



**OUR VISION & VALUES** ONE TEAM DELIVERING WITH

**PRIDE**

Passion | Respect | Innovation | Dedication | Excellence

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

# **ATTACHMENTS**

## **ENCLOSURES**

### **Ordinary Council Meeting**

**6 October 2020**



## Table of Contents

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15.1	DA/0169/1920, 8 lot residential subdivision, 30 Dorsett Road Marulan	
	Attachment 1 Locality Plan .....	5
	Attachment 2 Proposed Plan of Subdivision .....	8
	Attachment 3 Draft Planning Agreement .....	9
	Attachment 4 Submissions .....	39
	Attachment 5 Response to Submissions from Applicant.....	80
	Attachment 6 Flood Plan Study .....	105
15.4	Development Service Plan - Goulburn Stormwater	
	Attachment 1 Draft Development Service Plan.....	107
15.5	Goulburn Mulwaree Local Infrastructure Contributions Plan 2020	
	Attachment 1 Draft LICP for Exhibition 22 September 2020 .....	213
15.8	Draft Goulburn Recreation Area Crown Reserve Plan of Management	
	Attachment 1 Draft Goulburn Recreation Area Crown Reserve Plan of Management...	302
	Attachment 2 Native Title Manager Advice .....	392
	Attachment 3 Plans of Management for Crown Reserves - Form B.....	428
15.11	Code of Conduct	
	Attachment 1 Model Code of Conduct 2020 .....	432
	Attachment 2 Procedures for the Administration of the Model Code of Conduct 2020 ..	494
	Attachment 3 OLG Circular Amendments to the Model Code of Conduct for Local Councils in NSW and Procedures.....	546



15-September-2020



200 m

Scale = 7431.48

This map is provided for the purpose of showing basic locality information over the Goulburn Mulwaree Council LGA. It has been created for illustration purposes only. Locations of services and boundaries are approximate, and may not be accurate to surveying or engineering standards. Map information is subject to constant changes, may not be complete, accurate or current. The council assumes no liability for damages incurred as a result of incomplete, incorrect or omitted information.

## Cadastral\_Boundaries (1)

CSID: MD-20190624160339

cadID: 159196289

lotnumber: 29

sectionnumber:

plannumber: 1112491

planlabel: DP1112491

itstitlestatus: ITSTitle

classsubtype: 1

controllingauthority: FREEHOLD

supplydate: 2019-06-24T16:04:47

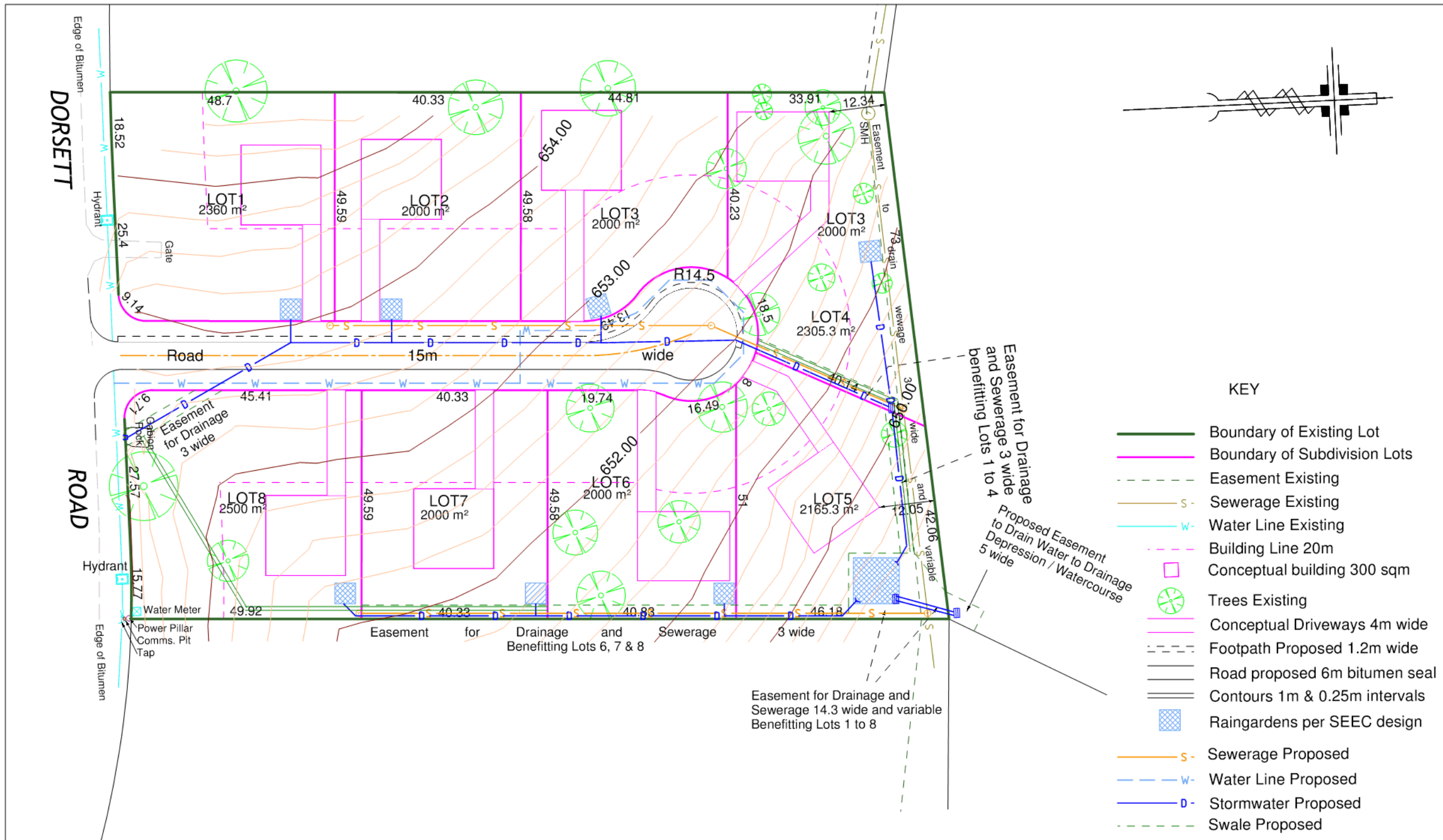
land\_no: 28633

property\_no: 1020429

lot\_dp: 29//1112491

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**PLAN**  
 Showing proposed Subdivision  
 Lot 29 DP 1112491  
 Dorsett Road, marulan

