be dealt with in accordance with Council's Unreasonable Complainant Conduct Policy.

8.2 Anonymous Reports

Anonymous reports will be recorded and assessed in accordance with the requirements of this Policy. However, because it is not possible to seek clarification or additional information about a matter, it may be more difficult to evaluate the allegations and therefore these reports are less likely to warrant investigation.

8.3 Neighbour Disputes

Council will at times receive reports from parties involved in neighbour disputes seeking council's involvement. When a dispute between two neighbours is a civil matter, council will often have no authority to resolve the issue in dispute. Some reports will raise several matters, some of which will require council's involvement and some of which will be personal to the parties.

Council staff will thoroughly assess such reports to determine whether there is evidence of any possible unlawful activity requiring action by council. Care will be taken to explain which aspects of a report council can deal with and which cannot be dealt with and why. Where possible, individuals will be provided with information about how to resolve neighbour disputes including referral information resources such as LawAccess NSW and Community Justice Centres.

It is possible that one party may provide further information about a matter which changes council's decision about whether it will become involved. In such circumstances, council staff will carefully consider the matter before taking action and document reasons for the new decision. Relevant parties will be advised about the reasons council has changed its position on a matter.

Council staff will not change a decision about whether or not council should be involved purely as a response to the conduct of an individual such as persistent demands or threats.



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8.4 Complaints regarding Council Enforcement Actions

Any complaints about Council's handling of reports alleging unlawful activity will be recorded separately and handled in accordance with council's complaints management policy and associated procedures.

Where a person or organisation subject to enforcement action merely disputes Council's decision to take enforcement against them, they will be directed to make representations in accordance with any relevant internal and external appeal processes.

Council will act on any complaints about the conduct of compliance officers in accordance with council's complaints management policy and procedures and the code of conduct.

9 RESPONDING TO CONCERNS ABOUT UNLAWFUL ACTIVITY

Council will record every report alleging unlawful activity in the customer request management system. Council will provide a response to every such report unless the person raising the matter has indicated they do not wish to receive a response about council's handling of the matter, or the report is anonymous.

Generally speaking, council's objectives when dealing with reports alleging unlawful activity are to:

- maintain the collective good and welfare of the community;
- prevent or minimise harm to health, welfare, safety, property or the environment;
- consider the broader public interest having regard to council's priorities and any resource limitations;
- consider the report fairly and impartially.

Not all reports received can, will or need to be investigated. A preliminary assessment of all matters will be made to determine the priority for a response and a risk assigned in accordance with Council's customer request response procedure, to determine whether investigation or other action is required.

An investigation of alleged unlawful activity may take a significant amount of time to complete, particularly where the issues are complex. If Council decides to investigate, staff will give the person who reported the alleged unlawful activity regular feedback on the progress of the investigation, and any reasons for delay. This does not mean that the individual can expect to be given details about every aspect of the investigation or information that would compromise the integrity of the investigation.

Decisions about what action should be taken by Council are made at the Council's discretion. This means the objective is that reports alleging unlawful activity will be resolved to the satisfaction of Council, not necessarily the person raising the matter. Council will generally try to resolve matters as quickly and informally as possible so as to avoid the need to take formal action.

Council staff will endeavour to manage the expectations of people who report alleged unlawful activity, and in particular explain that in the absence of sufficient evidence of unlawful activity, Council may be unable to take further action. Council does not have unlimited resources and powers to deal with all reports alleging unlawful activity. If council is unable to fully investigate or take action on a matter because it is restricted by any legal or resource limitations this will be explained to the individual. While there are certain statutory requirements that must be met in relation to notices and orders council staff will ensure that all explanatory communications are made in plain English and explain any technical language the law requires to be used.



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10 UNREASONABLE COMPLAINANT CONDUCT

Council has an obligation to use resources efficiently and effectively. While Council acknowledges a customer's entitlement to make requests and complaints, it reserves the right to cease responding to customers that continually exhibit unreasonable customer behaviour including:

- a) requests that place unreasonable demands on Council's staff;
- b) requests that place unreasonable demands on Council's resources;
- c) unreasonable persistence;
- d) unreasonable lack of cooperation;
- e) requests or complaints based on unreasonable arguments;
- f) behaviour that is threatening, abusive or aggressive.

In the context of the above situations officers will follow Council's Unreasonable Complainant Conduct Policy.

11 INVESTIGATING ALLEGED UNLAWFUL ACTIVITY

Not all reports alleging unlawful activity will warrant investigation. A preliminary assessment of all matters will be made to determine whether investigation or other action is required. Council will prioritise matters on the basis of risk to public safety, human health and environment in accordance with its Customer Request Response Procedure.

If there is insufficient information in the report to undertake a preliminary assessment, further information may need to be sought from the person who made the report or an inspection undertaken. Staff may also need to consult council records and other internal business units to understand the relevant history and context of a matter.

11.1 Circumstances where no action will be taken

Council will take no further action if, following a preliminary assessment, it is identified that:

- the report is not supported with evidence or appears to have no substance;
- Council does not have jurisdiction to investigate or is not the appropriate authority to take action on the issues raised.

Where there is another appropriate authority or course of action, council may bring the matter to the attention of the authority or provide information and contact details to the individual. For example NSW WorkCover for workplace safety matters, the NSW Environment Protection Authority for possible environmental offences and licensed sites and Community Justice Centres NSW for personal disputes;

- the report relates substantially to a matter previously determined by Council and no new or compelling information is presented which would cause Council to change its earlier decision. In this case, staff will acknowledge the report and advise that no further action will be taken as no new information had been provided (other than where the person has previously been advised they would receive no further response);
- the allegations relate to a lawful activity (e.g. where there is an existing approval or the activity is permissible without Council approval or consent being required);
- the relevant Business Manager, Director or the General Manager determines that investigation or other action would have an unreasonable impact on resources and/or is unlikely to achieve an outcome sufficient to justify the expenditure of resources.



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11.2 Relevant factors guiding decisions as to whether take action

When deciding whether to investigate, Council will consider a range of factors including whether:

- the activity is having a significant detrimental effect on the environment or it constitutes a risk to public safety;
- the report is premature as it relates to some unfinished aspect of work that is still in progress;
- the activity or work is permissible with or without permission;
- all conditions of consent are being complied with;
- how much time has elapsed since the events, the subject of the report, took place;
- another body is a more appropriate agency to investigate and deal with the matter;
- it appears there is a pattern of conduct or evidence of a possible wide spread problem;
- the person or organisation reported has been the subject of previous reports;
- the report raises matters of special significance in terms of the Council’s existing priorities;
- there are significant resource implications in relation to an investigation and any subsequent enforcement action;
- it is in the public interest to investigate the report.

The above are factors for Council to consider and weigh in making a determination. Council staff are not limited in their use of discretion by these considerations and may decide to investigate based on these and other factors.

The objective of the processes Council staff use when investigating incidents of alleged unlawful activity, is to:

- determine the cause of the incident;
- determine if there has been a contravention of law, policy or standards;
- gather evidence to the required standard to support any required enforcement action;
- determine any necessary action to mitigate the possibility of reoccurrence of similar incident.

Any decision not to investigate an allegation of unlawful activity will be recorded and the reasons for that decision clearly stated to the complainant.

12 DECIDING WHETHER OR NOT TO TAKE ENFORCEMENT ACTION

When deciding whether to take enforcement action in relation to a confirmed case of unlawful activity, council will consider the full circumstances and facts of the matter including the public interest. The following common considerations will assist council staff in determining the most appropriate response in the public interest:

12.1 Considerations about the alleged offence and impact:

- the nature, extent and severity of the unlawful activity, including whether the activity is continuing;
- the harm or potential harm to the environment or public health, safety or amenity caused by the unlawful activity;
- the seriousness of the breach, including whether the breach is merely technical, inconsequential or minor in nature;
- the time period that has lapsed since the date of the unlawful activity.



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12.2 Considerations about the alleged offender:

- any prior warnings, cautions, instructions, advice that was issued to the person or organisation reported or previous enforcement action taken against them;
- whether the offence was committed with intent;
- whether the person or organisation reported has been proactive in the resolution of the matter and assisted with any Council requirements and instructions;
- any mitigating or aggravating circumstances demonstrated by the alleged offender;
- any particular circumstances of hardship affecting the person or organisation reported.

12.3 Considerations about the impact of any enforcement action:

- the need to deter any future unlawful activity;
- whether an educative approach would be more appropriate than a coercive approach in resolving the matter;
- the prospect of success if the proposed enforcement action was challenged in Court;
- the costs and benefits of taking formal enforcement action as opposed to taking informal or no action;
- what action would be proportionate and reasonable in response to the unlawful activity;
- whether Council is prevented from taking action based on earlier advice given, i.e. whether an estoppel situation has been created.

12.4 Considerations about the potential for remedy:

- whether the breach can be easily remedied;
- whether it is likely consent would have been given for the activity if it had been sought;
- whether there is a draft planning instrument on exhibition that would make the unauthorised use legal.

Prior to taking enforcement action, council staff will take into account the above considerations as well as the evidence gathered during their investigation. Council staff must act impartially, be mindful of their obligations under council's code of conduct and not act as a decision-maker in relation to any matter in which they have a personal interest. Enforcement action will not be taken purely as a response to the conduct of an individual such as persistent demands or threats.

Council staff are required to maintain records about critical thinking and decision-making processes in relation to reports alleging unlawful activity and any enforcement actions undertaken, as well as records of interactions with relevant parties. Council staff will at all times adhere to council's internal processes prior to the commencement of any enforcement action.

Council staff will take all steps necessary to ensure that any enforcement action is taken against the correct person or organisation.

13 OPTIONS FOR DEALING WITH CONFIRMED CASES OF UNLAWFUL ACTIVITY

Council will use the most effective, informal option to deal with unlawful activity where ever possible unless there is little likelihood of compliance with such options. Council staff will use discretion to determine the most appropriate response to confirmed cases of unlawful activity and may take more than one approach.

Any enforcement action taken by Council will depend on the full circumstances and facts of each case, with any decision being made on the merits.



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At all times, Council's key concerns are:

- to prevent or minimise harm to health, welfare, safety, property or the environment;
- to influence behaviour change for the common good and on behalf of the community.

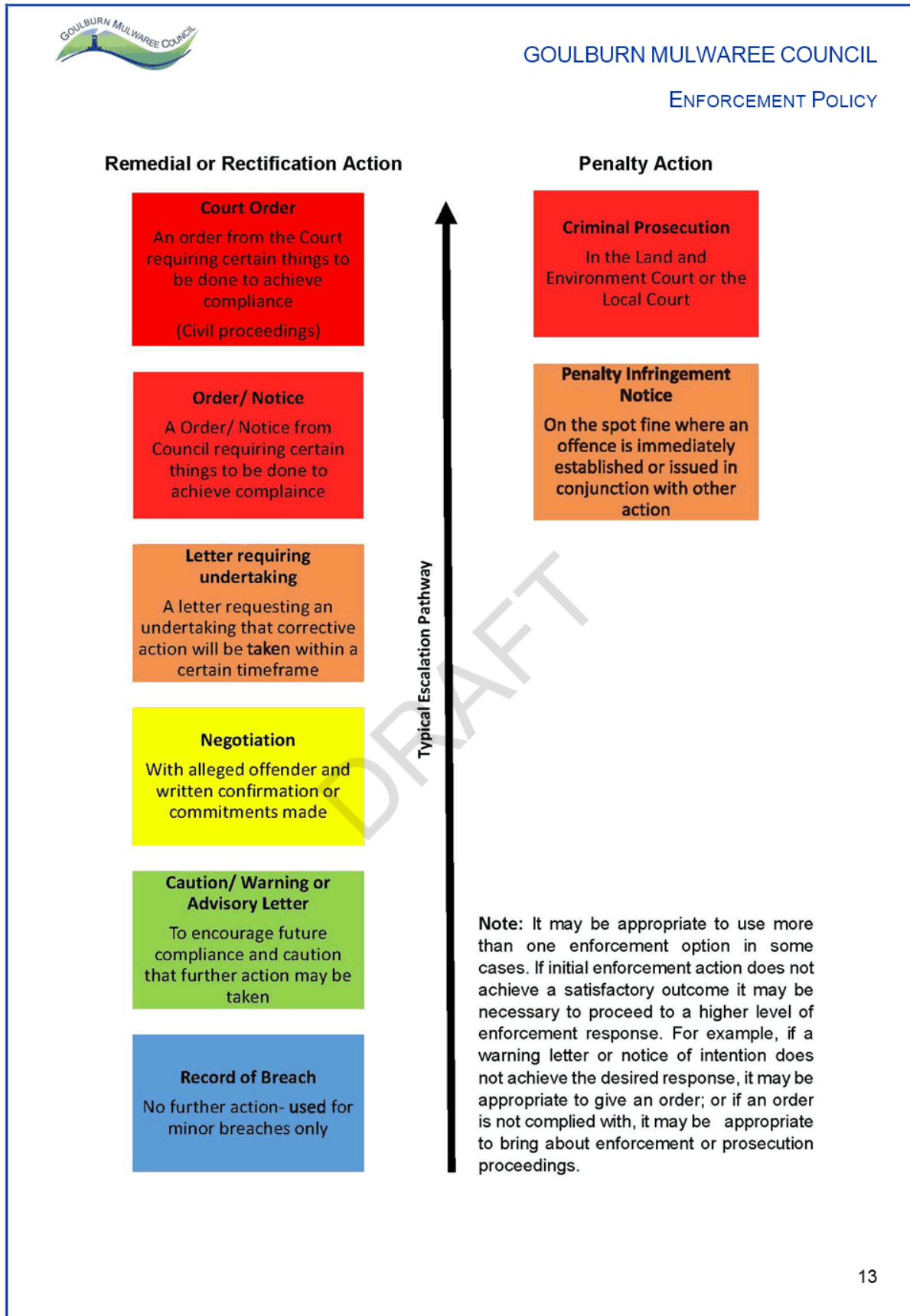
There are a range of enforcement actions available to Council officers as shown in Figure 1. It should be noted however, that enforcement options are not necessarily mutually exclusive: for example, in some circumstances it may be appropriate to simultaneously issue an Order and a Penalty Infringement Notice.

13.1 Following up enforcement action

All enforcement action will be reviewed and monitored to ensure compliance with any undertakings given by the subject of enforcement action or advice, directions or orders issued by Council. Reports alleging continuing unlawful activity will be assessed and further action taken if necessary. If the unlawful activity has ceased or the work has been rectified, the matter will be resubmitted for follow up action to ensure compliance outcomes are met. Should initial enforcement action be found to have been ineffective, Council staff will consider other enforcement options.

13.2 Figure 1: Enforcement actions available to Council

The Figure on the following page depicts the typical escalation pathway that may be followed by Council in undertaking enforcement action for unlawful activity. Council may however commence enforcement at any step in the below process based on the considerations in item 12 of this Policy.





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14 TAKING LEGAL ACTION

Council and delegated staff will be guided by legal advice in deciding whether to commence criminal or civil proceedings and will consider the following:

- whether there is sufficient evidence to establish a case to the required standard of proof;
- whether there is a reasonable prospect of success before a Court;
- whether the public interest warrants legal action being pursued;
- time within which to commence proceedings.

14.1 Whether there is sufficient evidence to establish a case to the required standard of proof

Council considers the decision to take legal action a serious matter, and as such will only initiate and continue proceedings once it has been established that there is admissible, substantial and reliable evidence to the required standard of proof.

The basic requirement of any **criminal** prosecution is that the available evidence establishes a prima facie case. The prosecutor is required to prove the elements of the offence beyond reasonable doubt.

In **civil** enforcement proceedings, Council will require sufficient evidence to satisfy the Court that an actual or threatened breach has occurred on the balance of probabilities.

14.2 Whether there is a reasonable prospect of success before a Court

Given the expense of legal action Council will not take legal action unless there is a reasonable prospect of success before a Court. In making this assessment, Council staff will consider the availability, competence and credibility of witnesses, the admissibility of the evidence, all possible defences, and any other factors which could affect the likelihood of a successful outcome.

14.3 Whether the public interest warrants legal action being pursued

The principal consideration in deciding whether to commence legal proceedings is whether to do so is in the public interest. In making this determination, the same factors to be considered when taking enforcement action apply.

The following considerations relate more specifically to the decision to commence legal proceedings and will assist Council and its delegated staff in making this determination:

- the availability of any alternatives to legal action;
- whether an urgent resolution is required (Court proceedings are lengthy processes);
- the possible length and expense of Court proceedings;
- any possible counter-productive outcomes of prosecution;
- what the effective sentencing options are available to the Court in the event of conviction;
- whether the proceedings or the consequences of any resulting conviction would be unduly harsh or oppressive.

14.4 Time within which to commence proceedings

Council staff must be aware of legislative time limits in which enforcement proceedings must be commenced. Sometimes legal action will be statute barred despite good evidence that unlawful activity has occurred.



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15 SHARED ENFORCEMENT RESPONSIBILITIES

Some reports will raise matters involving shared regulatory responsibilities between Council and other authorities including the Environment Protection Authority, NSW Police, NSW Liquor and Gaming, NSW Fair Trading, NSW Food Authority and Crown Lands.

Council recognises that collaboration and cooperation between authorities to address issues of shared regulatory responsibility is the best approach. To this end, where there are shared legislative responsibilities, Council staff will work with relevant authorities to establish:

- which authority will take the leading role on any joint investigation;
- which activities each authority will carry out;
- responsibilities for updating an individual where relevant;
- protocols for exchanging confidential information between the relevant authorities.

Council will reasonably endeavor to respond to requests for information or assistance on joint regulatory matters in a timely manner.

16 ROLE OF COUNCIL WHERE THERE IS A PRIVATE CERTIFIER

Where a Private Certifier has been appointed as the Principal Certifying Authority (PCA) for a site the Council recognises that the Private Certifier is the authority responsible for ensuring compliance with the conditions of development consent.

Persons making complaints regarding a site under the supervision of a Private Certifier will be advised to contact the Private Certifier in the first instance. This will give the Private Certifier an opportunity to address the issues and take appropriate action.

Private certifiers have limited enforcement powers as the PCA. However, they have the power to issue a notice of intention to issue an order to the owner or builder to comply with the conditions of consent or rectify any breaches. A copy of any notice of intention issued by a private certifier must be provided to council for assessment as to whether council will enforce the notice by issuing an order.

Should the Private Certifier fail to use their enforcement powers to address the issue raised within a reasonable timeframe, Council may act to investigate the matter.

It must be noted that Council is not the regulator of Private Certifiers and any complaints about the conduct of Private Certifiers must be directed to the Building Professionals Board www.bpb.nsw.gov.au.

Council will endeavor to work with Private Certifiers to resolve any issues when they arise to achieve compliance with the development consent or complying development certificate. Council staff will take steps to ensure individuals are clear about which agency performs which role.

17 ROLE OF COUNCILLORS IN ENFORCEMENT

Compliance and enforcement matters are sensitive and easily susceptible to allegations of impropriety, bias or inconsistency. In order to manage the risk associated with these functions and in accordance with the Code of Conduct, Councillors should carefully consider their role and the provisions of the Code of Conduct and Local Government Act prior to any perceived or actual involvement with a compliance matter or regulatory action.

Decision making relating to the investigation of reports alleging unlawful activity and taking enforcement action is the responsibility of appropriately authorised Council officers or the Council itself.



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Individual Councillors are not permitted to direct council staff in their day-to-day activities. Councillors can help individuals who raise concerns with them by satisfying themselves that their Council's policies are being carried out correctly, however they cannot ignore or alter a policy in order to satisfy the demands of special groups or individuals or seek to influence or change an enforcement action.

The General Manager may present certain decisions to be ratified by the elected Council if this is necessary or desirable, and the Councillors may also have the right to call for a report about particular issues to a Council meeting.

18 DELEGATIONS

Council staff delegations for taking action under this policy are detailed in Council's Delegation Register.

19 REVIEW

This policy is to be reviewed at least every two years or as circumstances warrant (e.g. when changes to legislation are enacted or where a particular judicial decision may have an impact on the procedures or process outlined in this policy).

20 RELATED COUNCIL POLICIES

This policy is distinct from Council's *Complaint Handling Policy* as it does not respond to expressions of dissatisfaction received by Council relating to the business of Council or the action/s of Council staff or agents.

This policy references Council's *Unreasonable Complainant Conduct Policy* and the processes referred to therein.

21 RELATED DOCUMENTS

This policy is adapted for Council from the NSW Ombudsman '*Model Compliance and Enforcement Policy*' (2015).

Council officers undertaking compliance or enforcement actions under this policy may also reference the following related documents in addition to others not detailed, in determining appropriate actions.

- *Caution guidelines under the Fines Act, 1996*. Attorney General (2010).
- *Enforcement Guidelines for Councils*. NSW Ombudsman (2015).
- *Guideline on the exercise of functions under the Companion Animals Act*. Department of Premier and Cabinet (2013).
- *Powers and Notices- Draft Guideline for Authorised Officers and Enforcement Officers*. NSW EPA (2020).
- *Prosecution Guidelines*. NSW Department of Planning (2016).



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APPENDIX 1 - APPLICABLE LEGISLATION

The Policy applies, but is not limited to, Council's responsibilities under the following Acts, their associated Regulations and any subsequent legislative amendments:

- Australian Road Rules 2014
- Biodiversity Conservation Act 2016
- Biosecurity Act 2015
- Boarding Houses Act 2012
- Companion Animals Act 1998
- Contaminated Land Management Act 1997
- Crown Lands Act 1989
- Environmental Planning & Assessment Act 1979
- Fines Act 1996
- Food Act 2003
- Impounding Act 1993
- Liquor Act 2007
- Local Government Act 1993
- Motor Dealers and Repairers Act 2013
- Protection of the Environment Operations Act 1997
- Public Health Act 2010
- Roads Act 1993
- Road Transport Act 2013
- Rural Fires Act 2008
- Swimming Pool Act 1992



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APPENDIX 2 - DEFINITIONS

The following are the definitions of key terms in this Policy:

Appropriate Regulatory Authority (ARA):

Refers to the agency or body responsible for enforcing a particular regulation. Council is not the appropriate regulatory authority for all enforcement matters.

Complaint:

A complaint is an expression of dissatisfaction made about council services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

For the purposes of this policy, a complaint does not include:

- a report alleging unlawful activity (see definition below);
- a request for information about a council policy or procedure;
- a request for an explanation of actions taken by council;
- a request for internal review of a council decision.

Enforcement:

Actions taken in response to serious or deliberate contraventions of laws.

Regulation:

Using a variety of tools and strategies to influence and change behaviour to achieve the objectives of an Act, Regulation or other statutory instrument administered by Council.

Report alleging unlawful activity:

An expression of concern or a request for service in relation to alleged unlawful activity, where a response or resolution is explicitly or implicitly expected or legally required.

Unlawful activity:

Any activity or work that has been or is being carried out contrary to the below and/or failure to take required action in order to be compliant with:

- terms or conditions of a development consent, approval, permit or license;
- an environmental planning instrument that regulates the activities or work that can be carried out on particular land;
- a legislative provision regulating a particular activity or work;
- a required development consent, approval, permission or license.



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Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	2 June 2020	[Number]	[Date]	[Date]
All policies can be reviewed or revoked by resolution of Council at any time.				

