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**OUR MISSION** TO BE EASY TO DO BUSINESS WITH

# **BUSINESS PAPER**

## **Additional Item**

### **Ordinary Council Meeting**

**4 August 2020**

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



We hereby give notice that an Ordinary Meeting of Council will be held on:  
Tuesday, 4 August 2020 at 6pm  
in the Council Chambers, Civic Centre  
184 - 194 Bourke Street, Goulburn

**Order Of Business**

**15 Reports to Council for Determination ..... 4**  
15.13 Request for Financial Assistance - Challenge Foundation Goulburn  
Incorporated..... 4

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

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

**15 REPORTS TO COUNCIL FOR DETERMINATION**

**15.13 REQUEST FOR FINANCIAL ASSISTANCE - CHALLENGE FOUNDATION GOULBURN INCORPORATED**

**Author:** Warwick Bennett, General Manager

**Authoriser:** Warwick Bennett, General Manager

**Attachments:** 1. Challenge Foundation Goulburn Incorporated Letter  

<b>Link to Community Strategic Plan:</b>	CSP Strategy C02 – Encourage and facilitate active and creative participation in community life.
<b>Cost to Council:</b>	Funds are available in the budget for donations made under the Financial Assistance Policy. There is a budget of \$80,000 for grants issued under this policy in the 2020/21 financial year. Approval of the recommendations contained within this meeting’s agenda would leave a remaining amount of \$63,350 for future contributions.
<b>Use of Reserve Funds:</b>	Not Applicable. Budgeted amount funded from revenue.

**RECOMMENDATION**

That

1. The report from the General Manager on Request for Financial Assistance – Challenge Foundation Goulburn Incorporated be received.
2. Council makes an allocation of \$4,900 from the Financial Assistance provisions to offset the construction certificate costs that will be incurred by the Challenge Foundation Goulburn Incorporated for their housing development at 20 Mary’s Mount Road Goulburn.
3. Council determine that because the Challenge Foundation Goulburn Incorporated is a charitable trust that no Section 7.11 fees payable under the Section 94 Plan be charged. This totals an amount of \$13,439.50.

**BACKGROUND**

At its meeting on 19 September 2017, Council adopted the new Financial Assistance Policy. Under the Policy, applications seeking funding for amounts greater than \$1,000 are reported to Council for approval

**REPORT**

Please find attached a letter from the President of the Challenge Foundation Goulburn seeking financial assistance for the development of their new housing complex for the disabled at 20 Marys Mount Road, Goulburn. Their letter of request for financial assistance is attached. The letter includes a 3D image of what the complex will look like. The Challenge Foundation has asked that this matter be considered at this Council meeting so that they can include the necessary Council fees as part of their grant applications to State and Federal Governments.

The financial assistance being requested relates to fees paid or owing to Council as part of the development application approval. To date the following fees have been paid:-

Original Development Application Fees	\$ 11,079.00
Modification required to meet Government legislation	\$ 2,493.80
Section 64 Fees for Water	\$ 71,877.00
Section 64 Fees for Sewer	\$163,663.75
Section 64 Fees for Storm Water	\$ 16,440.00
Section 306 Fee	\$ 510.00
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	\$266,063.55
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Still owing and payable to Council are the Section 7.11 fees (payable under the Section 94 Plan) as follows:

Roads and traffic	\$ 12,292.50
Open Space	\$ 1,080.00
Administration Fee	\$ 67.00
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	\$ 13,439.50
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Additional to these fees there is a further fee required for a construction certificate of \$24,190.00. Of this amount \$15,750 is payable to the State Government for long service leave for the construction industry. A further fee for building inspections will also be required, however this cannot typically be calculated until a construction certificate has been assessed.

It is my understanding that the vast majority of this development will be subject to Government grants. The fees payable to Local Government, the same as payable to other utility companies, are a legitimate cost within a grant application. Therefore Council needs to consider at this stage of the development whether a grant towards the Challenge Foundation Goulburn Inc is appropriate at this time.