Scale 1:800 on A3

*Lateral's Planning*  
 1st Floor, 35 Montague Street (PO Box 1326)  
 Goulburn NSW 2580  
 Phone: 02 4821 0973 Fax 02 3821 0973  
 48 Johns River Road, Johns River NSW 2443  
 Mobile: 0427 210 973

Sheet No: 3  
 No of Sheets: 3  
 Date: 18/11/2019  
**PLAN NO: 1837**  
**SITE & SUBDIVISION**  
**PLAN**



**30 Dorsett Road Marulan Planning Agreement  
Goulburn Mulwaree Council  
Teresa Nguyen**

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**THIS IS A DRAFT DEED PREPARED FOR CONSIDERATION OF  
DEVELOPMENT APPLICATION 0169/1920 AND IS SUBJECT TO LEGAL  
AMENDMENT AND CONDITIONS OF CONSENT**

## **Deed**

### **30 Dorsett Road Subdivision**

### **Planning Agreement**

Under s7.4 of the *Environmental Planning and Assessment Act 1979*

Development Application DA/0169/1920

**Goulburn Mulwaree Council**

**Teresa Nguyen**

2020

**30 Dorsett Road Marulan Planning Agreement  
Goulburn Mulwaree Council  
Teresa Nguyen**

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**CONTENTS**

CONTENTS ..... 2

PARTIES ..... 4

BACKGROUND ..... 4

OPERATIVE PROVISIONS ..... 4

1 DEFINITIONS ..... 4

2 INTERPRETATION ..... 7

3 STATUS OF THIS DEED ..... 8

4 APPLICATION OF SECTION 7.11 AND SECTION 7.12 ..... 9

5 DEVELOPMENT CONTRIBUTIONS AND WORKS ..... 9

6 PROVISION OF CONTRIBUTIONS ..... 10

7 COMPLETION OF WORKS ..... 11

8 DEFECTS LIABILITY ..... 12

9 CONTAMINATION ..... 14

10 DETERMINATION OF THIS DEED ..... 15

11 SECURITY ..... 15

12 DISPUTE RESOLUTION ..... 16

13 POSITION OF COUNCIL ..... 19

14 CONFIDENTIALITY ..... 20

15 ENFORCEMENT IN A COURT OF COMPETENT JURISDICTION ..... 20

16 REGISTRATION OF THIS DEED ..... 20

17 RISK ..... 21

18 RELEASE ..... 21

19 GST ..... 21

20 ACCESS TO LAND ..... 22

21 OTHER PROVISIONS ..... 22

22 COSTS ..... 23

23 ENTIRE DEED ..... 23

24 WAIVER ..... 23

25 ILLEGALITY ..... 23

26 SEVERABILITY ..... 23

27 POWER OF ATTORNEY ..... 23

28 GOVERNING LAW AND JURISDICTION ..... 23

**30 Dorsett Road Marulan Planning Agreement  
Goulburn Mulwaree Council  
Teresa Nguyen**

29	REVIEW REQUIREMENTS .....	24
30	FURTHER ACTS.....	24
31	FURTHER AGREEMENTS.....	24
32	AMENDMENT .....	24
33	FORCE MAJEURE.....	24
34	SUSPENSION OF OBLIGATIONS UNDER A FORCE MAJEURE .....	25
34	NOTATIONS UNDER S10.7(5) OF THE ACT .....	25
	SCHEDULE 1: REQUIREMENTS UNDER SECTION 7.4 OF THE ACT .....	27
	SCHEDULE 1: TERMS OF DEED .....	28
	SCHEDULE 3: DESIGNATED LAND & SCHEDULE OF WORKS.....	30

**30 Dorsett Road Marulan Planning Agreement  
Goulburn Mulwaree Council  
Teresa Nguyen**

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**PARTIES**

**Goulburn Mulwaree Council** ABN 84 049 849 319 of 184-194 Bourke Street, Goulburn, NSW 2580 ('Council')

And

**Teresa Nguyen** of 7/36 Stanbrook Street, Fairfield Heights, NSW 2165 ('Developer')

**BACKGROUND**

1. The Developer is the registered proprietor of the Land.
2. The Developer has made a Development Application] to Council to subdivide Lot 29 Deposited Plan 1112491 to create 8 lots for residential purposes and 1 lot for dedication to Council as a Drainage Reserve.
3. The Developer has offered to provide the Contributions, being the carrying out or works for drainage and stormwater management on the lot to be dedicated to Council as a Drainage Reserve if the development (DA/0169/1920) is undertaken.
4. The Parties have agreed to enter into this Agreement.

**OPERATIVE PROVISIONS**

**1 DEFINITIONS**

The following definitions apply unless the context otherwise requires:

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

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

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

**Authority** means the Commonwealth or New South Wales government, a Minister of the Crown, a government department, a public authority established by or under any Act, a council or county council constituted under the Local Government Act 1993, or a person or body exercising functions under any Act including a commission, panel, court, tribunal and the like.

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

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

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

**30 Dorsett Road Marulan Planning Agreement  
Goulburn Mulwaree Council  
Teresa Nguyen**

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

**Contribution Value** means:

- a) with respect to each Item of Work, the Development Cost of that Item of Work determined in accordance with clause 5.

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

**Contributions Plan** means the [Insert], or such other replacement plan adopted by Council from time to time.

**Compliance Certificate** has the same meaning as in the Act.

**Cost** means a cost, charge, expense, outgoing, payment, fee and other expenditure of any nature.

**Council** means Goulburn Mulwaree Council

**Court** means the Land and Environment Court of New South Wales.

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

**Deed** means this Deed and includes any schedules, annexures and appendices to this Deed.

**Defects Liability Period** means [insert a period agreed upon by Council]

**Designated Land** means that part of the Land identified on the plan attached as Schedule 3.

**Developer Works** means the works specified in items 1 and 2 in Schedule 1.

**Development** means the development to which the Development Application DA/0019/1516 applies.

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

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

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

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

**Dispute** means a dispute or difference between the Parties under or in relation to this Deed.

**Encumbrance** means an interest or power:

- a) reserved in or over an interest in any asset;

**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

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

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

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

**GST** has the same meaning as in the GST Law.

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

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

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

**Land** means the whole of the land contained in Lot 29 in DP 1112491 at 30 Dorsett Road, Marulan.

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

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

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

**Party** means a party to this Deed.

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

**Planning Proposal** means an application made to Council seeking to amend a Local Environmental Plan

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

**Register** means the register maintained by the Registrar-General pursuant to s31 B of the Real Property Act 1900.

**Regulation** means the Environmental Planning and Assessment Regulation 2000.

**Residential Lot** means a single lot created on the registration of a plan of subdivision as part of the Development intended to not be further subdivided and to be used for the purpose of the construction of one (1) or more residential dwellings.