DIRECTORATE: Planning & Environment

BUSINESS UNIT: Environment & Health

DRAFT

15.6 2020-2021 OPERATIONAL PLAN ADOPTION - INTERNAL SUBMISSIONS

Author: Brendan Hollands, Director Corporate & Community Services

Authoriser: Warwick Bennett, General Manager

Attachments: 1. **Circular 20-18 COVID-19 Legislative Amendment**  

Link to Community Strategic Plan:	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)
Cost to Council:	<p>The General Fund's projected unrestricted cash balance as at 30 June 2024 after taking into considerations these submissions is \$3,984,913 (A reduction of \$557,249 as a result of these reports).</p> <p>The projected unrestricted cash balance of the Domestic Waste Fund is \$1,504,791 (Unchanged due to these reports)</p> <p>The projected unrestricted cash balance of the Water Fund is \$11,975,776 (Unchanged due to these reports)</p> <p>The projected unrestricted cash balance of the Sewer Fund is \$2,946,886 (Unchanged due to these reports)</p> <p>Note: these amounts may differ to the draft Operational Plan due to the impact of the March 2020 quarterly budget review</p>
Use of Reserve Funds:	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 \$10,000 (a total of \$20,000) be made in each of the 2020/21 and 2021/22 budget years for Council's contribution towards the CRJO Contaminated Lands Project funded in both years from the Strategic Planning Reserve (38165)
 - (b) The 4 year operational budget for the Goulburn Performing Arts centre be updated as follows:

	2020/21	2021/22	2022/23	2023/24
Salaries & Wages	\$46,042	\$95,307	\$98,643	\$102,095
Oncost Expenses	\$18,066	\$37,396	\$38,705	\$40,060
Materials	\$50,000	\$200,000	\$206,000	\$212,180
Advertising	\$20,000	\$25,000	\$25,750	\$26,523
Subs & Pubs	\$1,000	\$1,030	\$1,061	\$1,093

- (c) The budget for the Towrang Bridge Replacement project be amended to read as follows:
- (i) 2020/21 – Contracts-Tendered Work - \$153,000
 - (ii) 2021/22 – Contracts-Tendered Work - \$4,000,000
 - (iii) 2021/22 – Capital Grants-Roads & Bridges - \$2,000,000
 - (iv) 2021/22 – Loan Borrowing income - \$2,000,000
- (d) The loan repayments for the Towrang Bridge Replacement project be amended as per the new drawdown year
- (e) Any further funding for the Towrang Bridge Replacement project be considered once the final estimates for the project are known
- (f) The projects approved for deferral to the 2020/21 budget as part of Council Resolution 2020/150 on 5 May 2020 be included in the budget as follows:
- (i) Fitzroy Street Drainage - \$100,000 – Funded from s94 Citywide Drainage Reserve (38104)
 - (ii) Repetitive Heavy Load Collector Road - \$122,512 – Funded from s94 Veolia Reserve (38139)
 - (iii) Blackspot Mountain Ash Road - \$170,000 – Funded from Capital Grants & Contributions
- (g) The budgets for the following projects be reduced due to the amounts being transferred into the 2019/20 budget as a result of Council Resolution 2020/149 on 5 May 2020
- (i) R2R Forbes Street Reconstruction - \$13,308
 - (ii) Urban Road Reconstruction (Blackshaw Road) - \$13,947
 - (iii) Urban Resealing (Clifford Street) - \$7,717
 - (iv) Urban Resealing (Faithfull Street) - \$7,287
 - (v) RRBG – Taralga Road – Urban (Union Street) - \$18,569
 - (vi) RRBG – Taralga Road – Urban (Taralga Road) - \$11,497
 - (vii) R2R Auburn/Mundy Roundabout - \$8,800
 - (viii) R2R Windellama Road Rehabilitation - \$17,050
 - (ix) Blackspot Bourke/Addison Roundabout - \$14,135
- (h) A transfer of \$112,760 be made to the Roads Reserve (38179) to recoup the above amounts that were funded from this reserve in 2020/21.
- (i) To make correction to the anomaly in the Governance budget, the following changes be made to the budget:
- (i) Within the project for Corporate Governance, the transfer from the Insurance Premium Reserve (38211) of \$15,000 be removed in 2020/21, 2021/22 and 2022/23.
 - (ii) In the project for the Delegations Database Subscription Project, \$10,000 be added for Subscriptions and Publications fully funded from the Insurance Premium Reserve (38211)
 - (iii) These amounts (Subscriptions & Publications and Transfer from Reserve) both be increased by CPI from 2021/22 onwards.
- (j) An amount of \$4,000 be included in the 2020/21 budget for the replacement of the chairs in the dining area at the rear of the Community Centre with chairs that are more

easily cleaned and maintained.

- (k) The following changes be made to the Fees & Charges
 - (i) The file storage fee on page D18 be reduced from \$42 to \$40
 - (ii) The market stallholder fee on page D52 be changed from \$25-\$30 to \$25-\$60
 - (iii) The food stallholder fee on page D52 be changed from \$30-\$50 to \$30-\$60
 - (iv) The description of the fee “Council installed street tree and Maintain for 12 months” on page D19 be changed to “Bond for unplanted street trees” with a note stating “where it is not practical to plant tree due to season. Upon planting \$150 per tree can be refunded and \$350 per tree retained by Council for the 12 months maintenance period”
 - (v) A new fee of \$150.00 for “Flood Certificate” be added with an attached note of “Applicable where flood data is available”
- (l) Council acknowledge the changing environment in Local Government mainly due to the impacts of the COVID-19 pandemic and commit to a critical review of the Capital Works program at each quarterly budget review in light of:
 - (i) Potential ongoing impacts on Councils operating revenue
 - (ii) Increased cost shifting from the State Government through the Emergency Services Levy.
 - (iii) The Outcomes of Council’s Asset Management Planning and revaluation of its Transport Assets.
 - (iv) The likely reduced grant funding available due to the COVID-19 pandemic and the recent bushfire crisis.
 - (v) The affordability of increased loan funding if grant funding is not available.

BACKGROUND

At its meeting on 7 April 2020 Council was presented with its Draft Operational Plan 2020-21 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 15 May 2020.

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:

IS.01 – CRJO Contaminated Lands Project

The Canberra Region Joint Organisation is undertaking a Contaminated Lands Project toward which all Councils have agreed to contribute over the 2019/20, 2020/21 and 2021/22 financial years. Goulburn Mulwaree Council’s annual contribution over the three years is approximately \$10,000. It is recommended that this be included in the 2020/21 and 2021/22 budgets funded from the Strategic Planning reserve (38165). This project was initially overlooked when preparing the draft budget. The 2019/20 budget allocation was raised as part of the March Quarterly Budget Review.

IS.02 Goulburn Performing Art Centre Operating Budget

With the completion of the Performing Arts Centre expected to be toward the end of the 2021 Calendar year, provision was made in the draft budget to enable the employment of a manager for the facility so that preparations could commence to ensure that bookings were in place for shows to commence immediately following the opening of the centre.

While provision was made for the PAC Coordinator to be employed at Grade 11 on Councils Salary structure, following some market research on the wages of similar positions at other regional Performing Arts Centre, the position will be advertised later in the year at market salary.

It is also recommended to adjust the other parts of the operational budget for the PAC to give the Coordinator/Manager some resources to start booking in shows for the venue, some of which require payment “up-front” to secure the booking:

As a result, the following adjustments need to be made to the PAC Operations budget:

	2020/21	2021/22	2022/23	2023/24
Salaries & Wages	\$46,042	\$95,307	\$98,643	\$102,095
Oncost Expenses	\$18,066	\$37,396	\$38,705	\$40,060
Materials	\$50,000	\$200,000	\$206,000	\$212,180
Advertising	\$20,000	\$25,000	\$25,750	\$26,523
Subs & Pubs	\$1,000	\$1,030	\$1,061	\$1,093

This equates to an increase in the operational expenses (over the 4 years) of \$247,131 from the draft budget.

IS.03 Towrang Road Bridge Replacement

There is currently an allocation of \$4million in the draft Budget for the replacement of the Towrang Bridge funded by way of Capital Grants (\$2M) and Borrowings (\$2M).

Following work undertaken on a grant application for this project, it has been discovered that this allocation is insufficient to complete the project with an updated estimate of \$4.8M. The increase has primarily been brought about by an unexpected level of land acquisition costs and an increased contingency amount thought essential for this project.

Council is currently applying for funding under the Bridges Renewal Program. Grants under this program are capped at \$2M meaning that Council’s contribution toward the project would need to be increased to \$2.8M. Under the terms of the grant, it would also be anticipated that the construction of the upgraded bridge would take place in 2021/22 instead of 2020/21.

It is estimated that \$153,000 will need to be included in the 2020/21 budget to undertake preliminary works.

It is recommended that this amount be included in the budget with the current estimate of \$4M for construction costs being moved from the 2020/21 budget to the 2021/22 budget (along with the associated grant and loan borrowing income). The result of these adjustments in addition to the adjustment of the loan repayment schedule is a further call on revenue over the 4 years of \$31,077.

Council has also made application to the Bridges Renewal Program to replace the current part timber bridge on Carrick Road with a concrete culvert. This new structure will be built in such a way to eliminate the majority of flood closures in this area. There are at least two causeways on this route that would need to be upgraded as well but certainly the total cost to provide access in medium floods via Carrick Road would still be a lot less than the replacement of the Towrang Bridge. Thus Council may need to consider if it does not receive any grant funding for Towrang Bridge to proceed only with the Carrick Road structure which has an estimated capital cost of \$917,600 (concept design only). This would mean that the Towrang Bridge will be closed twice per year due to flooding but the Towrang community would still be able to exit their area through Carrick Road for an additional 15-20km depending on their location.

Council should also note that we have made application to the Fixing Local Roads program to have Carrick Road sealed at an estimated cost of \$903,000. This would also add weight to a position that the expenditure of \$4.8M on Towrang Bridge may not necessarily be an effective use of ratepayer resources.

IS.04 Delayed Capital Works Projects affected by COVID-19 (Council Resolution)

At its meeting on 5 May 2020, Council resolved (2020/150) to approve the deferral of 3 projects from the 2019/20 budget into the 2020/21 budget due to the delays caused by staffing provisions through the initial response to the COVID-19 Pandemic.

These projects now need to be introduced to the 2020/21 budget as follows:

- Fitzroy Street Drainage - \$100,000 – Funded from s94 Citywide Drainage Reserve (38104)
- Repetitive Heavy Load Collector Road - \$122,512 – Funded from s94 Veolia Reserve (38139)
- Blackspot Mountain Ash Road - \$170,000 – Funded from Capital Grants & Contributions

IS.05 Reallocation of Capital Works budget from 2020/21 to 2019/20 (Council Resolution)

At its meeting on 5 May 2020, Council resolved (2020/149) to approve part of the allocation for a number of projects to be brought forward into the 2019/20 budget to enable planning activities to be commenced on these projects in the lead up to the new financial year. The 2020/21 budget allocation for these projects need to be reduced as follows:

- R2R Forbes Street Reconstruction - \$13,308
- Urban Road Reconstruction (Blackshaw Road) - \$13,947
- Urban Resealing (Clifford Street) - \$7,717
- Urban Resealing (Faithfull Street) - \$7,287
- RRBG – Taralga Road – Urban (Union Street) - \$18,569
- RRBG – Taralga Road – Urban (Taralga Road) - \$11,497
- R2R Auburn/Mundy Roundabout - \$8,800
- R2R Windellama Road Rehabilitation - \$17,050
- Blackspot Bourke/Addison Roundabout - \$14,135

The total amount of \$112,760 needs to be transferred into the Roads Reserve (38179) as this is where the planning work is to be funded from in the current financial year.

IS.06 Governance Budget Correction

In each year Council receives a rebate from its insurers if it achieves good results from its annual risk audit. For the purposes of the budget, the anticipated amount is transferred to reserve so that if it does not get paid, or is paid for a lesser than anticipated amount, the transfer to reserve can be reduced to avoid impact on the budget.

In the draft budget, an amount of \$15,000 was incorrectly transferred from this reserve without any corresponding expenditure. It is recommended that this anomaly be corrected.

In addition, one project that has been identified for funding under this rebate is the annual subscription for Council's Delegations/Legislative Compliance database. This was omitted from the draft budget and, as a result, it is recommended that the amount of \$10,000 be included in the 2020/21 budget funded from the Insurance Premium reserve (38211). Both of these amounts can be increased in line with CPI for the future years.

IS.07 Community Centre Furniture

A request has been received to allocate some funds in the 2020/21 budget to replace the seating in the client dining area at the rear of the Community Centre. These chairs have been in use for a number of years and were those used in the McDermott Centre.

The current seats have a fabric covering and many of them are stained as a result of food and drinks being spilt.

During the COVID-19 shut down period, Community Centre staff have been working to try and clean the stains from the seats however many remain stained. This is definitely not a good look and does not evoke a sense of confidence in the level of hygiene of the Centre nor is it pleasant for clients to sit on stained seats as they try to enjoy a meal.

The proposal is to purchase 30 new polypropylene shell chairs (or similar). These chairs will then be able to be cleaned and maintained on a daily basis. Costings received for these chairs have come in at just under \$4,000. It is recommended that an allocation of this amount be made in the 2020/21 budget.

IS.07 Fees & Charges

A review of the fees and charges document was undertaken during the exhibition period and a number of minor formatting, ordering and wording issues were addressed. There are a few minor changes to fees & Charges which need Council’s approval as follows:

Page		Draft Fee	Proposed Fee	Comments
D18	File Storage Fee	\$42.00	\$40.00	
D52	Market Stallholder	\$25-\$30	\$25-\$60	To greater reflect the variances in the requirements of different stalls in terms of the management of risk and other requirements
	Food Stallholder	\$30-\$50	\$30-\$60	
D19	Council installed street tree and Maintain for 12 months	\$500.00	\$500.00	This description of this fee is to be changed to “Bond for unplanted street trees” The note will read “ <i>where it is not practical to plant tree due to season. Upon planting \$150 per tree can be refunded and \$350 per tree retained by Council for the 12 months maintenance period</i> ”
NEW	Flood Certificate	N/A	150.00	This is a new service and will include a note “ <i>Applicable where flood data is available</i> ”

Other Issues

Council is entering the next financial year in unprecedented times. The COVID-19 pandemic has created a great amount of financial uncertainty into the Local Government industry. The lasting impacts of the pandemic are unknown but could be extremely detrimental to Councils being able to sustainably continue with their operations. Some of the potential impacts are (some of which are already being felt):

- A reduction in Council’s operating revenue
- A reduction in the funding available through grants programs (particularly when taking into consideration the vast amount of the State that was affected by the bushfire crisis over Christmas)
- The potential for increased superannuation expenses similar to those imposed on Councils following the Global Financial Crisis
- The potential for an impact on the level of Federal Financial Assistance Grants received by Council – once again this is based on the measures taken by the Federal Government following the stimulus spending following the Global Financial Crisis.

In addition to this Councils have already been made aware of additional cost shifting in the form of the Emergency Services Levy. Already facing an increase of \$71,000 in the 2020/21 financial year, Council is looking at the requirement to add another \$185,000 to this amount in 2021/22 if discussions with the State Government do not achieve a positive outcome for Local Government.

On a more local level, Council recently received a report on its Transport Asset Management Plan and revaluation which identified the need to spend more money on the renewal of Council's Transport assets to avoid any further deterioration in their condition.

In light of these issues, it is recommended that Council commit to a critical review of its forward capital works program to ensure the ongoing sustainability of Council's budgets. For example both the Towrang Bridge and the Community Centre are funded by 50% Government grant and the balance by loan funding. Both projects are in the budget at \$4 Million each. The decisions that Council will need to make if grant funding is not available is do these projects still proceed in their current form? It is clear, as your Responsible Accounting Officer that I would recommend against both of these projects proceeding with the current scope if the grant funding was not available.

Circular Details	20-18 / 19 May 2020 / A703512
Previous Circular	<i>If applicable</i>
Who should read this	Councillors / General Managers / All council staff
Contact	Policy Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

Important changes for all councils made by the COVID-19 Legislative Amendment (Emergency Measures-Miscellaneous) Act No.2

What's new or changing

- The *Local Government Act 1993* has been amended to make a number of changes to support councils and ratepayers during the COVID-19 pandemic as part of the *COVID-19 Legislative Amendment (Emergency Measures-Miscellaneous) Act No.2*. These changes:
 - enable a council that does not apply the full percentage increase of the rate peg (or any applicable Special Variation) this year or in any future year to set rates in any one or more of the next 10 years to return it to the original rating trajectory; and
 - prevent councils from commencing legal action to recover rates and charges for six months unless the following specific matters have been considered:
 - whether the payment of the rate or charge could be made in instalments or by way of some other financial arrangement,
 - whether the person should be referred to a financial counsellor,
 - whether mediation or alternative dispute resolution should be attempted first; and
 - whether interest on the unpaid amount should be deferred or waived.
- Amendments have also been made to the *Annual Holidays Act 1944* to clarify that annual leave continues to accrue while an employee is stood down and to allow councils and their employees to agree to:
 - the council making a payment to an employee in lieu of annual leave where that employee will still have a balance of at least four weeks of leave remaining; and/or
 - an employee taking annual leave at double or half pay.

What this will mean for your council

- Councils should immediately review their planned approach to adopting the rate peg this year, if necessary, and consider any consequent impacts on its Operational Plan and revenue planning for 2020-21.
- Councils should also review debtors owing unpaid rates and charges and ensure any further action is compliant with the new requirements.
- Councils should then consider any consequential impacts on their Delivery Program, Resourcing Strategy and Long-term Financial Plan.
- Councils may also wish to review delegations, policies and procedures around rates and charges and debt recovery to ensure they remain compliant, including any arrangements with external service providers.

Office of Local Government
 5 O'Keefe Avenue NOWRA NSW 2541
 Locked Bag 3015 NOWRA NSW 2541
 T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
 E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

Strengthening local government

Key points

- The Government understands that the COVID-19 pandemic is placing significant pressure on councils as well as families and businesses in NSW.
- That is why the Local Government Act has been amended to help councils and the communities they serve to remain sustainable during the current crisis and as steps towards economic recovery begin.
- Section 511(1) has been amended to enable any council that does not apply the full percentage increase of the rate peg (or any applicable Special Variation) in a certain year to set rates in a subsequent year to return it to the original rating trajectory for that subsequent year.
 - This enables councils to not increase rates to the full capped amount during difficult times, while allowing them to catch-up the value of those rates in future years when economic circumstances improve.
 - This amendment came into effect on commencement of the amending Act and is a continuing amendment.
- A second amendment to the Local Government Act prevents councils from taking legal action to recover unpaid rates and charges unless specific matters have been considered, for six months.
 - This is to ensure that ratepayers facing financial difficulties are provided support and opportunities to pay their bills and defer the potential for formal debt recovery.
 - This amendment applies until 26 September 2020.
- The *Annual Holidays Act 1944* has been amended to provide greater flexibility in how annual leave is managed and to allow councils to reduce their excess annual leave liability by agreement with their employees.

Where to go for further information

- A copy of the amendments may be viewed at the NSW Legislation website at www.legislation.nsw.gov.au/#/browse/bills/current/C
- Councils may wish to review a *Frequently Asked Questions* document on these changes, which may be viewed at <https://www.olg.nsw.gov.au/programs-and-initiatives/olg-assists-councils-to-manage-covid-19/information-and-resources/>
- Further questions about changes to the *Local Government Act* should be raised with Council's OLG Engagement Manager in the first instance.
- Questions about changes to the *Annual Holidays Act* should be raised with NSW Industrial Relations by calling 131 628 or using the contact form at www.industrialrelations.nsw.gov.au/about-us/contact-us/workplace-enquiry/ or by seeking guidance from Local Government NSW.



Tim Hurst
Deputy Secretary, Local Government, Planning and Policy

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15.7 2020-2021 OPERATIONAL PLAN ADOPTION - EXTERNAL SUBMISSIONS

Author: Brendan Hollands, Director Corporate & Community Services

Authoriser: Warwick Bennett, General Manager

Attachments: 1. External Submissions [↓](#) 

Link to Community Strategic Plan:	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)
Cost to Council:	Refer comments in previous item
Use of Reserve Funds:	Not applicable

RECOMMENDATION

That

1. The report by the Director Business Services on the 2020-2021 Operational Plan Adoption – External Submissions be received.
2. In relation to the submission by the Bungonia & District Historical Association in relation to the Village Streetscape project:
 - (a) No changes be made to the draft budget
 - (b) The Bungonia & District Historical Society be encouraged to explore the external funding opportunities for the project, making a separate application to Council for funding should an identified funding opportunity require any form of co-contribution.
3. In relation to the submission by the Bungonia Park Land Manager and Bungonia Progress Association Council in relation to the development of a Plan of Management for Bungonia Village Park, Council agree to contribute 50% of the cost of the development of the Plan of Management & Site Development Plan (\$3,250 + GST) from the Financial Assistance budget with the other 50% to be funded from the Bungonia Village Discretionary Fund.
4. In relation to the submission by the Bungonia Park Land Manager in relation to the Bungonia Infrastructure Development Project - Bungonia Village Park, no changes be made to the budget due to:
 - (a) The lack of a final costing for the project
 - (b) There being no Plan of Management in place for the Bungonia Village Park.
5. In relation to the submission by Phillip Toparis no changes be made to the draft Operational Plan
6. The above submitters be thanked for their submissions and be notified of the outcomes of their submissions
7. In relation to the submission by Southern Tablelands Football Association (STFA) no changes be made to the draft Budget and a letter be sent to the STFA thanking them for their support of the proposed project.
8. In relation to the submission by NSW Farmers Association no changes be made to the draft Revenue Policy and a letter be sent to the NSW Farmers Association outlining Council’s rate setting process as requested in their submission
9. In response to the Council Contribution Assessment Notice from Revenue NSW
 - (a) The budget for the Emergency Services Levy be increased to \$543,000 in the 2020/21

budget (an increase of \$54,986 to the draft budget)

- (b) The proposed subsequent increases not be incorporated into the 2021/22 budget and beyond with only a 3% indexation being applied for future years.
 - (c) Council continue to object to the increases through the Canberra Region Joint Organisation due to the adverse impact that the cost shifting is having on, not just Council's budget but those of our smaller neighbours.
10. In response to the letter from Transport for NSW in relation to the successful Blackspot Funding Program application, the following changes be made to the draft budget:
- (a) Bourke/Addison Street Roundabout
 - (i) 2020/21 - \$50,000 for planning activities (contracts) funded fully through Capital Grants
 - (ii) 2021/22 - \$353,245 for construction works (contracts) funded fully through Capital Grants
 - (b) Taralga Road Upgrade – 2020/21 - \$804,403 for construction works (contracts) funded fully through Capital Grants.
11. The 2020/21 Operational Plan be adopted with the amendments approved as a result of both the internal and external submissions received.

BACKGROUND

At its meeting on 7 April 2020 Council was presented with its Draft Operational Plan 2020-21 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 15 May 2020. Council is required to consider these submissions before adopting the Delivery Program 2017-2021 and Operational Plan 2020-21.

REPORT

Eight submissions/notifications from Government departments were received from the public during the public exhibition period. The submissions received were from

- Jason Broadbent/Craig Norris - Southern Tablelands Football Association
- NSW Farmers Association
- Revenue NSW
- Anne Wiggan - Bungonia & District Historical Society
- Anne Wiggan - Bungonia Park Land Manager
- Roy Nicita - Bungonia Progress Association
- Transport for NSW
- Anne Wiggan - Bungonia Park Land Manager
- Phillip Toparis

ES.01 - Southern Tablelands Football Association

The draft Operational Plan includes provision for the upgrading of the Amenities Block at Cookbundoon Sporting Fields during the 2021/22 financial year. The project has a proposed budget of \$1million, funded through Grants (50%) and a transfer from the Special Projects reserve (50%).

The Southern Tablelands Football Association had made a submission thanking Council for the inclusion of this project and offering their assistance in the project if, and when, required.

ES.02 - NSW Farmers Association

The NSW Farmers Association have made a submission to Council in relation to its rating structure and the impacts the revaluations will have on the rates bills of its members.

This submission is not specifically targeted at Goulburn Mulwaree Council and appears to be one that has been sent to all relevant Councils in NSW. Effectively it is asking Councils to consider two main items when setting its rates:

- Increasing the number of rating sub-categories within the farmland category.
- Including a base rate as part of the rating structure

In response to these points, Council does not currently sub-categorise its Farmland rating category. In accordance with S529(2)(a) of the *Local Government Act 1993*

A sub-category may be determined - for the category "farmland" - according to the intensity of land use, the irrigability of the land or economic factors affecting the land

Unfortunately this section of the Act makes it extremely difficult to consider sub-categorisation of Farmland properties in our Local Government Area.