The Challenge Foundation Goulburn Inc have stated in their attached letter that this development once established could employ between 40 to 50 new staff for the operations of all the care that will be provided to people with disabilities. Council will recall that with Tribe Brewery a 50% reduction in section 64 fee for water and sewer was offered if the applicant could prove within 12 months of commencing operations that at least 30 staff employed by that company were residing within the Goulburn Mulwaree local Government area. Council made it very clear during the debate on the Tribe Brewery determination that their reduction in Section 64 would not be considered a precedents and that Council would consider any future application on its merits. It should also be noted that a further development will be occurring in the Goulburn region for another fully subsidised development being Signature Care, which is proposed to be located at Run-O-Waters. The Section 64 fees for the Signature Care development will be substantially higher than the Challenge Foundation Goulburn Inc proposal and thus Council need to be cautious of the discounting fees for Government fully grant funded projects.

It should also be noted that Government funded projects such as the Goulburn Hospital and the Ambulance Station do not pay any fees whatsoever to Council, including connections to our water and sewer schemes.

The recommendation in this report is not to provide any discount for Section 64 fees for Water and Sewer as the applicant will be entitled to include these fees already paid as part of its grant application to State and Federal Government.

The Challenge Foundation Goulburn Inc is a charity organisation and as such under Clause 3.15 of the current Goulburn Mulwaree Council Section 94 Plan, are entitled to have Council consider an exemption towards their Section 7.11 contributions. Clause 3.15 specifically states:

*Council may consider, on the individual merit, a case for exempting the following types of development from the levying of development contributions:*

- *Developments which provide a distinct community benefit on a not-for-profit basis*

The recommendation in this report is that Council make the deliberate decision to reduce Section 94 fees to \$0 because of the Challenge Foundation's charitable status. This fees are yet to be paid therefore no refund is required.

Thus the final consideration is whether Council should contribute towards the development application (including modification) and construction certificate fees. The Council policy states that any grant over \$5,000 should only be paid upon receipt of a full set of financial statements.

In 2019 Council allocated to the Challenge Foundation Goulburn Inc from proceeds from the Mayoral Charity Golf Day the sum of \$9,234. This report is recommending a further grant of \$4,900 from the financial assistants cost centre be made to the Challenge Foundation Goulburn Inc to assist with the fees payable to Council. The amount of \$4,900 not be paid directly to the Challenge Foundation but rather used to offset the construction certificate costs of \$24,190.



# Challenge Foundation

**GOULBURN INCORPORATED**

Reg. No. Y 17273-30



27<sup>TH</sup> July 2020.

Mayor Mr Bob Kirk & Councillors  
Goulburn Mulwaree Council  
Civic Centre  
Bourke Street  
Goulburn...NSW...2580.

Dear Bob & Councillors,

Challenge Foundation Goulburn Inc. would like Council to review the fees and charges that Council have charged CFG for our Development Application and ongoing Council fees.

Challenge Foundation Goulburn is a Charity Organisation that provides a service for the Disabled Children and Young Adults of Goulburn & Mulwaree. The organisation has been running for just over 70 years in Goulburn. A lot has changed in the disability sector over this time.

The Board and Management of CFG has been working on this project for over 25 years to provide a new service for the disabled people of Goulburn & Mulwaree.

As you are aware CFG Development Application was approved by Goulburn Mulwaree Council on 5<sup>TH</sup> September 2017. After this date CFG was told by the National Disability Insurance Agency that the Development did not meet the standards for N.D.I.S Accommodation.

CFG was told by N.D.I.S. that the Legal Requirements for Accommodation had changed in November 2016 prior to our Development Application being approved in September 2017 by Goulburn Mulwaree Council.

The main building, garages and car parking meet all requirements for the new facility. The only part of the D.A to be changed from the original Development Application was a Modification of Plans for the Accommodation for the people with Disabilities. This had to be in 2 separate dwellings to accommodate 5 disabled people in each dwelling.