6

**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

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**Subdivision Certificate** means a subdivision certificate as defined in section 6.4(d) of the Act.

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

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

**WSUD Infrastructure** means water sensitive urban design infrastructure associated with the Works on dedicated lands in Schedule 3 being the range of measures that are designed to avoid or minimise the environmental impacts of urbanisation in terms of the demand for water and the potential pollution threat to natural waterways.

## 2 INTERPRETATION

2.1 In this Deed the following definitions apply:

- a. Headings are inserted for convenience only and do not affect the interpretation of this Deed.
- b. A reference in this Deed to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
- c. If the day on which any act, matter or thing is to be done under this Deed is not a business day, the act, matter or thing must be done on the next business day.
- d. A reference in this Deed to dollars or \$ means Australian dollars and all amounts payable under this Deed are payable in Australian dollars.
- e. A reference in this Deed to a \$ value relating to a development contribution is a reference to the value inclusive of GST.
- f. A reference in this Deed to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- g. A reference in this Deed to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.
- h. A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Deed.
- i. An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.
- j. Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
- k. A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.
- l. References to the word 'include' or 'including' are to be construed without limitation.
- m. A reference to this Deed includes the agreement recorded in this Deed.
- n. A reference to a Party to this Deed includes a reference to the servants, agents and contractors of the Party, the Party's successors and assigns.

7

**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

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- o. Any schedules, appendices and attachments form part of this Deed.
- p. Notes appearing in this Deed are operative provisions of this Deed.

2.2 In this Deed the following rules of interpretation apply unless the context requires otherwise:

- a) Any reference to a clause, annexures and schedules refers to a clause in, or annexure or schedule to this document.
- b) joint venture, an unincorporated body or association or any government agency.
- c) A reference to executors, administrators or successors refers to a particular person that includes their executors, administrators, successors, substitutes (including persons taking by novation) and assigns.
- d) Where any period of time is calculated from the given day or day of an act or event, it is to be calculated exclusive of that day
- e) a day is to be interpreted as the period of time commencing at midnight and ending 24 hours later.
- f) a group of persons or things is a reference to any two or more of them jointly and to each of them individually.
- g) if an act under this document to be done by a party on or by a given day is done after 4.30pm on that day, it is taken to be done on the next day.

### **3 Status of this Deed**

#### **3.1 This Deed is a planning agreement:**

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

#### **3.2 Commencement**

- a) This Deed takes effect on the date when each of the Parties has executed separate counterparts of this Deed.
- b) The Party who executes this counterpart last is to insert on the front page the date they did so.
- c) The Parties are to exchange the original executed counterparts of this Deed.
- d) This document may be executed in any number of counterparts and all of those counterparts taken together constitute one and the same instrument.

#### **3.3 Application & Operation of this deed**

- a) This Deed applies to the Land.
- b) This Deed applies to the proposed Development.



**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

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- c) For the avoidance of doubt, the Developer is under no obligation to make a development contribution to the Council in accordance with this Deed unless and until the Development Application has been approved by the Council.

**3.4 Warranties**

The Parties warrant to each other that they:

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

**3.5 Further agreements**

The Parties may, at any time and from time to time, enter into agreements relating to the subject-matter of this Deed that are not inconsistent with this Deed for the purpose of implementing this Deed.

**4 Application of Section 7.11 and Section 7.12**

- 4.1 This Deed excludes the application of section 7.11 of the Act to the Development.
- 4.2 This deed excludes the application of section 7.11(6) of the Act to the Contributions that are to be carried out or provided pursuant to this deed.
- 4.2 This Deed does not exclude the application of section 7.12 of the Act to the Development.
- 4.3 This Deed does not exclude the application of section 7.24 of the Act to the Development.

**5 Development Contributions and Works**

- 5.1 The Developer is to pay to the Council as a Monetary Contribution the sum of \$47,000 for the future operation and maintenance costs of the on-site stormwater detention facility and being:
  - Capitalised Operation and Maintenance Costs:  
(10 Year Treasury bond rate 0.62% at 4 May 2020 and a corresponding present value annual cost factor of 35; assumed life 40 years; annual operation and maintenance cost \$1,000)  
Contribution = \$1,000 x 35 = \$35,000
  - Capitalised Renewal Cost:  
(10 Year Treasury bond rate 0.62% at 4 May 2020 and a corresponding present value of expenditure in the future factor of 0.8; assumed life 40 years; renewal cost \$15,000)  
Contribution = \$15,000 x 0.8 = \$12,000
- 5.2 The Developer is to pay to the Council as a Monetary Contribution the sum of \$17,324 towards the bitumen sealing of the Marulan Meridian Park internal access and car park as a public benefit for the Marulan community.
- 5.3 The Monetary Contributions referred to in clauses 5.1 and 5.2 is to be paid prior to the issue of a subdivision certificate by Council for the development.

**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

- 5.4 The Monetary Contributions referred to in clause 5.1 and 5.2 is made when the Council receives the full amount in cash or by unendorsed bank cheque or by the deposit by means of electronic funds transfer of cleared funds into a bank account nominated by the Council.

## **6 Provision of Contributions**

### **6.1 Designated Land**

- a) The Developer must dedicate the Designated Lands to Council:
  - i. free of any trusts, estates, interests, covenants and Encumbrances;
  - ii. by the times specified in Schedule 2; and
  - iii. at no cost to Council.
- b) The Developer must meet all costs associated with the dedication of the Designated Lands in accordance with paragraph a), including any costs incurred by Council in relation to that dedication.
- c) Council must do all things reasonably necessary to enable the Developer to comply with paragraph (a).

### **6.2 Works**

The Developer, at its cost, must:

- a) if necessary, obtain any consents, approvals or permits required by a relevant Authority, for the conduct of the Works;
- b) carry out and complete each Item of Work by the time specified in Schedule 3; and
- c) carry out and complete the Works:
  - i. in accordance with the requirements of, or consents issued, by any Authority;
  - ii. in accordance with the reasonable requirements of Council and any applicable Development Consent; and
  - iii. in a proper and workmanlike manner complying with current industry practice and standards, including applicable Australian standards.