In relation to the use of a base rate when setting rates, Council introduced a 30% base rate on its residential and farmland rates in 2010 following the recommendations of Council's Rating Working Party on which the NSW Farmers Association had representation. This means that 30% of the rating yield in each of these categories is split evenly over all properties within the category. The other 70% of the yield is calculated using each property's land values. Council's policy also states that any rate pegging increases in non-revaluation years are applied to the base rate, meaning that each property in the category shares the increase equally.

Council should note that the rates are set to consistently achieve a share of the rating yield where Goulburn ratepayers contribute 70.5% of the rating yield, Marulan ratepayers contribute 2.5% and ratepayers outside of these two areas contribute 27% of the yield.

The Farmers Association also request that Council's consider setting the maximum base rate which is currently 50%. This would have the effect of reducing the rates of properties with higher unimproved land values (ULV) and increasing those with a lower ULV. Council may wish to consider this moving forward but it is recommended that this be developed over the next couple of rating years to enable appropriate modelling to be undertaken.

ES.03 – Revenue NSW – Council Contribution Assessment Notice

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.

As part of the COVID-19 stimulus package for Local Government that was recently announced by the NSW Government, one of the measures was a "good news" story that the increase in the Emergency Services Levy would be funded by the State. Council might remember that this time last year Council was faced with an unexpected increase of \$94,000 (21%) to its 2018/19 budget. Council resolved last year to oppose the increase and eventually the Government agreed to fund the increase due to the timing of the announcement (after most Councils' budgets were on public exhibition) and the potential impact of the increase.

Fast forward twelve months and Council are facing the same predicament. As per the attached "Council Contribution Assessment Notice" Council is faced with a levy totalling \$732,984.04. This

represents an increase of \$264,177 (56%) on our 2019/20 contribution (after the refund of the proposed 2019/20 increase). Allowing for the “funding” of the increase for 2020/21, Council will still be required to pay \$542,623 in 2020/21 (an increase of \$73,815 or 16%).

From 2021/22 on, Council will be paying an amount of approximately \$762,000 per annum (indexed, of course). This represents a 70% increase in the levy over from 2018/19 to 2021/22 (23.3% per year). Including these extra amounts in the budget over the next four years, and assuming future levies will be indexed at 3%, will add additional costs of approximately \$835,000 to Council's operations.

Understandably Councils across the state have come together expressing their concerns at this increase and the effects it will have on their budgets. Until these concerns have been heard and a final, irrevocable decision has been made by the State Government, it is recommended that the proposed increase beyond 2020/21 not be included in the budget and the future amounts be calculated by way of an annual 3% indexation.

ES.04 - Bungonia & District Historical Society

This submission has been made requesting an allocation for the installation of the final set of new signs for the Bungonia Village Streetscape be included in the 2020/21 budget.

The request is for the 20 signs required to complete the heritage signposting project in the village to be installed. An estimate provided to the Society indicated an approximate cost of \$3,200 per sign (not including the graphic design). This estimate was based on the recent costs of installation of heritage signs in Goulburn. This estimate does include a component for travel which could obviously be reduced if the signs were installed at the same time. Allowing for this the estimated cost of installing the signs would still be around \$60,000.

Upon the receipt of this submission, Councils Grants Officers prepared a list of six possible funding sources for this project. As with any community organisation making a submission for one of these funding opportunities, the Grants Officers are more than happy to review the applications for funding and provide feedback in relation to the application before they are submitted.

It is recommended that it be suggested to the Bungonia & District Historical Society that they explore the option of external funding for this project and make a later, separate application to Council for matching funding if and when required.

ES.05 & ES.06 - Bungonia Park Land Manager (BPLM) & Bungonia District Progress Association

These submissions both relate to a request for Council to fund the development of a Plan of Management for the Bungonia Village Park as part of the 2020/21 budget.

The development of the Plan of Management is essential prior to any new infrastructure being added to the park, particularly if external funding is to be sought. The BPLM has received a quotation of \$6,500+GST to undertake the project including community consultation and the preparation of a Site Development Plan.

It is recommended that Council approve a 50/50 funding arrangement for this project whereby Council will fund 50% of the project with the other 50% coming from the Bungonia Village Discretionary Fund. Taking into consideration the projected balance of this fund at 30 June 2020 and next year's contribution to the fund of \$11,269, a balance of \$6,094 would remain in the fund for other projects in 2020/21.

ES.07 – Transport for NSW

Council received notification during the exhibition period that had been successful in securing Blackspot Funding for the following projects:

- Bourke St/Addison St Roundabout \$403,243
- Taralga Road – Upgrade and Safety Improvements \$804,403

The funding allocation for the Roundabout project is split between the 2020/21 (\$50,000) and 2021/22 (\$353,253) financial years while the Taralga Road funding is all allocated in the 2020/21 Financial Year.

ES.08 - Bungonia Park Land Manager (BPLM)

This submission relates to a request for Council to work with the Bungonia Park Land Manager to fund and implement Bungonia Infrastructure Development Project - Bungonia Village Park [Crown Reserve 35559] as part of the 2020/21 budget.

While the project certainly has merit, there are a number of factors that make it unfeasible for Council to support at this time:

- The land is crown land which is not managed by Council
- The costings provided are incomplete, making it difficult to ascertain a clear picture of the amount of support being requested
- As reported in ES05/06 above, there is currently no Plan of Management in place for the Bungonia Village Park. This is an essential undertaking prior to any new infrastructure being installed in the park, especially if external funding is to be sought.

It is recommended that Council defer any decision on the support of this project until after the Plan of Management for the Bungonia Village Park has been developed and endorsed by Crown Lands and a more detailed costing of the overall project can be provided.

ES.09 – Phillip Toparis

This submission requests that Council reconsider its intentions to increase rates, annual charges and user fees & charges in light of the COVID-19 pandemic.

While fully aware of the hardship being faced by a number of members of the Goulburn Mulwaree Community, Council is not in a position to be able to consider a “freeze” on its rates, annual charges and user fees and charges.

Council already faces reduced revenue due to the impacts of the COVID-19 pandemic and has also been made aware of an additional \$185,000 per annum that it will have to pay directly the State Government in the form of the Emergency Services Levy beyond 2020/21. This represents an increase of \$250,000 per annum when compared to the levy paid in 2018/19.

In addition, Council is expecting to be hit with additional superannuation charges from Local Government Superannuation similar to those faced by Local Government following the Global Financial Crisis. This could potentially add another \$100,000 per annum to its operating budget.

While it was announced last week that Councils will be able to recoup their rate pegging amount for this year in future rating years (should it elect not to take up the full rate peg this year), this would still lead to forcing Councils into applying increases of over 5% in the year that the amount was recouped. This is the ongoing problem of rate pegging where for a number of years the limit was set well below the annual cost increases being faced by Councils. This has effectively taken away any flexibility Councils have to react to situations like the one we are currently faced with.

It should be noted that since the amalgamation in 2004, Council has not applied for a Special Rating Variation and has consistently applied the rate pegging limit.

Another thing of concern is that following the Global Financial Crisis the Federal Government put a freeze on the indexation of the Financial Assistance Grants for a number of years as it tried to reign in the budget following the extensive stimulus spending to address the crisis. This measure had a cumulative effect of reducing Councils operating income by approximately \$500k per annum. This is an ongoing impact on our budget as the annual increases that were missed during this

period were never recovered. A similar move by the Federal Government would have a massive impact on Councils budget moving forward.

Council staff will continue to work with those affected community members by working within the current debt recovery policy and hardship policy to come up with arrangements to ease the current rating burden. Council will be presented with a revised hardship policy at its meeting on 16 June to simplify the hardship application/determination process in the lead up to the annual rates notice being sent out in July.

Operational Plan 2020-2021

External Submissions

Number	Submitted By
ES.01	Southern Tablelands Football Association
ES.02	NSW Farmers
ES.03	Revenue NSW
ES.04	Bungonia & District Historical Society Inc.
ES.05	Bungonia Park Land Manager
ES.06	Bungonia Progress Association
ES.07	Transport for NSW
ES.08	Bungonia Park Land Manager
ES.09	Phillip Toparis

ES.01**Southern Tablelands Football Association**

(M) 0429 307 327
(M) 0421 767 725
(E) stfaed@gmail.com
(E) stfagca@gmail.com

Proudly playing at the Cookbundoon Sports Fields



Dear Bob, Warwick, and Councillors,

On behalf of the STFA, we wish to extend our appreciation and thanks for including us in the budget for 2021/2022, for the much needed new amenities block out at Cookbundoon fields. The entire STFA board is stoked to hear this news and we are 100% behind this project.

This new amenities block will assist us greatly in giving our largely growing female playing population a place to get changed in private, as well as fresh changerooms for our already set playing community. This also gives us the opportunity when hosting regional tournaments to have more places to offer visiting teams to get changed and be more sheltered from the elements. This is also a big bonus for our representative teams and their visiting opposition teams from all over the South Coast, Highlands and ACT.

The STFA board looks forward to working with you all closely on this project, and offering any assistance where we can to help. This is exciting news for our playing community and I'm sure may even assist us in enticing more tournaments to Cookbundoon.

Many thanks, and kind regards,

Jason Broadbent
STFA Competition Admin
0421 767 725

Craig Norris
Executive Director
0429 307 327

ES.02

29 April 2020

Attn: General Manager

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

Dear Mayor Kirk and Councillors,

RE: Land valuation and rating impacts on farmers

NSW Farmer's Association understands that landholders are currently receiving notification of new land valuations that have recently been undertaken across New South Wales.

Our members have raised concerns that this will likely result in an increase to their local government rates at a time when they are already struggling with the effects of drought, COVID-19, and in many regions, the recent bushfires.

It has come to our attention that different councils across New South Wales set substantially different ad valorem rates, and that councils vary in their utilisation of a base rate, if at all.

For farmers, local government rates are an ever-increasing and unpredictable cost.

As councils are considering these new land valuations and rate settings for the coming year, we write to remind you of the unique nature of the farming business and associated challenges, and that land value does not directly correlate to wealth or ability to pay.

Farmers often require large areas of land to carry out their business operations. When compared to other businesses, for example a plumber or a hardware store in town, farmers contribute a significant proportion of rates in regional areas. Farmers do not derive any additional benefits or place further pressure on council infrastructure and services in return for this higher contribution to the rating pool.

The inequity of this situation can be intensified where farmland values are higher due to proximity to a regional centre or increased land or property sales in an area. This has no bearing on a farmer's ability to increase their income.

NSW Farmers understands that in accordance with the *Local Government Act 1993* (NSW), a rate may consist of an ad valorem amount (a variable charge set as a proportion of the land value) or a base amount to which an ad valorem amount is added. We further understand that while there is no restriction on the proportion of revenue that can be generated from ad valorem amounts, the revenue generated from the base amount cannot exceed 50 per cent.

We ask that you consider the potential impact of increased land valuations and potential rate increases on farmers. We request you consider greater utilisation of:

- Existing rating subcategories. Creating or further utilising rating subcategories could assist in addressing inconsistency in land valuations within a category. This could assist in levelling rate increases across the farmland sector to promote fair and equitable rating. This would apply any rate increases more evenly across the farmland sector, rather than landholders with particularly high land valuation increases, such as near regional centres, experiencing dramatic rate increases.

NSW Farmers' Association

ABN 31 000 004 651 PO Box 459 St Leonards NSW 1590 Level 4 154 Pacific Highway St Leonards NSW 2065
Member Service Centre 1300 794 000 T 02 9478 1000 F 02 8282 4500 www.nswfarmers.org.au

ES.02

- A base amount. This is an optional way to recover rating revenue, and we encourage councils to use it as a fair and equitable way to recover at least 30 percent of general rate income. We recommend a base amount of approximately 45 percent for residential ratepayers to account for their increased access to and utilisation of services and amenities. For the farming sector, we suggest a smaller base amount to reflect their reduced utilisation and access to these services.

Whilst we acknowledge councils are currently constrained by a 50 percent maximum base amount, it is NSW Farmers Association Policy to support a gradual increase of up to 70 percent general rate income recovery through a base amount. This would reduce the proportion of rates recovered through ad valorem rating, in turn reducing the rating burden on those with higher land values and larger landholdings which are not proportionate to their access to services. This would more fairly distribute the revenue generation across all ratepayers and achieve a better balance between the "benefit" and "ability to pay" principles.

Should your Council be in a position to share any relevant information regarding your Council's Rate setting strategy we would appreciate this being forwarded to Renee Austin at austinr@nswfarmers.org.au.

Yours sincerely,



Peter Wilson
Chair,
Business, Economics & Trade Committee

NSW Farmers' Association

ABN 31 000 004 651 PO Box 459 St Leonards NSW 1590 Level 4 154 Pacific Highway St Leonards NSW 2065
Member Service Centre 1300 794 000 T 02 9478 1000 F 02 8282 4500 www.nswfarmers.org.au

ES.03



Revenue

Council Contribution Assessment Notice

Contribution amounts in this notice have been assessed by the Emergency Services Minister for the 2020/21 Tax Year

Issue Date 30 April 2020
 Enquiries 1300 139 816 (8.30 am - 5.00 pm)
 Website www.revenue.nsw.gov.au

GOULBURN MULWAREE CNCL
 Locked Bag 22
 GOULBURN NSW 2580

Council ID 144412994
 Correspondence ID 1706733738

Assessment details

Total Council Annual Contribution (Combined RFS, SES & F&RNSW)	Amount Due \$ 732,984.04
Individual Contribution Assessment Totals	
NSW RURAL FIRE SERVICE	Amount Due \$ 539,665.00
NSW STATE EMERGENCY SERVICE	Amount Due \$ 59,646.04
FIRE AND RESCUE NSW	Amount Due \$ 133,673.00

Instalment details

Pay in four instalments	Payment Reference	Due Date	Amount Due
FIRST INSTALMENT	1706733696	30/09/2020	\$ 183,246.01
SECOND INSTALMENT	1706733704	31/12/2020	\$ 183,246.01
THIRD INSTALMENT	1706733712	31/03/2021	\$ 183,246.01
FOURTH INSTALMENT	1706733720	30/06/2021	\$ 183,246.01

You can find information on the current rate of interest at 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.

Cullen Smythe
 Chief Commissioner of State Revenue

ES.04

From Bungonia and District Historical Society Inc

07.05.2020

To the General Manager Warwick Bennett and Councillors

We would like to make a request that the final set of new signs for the Bungonia Village Streetscape would be included as part of the 20/21 Draft Operational Plan funding allocations..

Justification

Bungonia is an area of high Historical and heritage values as evidenced by listing Bungonia Heritage Conservation Area including items of State significance eg Christchurch and St Michaels and its large number of valuable items listed on the LEP.

Bungonia is situated on the Route 92 travel corridor from the coast and close to the Sydney /Canberra Corridor freeway. Its location encourages daytrips and other tourism.90mins to coast;80 mins to Canberra .2 hours to Sydney.It has a major attraction in the Bungonia National Park 8klm from the gateway Bungonia Village.

The aim is to raise awareness of the Heritage values of the items in the Bungonia Heritage Conservation plan, informing and interesting locals and the wider public. By this means we hope to continue to add to the attractions available in Bungonia and increase its significance as a place for tourists and travellers both to visit and to explore in the local area supported by accommodation options in the region.

Detailed research preparation has resulted in the text and photo by Bungonia and District Historical Society Inc of material for the completion of the set. There are approx. 20 approx. additional heritage signs to complete the entire project for Bungonia. Most would be placed in the street views ; some would be placed along the Reserve walk linking the northern and Southern arms of the Village parkland.

Production Several Previous signs in the Village exist and were provided by Council in the past. We would like the rest of the signs to have the same production and visual values to ensure a cohesive look to the Informative material .

**Est costing for signs From Bec O'Neill
Team Leader Marketing | Marketing & Events**

An estimate for one new Heritage Sign to be installed is \$1030 ex GST plus travel (approx. \$100 ex GST). So the below would cost approximately \$3190 ex GST. Please note however this price does not include the Graphic Design of the sign.

Support for project

We have previously spoken to Mr W Bennett and to Mr Jack Miller on Council who are aware of and encouraging of this project.

Local support is also from the two other NFPs in the Village -Bungonia Progress Association and Bungonia Park Land Manager [Crown Land]

Yours Sincerely

Anne Wiggan Secretary

Bungonia and District Historical Society Inc.

Anne Wiggan

"MIZPAH" 33 King St .Bungonia 2580
(02) 4844 4228 0408 666 196

<https://www.facebook.com/Bungonia-Heritage-and-Conservation-576073996193548/>

ES.05

From Bungonia Park Land Manager

07.05.2020

To the General Manager Warwick Bennett and Councillors

We would like to make a request that a Plan of Management [POM] for the Bungonia Village Park [Crown Reserve 35559] would be included as part of the 20/21 Draft Operational Plan funding allocations.

Justification

We have previously spoken to Crown Lands who indicate that due to the Corona Virus there is no CRIFP funding round being made available.

To move ahead with planning, consultation and provision of much needed public toilets and associated public community recreational, event and tourist support facilities, a POM is vital.

Bungonia is an area of high Environmental Historical and Heritage values. It boasts a major attraction in the Bungonia National Park 8klm from the gateway Bungonia Village.

Bungonia is situated on the Route 92 travel corridor from the coast and close to the Sydney /Canberra Corridor freeway. Its location encourages daytrips and other tourism.90mins to coast;80 mins to Canberra .2 hours to Sydney. Visitor numbers [without the virus] have been increasing and the Bungonia Community continues to work towards adding value to the Heritage and other attractions to increase the financial sustainability of our NFP Community organisations.

The aim is to complete the underpinning documentation which will enable the mandatory Community Consultation process to go ahead for a major infrastructure improvement to the Bungonia Village park ;

Status of Bungonia Infrastructure Project ;

We attach a costing quote from Laterals Planning @ approx. EST POM with Community Consultation =\$5,000+GST Site Development Plan \$1,500+GST and have asked Council to estimate its own costs for production of the POM .

Ref Trudi Klem. We have just recently completed one for the Goulburn Recreation Area which is quite complex, involving multiple community groups. The cost for this report was \$22,000 (GST excl), with labour at \$250ph.

We have made available our almost complete work draft for the POM to both parties.

We have sent copies of the completed waste water management report; the site survey and the Concept plan drawings and previous relevant documentation to Mr Warwick Bennet, Council Planning Dept and requested they be forwarded to councillors.

We have applied to RFS for an updated Village Fire Plan [RFS in construction]

Support for project

Crown Lands who are aware of and encouraging of this project.

Council has longstanding support for upgrades to publicly accessible infrastructure in the Village.

Local support is also from the two other NFPs in the Village -Bungonia Progress Association and Bungonia and District Historical Society Inc.

General support from SWOT analysis and Bungonia Village Plan previously provided to Council members for improved facilities in the Village supportive of recreation, events and tourism.

Yours Sincerely

Anne Wiggan Secretary

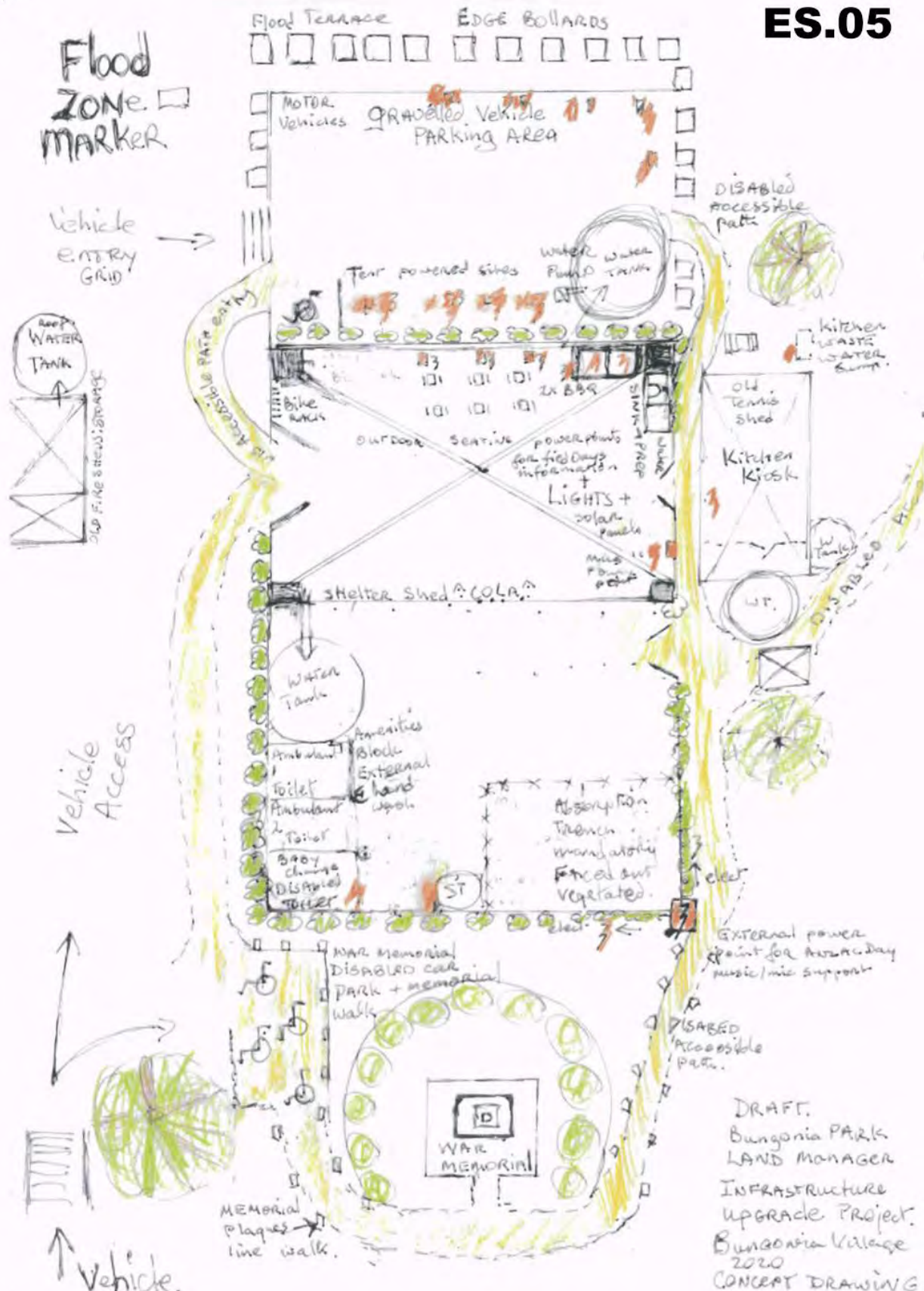
Bungonia Park Land Manager

Anne Wiggan

"MIZPAH" 33 King St .Bungonia 2580
(02) 4844 4228 0408 666 196

<https://www.facebook.com/Bungonia-Heritage-and-Conservation-576073996193548/>

ES.05



ES.05



Client Name:	Anne Wiggan
Postal Address:	"Mizpah" 33 King Street, Bungonia NSW 2580
Physical Address:	"Mizpah" 33 King Street, Bungonia NSW 2580
Subject Property:	Bungonia Village Park (Crown Reserve 35559)
Phone:	4844 4228
Mobile:	0408 666 196
Email:	annekbungonia@gmail.com

Please find following a fee proposal and engagement contract for signing. If works are required outside of these parameters an appropriate hourly rate will be claimed as a variation to this fee proposal contract. We will liaise with you should this need arise.

Scope of Works

Prepare Plan of Management with community consultation and Site Development Plan.