This has been a long drawn out process in which CFG Board has always stood strong to achieve a new state of the art facility for the disabled people of Goulburn.

98 Goldsmith Street, Goulburn PO Box 36, GOULBURN NSW 2580  
Phone: (02) 4821 2928 – Fax: (02) 4822 2021 EMAIL: [chalfnd@tpg.com.au](mailto:chalfnd@tpg.com.au)  
ABN 52 491 216 766

The Board has always said that all work on construction will be done by the local tradesman's of Goulburn. CFG has always and always will use local trade as the local community has always looked after and supported CFG.

With this new facility CFG will need to employ between 40 to 50 new staff for the operation of all care that will be provided to people with disabilities.

With the current situation of COVID-19 with so many local people of Goulburn & Mulwaree currently out of work and unsure of their jobs. If they will have jobs to go back to when this terrible pandemic does slow down or stops. CFG is an Essential Service to the community.

CFG will be working with Federal and State Governments if they can come up with money or training for people that wish to work with people with disabilities. There are requirements that are needed to work in the Disability Sector.

Challenge Foundation Goulburn wish for you to please consider our letter to you Mr Mayor and Councillors of Goulburn Mulwaree Council. If Goulburn Mulwaree Council could review all fees and charges that CFG has paid to Council and any other fees that we would be required to pay.

Mr Tim Lee will address Council on behalf of CFG and answer any questions that you wish to ask. Tim has done an outstanding job for CFG making sure all of the new Plans meet with all of the new NDIS standards. Tim has excelled in the drawing and design of the new accommodation units.

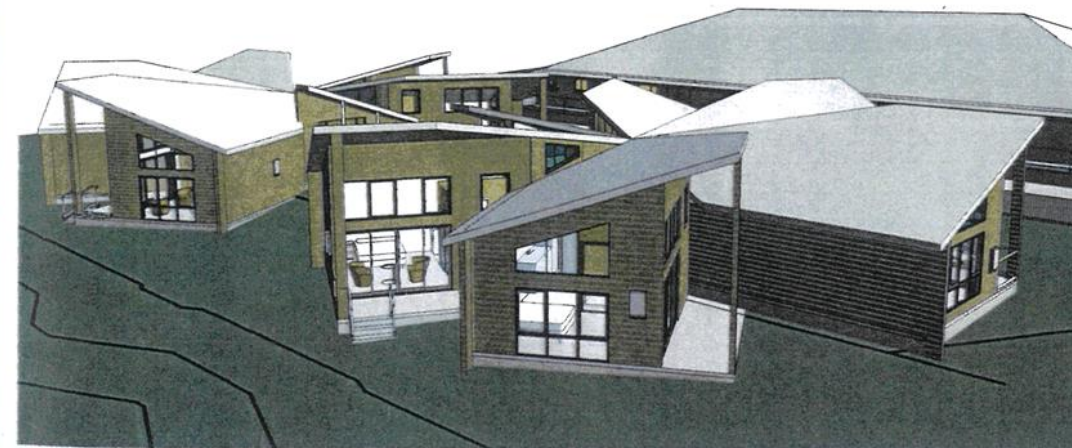
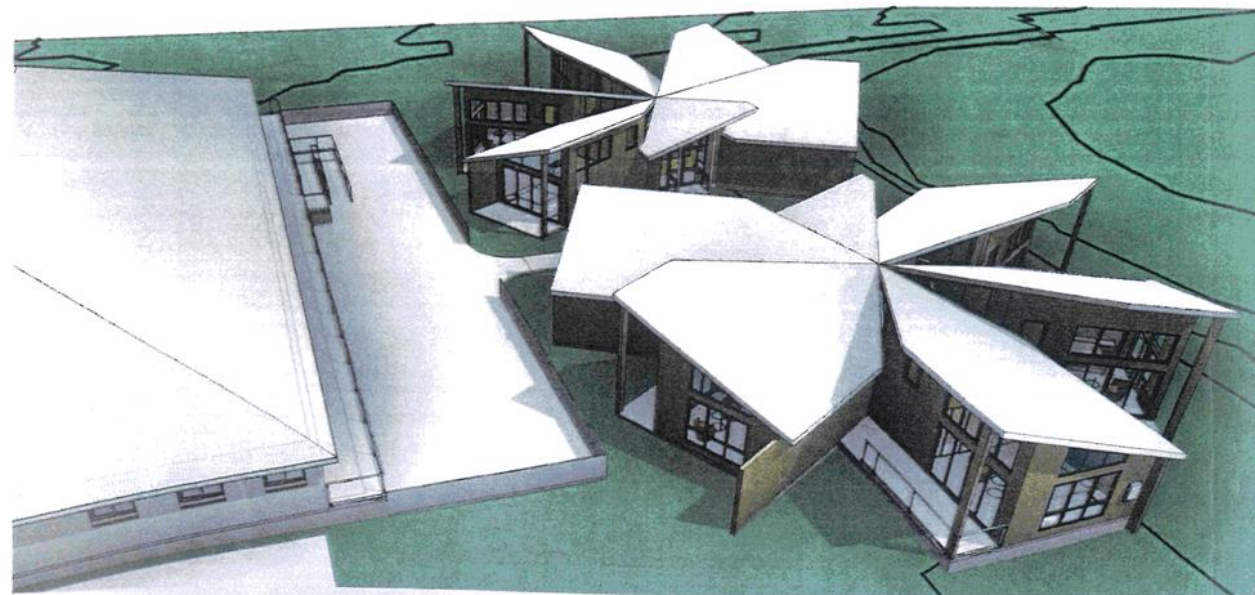
Kind regards,