### **6.3 Variation of Works**

- a) The design or specification of any Work that is required to be carried out by the Developer under this Deed may be varied by agreement in writing between the Parties, acting reasonably, without the necessity for an amendment to this Deed.
- b) Without limiting clause a), the Developer may make a written request to the Council to approve a variation to the design or specification of a Work in order to enable it to comply with the requirements of any Authority imposed in connection with any Approval relating to the carrying out of the Work.
- c) The Council is not to unreasonably delay or withhold its approval to a request made by the Developer under clause b).
- d) The Council, acting reasonably, may from time to time give a written direction to the Developer requiring it to vary the design or specification of a Work before a Work is carried out in a specified manner and submit the variation to the Council for approval.
- e) The Developer is to comply promptly with a direction referred to in clause d) at its own cost.

10

**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

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**6.4 Protection of People and Property**

The Developer is to use all reasonable endeavours in relation to the performance of its obligations under this agreement to ensure that:

- a) all necessary measures are taken to protect people and property;
- b) unnecessary interference with the passage of people and vehicles is avoided; and
- c) nuisances and unreasonable noise and disturbances are prevented.

**6.5 Council's obligations relating to Works**

The Council is not to unreasonably delay, hinder or otherwise interfere with the performance by the Developer of its obligations under this Deed, and is to use its reasonable endeavours to ensure third parties unrelated to the Developer do not unreasonably delay, hinder or otherwise interfere with the performance of those obligations.

**6.6 Repair of Damage**

- a) The Developer is to maintain any Work required to be carried out by the Developer under this Deed until the Work is completed for the purposes of this Deed or such later time as agreed between the Parties.
- b) The Developer is to carry out its obligation under clause a) at its own cost and to the satisfaction of Council.

**7 Completion of Works**

**7.1 Issue of Completion Notice**

- a) No later than fourteen (14) Business Days after the Completion of Works, the Developer is to submit to Council a full Works as Executed Plan as the completion notice for the Works completed;
- b) The Developer, being the copyright owner in the Works as Executed Plan, assigns the copyright in the Works as Executed Plan to Council free of Cost to the Council;
- c) If the Developer is not the copyright owner of the Work as Executed Plan, the Developer is to promptly procure the assignment of the copyright of the Works as Executed Plan at the
- d) Council may require, at its absolute discretion, the provision of an Occupation Certificate, Subdivision Certificate or Compliance Certificate to accompany the Completion Notice in order to accept.

**7.2 Notice of Completion**

Council must provide notice in writing to the Developer with fourteen (14) Business Days that the relevant Item of Work:

- a) has been Completed;
- b) will need to be inspected, tested or assessed prior to issuing a Completion Notice; or
- c) has not been Completed, in which case the notice must also detail:
  - i. those aspects of the Item of Work which have not been Completed; and
  - ii. the work Council requires the Developer to carry out in order to rectify those deficiencies.

**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

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**7.3 Deemed Completion**

If Council does not provide the Developer with notice within the time specified in clause 7.2, the Item of Work subject of a Completion Notice will be deemed to have been completed on the date nominated in the Completion Notice.

**7.4 Effect of Council Notice**

- a) Where Council serves notice on the Developer pursuant to clause 8.2, the Developer must:
  - i. rectify the deficiencies in that item in accordance with that notice within a reasonable time (not being less than fourteen (14) days from the date it is issued by Council); or
  - ii. serve a notice on Council that it disputes the matters set out in the notice.
- b) Where the Developer:
  - i. serves notice on Council in accordance with paragraph 8.4(a)(ii) the dispute resolution provisions of this document apply; or
  - ii. rectifies the Works in accordance with paragraph 8.4(a)(i) it must serve upon Council a new Completion Notice for the Works it has rectified (New Completion Notice).

**7.5 New Completion Notice**

The provisions of clauses 8.1 to 8.5 (inclusive) apply to any New Completion Notice issued by the Developer.

**8 Defects Liability**

**8.1 Defects Notice**

- a) Where any Item of Work is Complete but that item contains a defect which:
  - i. adversely affects the ordinary use and/or enjoyment of that item; or
  - ii. will require maintenance or rectification works to be performed on it at some time in the future as a result of the existence of the defect;

Council may issue a notice to the Developer (Defects Notice) concerning that Item of Work but only during the Defects Liability Period.

- b) A Defects Notice must contain the following information:
  - i. the nature and extent of the Defect;
  - ii. the work Council requires the Developer to carry out in order to rectify the Defect; and
  - iii. the time within which the Defect must be rectified by the Developer (which must be a reasonable time and not less than fourteen (14) days).

**8.2 Developer to Rectify Defects**

- a) The Developer must rectify the Defects contained within a Defects Notice prior to the date specified in that notice.
- b) The Developer must follow the procedure set out in clause 8 in respect of the completion of the rectification of any Defect as if a reference in that clause to an Item of Work is a reference to the relevant Defect.

**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

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**8.3 Access to Designated Land**

If the Developer is required to access, use and occupy any part of the Designated Land for the purpose of discharging its obligations under this clause 8 or 9 after the relevant land has been dedicated or transferred to Council, Council will grant a fee free licence to the Developer:

- a) with respect to so much of the relevant Designated Land; and
- b) for such period;

that is reasonably necessary to allow the Developer to properly discharge those obligations.

**8.4 Inspection**

- a) Council may undertake an audit, inspection or testing of developer work under suspicion of non-compliance of this agreement or any legislation with or without giving reasonable notice in accordance with the relevant legislative requirements.
- c) The Developer is to provide Council with any assistance that is reasonably required by Council to enable Council to undertake any audit, inspection or test of the Works.

**8.5 Right of Council to Step-in**

Council may, at its absolute discretion, enter upon the Land for the purpose of rectifying a Defect set out in the Defects Notice where the Developer has failed to comply with a Defects Notice, but only after giving the Developer seven (7) days written notice of its intention to do so.

**8.6 Consequence of Step-in**

If Council elects to exercise the step-in rights granted to it under clause 8.5 then:

- a) Council may:
  - i. enter upon any part of the Land reasonably required to exercise those step-in rights; and
  - ii. rectify the relevant Defects in accordance with the Defects Notice;
- b) the Developer must not impede or interfere with Council in exercising those rights; and
- c) Council may claim any costs incurred by it in doing so from the Developer as a liquidated debt.