Professional Fees and Payment

To undertake the abovementioned scope of works the fees proposed are:

Professional Services		\$175.00 / hour
Estimated Cost: POM with community consultation	\$5,000+GST	
Site Development Plan	\$1,500+GST	
Specialist reports, plans and surveys as required: e.g. Fees and charges		At cost
GST		\$17.50 / hour
Total		\$192.50 / hour

Please also note that fees for Council, NSW Land and Property Information and other authority applications and certificates are to be charged separately. If legal advice is required in respect of the proposal the cost of this advice is not included in this fee proposal. If other reports and advice is needed from specialist consultants the cost of the reports and advice is not included in this fee proposal.

Variations

Any variations to the scope of works outlined in this fee proposal will be discussed and if necessary this agreement will be renegotiated. Minor variations will be charged at our standard hourly rates.

Validity

This quote is valid for thirty (30) days from the date of this correspondence.

Authority to Act

Please **also sign** the authority to act letter that Lateralis may need to provide to Council or other authorities. This is also required to access various records that may be required to complete the project.

Payment

Invoices will be generated monthly for the work performed during the prior month. Payment is expected within 14 days. Please note that non-payment of these progress invoices may result in delays.

Please contact us should you wish to pay via credit card, Bpay or EFTPOS.

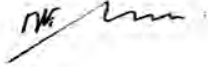
If you wish to make payment via direct transfer our bank details are:

Account Name: Lateralis Planning
 BSB: 032 721
 Account Number: 160 430

ES.05

To contract Laterals for this project you will need to sign the following fee proposal acceptance that includes our standard terms and conditions of engagement.

Yours sincerely



Robert Mowle
LATERALS ENGINEERING and MANAGEMENT
26 March 2020

ES.05

Fee Proposal Acceptance and Standard Terms and Conditions of Engagement

Client Name:	Anne Wiggan
Postal Address:	"Mizpah" 33 King Street, Bungonia NSW 2580
Physical Address:	"Mizpah" 33 King Street, Bungonia NSW 2580
Subject Property:	Bungonia Village Park (Crown Reserve 35559)
Phone:	4844 4228
Mobile:	0408 666 196
Email:	annekbungonia@gmail.com

STANDARD TERMS AND CONDITIONS OF ENGAGEMENT

Definitions

'Laterals' means Laterals Planning Pty Ltd trading as Laterals Planning, Laterals Environmental and Laterals Engineering and Management

'client' means the person or corporate entity responsible for appointing Laterals and for the payment of all goods and services associated with the project.

'parties' means both the client and Laterals.

Terms and Conditions

The client agrees that:

1. Acceptance of these terms of engagement will be the sole means of engaging the services of Laterals.
2. At commencement and throughout this contract the client must provide all relevant, accurate and up to date information, documents and plans to enable Laterals to provide the requested service. The project will be undertaken based upon these details provided by the client, however Laterals is under no obligation to verify the accuracy or completeness of these details.
3. Variation requests are to be made in writing and agreed with Laterals prior to their implementation. Amended fees payable will be negotiated and form part of this agreed implementation.
4. All payments are to be made in accordance with the project proposal. If the client does not pay by the due date (either as provided in the project proposal, as set out on the invoice, or in any other event 14 days after the date of any invoice issued by Laterals), then Laterals may:
 - i. Immediately cease all services to the client until payment is made in full;
 - ii. Exercise a lien over the work undertaken by Laterals;
 - iii. Charge interest at the rate of 15% per annum on all amounts outstanding beyond the due date for payment;
 - iv. Recover all costs associated with the collection of any overdue monies owed by the client, including but not limited to filing fees, agents and service fees and all legal costs incurred by Laterals in engaging any collection agency or legal practitioner to assist with the recovery of the overdue monies.
5. Laterals may terminate the contract where non-payment of monies due occurs or where there is an irreconcilable breach of the contract obligations by the client. Termination of the contract must be in writing and provide for thirty (30) days notice.
6. Intellectual property remains the property of Laterals. The work completed in association with the project remains the property of Laterals. The client is hereby granted a license to use the completed work provided by Laterals for the purposes of completing the project. Use of the completed works outside of these parameters is not permitted.
7. Laterals shall not be liable under this agreement for any kind of indirect or consequential loss or damage arising out of or in conjunction with this agreement or the project.
8. The client must provide a safe working environment for all staff of Laterals that may be engaged on the project.

ES.05

- 9. Where applicable the Director/s of the client hereby agree that they are jointly and severally personally liable for the payment of all accounts owed by the company client and further acknowledge this to be a continuing guarantee for all debts owing subject to any variations of the project as provided herein.
- 10. In addition to those rights of Laterals set out herein the client and guarantor/s (if applicable) charge in favour of Laterals all property whether real or personal, whether presently held or not and whether held in its own right or as a trustee, all payments owing under this agreement.

Laterals agrees that:

- 11. It will be the responsibility of Laterals, upon acceptance of the fee/project proposal, to commence and progress the project to the agreed joint expectations for project completion. Any delays by either party will be the subject of negotiation on project objectives.
- 12. Laterals commits to performing all services to the standard that would reasonably be expected of a consultant performing the same or similar services.
- 13. Laterals must continue to hold appropriate insurance coverage for the life of the project.

The parties agree that:

- 14. Both parties to this contract submit to the laws of New South Wales and Australia to the maximum extent permitted.
- 15. Neither party may assign transfer or sublet any obligation under this agreement without the written consent of the other party.
- 16. If the parties are unable to resolve a dispute between themselves, then prior to commencing legal proceedings with respect to any disputes that may arise between the parties, the parties agree to mediate any disputes through a mediator either appointed by agreement, or failing agreement, by mediator appointed by the President of the Law Society of New South Wales. Either party must notify the other in writing setting out the issues in dispute.

CLIENT ACCEPTANCE

We have read and understood the terms and conditions of this fee proposal and hereby agree with them.

Print names of the client whether an Individual or a Company:

.....
 ("the client")

ABN.....

ACN (if Company).....

Contact: Position:

Address for Accounts if different from above:

If company then details of directors:

Full Name:.....

Private Address:.....

Full Name:

Private Address:.....

ES.05

Company signing:

Signature

Signature

Name

Name

Position Held (i.e. Director/Secretary)

Position Held (i.e. Director/Secretary)

Date

Date

Individual signing:

Signature

Signature

Name

Name

Date

Date

ES.05

AUTHORITY TO ACT

I, _____

of the Company (if applicable): _____

as owner/owners authorised representative hereby authorise Keith Allen/Robert Mowle of Laterals Planning to access all files, and information and obtain copies in respect to the land as required from the relevant local or state government authority for the purposes of completing the works I have contracted him to undertake on my behalf.

Signed _____

Position in Company (if applicable) _____

Dated _____

ES.06

Mr Warwick Bennett,
Manager,
Goulburn Mulwaree Council,
Civic Centre,
Bourke St.,
Goulburn
13th May, 2020

Dear Warwick,

I am writing on behalf of the Bungonia Progress Association to support the BPLM (Bungonia Park Land Manager's) application to have their Plan of Management funded in the Draft Operational Plan Budget for 2020/2021.

The Progress Association is of the opinion that the Bungonia Village Park is in desperate need of new infrastructure after the long drop toilets and BBQ were condemned by Council and consequently demolished.

As a local resident who walks through the park on a regular basis, I find toilet paper and faeces in the park left by people desperate to relieve themselves.

Since any new infrastructure build in the park is dependent on the BPLM Plan of Management being developed and approved by a Community Consultation process, Progress is keen to see this go ahead.

We totally support their application to Council to have the Plan of Management and their proposed infrastructure project added to the Draft Operational Plan Budget for 2020/2021.

Yours sincerely,

Roy Nicita
President

Bungonia Progress Association
Incorporation No. Y1768448
42 King Street Bungonia NSW 2580

ES.07



14 April 2020

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

Dear Mr Bennett

2020/21 Australian Government Black Spot Program

We are pleased to advise that your Council has been successful in gaining funding in the above program for the following project(s) for the 2020/21 financial year.

Program	Project Number	Project Description	2020/21 Funding Offered (\$)	2021/22 Funding Offered (\$)	Road Safety Audits Required
Australian Government Blackspot 2020/21	P.0048596	Bourke Street - Addison Street intersection - Install 1-lane roundabout (including all traffic calming, line marking, lighting and signage), street lighting at intersection, and RRPMS on centre or edge lines; Remove sight distance restrictions at intersection; Upgrade seal to high level non-skid surface.	\$50,000	\$353,245	Stage 3 or Stage 4
Australian Government Blackspot 2020/21	P.0048597	Taralga Road - Upgrade and safety improvements - Install RRPMS on centre or edge lines, profile (audio-tactile) edge line, profile (audio-tactile) centre line, 0.5-2m incremental traversable clearzone, sealed shoulder on straight, semi-rigid barrier on roadside, new curve and advisory speed signs, side road name and directional guide signs, road feature signs, and guideposts with reflectors; Upgrade seal to high level non-skid surface	\$804,403	N/A	Stage 3 and Stage 4

Please note:

- Funds are allocated to specific projects and are not transferable at Council's discretion
- Funding does not imply that projects are automatically approved for construction
- Council must obtain all relevant approvals from Transport for NSW (TfNSW) and other approval authorities.

This letter documents the procedures Council must follow if funding to Councils is to be maintained in accordance with TfNSW *Financial Arrangements with Councils for Road Management*.
 (see www.rms.nsw.gov.au/business-industry/partners-suppliers/lgr/index.html)

ES.08

From Bungonia Park Land Manager

10.05.2020

To the General Manager Warwick Bennett ,and Councillors

We would like to make a request that the proposed

Bungonia Infrastructure Development Project - Bungonia Village Park [Crown Reserve 35559] would be included as part of the **20/21 Draft Operational Plan funding allocations.**

We would ask that the Council consider supporting the **Bungonia Park Land Manager** in this project . We would be happy to be part of Grant funding applications and any other consultations , information sharing or support we could provide.

Request

That Council would assist the Bungonia Park Land Manager to jointly with yourselves get this project up, funded and implemented for the benefit of the Bungonia Community ,the GMC District and the wider travelling public.

Justification

We have previously spoken to Crown Lands who indicate that due to the Corona Virus there is no CRIFP funding round being made available.

There is a recent opening of the NSW Community Building Partnerships grants to close in 12 June where we would like to be a party with Council assistance to an application for funds to implement this project.

This project is to provide the much needed public toilets and associated public community recreational, event and tourist support facilities for the CR3559 Bungonia Village Park.

Benefits

Bungonia is an area of high Environmental Historical and Heritage values. It boasts a major attraction in the Bungonia National Park 8klm from the gateway Bungonia Village.

Bungonia is situated on the Route 92 travel corridor from the coast and close to the Sydney /Canberra Corridor freeway. Its location encourages daytrips and other tourism.90mins to coast;80 mins to Canberra .2 hours to Sydney.

Visitor numbers [without the virus] have been increasing and the Bungonia Community continues to work towards adding value to the Heritage and other attractions to increase the financial sustainability of our NFP

Community organisations.

We Note that the Centenary of the first Australian Motorcycle Grand Prix 23rd JUNE 2024 would ideally be supported on the Bungonia section of the original racing track route with the Bungonia hall PLUS the extra facilities in this Infrastructure project .

“The 1924 Australian Motor Cycle Grand Prix was the first of its kind in Australia. The triangular circuit extended from the outskirts of Goulburn to Windellama, across to

ES.08

Bungonia and back to the junction of the two roads. It involved four laps of the race circuit.

The aim is for a major infrastructure improvement to the Bungonia Village Park to answer the long-standing needs of the local community ,the travelling public ,to allow for expansion of the Events profile facilities available to the community and other users, and to future -proof the sustainable development of the Bungonia Village area.

Status of Bungonia Infrastructure Project ;

We have already made available our almost complete work draft for the proposed Infrastructure development to Council members and councillors and Council Planning, to Heritage and to Crown Lands and to the sitting member Wendy Tuckerman MP. The proposal has been well received. They included Work copies of the completed Waste Water Assessment report; the Site Survey and the Concept Plan drawings and previous relevant documentation to Mr Warwick Bennet, Council Planning Dept and requested they be forwarded to councillors.

We have applied to RFS for an updated Village Fire Plan [RFS in construction] Sent the water information to James Caddey Water NSW

Costings will be made and are in progress some through ourselves and Robert Hughes GMC has consulted with us and is preparing some costings to help .Other comparative costings are also available with Trudi Klem's help .

Support for project

Crown Lands who are aware of and encouraging of this project.

Council has longstanding support for upgrades to publicly accessible infrastructure in the Village.

Local support is also from the two other NFPs in the Village -Bungonia Progress Association Inc. and Bungonia and District Historical Society Inc. General support from SWOT analysis and Bungonia Village Plan previously provided to Council members for improved facilities in the Village supportive of recreation, events and tourism.

The new Crown Lands Act made law JUNE 2018 requires such a project to also go to further public consultation [as is reflected in the POM submission]
Yours Sincerely

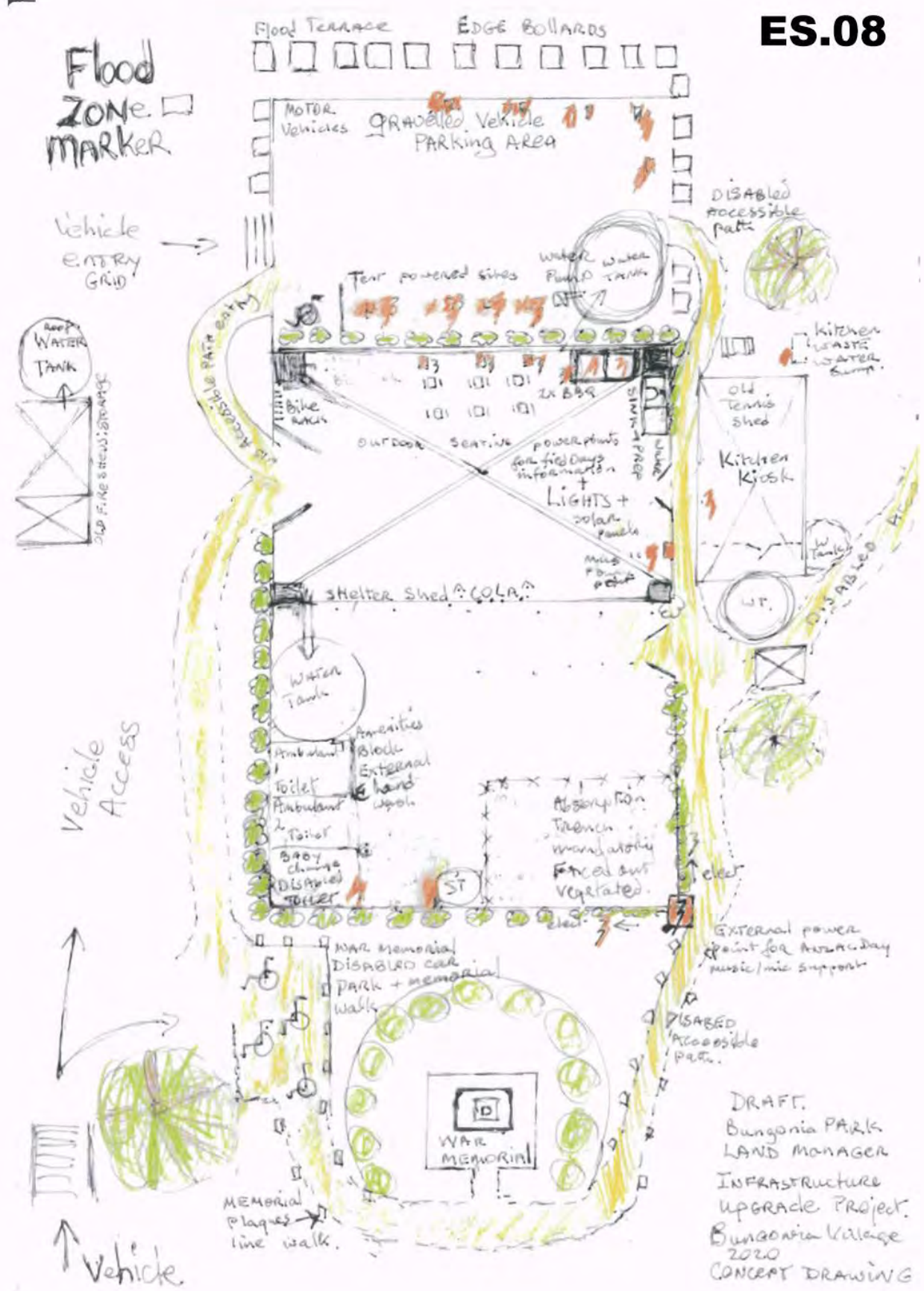
Anne Wiggan Secretary

Bungonia Park Land Manager

Anne Wiggan "MIZPAH" 33 King St .Bungonia 2580 (02) 4844 4228 0408 666 196

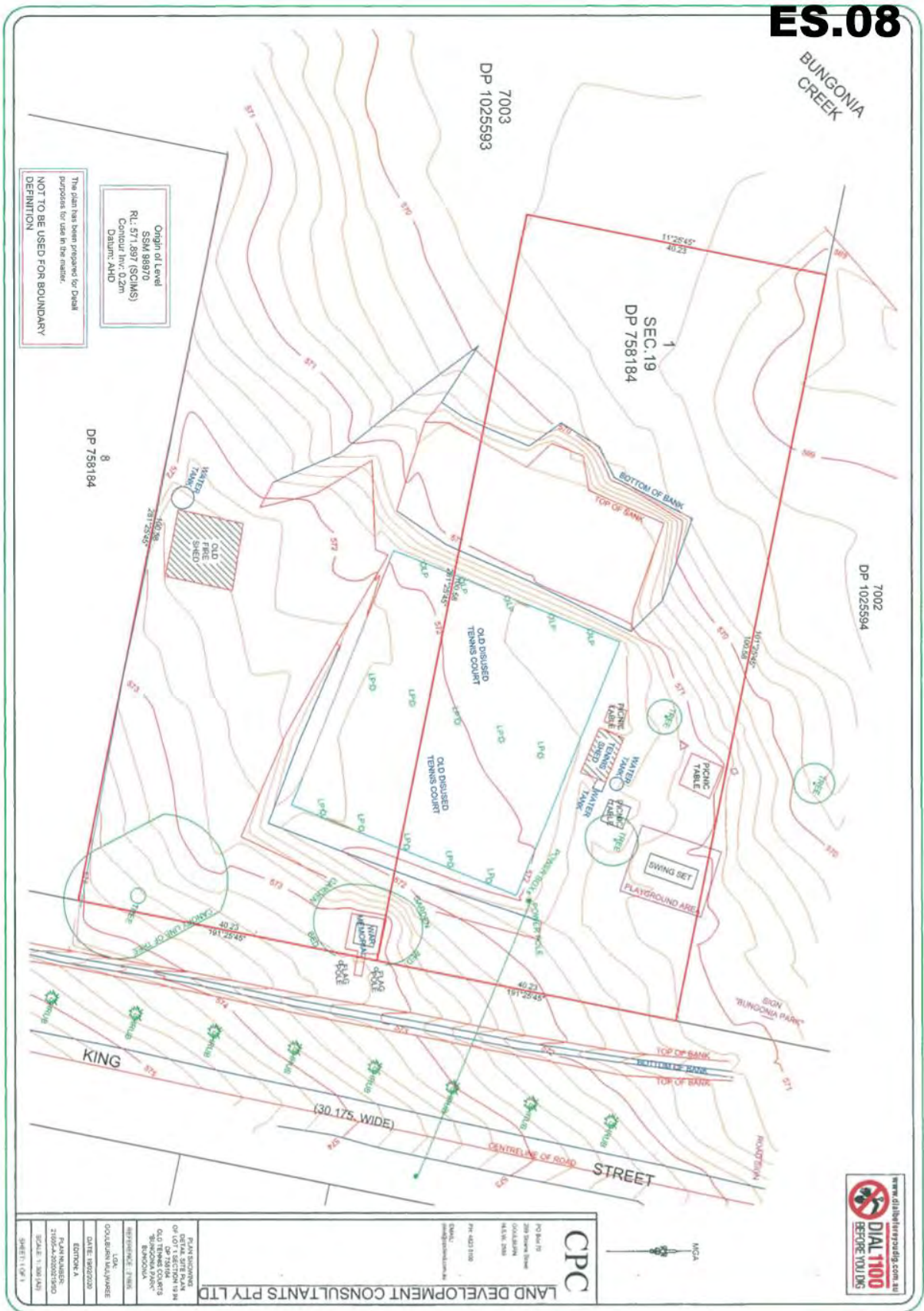
<https://www.facebook.com/Bungonia-Heritage-and-Conservation-576073996193548/>

ES.08



DRAFT.
 Bungonia Park
 LAND MANAGER
 INFRASTRUCTURE
 Upgrade Project.
 Bungonia Village
 2020
 CONCEPT DRAWING

ES.08



ES.08

Bungonia Village Park CR35559 Infrastructure project :Some notional costings.

All elements are approximates only ; NONE include GST so it must be added in to all .

Further project drawing work [construction]?unknown

Further compliance costs? unknown

Project management ? unknown.

Building and construction/Site insurances?

Heritage assessment costs?

Aboriginal assessment costs? –[note re Claims and Native Title - site is an adaptive re-use]

Removal of some internal tennis court elements -demolition ? costs unknown

Electrics

On advice; the village supply to the park would need to be assessed and loads worked out to estimate the requirements for the site development .

1 /supply and upgrade box from street to next to tennis courts

If upgrade/addition of transformer is needed from street to electricity point. \$35,000

If service must be provided underground (core road) rather than aerial : \$15,000

If upgrade to aerial is the only service delivery requirement : \$7,000

Costs of decommissioning existing old supply lines?

2/to the civil costs[trenching ,fittings, supports, cabling etc labour - additions of the onsite electrics could be between

Approx. worst case scenario \$60,000 - \$40,000 best.

Details of electric plan needed

Toilets; note ; NO sewage supply to the village

1X Unit Disabled with baby change table ; and X2 ambulant ;easy clean elements ;raised inches for floor clean ie not flush with floor ; services access units at back in module; Handwash outside security lights ,steel toilet and wash fittings vandal resistant ; coatings vandal resistant.

Toilet Slab -concrete only dimensions ?

Access paths. To toilet

Rainwater catchment tanks

[Note no reticulated water to Village ; Potable water required additional]

Pumps to move and pressurise water supply [NO reticulated water on -site.]

Hudson park \$80,000 (not inclusive of sloping site slab needed \$30,000?)

Tarago toilets \$30,000 plumbed into pump out septic; huge maintenance costs constantly needs pumping out ;separate electrics \$4,000 ; \$30,000 for rainwater holding tanks.

ES.08

Excavations soil movement ; cabling plumbing ,levelling sites –(paths car drop site access areas)

Paths -concrete advised as least upkeep /maintenance

Width 1.8 metres ; 2 mtr path (Gln Riverwalk shared Passing and disabled) \$300per lineal metre

COLA

Electric double BBQ -36 egg size plates (event management support)

Camping sites ; electricity and lighting supports ; bollards for site safety ;car access to campsite ;funding acknowledgement ,site traffic Directional ,safety ,use and information Signage .

POM includes

Playground upgrade ;separate research and separate project.

Soft fall plastics/rubber ;

Eastgrove Bourke st near the scout hall Hudson Park \$52,000

Apex Park \$65,000

Tarago Playground \$32,000 toddlers preschool slippery dip and kid+parent swing.

Shade sail – not advised because of frequent repair requirements in high wind areas ; solid roofing advised (level 3-4 ?)

Hudson Park shade sail 10X8 \$6500 each section ;not good enough ;torn out . \$30,000

ES.09

14th May 2020
The General Manager
Draft Operational Plan 20/21

I would like to table a submission to re consider the Draft Operational Plan 20/21 budget fees and charges currently on exhibition.

This document was prepared pre COVID conditions and when the report was put for determination the GM acknowledged that it may need to be reviewed. I ask the councillors as representatives of our community to ensure that it is.