*John Sykes*  
President

Challenge Foundation Goulburn Inc.  
P.O. Box 36.  
Goulburn...NSW...2580.  
Phone:- (02) 4821 2928  
[chalfnd@tpg.com.au](mailto:chalfnd@tpg.com.au)





ISSUED FOR:  
**DEVELOPMENT APPLICATION**  
**NOT FOR CONSTRUCTION**

DRAWING AMENDMENTS			PROJECT TITLE	 <b>TIM LEE ARCHITECTS</b> <small>residential commercial industrial</small> P: 02 4822 5934 ABN: 71425067537 ROSS PLACE GOULBURN NSW 2580 NOMINATED ARCHITECT: TIM LEE NSW REG: 7034 ACT REG: 1030	DRAWING TITLE	DRAWING COMMENCED	DRAWING VERIFIED BY
REVISION	DESCRIPTION	DATE	CHALLENGE FOUNDATION HOUSING		3D CONCEPT	JUNE 2019	T.L.
B	CONCEPT R - ISSUED FOR REVIEW	19/08/19	CLIENT	LOT AND DEPOSITED PLAN NO.			
			CHALLENGE FOUNDATION GOULBURN	LOT 1 DP1218842		AH	
			<small>Figured dimensions take precedence. Do not scale drawings.                      Builder to check all levels datum and dimensions on the job, conflicting information to be resolved by the project manager prior to commencing work.                      All materials and workmanship to be in strict accordance with current Australian standards, BCA, Local regulation and manufacturers current printed instructions. Unless noted otherwise use only best quality materials, fittings and fixtures.                      COPYRIGHT TIM LEE ARCHITECTS                      Drawings subject to copyright and may not be reproduced in any form without the written permission of the builder.</small>	STREET ADDRESS	AT SHEET SIZE	JOB NUMBER	
				20 MARYS MOUNT ROAD GOULBURN NSW 2580	A3 SHEET	0319-1111	
					DRAWING IDENTIFICATION NUMBER	AMENDMENT ISSUE	
					CA-08	B	

2/09/2019 1:07:52 PM