**8.7 Costs of Council**

Where Council exercises its step-in rights under clause 9.6, it may:

- a) call upon the Bank Guarantees provided by the Developer pursuant to clause 11 to meet any costs for which the Developer is liable under clause 8.6; and
- b) recover as a debt due in a court of competent jurisdiction any difference between the amount of the Bank Guarantees and the costs incurred by Council in rectifying the Defects.

**8.8 Security during Maintenance Liability Period**

Upon the commencement of the Maintenance Liability Period the Developer must provide Council with a Bank Guarantee for an amount equal to the annual operation and maintenance cost identified at clause 5.1.

**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

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**8.9 Council May Call on Bank Guarantee**

- a) If the Developer does not comply with the terms of this clause, Council may issue the Developer with a notice requiring the Developer to rectify the relevant default within twenty (20) business days from the date of that notice.
- b) If the Developer fails to comply with a notice issued under paragraph a) above, Council, without limiting any other avenues available to it, may call on the relevant Bank Guarantee to the extent necessary to reimburse Council for any costs incurred by it in rectifying the relevant default of the Developer.

**8.10 Indemnity**

The Developer indemnifies Council against any Claim to the extent that the Claim arises as a direct result of a breach of this clause by the Developer, but only to the extent that any such Claim does not arise as a result of the negligent acts or omissions of Council.

**8.11 Return of the Bank Guarantee**

- a) Council must return the remaining Bank Guarantee provided under this clause (if any) to the bank at the expiration of the Maintenance Liability Period.
- b) Council will notify the Developer when a Bank Guarantee is released.

**9 Contamination**

**9.1 Definitions**

For the purpose of this clause:

**Contamination:** means any material, gas, substance, liquid, chemical or biological mineral or other physical matter which would, if present on the Land:

- a) result in an Authority issuing a notice, direction or order under an
- b) Environmental Law; or
- c) which would constitute a violation of any Environmental Law.

**Contaminated:** means subject to Contamination.

**Environmental Law:** means all planning, environmental or pollution laws and any regulations, orders, directions, ordinances or requirements, permissions, permits, licences issued under those laws or instruments.

**9.2 Warranty and Indemnity**

The Developer warrants that:

- a) as far as it is aware, and other than as disclosed in writing to Council prior to the formation of this document, the Designated Land is not Contaminated; and
- b) in relation to any notices or orders issued pursuant to the Contaminated Land Management Act 1997, and the requirements of the EPA and any other relevant Authority, the Developer indemnifies and must keep indemnified Council against all liability for and associated with all Contamination present in, on or under the Designated Land as at the date of dedication or transfer of the Designated Land to Council in accordance with this document.

**30 Dorsett Road Marulan Planning Agreement  
Goulburn Mulwaree Council  
Teresa Nguyen**

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**10 Determination of this Deed**

**10.1 Determination**

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

**10.2 Effect of Determination**

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

**11 Security**

**11.1 Prohibition**

Neither party may Assign their rights under this document without the prior written consent of the other party.

**11.2 Assignment of Land**

The Developer must not Assign its interest in the Land, other than a single residential lot approved pursuant to a Development Consent and created by the registration of a plan of subdivision, unless:

- a) Council consents to the Assignment; and
- b) the proposed assignee enters into an agreement to the satisfaction of Council under which the assignee agrees to be bound by the terms of this document with respect to the relevant part of the Land being Assigned.

**11.3 Compulsory Acquisition of the Designated Land**

- a) The Developer consents to the compulsory acquisition of the Designated Land:
  - i. in accordance with the Acquisition Act; and
  - ii. on the terms set out in this clause 14.
- b) Council may only acquire the Designated Land compulsorily in accordance with the Acquisition Act if the Developer has committed an Event of Default with respect to the dedication of that land under this document.
- c) If Council acquires the Designated Land compulsorily in accordance with the Acquisition Act:
  - i. the Developer agrees that the compensation payable to it on account of that acquisition under the Acquisition Act is \$1.00; and
  - ii. Council must complete that acquisition within twelve (12) months of the relevant Event of Default.
- d) The parties agree that the provisions of this clause 14 are an agreement with respect to the compulsory acquisition of the Designated Land for the purpose of section 30 of the Acquisition Act.

**30 Dorsett Road Marulan Planning Agreement  
Goulburn Mulwaree Council  
Teresa Nguyen**

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**11.4 Delivery to Council of Bank Guarantee**

- a) Prior to the issue of a Construction Certificate for the Development, the Developer must deliver to Council an unconditional bank guarantee from an Australian bank (Bank Guarantee):
  - i. in a form acceptable to Council;
  - ii. for an amount equal to the sum of the Security Values for the Works; and
  - iii. without an expiry date.

**11.5 Council May Call on Bank Guarantee**

- a) If the Developer does not comply with the terms of this document with respect to the provision of the Works, Council may issue the Developer with a notice requiring the Developer to rectify the relevant default within seven (7) days from the date of that notice.
- b) If the Developer fails to comply with a notice issued under paragraph (a) to the reasonable satisfaction of Council, Council may, without limiting any other avenues available to it, call on the relevant Bank Guarantee to the extent necessary to reimburse Council for any costs incurred by it in rectifying the relevant default of the Developer.

**11.6 Top Up of Bank Guarantee**

Within fourteen (14) days of being requested to do so by Council the Developer must ensure that the amount secured by any Bank Guarantee is returned to the relevant level set out in clause 8.8.

**11.7 Security during Defects Liability Period**

- a) Upon the completion of an Item of Work and the commencement of the Defects Liability Period, Council must return any Bank Guarantees held by it with respect to the relevant Item of Work.
- b) In exchange, the Developer must provide Council with one (1) or more Bank Guarantees in a form acceptable to Council for an amount equal to five per cent (5%) of the sum of the Security Value for that Item of Work.

**11.8 Return of Bank Guarantee**

Council must return the remaining Bank Guarantees (if any) to the bank within 30 days from the expiration of the Defects Liability Period for the last Item of Work that is Completed.

**11.9 Bank Guarantee Not Required for Certain Contributions**

A Bank Guarantee under this clause 11 is not required to be provided with respect to the Contribution Value of the Designated Lands.