Currently the Federal Government, the State Government, the Banks and Landlords have all made huge concessions to help the community. The slogan we are all in this together seems to exclude local government as GMC provide no support for our community at all in this document. Instead they propose to increase rates, fees and charges.

This should be re considered and at the very least capped at the current 2019/2020 charges for the next financial year and the budget adjusted accordingly.

The GM and staff will argue that it would be financially irresponsible not to increase rates, fees and charges. This is currently what local business has been forced to deal with as incomes have been slashed or completely stopped. Household income too. They will also argue that it is state legislation to impose the increases. So too was construction activity on weekends and public holidays. This was changed along with supermarket loading dock operating hours to assist business in the current climate and the list can go on. Changed conditions require changes in policy.

Currently the GMC response to COVID has simply been to reduce and close down services, yet this budget still proposes to increase rates, fees and charges. The offer of Hardship Applications is simply not good enough. Financial Assistance Applications have always been available to rate payers, this is nothing new. If things are not already hard enough for local business and households, they are now being asked to publicly apply for concessions for everybody to see. GMC should be instead offering stimulus and assistance before it is too late.

This budget currently asks the Café owner that has been closed and can now only seat 10 customers that their liquid trade waste fees will rise by 4%. It asks the unemployed rate payer who lost their job that their domestic waste fees will rise by 7%. The local Pub owner with no customers that their water and sewerage discharge fees will be increased. The Land lord who's tenants have closed up that they still have to pay rates and they will also be increased.

ES.09

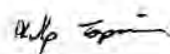
I appreciate that GMC still has operating costs but they can adapt just as the rest of the community has been forced too by adjusting the budget accordingly. Proposed project timelines and expenditure could easily be adjusted. It should now be accepted across the board that it is not business as usual. Far from it.

If we are truly all in this together, councillors you should ensure that GMC are also included in this. Local Government should also have a role to play. This budget should not be endorsed until it is reviewed just as you insisted with the Housing Strategy. This will not be implemented until the end of the financial year so there is still time. As a public organisation GMC has a responsibility to consider the hardships currently facing its community and rate payers and adjust policy accordingly.

This review would also be an opportunity to re structure the Damage bonds imposed on the building industry as requested last year. This could be changed to a blanket cover for a contractor's entire project portfolio instead of individual jobs. This would act as a stimulus for the industry freeing up much needed cash flow while still keeping contactors accountable for public infrastructure.

Thank you for the opportunity to make a submission and I know if changes are made it would be beneficial to the whole community. Local government support is also required in these challenging times. I hope as rate payers' councillors also feel the same way.

Kind Regards



Phillip Toparis

15.8 GOULBURN PERFORMING ARTS CENTRE - MAY 2020 STATUS REPORT

Author: Matthew O'Rourke, Director Operations

Authoriser: Warwick Bennett, General Manager

Attachments: Nil

Link to Community Strategic Plan:	CO2.2 – Development and delivery of new and existing cultural and creative assets, including built heritage assets.
Cost to Council:	The approved construction construction budget in the 2019/20 budget is \$18,950,000. Expenditure to date is \$ 1,848,168.
Use of Reserve Funds:	The project is being partly funded from the following reserves: S94A (38145) - \$459,796 (projected balnce at 30 June 2023 of #388,780.

RECOMMENDATION

That

1. The report from the Business Manager Projects on the status of the Goulburn Performing Arts Centre construction be received.
2. Council notes the delay in the completion date due to bush fire and COVID 19 crises circumstances beyond Councils control and the delays do not increase the contract amount.

BACKGROUND

To provide Council with an update on the current status of the Goulburn Performing Arts Centre construction works.

REPORT

This is the May 2020 summary report for the Goulburn Performing Arts Centre construction works.

Program

As indicated last month, Zauner were to submit a revised program based at the end of April that would incorporate the delays experienced to date as a result of the bushfires, flooding and COVID-19. Following is the revised construction program. Note, there is no time contingency in this program which may arise due to inclement weather or other issues, these will be considered on a case by case basis.

Task description	Start	Finish	Comment
• GMC Preliminary Works	01-09-19	31-01-20	Complete
• Site Establishment	29-11-19	20-12-19	Complete
• Preliminary and Enabling Works	06-01-20	31-03-20	Complete
• Groundwork and Sub-structure	01-04-20	20-08-20	Commenced and ongoing
• Structural Works	04-08-20	31-12-20	
• Roofing and Cladding	01-12-20	29-01-21	
• Services & Finishes	01-09-20	10-06-21	

• External Works	28-01-21	09-05-21	
• Commissioning and Handover	03-06-21	20-09-21	
• Completion	20-09-21	20-09-21	

The extent of program delays experienced to date are outlined below:

- Seven weeks have been lost due to a series of total fire bans during December 2019 and January 2020 plus impacts from the summer bushfires. Essential Energy staff were reassigned to bush fire recovery works during January 2020 and as such were unavailable for power relocation works as initially planned.
- Three weeks have been lost to date due to rainfall delays. Significant rain was received in February 2020, with further rain in March & April 2020.
- Another six weeks delay has arisen from the impacts of COVID-19. While site works have generally continued, delays have been experienced with finalisation of some technical documentation. An example of documentation impacted was finalisation of Construction Certificate No. 2, issued on 22nd April 2020. Other documentation included plans used by the contractor to obtain pricing from sub-contractors such as precast concrete panels.

The attached sketch indicates the focus of foundation work, concrete in the highlighted blue area will be poured over the next month in four separate concrete pours, approximately one week apart.

Works over the last month have continued on installation of screw piles and concrete placement in the foundations. The cooler weather is slowing drying of any moisture in the foundation area, which is slowing progress of installation of the screw piles. There are around 80 screw piles of varying diameter and length to be installed as part of the building foundation system. Approximately half of the screw piles have been installed to date. The base for the tower crane was poured at the end of April 2020. This is shown in the second photo.

The tower crane was initially to be installed over the weekend of 23rd and 24th May 2020. This has been put back by four week to allow resolution of some amendments to some screw piles as a result of a zone of lower strength material in the foundation. The 30T excavator used for installation of the screw piles will be kept on site for a longer period to complete installation of the screw piles. It was necessary to defer installation of the tower crane as there is insufficient room on site for the tower crane and excavator to be operating simultaneously.

Construction Phase Budget and Expenditure

Expenditure Component	Budget Amount	Actual Expenditure
Construction Costs	\$16,651,323	\$1,107,378
Council Costs		
• Preliminary works	\$1,373,677	\$740,790
• Café fit-out	\$125,000	
• Contingency	\$800,000	
Sub-total	\$2,298,677	
Total	\$18,950,000	\$1,848,168

The April 2020 progress claim has been received for \$358,200.

Project Variations

Zauner have reported encountering a seam of weaker foundation material during installation of some screw piles. This prompted extending some screw piles by 2m to reach into sound material and will have some time and cost implications. Details of this issue will be considered next month.

Nil variations to report for May 2020.

Contractual Issues

Nil contract issues to report for May 2020.

Project Control Group (PCG)

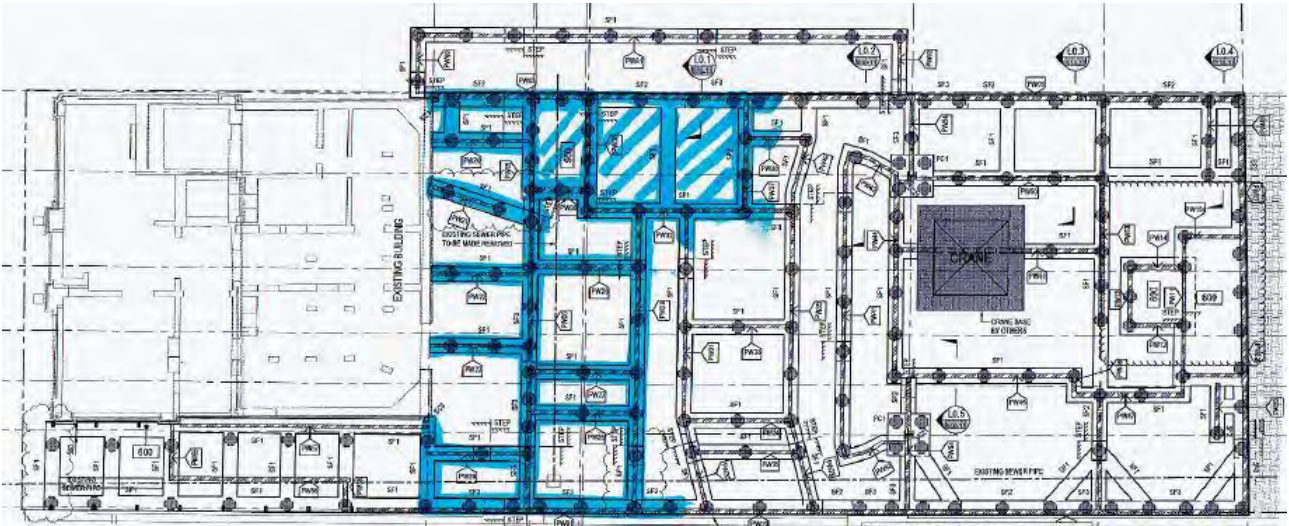
A PCG Meeting is conducted each month between GMC and CreateNSW, a project funding partner. The purpose of the PCG is monitor and review progress of the project on a monthly basis. A PCG meeting was held on 30th April 2020 and the next PCG meeting is scheduled for 28th May 2020.

An outstanding matter from the PCG is a project variation submitted to that covers the amended design. A further variation will be sought to account for the delays outlined above.

Priorities for next month

Reinforced concrete works, continuation with foundations and erection of the tower crane will be the focus for the coming month. Once the tower crane has been erected the focus will then move to installation of the building structure including placement of precast concrete panels.

Recent Photos





15.9 GOULBURN AQUATIC CENTRE REDEVELOPMENT STAGE 1 CONSTRUCTION - MAY 2020 STATUS REPORT

Author: Matthew O'Rourke, Director Operations

Authoriser: Warwick Bennett, General Manager

Attachments: Nil

Link to Community Strategic Plan:	IN4 – Maintain and update existing community facilities and support the development of new community infrastructure as needed.
Cost to Council:	The approved construction budget for Stage 1 redevelopment works is \$29,877,756 which is comprised of \$27,032,756 for construction costs and \$2,845,000 for Council costs. Expenditure to date is \$795,399.
Use of Reserve Funds:	The project is being partly funded from the following reserves: Swimming Pool Reserve (via. Land Sales) – \$3,600,000 S94A Reserve – \$500,000 Special Projects Reserve – \$877,756

RECOMMENDATION

That the report from the Director of Operations on the status of the Goulburn Aquatic Centre Redevelopment Stage 1 construction works be received.

BACKGROUND

To provide Council with an update on the current status of the Goulburn Aquatic Centre Redevelopment Stage 1 construction works.

REPORT

This is the May 2020 summary report for the Goulburn Aquatic Centre Redevelopment Stage 1 construction works.

Program

The following table is the initial program for the preliminary works phase until construction commences in September 2020. The next four months focuses on preliminary works including design amendments, DA modification, preparation of construction management plans and finalisation of the Construction Certificate (CC) to enable site works to commence.

Task description	Start	Finish	Comment
• Design amendment by FDC	27-03-20	30-08-20	Commenced
• Project kick-off meeting with FDC & GMC	27-03-20	27-03-20	Complete
• Design amendment review # 1 by GMC	01-05-20	14-05-20	Ongoing
• DA modification submission	15-05-20	15-06-20	
• Design amendment review # 2 by GMC	16-06-20	29-06-20	
• Design amendment review # 3 by GMC	27-07-20	11-08-20	
• Construction Certificate	12-08-20	01-09-20	
• Issue Final Construction Drawings	30-08-20	30-08-20	
• Site works	01-09-20	26-01-22	

There is a weekly design coordination meeting to review the design development and to provide a forum to progress technical, operational, planning and broader project issues. The stakeholders present at this meeting include the contractor and the sub-consultant team, Council operations, planning and project staff.

The project team received advice from Council’s Planning Department on the DA modification process for the project. This advice indicated two separate DA modifications were required; one for the demolition of the existing indoor pool building and another for the construction works. The project’s Principal Certifying Authority (PCA) has reviewed this advice and considers a single DA modification is required, while the demolition works can proceed under the existing development consent.

The PCA has commenced preparation of the demolition CC in accordance with the initial consent conditions for DA_0425_1718, 10 July 2019. The supporting documentation required for the demolition CC includes an updated site contamination report, construction environmental management plan, construction management plan, soil and water management plan, archival record of the building, tree protection plan, dilapidation report and a traffic management plan.

A site meeting was held on 20 May 2020 for demolition sub-contractors to inspect the site and prepare their quotations for demolition works. Inspections for the dilapidation report were also carried out during this site meeting.

Project Budget and Expenditure

Expenditure Component	Budget Amount	Actual Expenditure
Construction Costs		
• Stage 1 construction	\$26,353,247	\$165,885
• Gymnasium	\$679,509	-
Sub-total	\$27,032,756	-
Council Costs		
• Outdoor 50m pool	\$400,000	\$270,568
• Preliminary works	\$650,000	\$358,946
• Café & gym fit-out	\$300,000	-
• Extra 100 kW solar	\$195,000	-
• Contingency	\$1,300,000	-
Sub-total	\$2,845,000	\$629,514
Total	\$29,877,756	\$795,399

The expenditure to date is for works on the outdoor 50m pool, design and tender documentation finalisation, tendering, project management costs, design amendments and planning approvals tasks.

The April 2020 progress claim has been received for \$165,885.

This claim represents works carried out to date by various consultants on design amendments, planning tasks and building certifier works.

Project Variations.

Nil variations to report for May 2020.

Contractual Issues

The draft contract documentation has been forwarded to the contractor for review, this review has been ongoing throughout May 2020. This draft document is based on Australian Standard 4902, General Conditions of Contract For Design and Construct.

Nil contract issues to report for May 2020.

Priorities for next month

The main tasks for June 2020 are to continue with the design development process and progress preparation of the documentation for the DA modification and the demolition Construction Certificate. The project planning consultant is currently compiling supporting documentation for the DA Modification. Similarly, the PCA is compiling supporting documentation for the Construction Certificate. Finalisation of the demolition Construction Certificate is expected during the second half of June 2020.

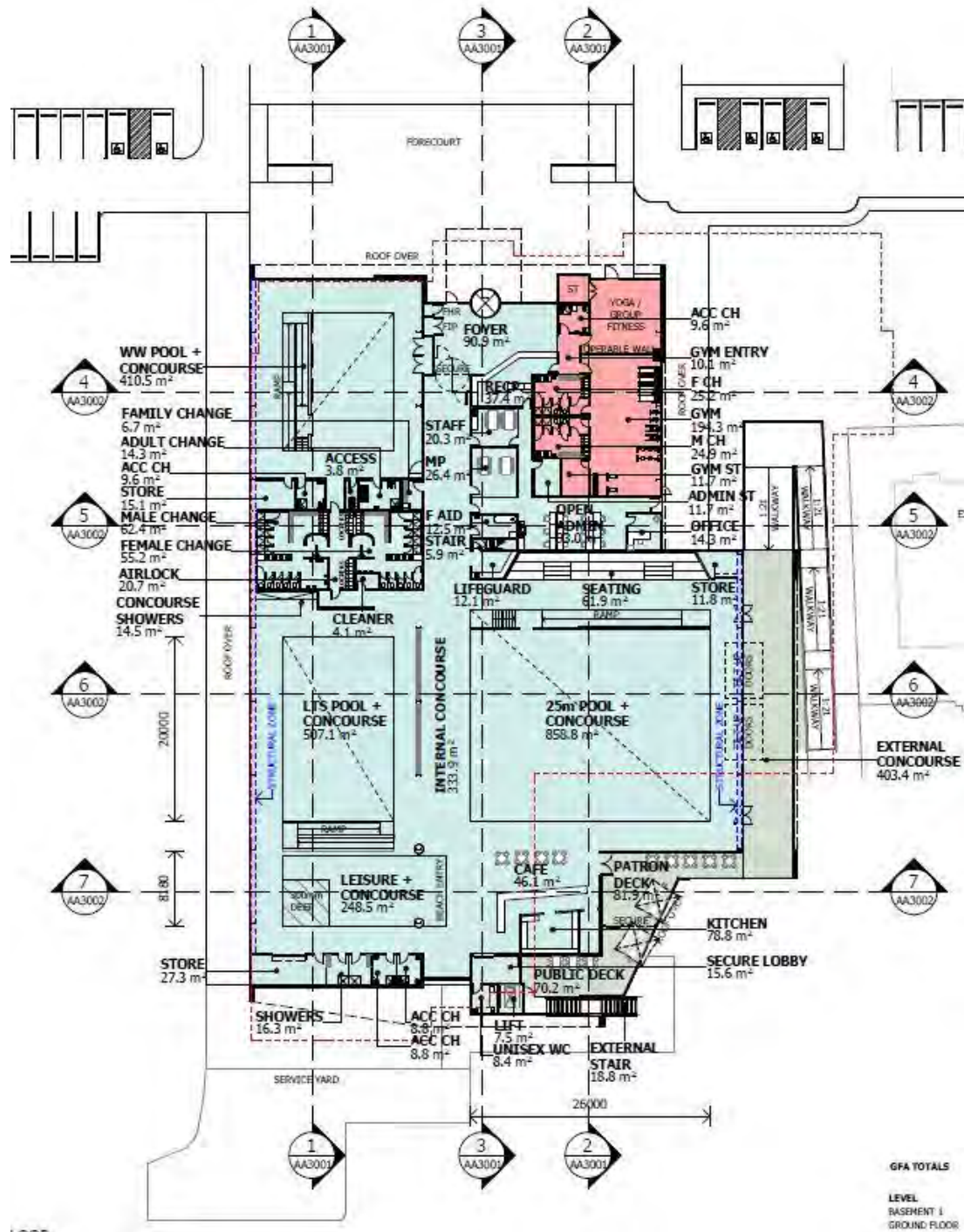
Contractor FDC are also finalising quotations from demolition sub-contractors, with prices to be finalised by mid June 2020. Note, demolition works cannot commence until the demolition Construction Certificate has been finalised.

Project Control Group (PCG)

A condition of the project funding agreement is to establish a PCG to monitor and review the progress of the project. The Office and Sport and Goulburn Mulwaree Council are to be represented on the PCG. The PCG will meet on a monthly basis with the inaugural scheduled before the end of May 2020.

The following drawings are the final concept for the design amendments. The design development phase will continue from these concept plans. These drawings show the plan view plus elevations and sections. The broken lines represent the outline of the original plans.

Overall concept plan

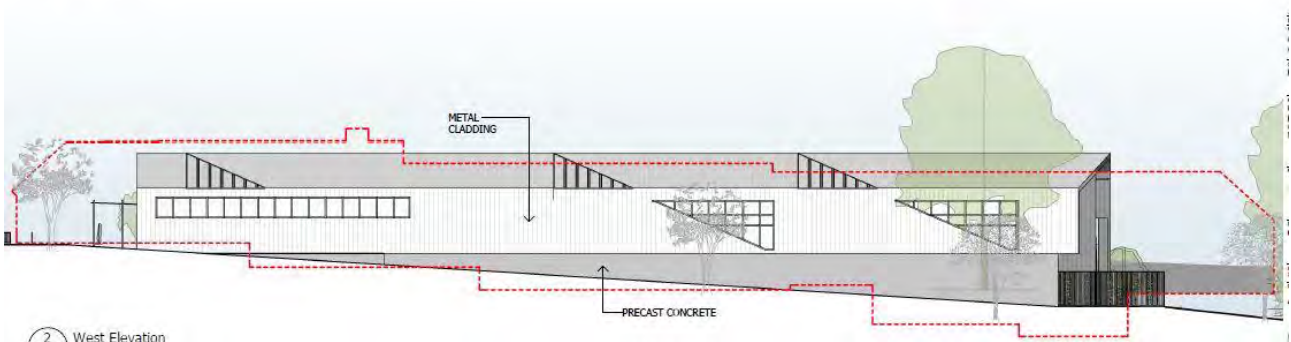




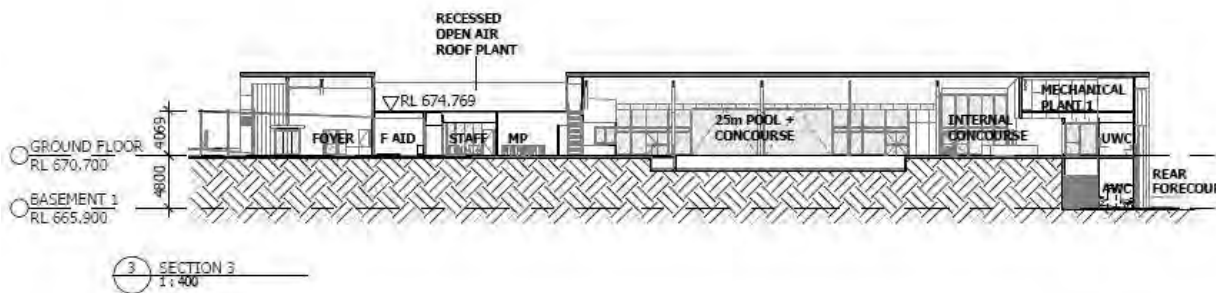
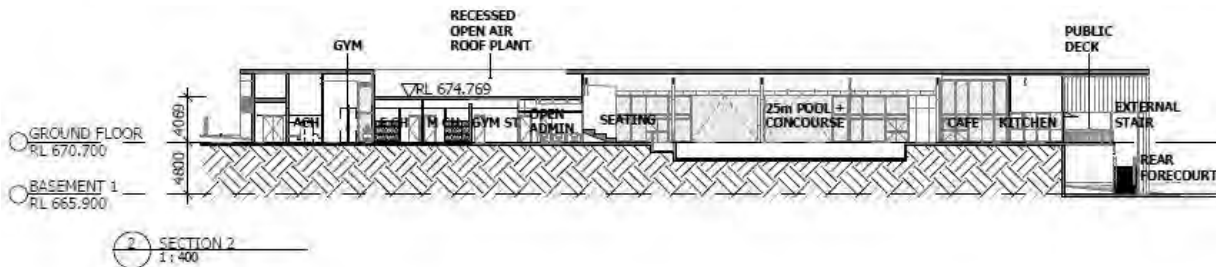
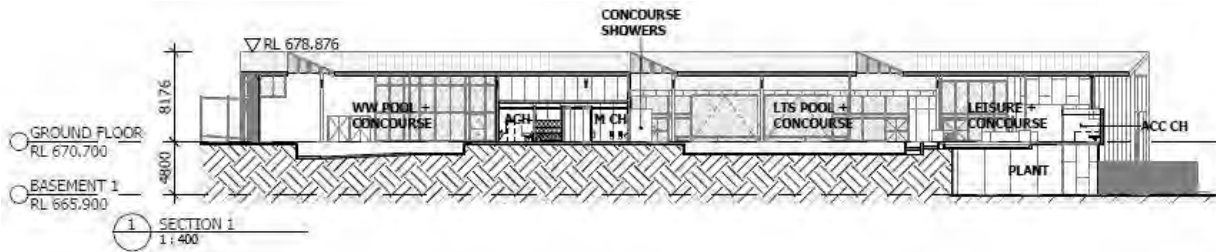
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1 : 300