**12 Dispute Resolution**

**12.1 Notice of Dispute**

- a) If a dispute between the parties arises in connection with this deed or its subject matter (Dispute), then either party (First Party) must give to the other (Second Party) a notice which:
  - i. is in writing;
  - ii. adequately identifies and provides details of the Dispute;
  - iii. stipulates what the First Party believes will resolve the Dispute; and



**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

- iv. designates its representative (Representative) with the necessary authority to negotiate and resolve the Dispute.
- b) The Second Party must, within five (5) Business Days of service of the notice of dispute, provide a notice to the First Party designating as its representative a person with the necessary authority to negotiate and settle the Dispute (the representatives designated by the parties being together, the Representatives).

**12.2 Conduct Pending Resolution**

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

**12.3 Further Steps Required before Proceedings**

Subject to clause 15.12 and except as otherwise expressly provided in this document, any Dispute must, as a condition precedent to the commencement of litigation, mediation under clause 15.5 or determination by an expert under clause 12.6, first be referred to the Representatives. The Representatives must endeavour to resolve the dispute within five (5) Business Days of the date a notice under clause 12.1 is served.

**12.4 Disputes for Mediation or Expert Determination**

If the Representatives have not been able to resolve the Dispute, then the parties must agree within five (5) Business Days to either refer the matter to mediation under clause 12.5 or expert resolution under clause 12.6.

**12.5 Disputes for Mediation**

- a) If the parties agree in accordance with clause 12.4 to refer the Dispute to mediation, the mediation must be conducted by a mediator agreed by the parties and, if the parties cannot agree within five (5) Business Days, then by a mediator appointed by the President of the Law Society of New South Wales for the time being.
- b) If the mediation referred to in paragraph (a) has not resulted in settlement of the Dispute and has been terminated, the parties may agree to have the matter determined by expert determination under clause 12.6.

**12.6 Choice of Expert**

- a) If the Dispute is to be determined by expert determination, this clause 12.6 applies.
- b) The Dispute must be determined by an independent expert in the relevant field:
  - i. a agreed between and appointed jointly by the parties; or
  - ii. b in the absence of agreement within five (5) Business Days after the date that the matter is required to be determined by expert determination, appointed by the President of the Law Society of New South Wales for the time being.
- c) If the parties fail to agree as to the relevant field within five (5) Business Days after the date that the matter is required to be determined by expert determination, either party may refer the matter to the President of the Law Society of New South Wales for the time being whose decision as to the relevant field is final and binding on the parties.
- d) The expert appointed to determine a Dispute:
  - i. must have a technical understanding of the issues in dispute;

**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

- ii. must not have a significantly greater understanding of one party's business, functions or operations which might allow the other side to construe this greater understanding as a bias; and
  - iii. must inform the parties before being appointed of the extent of the expert's understanding of each party's business or operations and, if that information indicates a possible bias, then that expert must not be appointed except with the written approval of the parties.
- e) The parties must promptly enter into an agreement with the expert appointed under this clause setting out the terms of the expert's determination and the fees payable to the expert.

**12.7 Directions to Expert**

- a) In reaching a determination in respect of a dispute under clause 12.6, the independent expert must give effect to the intent of the parties entering into this document and the purposes of this document.
- b) The expert must:
  - i. act as an expert and not as an arbitrator;
  - ii. not accept verbal submissions unless both parties are present;
  - iii. on receipt of a written submission from one party, ensure that a copy of that submission is given promptly to the other party;
  - iv. take into consideration all documents, information and other material which the parties give the expert which the expert in its absolute discretion considers relevant to the determination of the Dispute;
  - v. not be expected or required to obtain or refer to any other documents, information or material (but may do so if the expert so wishes);
  - vi. issue a draft certificate stating the expert's intended determination (together with written reasons), giving each party ten (10) Business Days to make further submissions;
  - vii. issue a final certificate stating the expert's determination (together with written reasons); and
  - viii. act with expedition with a view to issuing the final certificate as soon as practicable.
- c) The parties must comply with all directions given by the expert in relation to the resolution of the Dispute and must within the time period specified by the expert, give the expert:
  - i. a short statement of facts;
  - ii. a description of the Dispute; and
  - iii. any other documents, records or information which the expert requests.

**12.8 Expert May Convene Meetings**

- a) The expert must hold a meeting with all of the parties present to discuss the Dispute. The meeting must be conducted in a manner which the expert considers appropriate. The meeting may be adjourned to, and resumed at, a later time in the expert's discretion.

**30 Dorsett Road Marulan Planning Agreement  
Goulburn Mulwaree Council  
Teresa Nguyen**

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- b) The parties agree that a meeting under paragraph (i) is not a hearing and is not arbitration.

**12.9 Other Courses of Action**

If:

- a) the parties cannot agree in accordance with clause 15.3 to refer the matter to mediation or determination by an expert; or
- b) the mediation referred to in clause 12.5 has not resulted in settlement of the dispute, the mediation has been terminated and the parties have not agreed to refer the matter to expert determination within five (5) Business Days after termination of the mediation; then either party may take whatever course of action it deems appropriate for the purpose of resolving the Dispute.

**12.10 Final Determination of Expert**

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

**12.11 Costs**

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

**12.12 Remedies Available under the Act**

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

**12.13 Urgent Relief**

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

**13 Position of Council**

**13.1 Consent Authority**

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

**13.2 Document does not Fetter Discretion**

This document is not intended to operate to fetter:

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

**13.3 Severance of Provisions**

- a) No provision of this document is intended to, or does, constitute any unlawful fetter on any Discretion. If, contrary to the operation of this clause, any provision of this document is held by a court of competent jurisdiction to constitute an unlawful fetter on any Discretion, the parties agree:
- i. they will take all practical steps, including the execution of any further documents, to ensure the objective of this clause 16 is substantially satisfied;

**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

- ii. in the event that paragraph (a) cannot be achieved without giving rise to an unlawful fetter on a Discretion, the relevant provision is to be severed and the remainder of this document has full force and effect; and
  - iii. to endeavour to satisfy the common objectives of the parties on relation to the provision of this document which is held to be an unlawful fetter to the extent that it is possible having regard to the relevant court judgment.
- b) Where the Law permits Council to contract out of a provision of that Law or gives Council power to exercise a Discretion, then if Council has in this document contracted out of a provision or exercised a Discretion under this document, then to the extent of this document is not to be taken to be inconsistent with the Law.