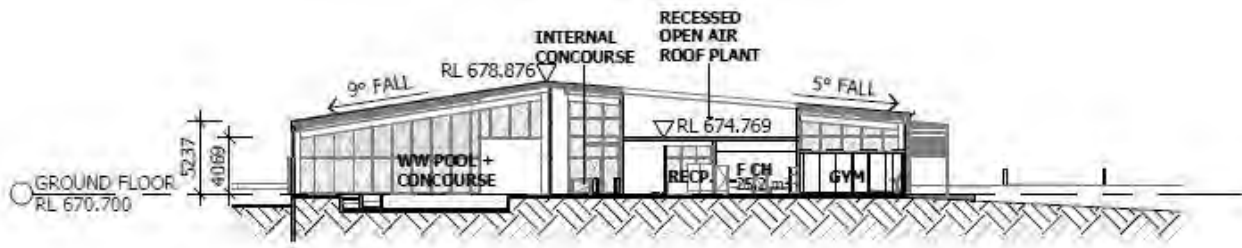


1 South Elevation
A1103
1 : 300

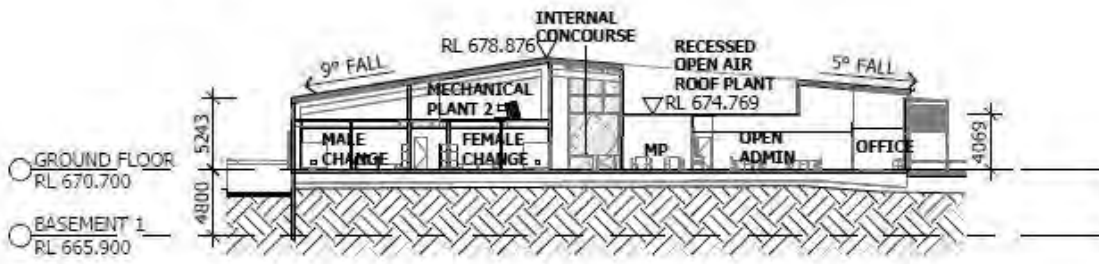


2 West Elevation

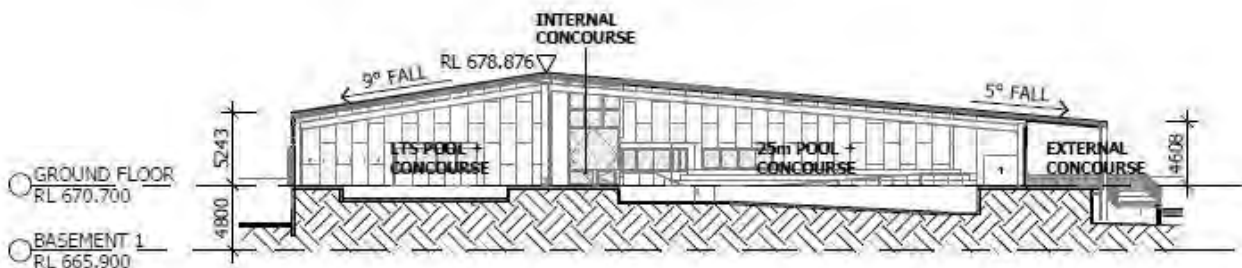




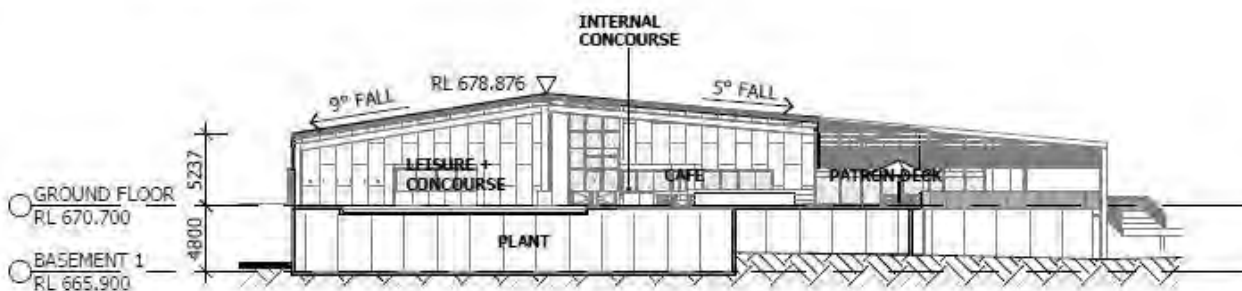
4 SECTION 4
1:400



5 SECTION 5
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6 SECTION 6
1:400





7 SECTION 7
1:400

15.10 EXTERNAL MEETING MINUTES

Author: Warwick Bennett, General Manager

Authoriser: Warwick Bennett, General Manager

- Attachments:**
1. **Marulan Quarry Community Consultative Committee Meeting minutes from 16 April 2020** [↓](#) 
 2. **Gullen Range Wind Farm Community Consultative Committee Meeting Minutes 29 April 2020** [↓](#) 

Link to Community Strategic Plan:	CL3 We actively collaborate with others in the region
Cost to Council:	There are no financial implications for this report
Use of Reserve Funds:	Nil

RECOMMENDATION

That the report from the General Manger on the minutes below be received:

1. Marulan Quarry Community Consultative Committee Meeting minutes from 16 April 2020
2. Gullen Range Wind Farm Community Consultative Committee Meeting Minutes 29 April 2020

REPORT

Please find attached the minutes from the following external committees:

1. Marulan Quarry Community Consultative Committee Meeting held 16 April 2020
2. Gullen Range Wind Farm Community Consultative Committee Meeting Minutes 29 April 2020

These minutes are attached for your information and no Council decision is required other than noting the minutes.

Marulan Quarry Project Community Consultative Committee

**Third Meeting – Thursday 16 April 2020
6.30pm-8.00pm
Online**

Minutes of the meeting

Attendees:

Present

Ian Colley (Independent Chair)
Vergilio Serra (Global Quarries)
Justin Flaherty (Global Quarries – Minute taker)
Graeme Edwards (consultant)
Graeme Dally
Wendy Dally (alternative for this meeting)
Bill Kenchington
Shane Hill
George Emerzidis

Apologies

Cheryl Bell (Apology – resigned)
Stephanie Mowle – GM Council (apology)

Not present/unknown

Don Angelosante
Darryl Pearson

1. Welcome and Introductions - Ian Colley, Independent ChairAttendance

Cheryl Bell sent apologies and noted she was withdrawing from the CCC due to conflict with rostering changes. Request for Wendy D to replace Cheryl. IC indicated that he would take this up with the Dept.

Stephanie Mowle was an apology.

Committee schedule and Minutes

IC reviewed the context for the CCC meetings, noting the original intention to hold a few meetings before submission of EIS. Then the committee might be reformed if the proposal was approved.

He also noted the process for publication of the minutes:

- a draft to be sent out within one week of the meeting
- responses to this draft one week after distribution
- publication of the minutes on the GQ web site two weeks after this

IC also undertook to email the final minutes to members as well.

Business Arising

Initial questions – Graeme Dally

- EIS when will it come?
- When will map come?
- When will map of traffic options come?
- Wildlife corridor, power source, Vergilio was coming back
- When will GQ come back with questions from both meetings

VS - Apologised and noted that studies had been delayed. The committee would be notified once the information was available.

IC – Noted that GD had covered the Actions Arising items

IC – in response to an email suggestion from Darryl, Ian posed the question as to value of scheduled meetings in the absence of new information from GQ.

- GD – meetings must have a purpose, we are getting no information back
- Shane – not hard to pick out a couple of concerns and answer them
- Bill – agrees. Strange prep for EIS has gone on 12 months and amazed no information has been prepared that can be presented
- George – had 12 months to come back with info, haven't come back with anything. Need to know some information.

IC noted that we will return to this issue at the end of this meeting for a decision about further meetings.

2. Minutes of Last Meeting, and approaches to minute taking

- Minutes Accepted – Graeme Dally and Vergilio
- Change GC to GQ (Global Quarries)

3. Update from GQ - Vergilio Serra

VS - Since last meeting, slight progress made with mining design. There has been a slow down across the board (GHD included). Some reports on hold until we can finalise the mining and quarrying designs to a higher quality. Until the design is at a suitable stage all testing is on hold. GE is the mining engineer.

GE – Introduced himself as a civil engineer with mining experience via Boral. Past Fellow of Institute of Quarrying. Bought on board to assist Global develop the plan and assess the suitability of the site.

Inability to travel has frustrated site visits so still trying to finalise the plan and sequencing of the development of the quarry. Aware of some concerns re access via Winfarthing road. Attempting to accommodate residents to the western side. Development of quarry will be in an easterly direction so that dust and sound emissions will be mitigated. Until plan is fully developed/accepted and agreed it is only in draft form and it can only be progressed at a high level at this stage.

Shane – concerned noise will bounce off valley/mountain range.

VS – once modelling completed then will know about noise once plan is finalized. Everyone should know, GD has sent through further concerns they are all noted and forwarded to GHD in report for EIS. Concerns are not falling on deaf ears.

Bill – asked GE if you can see quarry ops from Winfarthing road.

GE – you will see work when it is on crest and not once works progress.

Bill – are you saying will you remove only part of the hill

GE – won't know until final quarry plan is completed

Bill – once the hill is levelled will there be a hole?

GE – there will be until reinstatement. Plan is still in progress.

George – do you know the height of the hill

GE – Have lidar information

GD – Are you working on west side of hill.

GE – open face will be to east. Will be a wall on western side screening activities in quarry such as trucks, blasting, vibration. Blasts shouldn't be noisy should be directed into ground being broken.

GD – Will final plan not be done until approved by authorities

GE – that is the normal way it works. There will normally be restrictions on blasts, noise monitoring etc

GD – Won't get feedback until EIS released?

GE - that is the process. Plan that goes in is generally the plan that is adopted. If issues raised with design, anything proposed that will be commented on and required to be amended prior to approval. Drafts of the plan will be made available for comment. Don't want to provide answers that may be misleading in light of future changes

GD – Blast face on East will be visible for 1.8km. How do you plan to avoid accidents from people being distracted?

VS – will be addressed in the visual impact statement. Not for GE to answer.

Shane – how far back into hill will you step back for blasting

GE – will be determined by modelling (about 45 degrees). The depth of the proposed quarry will be less than 100 metres. (In a clarification after the meeting, in an email to Ian Colley, Graeme Edwards noted that the blasting depth will likely be likely in the range of 10 -20 metres, undertaken incrementally for each bench level).

Bill – trig station will it be removed? Shane - it is still in use

VS – will be reinstated at a future date. Part of the heritage study. Will pass onto GHD

Wendy – do you have permission from Crown Lands/Surveyor general. VS working through it now. We will do things properly. VS – knew it was Crown Land and that there was a trig station.

GD – exclusion zone for fly rock? GE – flyrock is not a serious issue – can occur when you have very large blasts occurring – not of a magnitude that will require very large blasts. Likelihood is extremely low due to tech, now much lower risk. No incidents in the last 10 years.

IC – noted that most Actions Arising from these meetings will not be addressed as EIS not available. When will it be available? VS says months not weeks. Design must be progressed before questions answered.

IC – Can rough design or maps available before detailed studies are done? VS – we can but not yet.

IC how long before preliminaries are available? GE – 2-3 months for draft plan.

4. Presentation by NOW on issues of interest/concern

Refer to “meeting 3 – concerns” appended to these meetings.

GD – highlighted the part of the document concerning Bell Quarry – Lithgow

WD – highlighted the part of the document concerning Social, Physical & Mental Health Impact. *(Note that the full text of Wendy's comments are at Attachment B. Wendy asked for these comments to be attached to the minutes).*

Shane – why not mine under the hill?

VS – completely different operation – mining not quarrying

VS – happy to hear concerns

IC – Noted that we don't need a committee meeting and formal minutes in order to document community concerns. These can be submitted at any time. The purpose of the CCC is for consultation through discussion. A version of the meeting that only contains concerns is not as useful.

GD – unusual to have CCC meetings as early (ie pre approval). These are here for lack of communication on this project.

5. General Discussion

VS – we are happy to attend meetings for community to express concerns even if we have no additional information yet.

GD – we are supposed to consult as a committee – GQ is refusing to consult

IC – GQ is saying they don't have information. What will we do as our meeting procedure in the absence of such information

Shane – set monthly meetings, a week or so get in touch and see if there's anything new to discuss

VS – bi monthly would allow for more information to have been obtained

Shane – there may be more concerns from residents as they arrive from overseas

6. Next Steps and Close

IC – Suggested that we meet in 2-3 months time, as it is possible GQ will have some preliminary information at this point.

GD – 2 months is fine but need exact date

IC – 18 June tentatively proposed – for another 'at a distance' meeting

IC – will we try Zoom? I will propose both options

GD - Will questions be answered by GQ to CCC or will they be in the EIS?

IC – how long before the EIS is submitted will the relevant info be available to the CCC? VS – we won't give it only one day before but will discuss suitable time with Directors.

Action 1: GQ to decide a suitable time for early notice of information to CCC before formal submission of the EIS

Shane – to GE – Where else have you worked/designed that had Koala habitat and how close were residents?

GE – 250m was closest. Have been involved with 2 operations with Koalas but that is the environmental consultants area

FOLLOW UP ACTIONS FROM THE PREVIOUS MINUTES (1st Meeting)

Action 1 For document sent out to members to be sent out as editable PDFs so members can comment.

Action 2 A clearer map of the traffic options will be made available

Action 3 *A Map of the actual quarry will be provided to all members at the next meeting*

Action 4 *GQ will make sure that no one is on the land shooting.*

Action 5 *– GQ will not lock the neighbours' access gates moving forward. But noting that various utilities such as Telstra, electricity and gas companies may be locking the access.*

Action 6 *– The EIS report will be made available when completed.*

Action 7 *– Is the area in the middle of a wildlife corridor. GQ will get back to the committee on this*

Action 8 *– GQ will clarify power source to members*

Action 9 *GQ to provide details of insurance once approval is granted.*

Attachment A

NEIGHBOURS of WINFARTHING Inc. CONCERNS (meeting no.3 / 16-4-20)

MARULAN QUARRY – Community Consultative Committee

The following concerns are in addition to those presented at the CCC meeting no.2 on 30-1-20. These concerns are general in nature as Global Quarries Australia Pty Ltd / Global Quarries Pty Ltd have still not provided any specific information (since the original newsletter) in February 2019. NoW Inc “found” the amended SEARs application on the Department of Planning ‘s website, and were notified by State Planning. GQ didn’t notify us of the change and at the meeting on 30th January the GQ representative wasn’t even aware of the amended application. Following are some more of our concerns.

SOCIAL, PHYSICAL & MENTAL HEALTH IMPACT

How will Global Quarries-

- maintain our current quiet, unique, rural residential lifestyle and our connection to the environment?
- ensure that our community cohesiveness (bushfire instruction days, community get togethers, NoW Inc, social media, etc.) will be maintained and further developed?
- manage the wildlife corridor that runs through the proposed quarry site? We are concerned that the threatened - communities (2), - flora and fauna (13) and – migratory species (13) will be adversely affected, and diminish our connection to the land (E3 zone and koala habitat).
- ensure that the koala habitat is maintained in light of the devastating fire season and the consequent destruction of koalas and their habitat. This habitat is essential for the survival of koalas into the future.
- compensate landholders for the depreciation of their property values and the erosion of their current lifestyle due to quarrying operations?
- maintain our ability to have dual occupancy on our properties now and in the future, as is allowable under the Goulburn Mulwaree Council Development Control Plan?
- prevent all of those within the 1 km blasting exclusion zone (GMC – DCP) from being adversely affected – physical, mental, property and domestic & native animals?
- monitor and mitigate the effect of the blasting, not only on those who live within the 1 km exclusion zone but also those who live outside of this zone as outlined in the previous concern?
- prevent every traveller on Winfarthing Road, Rampion Hills Road and the Hume Motorway from being adversely affected by blasting- noise, dust, vibration and visual distraction? These distractions could be fatal as vehicles will be travelling (legally) at 110km/h. The proposed quarry site, to our knowledge (no accurate map has been provided despite repeated request and promises to supply one), is in plain view for at least 800m on Winfarthing Road and approximately 1.8km on the Hume Motorway.
- prevent the injury/ death to people, property, native and domestic animals not only from the effects of blasting but also from the fly rock? Winfarthing Road, which is a no through road, is 200m from the quarry site, and the Hume Motorway is 300m away.
- control the dust from blasting which will have a high silica content according to GQ? Every driver and passenger in vehicles travelling on Winfarthing & Rampion Hills Roads, the Hume Motorway and at the Chowne Rest Area will be exposed to the dust, as well as all of the local residents.
- prevent the short- and long-term effect of silica dust? Silicosis might not be identified until well into the future, the life span of the quarry is stated as only 18 years.
- guarantee to compensate those affected by silicosis, before and after the proposed quarry is closed?

- Identify and prevent the ongoing cumulative stress and anxiety and the resulting impact on the mental health of residents? One of the major triggers for this will be the constant anger experienced as residents travel on Winfarthing Road and see the visual pollution – i.e. the removal of an 80m high hill and its restoration using VENM, ENM and Clean Fill (Waste?)
- identify existing medical conditions that could be exacerbated by the multitude impacts of the proposed quarry and how these will be managed and compensated for? – physical and mental.
- manage particulate pollution and its effect on infants, children, adults and the elderly that could have heart disease, respiratory conditions, diabetes etc. as this pollution can have a negative effect on these people.
- ensure the preservation and reporting of identified Aboriginal campsites, yet to be discovered artefacts (some already identified) and the massacre site? There are also some trees waiting to be confirmed as being relevant to Aboriginal culture. There are also some residents/ regular visitors who identify with their Aboriginal Heritage.
- take measures to investigate, report and preserve the Colonial History of the site and surrounding area? As part of our research we have found out about a rich Colonial history of our immediate area, including gold, silver & iron ore mines, bushrangers, early surveying of roads – the Trig Station on top of the 80m hill, and the convict building of the roads. These “discoveries” are strengthening our connection to our land.
- ensure and monitor that residents are able to grow their own food supply (currently and in the future) without any detrimental effects from quarry operations?
- ensure children and adults can enjoy their outdoor environment without the fear of illness due to contamination? This includes the daily waiting at the bus-stop.
- develop their planned operation procedures taking into account Climate Change – drought, bushfires, floods, loss of natural environment (flora and fauna)?
- maintain the wildlife corridor to help the recovery of those millions of species of flora and fauna decimated by the recent bushfires? The local residents are aware of the variety of species in our local area, this knowledge accumulated over years of living in this environment. No short study will identify this variety. This accumulated knowledge again adds to our connection to the land.

QUARRY OPERATIONS

Local residents are concerned the –

- work hours / days will negatively impact on the residents? (What are they?)
- truck movements will impact on the residents, e.g. noise, flow on affect from proposed new entrance entering and exiting the Hume Motorway? (How many/day/ week/ year).
- proponents will not follow the recommendations of TfNSW i.e. cannot exceed 5/hour, 50 / day, in or out resulting in more heavy vehicle movements.
- quarry entrance/ exit will adversely add to the congestion on the Hume highway between Marulan and Winfarthing Road. Will there be queueing on the highway waiting for the quarry to open of a morning?
- safety of vehicles (drivers, passengers & goods) on the Hume Motorway will be adversely affected by the proposed acceleration lane towards Marulan as it is restricted in distance by the bridge over Narambulla Creek as well as entering the Motorway in the fast lane. i.e. a 42.5 tonne truck travelling at 100 kmph merging with a 110 kmph lane.
- proponents haven't given us a map of the proposed quarry – extraction area, administration, internal roads, stockpile area, water storage etc. We were informed by GQ (CCC meeting NO. 1) that they would give us a map, unfortunately we still don't have one.
- extraction area will be the 80m high hill resulting in a change to the local microclimate. At the drop-in meeting, GQ indicated that the quarry would only be on the eastern side of the hill and the Trig Station on top of the hill wouldn't be touched. Later, at the same meeting they told us that the hill would be removed and the Trig Station replaced after rehabilitation. Which is it?

- imported “clean fill”, (along with VENM & ENM) for rehabilitation isn’t suitable. As the EPA regards this as waste material and its importation would classify the proposed site as a waste disposal site. Isn’t this entirely different from the operation of a quarry?
- proponent hasn’t taken into account that Environment Protection Authority will not guarantee the suitability of imported fill for a local ecosystem.
- EIS should have a baseline analysis of the mineral and organic content of the soil on the quarry site so that when there is leachate from the imported ENM a comparison can be made?
- ENM, under EPA regulations, can contain mercury, cadmium, lead, arsenic, chromium, copper, nickel, zinc, PAHs, benzopyrene, benzene, toluene, ethyl-benzene, xylene, petrol hydrocarbons, rubber, plastic, bitumen, paper, cloth, paint and wood. How are these materials/ chemicals compatible with our natural environment?
- quarry operation would remove some 6,000,000 tonnes of rock then it would have to replace it with at least an equivalent amount of “fill” to rebuild the hill. Even if only 3,000,000 t is ENM and according to the EPA (table 4, The excavated natural material order 2014,) 0.1% of the fill can be rubber, plastic, bitumen, paper, cloth, paint and wood, this would amount to some 3,000 tonnes of this material – some 70 truckloads. This must have an adverse impact on our environment. The more ENM imported the more of this waste will be dumped in our environment.
- operation will stockpile VENM, ENM and clean fill for the site rehabilitation?
- that if ENM can contain the waste and chemicals as indicated, what will the “clean fill” contain? Obviously, a lot more waste than ENM.
- stockpile will not be in line with EPA guidelines regarding the time it can be stored? (how can the 80m high hill be progressively rehabilitated? Doesn’t it have to be removed first?)
- although there are regulations that the quarry must abide by, if approved, the example of lead contamination at Tarago (Woodlawn Mine) shows that they are hard to enforce. What particularly concerns us is that the public wasn’t notified for years after the lead contamination was first identified and that we could be left in the same position regarding the Marulan Quarry.
- the plan to build an 80m high hill (to replace the one removed) will not be able to be stabilised. Any thunderstorms/ wind will erode the hill as it is being built, washing/ blowing the waste material and it’s contaminates into our water supply, Sydney water supply and creating dust storms across local roads, the Hume Motorway and our homes.
- blasting will not have sufficient distance for a fly rock exclusion zone which could result in the death or injury to people and animals as well as damage to houses and vehicles travelling on the roads.
- blasting operation will mean a closing of roads – Winfarthing & Rampion Hills Roads and Hume Motorway.
- closing of any road could have adverse repercussions for emergency services being able to respond if required, as well as people being able to exit / enter Winfarthing Road. This could stop residents getting to their employment/ appointments on time.
- blasting could have deadly consequences for aircraft as the quarry site is located under a flight corridor, as well as proximity to an airstrip.
- procedures must take into account all the current and future domestic animals and how their operation will protect them.
- blasting will cause underground fractures thus affecting bores, water flow and the ecosystem.
- site has an identified slope greater than 25% which classes the site as a sensitive land and needs to be treated accordingly. Particularly the site proximity to Narambulla Creek and Sydney water catchment.
- site is unsuitable to construct suitable bunding for extreme weather conditions. E.g. heavy snowfalls (2019), frost and ice – runoff, creating erosion and changes to the local ecosystem.
- 82 Ha site, which adjoins both the Hume Highway and Winfarthing Road is insufficient in area when compared to Peppertree -650Ha and Lynwood – 1000Ha.

- site has insufficient water supply for dust suppression and washing of trucks over the 18-year timeframe.
- proponents will not have the area to create storage dams.
- quarry will produce noise levels above those currently experienced, as baseline monitoring seems inadequate as it hasn't taken place on properties of residents who are the closest to the site.
- operation will be adding to the emission of greenhouse gases if trucks have to travel to the South Goulburn and Marulan South interchanges, adding many km to their journey.
- proponents are not planning for a full interchange at Winfarthing Road. Why is this?
- If the new access is approved, as per the amended SEARs, traffic coming from Goulburn will still access the site via Winfarthing Road to save some 15 km journey to the Marulan South Interchange and return. Will the current gateway be removed and a fence erected to prevent this?
- Proponents don't know local climatic conditions and thus will be unable to forecast what changes will occur when the 80m high hill is removed.
- quarry isn't adhering to the Principles of Site Selection for Extractive Industries.
- quarrying operation could be terminated at any stage of operation, leaving a site that would be in need of rehabilitation. This concern is extremely critical in light of the Coronavirus and its impact on the financial integrity of the Australian economy and also the effect it might have on GQ now and into the future.
- site is only being leased by GQ. Who is going to be legally responsible for the site rehabilitation if GQ does fail due to the current financial crisis, or any other one in the future? Will there be monies held in a trust to enable the rehabilitation to take place if this happens?
- that any wildlife that is injured by vehicle collisions caused by quarry operations is covered by a policy and procedure to humanely treat the animal, immediately. This includes notification by the heavy vehicle driver.
- that the need for the aggregate from this quarry has dropped according to the joint Australian Industry Group/ Housing Industry Association Australian Performance of Construction Index. (PCI "Alarm bells are ringing for Australia's construction industry after the Australian PCI crashed to 37.9% in March" "This marked a 4.8-point drop from February's already diminishing levels." "The index results for March mark the Australian PCI's 19th consecutive month of shrinkage" Will this quarry be financially viable and not "go bust" after it starts?