**13.4 No Obligations**

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

**14 Confidentiality**

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

**15 Enforcement in a court of competent jurisdiction**

- a) Without limiting any other provision of this Deed, the Parties may enforce this Deed in any court of competent jurisdiction.
- b) For the avoidance of doubt, nothing in this Deed prevents:
  - i. a Party from bringing proceedings in the Land and Environment Court to enforce any aspect of this Deed or any matter to which this Deed relates, or
  - ii. the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Deed or any matter to which this Deed relates.

**16 Registration of this Deed**

**16.1 Registration**

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

**16.2 Obligations of the Developer and Council**

On the commencement of this Deed, the Developer is to deliver to the Council in registrable form:

- a) an instrument requesting registration of this Deed on the title to the Land duly executed by the Developer, and
- b) the written irrevocable consent of each person referred to in section 7.6 of the Act to that registration.
- c) The Council and Developer are to do such things as are reasonably necessary to enable registration of this Deed to occur.

**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

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**16.3 Removal from Title of the Land**

- a) The Parties are to co-operate with each other and do all things reasonably necessary to expeditiously remove from the title to the Land any notation relating to this Deed where the Developer has:
  - i. Completed the Works; and
  - ii. Dedicated the Designated Land.
- b) The Developer must pay any reasonable costs incurred by Council in undertaking that discharge.

**17 Risk**

The Developer performs this Deed at its own risk and its own cost.

**18 Release**

The Developer releases the Council from any Claim it may have against the Council arising in connection with the performance of the Developer's obligations under this Deed except if, and to the extent that, the Claim arises because of the Council's negligence or default.

**19 GST**

19.1 In this clause:

**GST Amount** means in relation to a Taxable Supply the amount of GST payable in respect of the Taxable Supply.

**GST Law** has the meaning given by the A New Tax System (Goods and Services Tax) Act 1999 (Cth).

**Input Tax Credit** has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a party includes an Input Tax Credit for an acquisition made by that party but to which another member of the same GST Group is entitled under the GST Law.

**Taxable Supply** has the meaning given by the GST Law excluding (except where expressly agreed otherwise) a supply in respect of which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.

19.2 Subject to clause 19.4, if GST is payable on a Taxable Supply made under, by reference to or in connection with this Deed, the Party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.

19.3 Clause 19.2 does not apply to the extent that the Consideration for the Taxable Supply is expressly stated in this Deed to be GST inclusive.

19.4 No additional amount shall be payable by the Council under clause 19.2 unless, and only to the extent that, the Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.

19.5 If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this Deed by one Party to the other Party that are not subject to Division 82 of the A New Tax System (Goods and Services Tax) Act 1999, the Parties agree:

- a) to negotiate in good faith to agree the GST inclusive market value of those Supplies prior to issuing Tax Invoices in respect of those Supplies:

**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

- b) that any amounts payable by the Parties in accordance with clause 19.2(as limited by clause 19.4) to each other in respect of those Supplies will be set off against each other to the extent that they are equivalent in amount.
- 19.6 No payment of any amount pursuant to this clause, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided a Tax Invoice or Adjustment Note as the case may be to the recipient.
- 19.7 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a party, must exclude the amount of any Input Tax Credit entitlement of that party in relation to the relevant cost, expense or other liability.
- 19.8 This clause continues to apply after expiration or termination of this Deed.

## **20 Access to Land**

### **20.1 Application of Clause**

This clause applies if the Developer accesses, uses and/or occupies any land owned by Council in performing its obligations or exercising its rights under this document (Necessary Access).

### **20.2 Terms of Deed**

The terms of Schedule 2 apply to any Necessary Access.

## **21 Other Provisions**

### **21.1 Notices**

- a) Any notice, consent, information, application or request that is to or may be given or made to a Party under this Deed is only given or made if it is in writing and sent in one of the following ways:
- i. delivered or posted to that Party at its postal address set out in the Summary Sheet,
  - ii. faxed to that Party at its fax number set out in the Summary Sheet, or
  - iii. emailed to that Party at its email address set out in the Summary Sheet.
- b) If a Party gives the other Party 3 business days' notice of a change of its address, fax number or email, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted, faxed or emailed to the latest address or fax number,
- c) Any notice, consent, information, application or request is to be treated as given or made if it is:
- i. delivered, when it is given to the Party or representative at the relevant address,
  - ii. sent by post and a delivery confirmation has been received,
  - iii. sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number, or
  - iv. sent by email and the sender does not receive a delivery failure message from the sender's internet service provider within a period of 48 hours of the email being sent.

**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

- d) If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

**22 Costs**

The Developer and Council will pay their own costs for preparing, negotiating and executing this Deed.

**23 Entire Deed**

- a) This Deed contains everything to which the Parties have agreed in relation to the matters it deals with.
- b) No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Deed was executed, except as permitted by law.

**24 Waiver**

- a) The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Deed, does not amount to a waiver of any obligation of, or breach of obligation by, another Party.
- b) A waiver by a Party is only effective if it is in writing.
- c) A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

**25 Illegality**

If this Deed or any part of it becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties are to co-operate and do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Deed is entered into.

**26 Severability**

- a) If a clause or part of a clause of this Deed can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.
- b) If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Deed, but the rest of this Deed is not affected.

**27 Power of Attorney**

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

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

**28 Governing Law and Jurisdiction**

- a) This Deed is governed by the law of New South Wales.

**30 Dorsett Road Marulan Planning Agreement**  
**Goulburn Mulwaree Council**  
**Teresa Nguyen**

- b) The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them.
- c) The Parties are not to object to the exercise of jurisdiction by those courts on any basis.

**29 Review Requirements**

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

**30 Further Acts**

Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to effect, perfect or complete this Deed and all transactions incidental to it.

**31 Further Agreements**

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

**32 Amendment**

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

**33 Force Majeure**

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



**30 Dorsett Road Marulan Planning Agreement  
Goulburn Mulwaree Council  
Teresa Nguyen**

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

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

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

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

**8 Explanatory Note**

- 36.1 The Appendix contains the Explanatory Note relating to this Deed required by clause 25E of the Regulation.
- 36.2 Pursuant to clause 25E(7) of the Regulation, the Parties agree that the Explanatory Note is not to be used to assist in construing this Planning Deed.