COMMUNICATION

As previously indicated, local residents and landowners have not been given any specific details since first notification over 12 months ago.

There have been 2 meetings of the Community Consultative Committee so far and the Global Quarry representative has not been able to give us any details to consult on. There have been assurances from GQ that they would get back to us with answers but so far, there hasn't been any. The 3rd planned meeting is only going ahead due to NoW Inc. persistence. GQ indicated that they had nothing to present to the CCC and that there was no point going ahead with it and declined to have a meeting. This is despite the Department of Planning making the CCC as one of the conditions of the SEARs.

The local residents and landowners are concerned that

- there has been no individual contact with them (immediate neighbours), as required.
- there has been no contact with local businesses, as required. Does GQ even know what local businesses there are, their operations and how they will be affected?

- there has been no consultation with the CCC as required. The CCC is for consultation between the proponents and the community. GQ has not provided any information to consult with.
- other local residents that could be affected haven't been contacted at all – along the Hume Motorway, Trilla Lane, Dalmeny Lane, Rampion Hills Road, Munro Road, Graham Lane, and not all Winfarthing Road/ Faviel Close.
- GQ didn't bother to notify residents of their amended SEARs application. The GQ representative at the 2nd CCC meeting didn't know about it. This was over a month after the application was made.
- the amended SEARs application was only submitted after the 1st CCC meeting when GQ was informed by NoW Inc that they were required to apply, due to their plan to change the quarry entrance and exit, when they presented us with the contradictory map at the first CCC meeting.
- The entrance/exit map submitted with the amended application was contradictory, as pointed out to State Planning by NoW Inc, it was then changed. However, the contradictory map was sent out to other Government Departments.
- the contradictory map could result in a flawed response from these Government Departments.
- In the only drop-in session that GQ had, the speakers for GQ gave repeated conflicting information which has never been resolved. (NoW Inc organized for a mass drop in of some 50 people, hence the "meeting".)
- the purpose and guidelines for communication (SEARs and CCC) have been ignored.
- the GQ website was closed for at least 6 weeks and only restored after NoW Inc informed them.
- Global Quarries Australia Pty Ltd was registered as a company after they applied for the State Significant Development through the Department Planning. Also, after Goulburn Mulwaree Council was first informed and only a couple of days before we received the first newsletter. Is this Global Quarries following procedures?
- there is still confusion as to what company we are dealing with – Global Quarries Australia Pty Ltd – as appears on the State Planning documents, or Global Quarries Pty Ltd as indicated on other documents.
- if GQ cannot get even the little things correct, how are we to trust them with the bigger things?

Marulan Quarry Social Impact Assessment

NoW Inc is concerned that the SIA published in March 2019 has numerous inaccuracies, confusing statements and lack of rigour.

- It is claimed that the site will be progressively rehabilitated to a condition closely resembling the original landscape. How can a hill being removed be rebuilt at the same time? Confusing.
- GQ claims that the rehabilitation will maximise resource recovery through the diversion of clean fill away from landfill. Isn't the rebuilding of the hill landfill? Confusing.
- One of the key objectives is to "Develop an ongoing relationship with the community via effective and regular consultation" There has been no consultation as GQ has not given the community any information to discuss. Lacking rigour.
- One of the two core objectives of the SIA is to identify potentially affected people and understand the impact on them. To our knowledge no individuals have been contacted. Lacking rigour.
- The table 1 – principles to guide Social Impact Assessment has principles that we believe haven't been applied e.g. Descriptive Equity, Inclusive, Material and Transparent. Lacking rigour.
- In the preparation of the social baseline for the surrounding community, point 2 – the audit hasn't identified local businesses and all private residences. Lacking rigour.
- The identification of the potential social risks and issues requiring further analysis, point 4 states that consultation was undertaken with "... the surrounding residents". No consultation with surrounding residents was undertaken prior to the release of the SIA. Lacking rigour.

- Although the GQ has applied to change the entrance / exit away from Winfarthing Road, the fact is that there are no “...dedicated left and right turn lanes” as stated under Roads and Access – another example of basic mis-information. Inaccurate.
- The SIA seems to regard Marulan and Goulburn as important but neglect the locals. Lack rigour.
- The SIA acknowledges there will be direct impacts on those living within 2.5 km of the site but have completely ignored those living along and north of the Motorway. Lacking rigour.
- The map on page 16 shows the site as being in Boxers Creek suburb. According to Goulburn Mulwaree Council Winfarthing is part of Marulan. Inaccurate.
- Table 5 – areas of social influence size and population shows there are 2.9 people / sq. km. along Winfarthing Road and Faviel Close there are approximately 20- 30+ people/ sq. km. – the variation is due to part time residents. Inaccurate.
- In the letters to surrounding residents the residents were invited to contact GHD if further information was required. After a few enquiries it was obvious that there would be no further information forthcoming from GHD. The local community formed an action committee, which eventually became Neighbours of Winfarthing Inc. As a group it was decided that when specific information was presented, we would then respond – no specific information has ever been received. Thus, the five phone calls and emails were not a reflection of dis-interest but a protest against failure to provide any information – GHD /GQ wanted us to provide information but give nothing in return. Confusing.
- The letters to surrounding residents were delivered to 31 dwellings but in table 8, under bushfire safety 25 homes are noted. Which is correct? Confusing.
- The social impact of the Lynwood Quarry indicates impacts on the community and that the surveyed participants were generally in support of the development. Lynwood quarry site 1000ha with the surrounding land forming a buffer from residents, the proposed quarry has no buffer area. The comparison is irrelevant. Confusing.
- Table 9 – Potential social impact assessment level. The “access to property” indicates there is “unlikely” to be disturbance/ disruption but under “road network” it states disturbance/ disruption is “likely”. Confusing.
- Table 9. “Microclimate - changes to surrounding ecosystems impacting people’s way of life and connections to the land” this is regarded as “unlikely”. An 80 m high hill is to be removed so there must be an impact. Confusing, inaccurate, lack of rigour.

Bell Quarry – Lithgow. How will Global Quarries address and resolve the following?

Proposal – rehabilitation and revegetation of the former Bell Quarry voids by importing VENM, ENM & Clean fill. 140,000 tonnes over 15 years. Total of 2.2 million tonnes.

The Western Region Planning Panel, after the final briefing by teleconference on 6th April, 2020, refused the application.

There are many similarities between the Bell Quarry and Marulan Quarry proposals.

1. Dewatering of existing voids – Borrow Pit.
2. Filling in of the Borrow pit using VENM, ENM & Clean Fill
3. Contamination due to soil leachates
4. Contamination of Narambulla Creek which is a tributary to Sydney water catchment.

The determination reasons are also applicable to both Quarry proposals. Substituting Narambulla Creek and 16501 Hume Motorway for the waterways and Hume Motorway and Winfarthing Road for the roads in the Bell Quarry determination, the following reasons apply to the Marulan Quarry proposal.

Note, the Lithgow LEP and Goulburn Mulwaree LEP are the same for these determinations.

Reasons for the Decision

1. “... unacceptable environmental impacts”

- 2.i. "It is likely that some of the soil leachates will adversely alter the natural characteristics and ionic balance of water draining"
- 3. "The proposed development will not be consistent with the objectives of the E3 Environmental Management Zone"
- 4. "The proposed development fails to satisfy the requirements of Clause 7.1 Earthworks (1) contrary to s4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979."
- 5. "The proposed development fails to satisfy the provisions under Clause 7.1 Earthworks(3) (a), (c), (d), € (g) of the" "
- 6. "The proposed development fails to satisfy the requirements of Clause 7.4 Terrestrial Biodiversity of the Contrary to 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979."
- 7. "The proposed development fails to satisfy the requirements of Clause 7.7 Sensitive Lands of the Contrary to s4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979."
- 8. "The proposed development will have unacceptable environmental and amenity impacts arising from the activity associated with the importation of fillcontrary to s4.15(1) (b) of the Environmental Planning and Assessment Act 1979."

11. Dot points

- 2. "Impacts of the importation of the fill on groundwater"
- 3. "Impacts of dewatering...."
- 4. "Potential contamination"
- 5. "Spraying of water to mitigate dust and washdown of trucks will flow"
- 7. "Traffic impacts"
- 10. "Potential for queuing of trucks prior to opening of facility;"
- 11. "Amenity impacts dust, noise and public safety."

3 councils and the EPA all opposed the importation of fill, along with 321 written submissions.

The EPA considers clean fill as waste.

What are the anticipated percentages of VENM, ENM and Clean Fill that GQ anticipate importing?
How many tonnes of fill is calculated to be needed to rehabilitate the site?

Graeme Dally
President
Neighbours of Winfarthing Inc.
16/4/20

Attachment B

COMMENTS – WENDY DALLY

CCC MEETING 16TH APRIL 2020

There is a human impact of this Quarry and the SSD process. Nowhere is there or has there been an attempt by Global Quarries to give us (those with the highest personal stake) any assurances that we can trust them to have no effect on our lifestyle and health. We will be affected for the rest of our lives – it has already been over 12 months of uncertainty.

There are many families with their own individual stories – we all have experienced some mental anguish and health issues related to the dealings with Global Quarries, GHD and State Planning. These points make us wonder that there must be another agenda and we, the people of our community will be collateral damage.

We all have lives to live, dreams to follow and a good deal of old-fashioned values and morals- all of which are being challenged by non-locals who just want to make money, with no guarantee of any positive outcome for us.

I have seen and experienced this in other areas such as-

Williamstown Airforce Base, north of Newcastle, where for 5 years the locals have attempted to gain Government recognition of the cancer clusters and property devaluations caused by the firefighting foam. The negative impact on these locals has been devastating.

The Bell Quarry in the Lithgow LGA where the western Region Planning Panel has just refused the importation of VENM and ENM on Environmental and amenity grounds.

At Tarago, south of Goulburn, where lead contamination has been “found” above safety levels, and the locals had not been informed.

Both my parents and parents in law have had their homes taken by the NSW government for the betterment of the majority, but no thought was given to the devastation wrought, family breakups and negative health effects.

I have seen behind all the court battles and decision making and how it has affected peoples mental and physical health. This is cumulative stress.

On a personal level I am living with stage 4 cancer and have just found out that it is active again – I have seen a Psychologist who told me “that I need to leave this quarry stuff alone”. How can I?

There is no choice and I am angry that I have been put in this situation.

I made the decision to die at home, I have a connection to this land and my family has invested our lives here not only for us but future generations. We built our home here, raised our children and will scatter mine and my sons’ ashes here. My children and grandchildren will live here.

Our business is dependent on the environment – I need to be assured that it will be a safe place and retain the environment, biodiversity and community that exists now.

This is my story, there are many others with just as personal story. Why does no one even think that it is important to have a feeling for the land and what it means to us, the people living in this very special environment? Why are we constantly giving information and no one from Global Quarries bothers to ask us questions or give us answers?

Global Quarries need to be proactive not reactive and then we may be able to find some common ground. This will not happen until Global Quarries involves us and shows that we can trust them.

Wendy Dally

16-4-20

**Community Consultative Committee (CCC) Meeting Minutes
Gullen Range Wind Farm**

Date:	Wednesday, 29 April 2020
Location:	Via video/teleconference
Time:	5.30pm to 6.45pm
Attendance:	Peter Gordon (Chair) Dimity Taylor (Community Representative) Councillor Paul Culhane from Upper Lachlan Shire (ULSC) Scott Martin from Goulburn Mulwaree Council (GMC) Leo Pearce (Asset Manager -NGRWF) Isabel Nelson (Community Engagement Officer – NGRWF)
Apologies:	Charley Barber (Community Representative) (Charley later reported technology issues which prevent him joining the meeting)

Introduction by Chair (Peter Gordon)

Conflicting and Pecuniary Interests

- None

Minutes of Previous Meeting

- Minutes from 6th November 2019 were approved and are on the website.

Business arising from the Previous Minutes

- No business arising from previous minutes

ACTION items from Previous Minutes

- GRWF added the Chair’s contact details to the Community Information Plan (or CIP) and circulated the final version to the CCC members with the previous minutes.
- As part of the CIP review, the Committee discussed the effectiveness of the current engagement activities that are being undertaken, as described in the CIP (see the CIP item below).

Issues raised by community representatives

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- The proposed Transgrid Hume Link Project was discussed. GRWF advised that it was not involved with the Transgrid Project.

Correspondence

- No correspondence.

Community Information Plan (CIP)

- GRWF circulated a review of the engagement activities performed in 2019 under the CIP prior to the meeting. The review was discussed by the Committee. GRWF concluded the engagement activities undertaken had been successful in distributing information about the wind farm throughout the community. The Committee endorsed the review. It was noted that the Committee is welcome to provide feedback regarding the CIP on an ongoing basis. The 2019 review will be posted to the GRWF website and will be circulated with the minutes of the meeting.
- The Committee discussed using radio as another communication tool to reach the community whilst the local newspapers are not being printed due to the COVID-19 pandemic. SM would report back to the Committee regarding GMC's experiences using local radio over the next few weeks.

NGRWF to brief the meeting on recent developments

- COVID-19 response: In response to the COVID-19 pandemic, GRWF has implemented a new set of protocols to protect the communities in which it operates, its employees, contractors and suppliers. The Committee was updated on the latest GRWF response to COVID-19, which is also available on the GRWF website: gullenrangewindfarm.com
- Substation upgrade and transmission line works at Gullen Range Wind Farm for the Biala Wind Farm Project have now been completed. The Biala Wind Farm Project is well into construction with several wind turbines erected. Delivery of major wind turbine components on local roads will continue until approximately August 2020. Information about the turbine deliveries can be found on the Biala Wind Farm website: bialawindfarm.com

Company Reports and Overview of Activities (Leo Pearce and Isabel Nelson)

- Clean Energy Program (CLEP) update:
 - In response to the COVID-19 pandemic, CLEP Stage 1 face-to-face household energy efficiency audits are now on hold. Approx. **117** buildings have completed Stage 1 of the Program and one applicant will have their Stage 1 energy efficiency audit undertaken as soon as the audits resume. **68** Stage 2 applications have been approved so far, with **62** installations completed to date. For the Q1 2020 Funding Round, GRWF has received **4** Stage two applications. The next Funding Round (Q2 2020) closes on 22nd June.
 - To further publicise the Program within the community, GRWF posted a news advert about the CLEP in December 2019 in the Crookwell Gazette and the Goulburn Post. As an action, GRWF will also provide the Committee with an email publicising the CLEP, which can be shared with residents who live near the wind farm.

- Community Fund:

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- In response to the COVID-19 pandemic, the Community Fund application closing date has been extended by Upper Lachlan Shire Council to 28th August 2020. The Community Fund Workshop in March was also postponed due to COVID-19. A re-scheduled workshop will be delivered via an online webinar.
- There is a Community Representative vacancy to fill on the GRWF Community Fund Committee. ULSC will be re-advertising to fill this position. As an action, GRWF will circulate the advert with the CCC.
- GRWF regularly reviews its management plans, policies and programs and as such is currently reviewing the Community Fund, which forms part of the Community Enhancement Program (or CEP). If any changes are proposed, the CCC will be consulted before any amendments are made.
- Community Tours: In November, GRWF held its seventh successful tour of 2019 and this event was booked out. Due to the COVID-19 pandemic, the 2020 tours have been suspended until further notice. Members of the public can now register on the GRWF website to be notified when the tours recommence.
- Schools:
 - At the end of 2019:
 - GRWF presented a school prize at the Crookwell Public School presentation ceremony. GRWF proudly donated \$100 for the award.
 - GRWF assisted with judging the student renewable energy projects at the Goulburn [STEM Industry Schools Partnership \(SISP\)](#) (SISP) showcase event.
 - GRWF also joined more than 100 students, teachers, industry partners and special guests at the Southern Inland SISP STEM Awards ceremony in Goulburn.
 - In 2020:
 - BJCE Australia (including GRWF) is delighted to return as an Industry Partner of the SISP again in 2020. However, our school visits and tours to site have been postponed until further notice due to the COVID-19 pandemic. As an Industry Partner, we are working closely with the SISP coordinators to continue to support the program in 2020.
 - In April, GRWF was invited to join Landcare’s online school holiday workshop, which was called ‘Blowing in the Wind’. The event was held online due to the pandemic. GRWF talked about wind and solar farms and renewable energy in general. The workshop was partly funded by a GRWF Community Fund grant.
- Sponsorship: Since the last CCC, GRWF has sponsored:
 - 2019 Crookwell Men’s Bowling Club’s Gullen Range Triples Classic Tournament.

- 2019 Crookwell Women's Bowling Club's District Open Fours Tournament.
- BJCE Australia, which includes GRWF, was a red ribbon sponsor of the 142nd Crookwell Show. Donations from the facepainting stand went to the Grabben Gullen Community Progress Association's ANZAC Memorial project.
- Community BBQs: BJCE Australia, which includes GRWF, had an information stand and joint fundraising BBQ outside the Crookwell IGA in December 2019 and February 2020. Donations went to the Grabben Gullen Rural Fire Service.
- Goulburn Railway Bowling Club's 2020 Rose Tournament.
- Monitoring and Environmental Performance:
 - The GRWF Compensatory Habitat Package (CHP) Annual Report was submitted to the Department of Planning, Industry and Environment (DPIE), the Office of Environment and Heritage (OEH) and the Local Land services (LLS) in January with all compliance obligations achieved.
 - The GRWF Annual Environmental Management Report (AEMR) was submitted to DPIE in March. The wind farm was assessed to be compliant with all its regulatory compliance obligations.
- Community Complaints and Response to Complaints: No new complaints have been received since the last CCC meeting.

Action Items

- **GRWF to circulate the final version of the 2019 CIP Review to the CCC members with the minutes and post it to the website.**
- **GRWF to provide the Committee with an email publicising the CLEP, which can be shared with residents who live near the wind farm.**
- **GRWF to circulate to the CCC the advert regarding the Community Representative position vacancy on the Community Fund Committee, once the ULSC has posted it.**
- **GRWF to circulate the graphs showing generation data to the CCC with the minutes.**

Next Meeting

- The proposed date for the next meeting is Wednesday, 2nd September 2020 at 5.30pm.



2019 Gullen Range Wind Farm Community Information Plan Review

Section 4 of the Gullen Range Wind Farm Community Information Plan requires that the outcomes and effectiveness of the plan are evaluated on an ongoing basis and reported to the CCC.

This document reports on the communication tools (imperative and additional) listed in section 3.1 of the plan in order to assess the effectiveness.

Table 1 shows the Imperative communication tools

Communication Tool	GRWF activities and outcomes	Effectiveness	Future improvements
Community Consultative Committee (CCC)	<ul style="list-style-type: none"> • Three meetings held in 2019. • Information about meetings including minutes are provided on the GRWF website. 	BJCE Aus views the CCC has been effective in providing a forum for asking questions relating to the wind farm.	
1800 telephone number, email, website enquiry/complaints form	<ul style="list-style-type: none"> • Ongoing and monitored daily • 124 calls to the 1800 telephone number • Approx. 310 emails to info@gullenrangewindfarm.com • GRWF contact information is provided as part of the info@gullenrangewindfarm email signature. • 6 website/complaint forms enquiries • Contact information is advertised in the local newspapers 6-monthly. It is also provided at community tours and events attended by BJCE Aus. 	BJCE Aus views these communication channels to be effective at providing processes for the community to communicate with the wind farm. This is supported by the high number of calls and emails.	
Clean Energy Program (CLEP)	<ul style="list-style-type: none"> • During Year 5 of the CLEP (23rd December 2018 to 22nd December 2019), a total of 11 Stage 1 applications were received, 8 Energy Efficiency Audits were carried out, including one application received at the end of Year 4) and 8 Stage 1 vouchers were issued to applicants. Regarding Stage 2 of the Clean Energy Program, 8 applications were approved by the Energy Committee, with the total value of all the approved grants for Year 5 amounting to \$54,960. 	<ul style="list-style-type: none"> • BJCE Aus perceives it has effectively informed the community about the benefits of the CLEP. • BJCE Aus believes the CLEP has been effective as a community engagement tool. BJCE spends considerable time on the phone with most applicants. • BJCE Aus welcomes feedback from the community to improve the CLEP. 	Send out letters to Stage 1 applicants who have not yet applied for Stage 2 of the Program.



Communication Tool	GRWF activities and outcomes	Effectiveness	Future improvements
Clean Energy Program (CLEP) contd.	<ul style="list-style-type: none"> At the end of 2019, a total of 61 houses near Gullen Range Wind Farm had energy improvement measures, such as solar panels, solar hot water systems, or better roof or wall insulation thanks to grants valuing approximately \$390,000 provided by the wind farm under this program. 112 buildings had completed Stage 1 of the Program by the end of 2019. Information about the CLEP is provided on the GRWF website, in some media releases (most recently on 15/10/2019), on community tours and at community events attended by the BJCE Aus (see community events in Table 2). There were 341 visits to the Clean Energy Program’s webpage in 2019. Information was also provided about the CLEP in the 2019 six-monthly newspaper notice in December 2019. 		
Community Fund	<ul style="list-style-type: none"> Information about the Community Fund is provided on the GRWF website, in some media releases, on community tours and at community events attended by the BJCE Aus (see community events in Table 2). The Community Fund Workshop took place again in 2019 to assist the community with the grant application process. The workshop was advertised via the GRWF website and via emails to community groups. It was attended by 12 people and feedback was very positive. There were 350 visits to the Community Fund webpage in 2019. 	BJCE perceives that the Community Fund grant scheme was effectively communicated to the community, especially via the workshop and GRWF attendance at launch events.	GRWF to advertise in the local newspapers to reach more community groups.



Communication Tool	GRWF activities and outcomes	Effectiveness	Future improvements
Community Fund contd.	<ul style="list-style-type: none"> • Nine projects were funded in 2019/20, with information about funding outcomes available on the GRWF website. • GRWF attended the (1) Crookwell Community Fencing Garden Project and (2) the Crookwell Car Club's new defibrillator installation event at the Crookwell IGA, which were both supported by GRWF Community Fund grants. 		

Table 2 shows the Additional communication tools

Communication Tool	GRWF activities and outcomes	Effectiveness	Future improvements
Wind Farm public tours	<ul style="list-style-type: none"> • Seven public tours were held, including the additional national wind farm tour. In total, more than 135 guests were booked on tours in 2019. The tours were fully booked or close to fully booked. • From May 2019, GRWF commenced working with Crookwell Visitor Information Centre (Upper Lachlan Shire Council) so that they now operate the tour booking service. Crookwell 2 Wind Farm hosted their first public tours as part of the same initiative. • There were approx. 902 visits to the Gullen Range Wind Farm's tour web page. 	<ul style="list-style-type: none"> • 66 public tour participants provided feedback and it was very positive. Sixty-five out of 66 participants rated the tour as 'great or excellent'. • BJCE Aus views the tours as an effective way to communicate with the community and answer questions about the wind farm. • Working with Upper Lachlan Shire Council (ULSC) has been very positive for the tour program. ULSC is in a position to grow the tour program to the benefit of local tourism, for instance by including other wind farms. The first step towards this is Crookwell 2 Wind Farm providing 	



Communication Tool	GRWF activities and outcomes	Effectiveness	Future improvements
Wind Farm public tours contd.		public tours as part of the same program.	
Website	<ul style="list-style-type: none"> • Live and updated frequently • For 2019, there were 4,988 unique visitors to the website and 13,859 page views. 	<ul style="list-style-type: none"> • High visitation rates in 2019 suggest that the website is being accessed and used by the public. • BJCE Aus perceives the website to be an effective communication tool. 	
Sponsorship	<p>Eight community groups/projects were sponsored:</p> <ul style="list-style-type: none"> • 141st Crookwell Show • 2019 Goulburn Cancer Council Relay for Life • Crookwell Junior Green Devils Rugby League Club • Crookwell Men’s Bowling Club’s Gullen Range Triples Classic Tournament • Crookwell Women’s Bowling Club’s District Open Fours Tournament • Goulburn Railway Bowling Club’s 2019 Rose Tournament • Transport for Crookwell High School’s cultural excursion to see the play, Macbeth, at the Sydney Opera House • Crookwell Public School’s student prize 	BJCE Aus has been proud to support local community groups and believes this has been another effective way to engage with the community.	
Social media	<ul style="list-style-type: none"> • BJCE Australia posted one LinkedIn news item about GRWF in 2019. 	Unlikely to be effective due to the low number of posts, however, BJCE Aus uses the social media as a supplementary communication tool only.	



Communication Tool	GRWF activities and outcomes	Effectiveness	Future improvements
School engagement	<ul style="list-style-type: none"> • Industry Partner of the STEM Industry School Partnership Program (SISP) in 2019: <ul style="list-style-type: none"> ○ Hosted more than 110 primary school students from both Bradfordville and Wollondilly Public Schools. ○ Assisted students from five local schools with their STEM classes including Bradfordville, Wollondilly, Laggan, Binda and Bigga Public Schools. ○ Assisted with SISP related public engagement activities, such as the STEM Hook Day and the Crookwell and Goulburn School STEM Showcase Days. • Hosted students from the University of New South Wales and the University of Wollongong. 	<p>BJCE Aus received positive feedback from the schools and Regional Development Australia Southern Inland (RDA SI) for its involvement in the 2019 SISP.</p> <p>BJCE Aus was invited to participate again as an Industry Partner in the 2020 SISP program.</p> <p>It is BJCE Aus' view that its school engagement has been effective at providing students with information about energy generation from the perspective of a renewable energy generator as well as providing a forum to answer many other questions about our activities.</p>	
Presentations to interest groups	<ul style="list-style-type: none"> • Presentations were made to 4 private tour groups on site, including: <ul style="list-style-type: none"> ○ University of Wollongong Institute of Electrical and Electronic Engineering Branch Chapter (IEEE) and the Power and Energy Society (PES) ○ University of New South Wales' School of Photovoltaic and Renewable Energy Engineering Society ○ Members of Engineers Australia 	<p>BJCE Aus perceives its presentations were effective at educating and informing the community about the wind farm. They have provided a forum for the community to ask questions.</p>	
One-on-one meetings	<p>Met with 4 community members throughout 2019.</p>	<p>One-on-one meetings have been effective way to engage with community members and address their questions.</p>	



Communication Tool	GRWF activities and outcomes	Effectiveness	Future improvements
Newspaper advertisements	Regular – complaints contact information (6 monthly), tours, Clean Energy Program, and the numbers of houses powered by the wind farm.	BJCE Aus perceives its advertisements were effective at providing information about the wind farm.	
Media reports of wind farm progress & activities	<ul style="list-style-type: none"> 71 news items were posted to the GRWF website Two GRWF media releases were released to the media. 	BJCE Aus views its media reports and releases have been effective at providing regular updates about the wind farm and its activities.	
Local community event participation	<ul style="list-style-type: none"> 141st Crookwell Show: BJCE Aus had an information stall for two days at the Crookwell Show. Donations from the face painting stand were given to the Grabben Gullen community. The stall was well attended with a wide variety of people asking questions about BJCE’s projects. Community BBQs outside the Crookwell IGA in September & December. BJCE Aus had an information stand and joint fundraising BBQ with the Grabben Gullen Rural Fire Service. Donations went to the Grabben Gullen Rural Fire Service. Community BBQ outside the Crookwell IGA in November. BJCE Aus had an information stand and joint fundraising BBQ with the Crookwell Men’s Shed. Donations went to the NSW and QLD bushfire appeals. Crookwell Public School Award Presentation Day; BJCE Aus sponsored a school prize. Four SISP events – STEM Hook Day, Crookwell STEM Showcase Day, Goulburn STEM Showcase Day and SISP STEM Awards ceremony. Goulburn Railway Club’s Rose Tournament presentation ceremony. 	BJCE Aus has endeavoured to participate in local events throughout the year. BJCE believes that its participation has been effective at positively engaging with the community.	



Communication Tool	GRWF activities and outcomes	Effectiveness	Future improvements
<p>Local community event participation contd.</p>	<ul style="list-style-type: none"> • Crookwell Bowling Club Men’s Gullen Range Triples Classic Tournament’s presentation ceremony. • Crookwell Bowling Club’s Women’s District Open Fours Tournaments’ presentation ceremony. • Crookwell High School’s cultural excursion to the Sydney Opera House. • Crookwell High School’s Positive Education Breakfast. • Opening of the Crookwell Community Garden Fencing project. • Goulburn Cancer Council Relay for Life Event. • ‘Music in the Park’ event at Pat Cullen Reserve, Crookwell. • Australian Agriculture Centre’s Design Awards Dinner • Meeting the Crookwell Car Club members at the Crookwell IGA to see the newly installed defibrillator. 		

Conclusion

BJCE Australia perceives the Community Information Plan (CIP) has been effective during 2019. BJCE Australia will continue to identify and implement future improvements to the CIP in consultation with the Community Consultative Committee.



Introduction

This brochure is about the Gullen Range Wind Farm (GRWF) Clean Energy Program, or CLEP for short.

The CLEP provides financial contributions towards implementing clean energy improvements in the community.

The CLEP is part of the Community Enhancement Program. This program can be downloaded from the GRWF website, or if you contact us, we can post you a copy. This brochure is a summary of information from the Community Enhancement Program. However, if you want to know all of the detail, you should read the full program.

Who is Eligible?

To be eligible for the program you must meet the following criteria:

- You must be an owner or a tenant of a residential or commercial building within 5 kilometres of the wind farm. The actual building which is the subject of the application needs to be within this 5km distance. Use the map on our website to determine whether you are eligible and if you are unsure contact us and we will check for you.
 - You can't be receiving an income from the wind farm through a lease or easement.
 - You can't be a tenant of somebody who is receiving an income from the wind farm through a lease or easement.
 - The building which is the subject of your application must have received Development Approval on or before December 23rd 2014.

In most cases you cannot apply for the program twice. This brochure assumes that the reader meets these eligibility criteria.

Summary

The Clean Energy Program is split into two Stages. Stage 1 must be completed before Stage 2 can be applied for.

Stage 1 'Energy Efficiency Package' – Submit an application form and our Energy Efficiency Expert will complete an energy efficiency audit on your house. You'll get a report and a \$150 voucher to spend at Bunnings on small items recommended in the report.

Stage 2 – Use information from the energy efficiency audit you received in Stage 1 to make improvements to your house or business. We will provide a grant of approximately \$6500 towards the cost. Stage 2 is split into two different packages and you can only apply for one of these, depending on how you want to use the grant:

Stage 2A 'Solar Reimbursement Package' – Use the grant to install a solar PV, solar hot water or battery storage system.

Stage 2B 'Home Energy Efficiency Improvement Package' – Use the grant to make other improvements to your house that will make it more efficient, such as wall insulation or double glazed windows.

Contact Us: For further information please call the 24-hour toll-free GRWF Community Contact Line on 1800 509 711 or email info@gullenrangewindfarm.com. You can also write to us at NGRWF, Suite 3, Level 21, 1 York Street, Sydney, NSW 2000 or visit our website at www.gullenrangewindfarm.com

Clean Energy Program

Application Forms

Forms are available on the Gullen Range Wind Farm website. You can also contact us for a paper copy.

There are separate application forms for Stage 1 and Stage 2, so make sure you fill out the correct one.

How does Stage 1 work?

Stage 1, the Energy Efficiency Package, involves our Energy Efficiency Expert completing an Energy Efficiency Audit at your house or business.

To apply, fill in a Stage 1 application form. You'll need to provide some supporting information, such as your last 12 months of energy bills. Our Energy Efficiency Expert uses this information to assess how you go about using energy in your home. The information required is clearly stated on the form.

Our consultant will contact you within seven days to arrange to visit your home and perform an audit. The home visit is a friendly chat about your house and how you could save energy. You will be provided with a customised report describing how you can improve your energy and water efficiency. You will also receive a \$150 voucher to spend at Bunnings on small bits and pieces recommended in the report, such as rubber strips to better seal windows or more efficient light bulbs.

Stage 1 is designed to inform you about how you can best make use of the grant we offer in Stage 2 of the program.

How does Stage 2 work?

You must have completed Stage 1 of the program before you apply for Stage 2.

Stage 2 is split into two packages – The Solar Reimbursement Package (Stage 2A) and the Home Energy Efficiency Improvement Package (Stage 2B).

Eligible Residents can only apply for one of these packages, so you need to decide which to apply for. At present, you can only apply for Stage 2 once during the lifetime of the wind farm, although this may be revised in the future depending on the uptake of the program.

Under the Solar Reimbursement Package (Stage 2A), you can apply for a grant to install a solar PV, solar hot water or battery storage system on a house or business premises.

Under the Home Energy Efficiency Improvement Package (Stage 2B), you can apply for a grant for works that will materially improve energy efficiency for a house or business premises, such as wall insulation, double glazing, or other similar improvements. The primary purpose of the proposed improvement must be to materially improve energy efficiency, and you must be able to describe how this is achieved in your application.

The Energy Committee is responsible for assessing applications. The Committee aims to approve applications of no more than \$6500, although there is some flexibility if there is an aspect of your installation that is particularly complex.

You may elect to 'top up' the CLEP grant of \$6500 with your own money if you wish. This is called 'Partial Funding'.

Your best chance for approval for Stage 2 of the CLEP is to apply for \$6500 or less, or elect to 'top up' the \$6500 grant with your own money.

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If your application is successful, you will need to enter a short contract called a Funding Agreement. This agreement is between us and you and sets out the terms by which the funding will be provided. It is very important that you read it carefully and discuss it with your supplier.

We will pay your supplier directly for the works. We will make only two payments, a 15% deposit and the balance of the system.

How to apply for Stage 2

1. Obtain a Stage 2 application form
2. Decide which package to apply for
3. Obtain two quotations for the works from an appropriately accredited supplier. Decide who is your preferred supplier.
4. Ensure you and your supplier are happy with the terms of the Funding Agreement.
5. Fill out the form and submit it. You can submit it at any time.

What happens after you apply?

We will acknowledge receipt of your application in writing.

Your application will be provided to our Energy Efficiency Expert consultant. They will confirm whether your application is consistent with the recommendations of your Stage 1 Energy Report.

Once a quarter the Energy Committee will meet and decide which applications are to be approved, which are to be waitlisted, or which are not valid under the terms of the program. The Energy Committee will consider the Energy Efficiency Expert's advice. The Energy Efficiency Expert does not decide which applications are approved and is not a member of the committee.

The Committee will use the following criteria in assessing applications:

1. Ensuring that the average approved application value across all approved applications is \$6500.

2. How far you are from the nearest turbine on the wind farm.

3. The length of time you have been on the waiting list.

You will be notified in writing by GRWF of the Energy Committee's decision.

If your application is approved, you will receive a letter from us including a copy of our Funding Agreement. You must sign and date this and post it back to us. We will countersign this and post you a copy. Once you have received the countersigned agreement you may engage your supplier.

GRWF will not provide any funding unless a Funding Agreement is entered into before the applicant enters a contract with their supplier and before any works have commenced.

GRWF, the Energy Committee and the Energy Efficiency Expert will not be responsible for the poor performance, malfunction, maintenance or associated property damage of any scheme approved under the CLEP, and do not warrant the performance of any such scheme. This is clearly stated in the Funding Agreement.

How does payment of the grant work?

Arrangements for payment of the grant are stated in the Funding Agreement.

After you have engaged your supplier, you fill out a 'Direction to Pay' form which you send to us. We will pay a 15% deposit to your supplier once we have received that form. We can only pay via bank transfer to your supplier, not by cheque or cash.

On completion of the work (and when you are satisfied with the quality of the work), you provide us with another 'Direction to Pay' form and we will pay your supplier the balance of the grant value.

If you are 'topping up' our grant, the process is the same other than that you will need to arrange to pay your supplier directly for the value of the works above our grant value.

Clean Energy Program

Each 'Direction to Pay' form needs to be accompanied by certain information, such as an invoice, proof of your supplier's insurance and photos of the installed system. The Funding Agreement contains details on exactly what information must be provided.

Frequently Asked Questions

Why is the target value for the grant set at \$6500?

This value enables us to fund as many people as possible and reduces the likelihood that applicants will be placed on a waiting list. Note that the \$6500 target value will increase with inflation (CPI) annually.

What are the timescales for Stage 2 applications?

- December 23 – March 22 – will be reviewed between April 01 and June 30
- March 23 – June 22 – will be reviewed between July 01 and September 30
- June 23 – September 22 – will be reviewed between October 01 and December 31
- September 23 – December 22 – will be reviewed between January 01 and March 31

Who is the Energy Committee?

The Energy Committee consists of a person from GRWF and an independent member. Check the CLEP Guidelines on our website for the details of the independent member.

How much money is available in the CLEP?

Every year that the wind farm is operational, \$60,809 is available to the CLEP. This sum increases by CPI every year with a 2010 baseline. GRWF is able to draw on a future year's CLEP funds to control the application waiting list, although this is at GRWF's discretion.

If not all of the money is spent, the excess rolls over into the Community Fund. This is a fund administered by Upper Lachlan Shire Council providing funds to community groups on an annual basis. Check our website for more details about this program.

What happens if there is not enough money in a given year for all applications?

We will create a waiting list in this situation. You will be notified in writing if you are placed on a waiting list. We will act to minimise the waiting times wherever possible.

Who is the Energy Efficiency Expert?

This person is an independent consultant that GRWF has engaged to help with the CLEP. Check the CLEP Guidelines on our website for the details of the current Energy Efficiency Expert.

Who will administer the Clean Energy Program?

GRWF in consultation with the Energy Committee will administer the Clean Energy Program. The Program will be independently reviewed and audited annually.

Can you help me find a supplier?

On our website, there is a list of suppliers who have contacted us or have appeared on applications we have received. We don't recommend one supplier over another.

Contact Us

We are happy to talk through any aspect of the CLEP. We can provide you with assistance or post paper copies of our application forms.

Phone: 1800 509 711 (leave a message and we will call back)

Email: info@gullenrangewindfarm.com

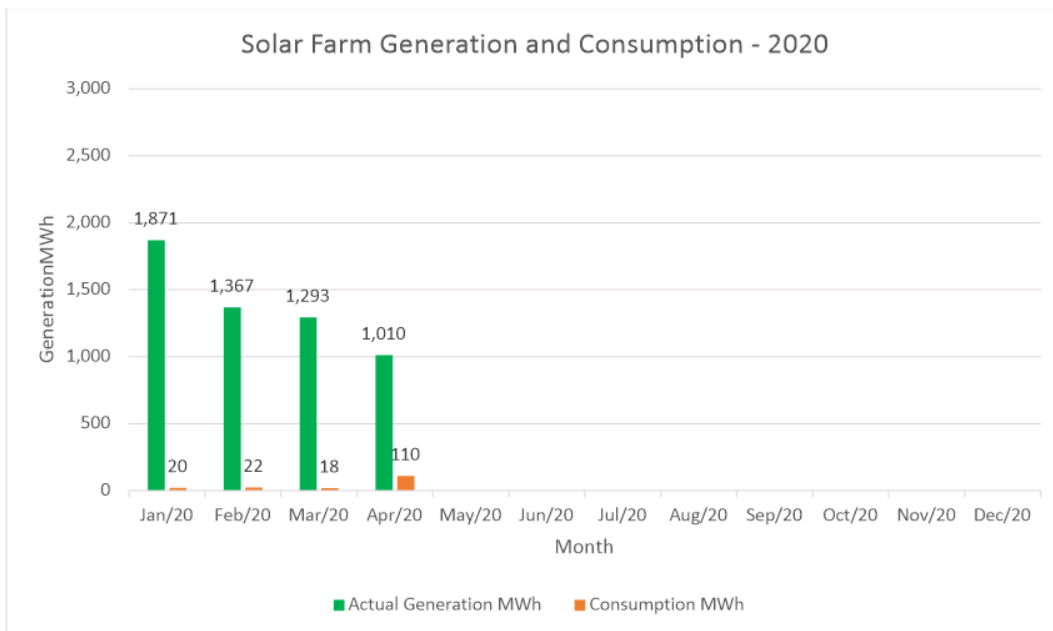
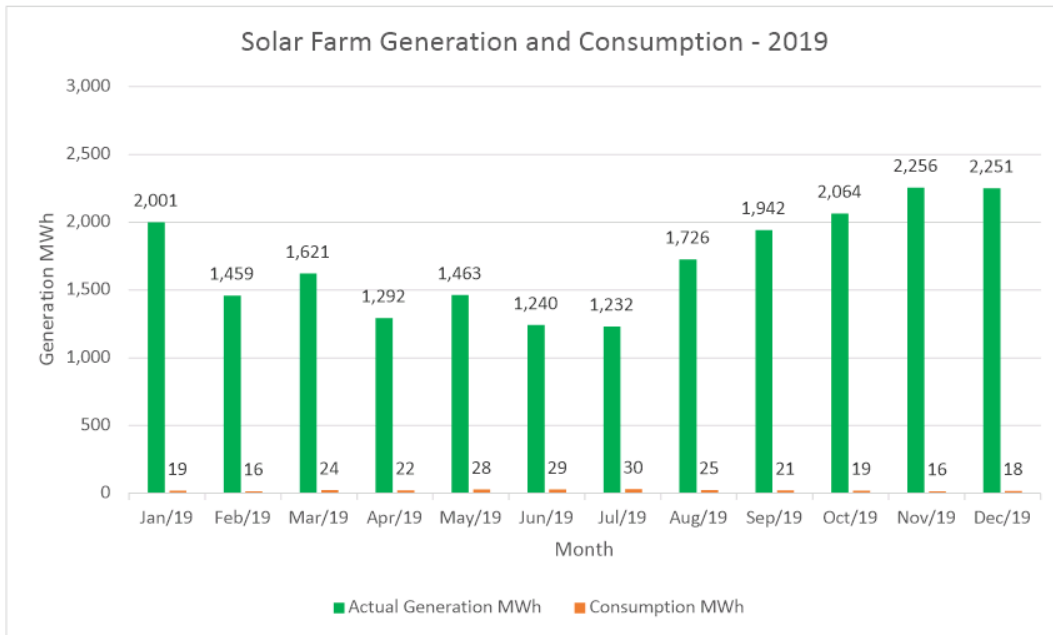
Write: NGRWF, Suite 3, Level 21, 1 York Street, Sydney, NSW, 2000

Visit our website: www.gullenrangewindfarm.com

New Gullen Range Wind Farm Pty Ltd (ACN 167 404 211) is the owner and proponent of the Gullen Range Wind Farm

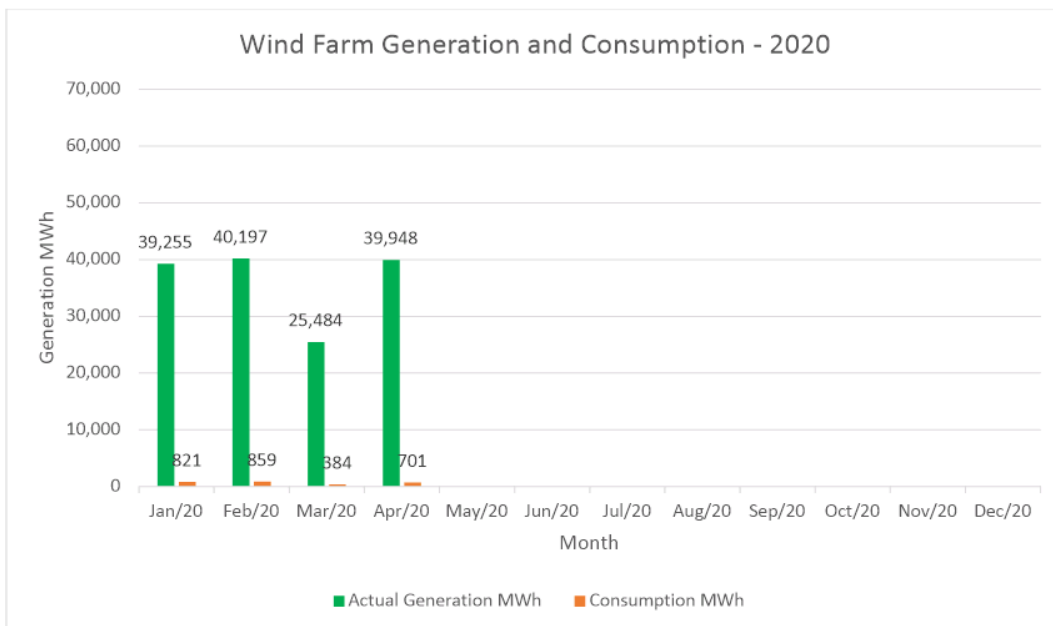
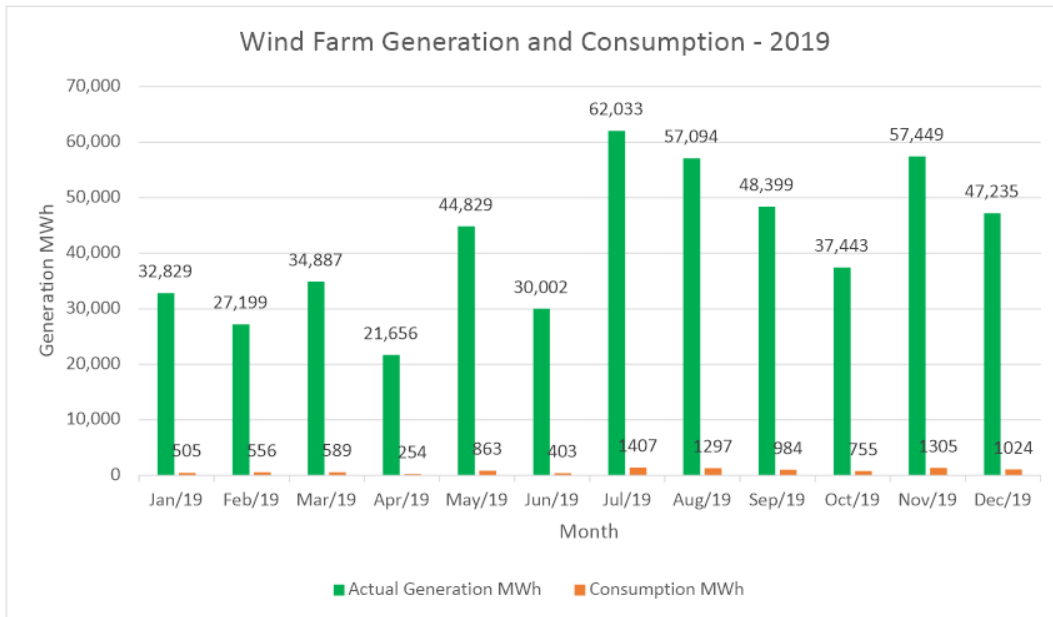


Gullen Solar Generation and Consumption Charts





Gullen Range Wind Farm Generation Charts



16 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.

17 CONCLUSION OF THE MEETING

The Mayor will close the meeting.