**30 Dorsett Road Marulan Planning Agreement  
Goulburn Mulwaree Council  
Teresa Nguyen**

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**Execution**

**Executed as a Deed**

**Dated :**

**Executed on behalf of the Council**

General Manager

Witness

Mayor

Witness

**Executed on behalf of the Developer** in accordance with s127(1) of the Corporations Act (Cth) 2001

Name/Position

Name/Position

**30 Dorsett Road Marulan Planning Agreement  
Goulburn Mulwaree Council  
Teresa Nguyen**

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

REQUIREMENT UNDER THE ACT	THIS PLANNING AGREEMENT
<p><b>Planning instrument and/or Development Application</b> – (Section 7.4(1))</p> <p>The Developer has:</p> <ul style="list-style-type: none"> <li>a) sought a change to an environmental planning instrument.</li> <li>b) made, or proposes to make, a Development Application.</li> <li>c) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies.</li> </ul>	<ul style="list-style-type: none"> <li>a) No</li> <li>b) Yes</li> <li>c) No</li> </ul>
<p><b>Description of land to which this agreement applies</b> (Section 7.4(3)(a))</p>	Refer to clause 1 of the Planning Agreement.
<p><b>Application of section 7.11 of the Act</b> – (Section 7.4(3)(d))</p>	Refer to clause 4 of the Planning Agreement.
<p><b>Applicability of section 7.12 of the Act</b> – (Section 7.4(3)(d))</p>	Refer to clause 4 of the Planning Agreement.
<p><b>Consideration of benefits under this agreement if section 7.11 applies</b> – (Section 7.4(3)(e))</p>	Refer to clause 4 of the Planning Agreement.
<p><b>Mechanism for Dispute resolution</b> – (Section 7.4(3)(f))</p>	Refer to clause 12 of the Planning Agreement.
<p><b>Enforcement of this agreement</b> (Section 7.4(3)(g))</p>	Refer to clause 15 of the Planning Agreement.
<p><b>No obligation to grant consent or exercise functions</b> (Section 7.4(3)(9))</p>	Refer to clause 13 of the Planning Agreement.

**30 Dorsett Road Marulan Planning Agreement  
Goulburn Mulwaree Council  
Teresa Nguyen**

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**SCHEDULE 1: TERMS OF DEED**

**1. DEFINITIONS**

For the purposes of this Schedule:

- a) the Land is the land being accessed under the Licence;
- b) the Licence means the licence of the Land to which this Schedule applies;
- c) the Licensee is the party accessing the Land; and
- d) the Licensor is the owner of the Land.

**2. LICENCE**

**2.1 Personal Rights**

- a) The Licence is personal to the Licensee.
- b) The Licensee may not encumber, assign or transfer (either directly or indirectly) the Licence without the prior written consent of the Licensor.
- c) The Licensor may refuse the granting of consent under paragraph (ii) without reason and at its absolute discretion.

**2.2 Leasehold Interest**

- a) This deed does not grant to the Licensee a leasehold interest in the Land. The parties agree that:
  - i. the Licence does not confer exclusive possession of the Land on the Licensee;
  - ii. the Licensee may not exclude the Licensor, its officers, employees and invitees from:
    - I. entry onto the Land; and/or
    - II. the performance of any works on the Land;provided that such entry onto and/or performance of work on the Land does not unreasonably interfere with the activities being carried out on the Land by the Licensee;
- b) the Licensee does not have any right to quiet enjoyment of the Land; and
- c) the Licensee will not at any time seek to enforce an interest in the Land in competition with the interest held by the Licensor.

**3. COMPLIANCE WITH AUTHORITIES**

**3.1 No Warranty as to Suitability for Use**

The Licensee acknowledges and agrees that the Licensor has not made any representation or warranty to the Licensee regarding the suitability of the Land for the purposes of the Licensee.

**3.2 Compliance with the Terms of the Consents**

The Licensee must comply with the requirements of all Authorities in relation to its access to the Land and the conduct of any activities on it by the Licensee.

**3.3 Compliance with Directions from Authorities**

The Licensee must comply with all notices, directions, orders or other requests served upon itself or the Licensor and which arise from the conduct of any activities on the Land by the Licensee.

**30 Dorsett Road Marulan Planning Agreement  
Goulburn Mulwaree Council  
Teresa Nguyen**

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**3.4 Obtaining Further Consents**

- a) If the Licensee requires further consents to conduct activities on the Land it must:
- i. make such applications itself; and
  - ii. bear all costs incurred by it in relation to obtaining the relevant consent.
- b) The Licensor agrees that it will, where required, sign all authorities reasonably required by the Licensee to make any application to any Authority.

**4. LIMITATION OF THE LICENSOR'S LIABILITY**

**4.1 Insurances**

- a) The Licensee must effect and keep current and in force the following policies of insurance:
- i. a Broadform Public Liability Insurance policy with a reputable insurance company approved by the Licensor in an amount of \$20,000,000 for any one occurrence in respect of any liability for:
    - personal injury or death of any person; and
    - loss or damage to property;
  - ii. Workers compensation insurance under the Workers Compensation Act 1987 covering all persons employed or deemed to be employed by the Licensee in connection with the conduct of the activities on the Land by the Licensee;
  - iii. A comprehensive policy of motor vehicle insurance or an unlimited third party property insurance policy in respect of all motor vehicles used in the performance of the activities on the Land by the Licensee; and
  - iv. A contractor's risk policy of insurance in respect of all plant and equipment (including unregistered motor vehicles) used in the conduct of the activities on the Land by the Licensee.
- b) The policies referred to in paragraphs (a)(i), (a)(iii) and (a)(iv) must note the interest of the Licensor as principal.

**4.2 Inspection of Insurance**

- a) The Licensee must produce at the renewal of each policy a certificate of currency issued by the insurer establishing that the policy is valid.
- b) The licensor may carry out random audits to verify insurances held by the Licensee. The Licensee will assist in any audit and provide evidence of the terms and currency of the insurance policies wherever requested by the Licensor.

**4.3 Cancellation of Insurance**

If any policy is cancelled either by the Licensee or the insurer the Licensor must notify the Licensor immediately.

**4.4 Risk**

The Licensee uses and occupies the Land at its own risk.

**4.5 Indemnity**

The Licensee indemnifies the Licensor against any Claim (of whatever nature) made in respect of the Licensee's use and/or occupation of the Land.

**30 Dorsett Road Marulan Planning Agreement  
Goulburn Mulwaree Council  
Teresa Nguyen**

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**SCHEDULE 3: DESIGNATED LAND & SCHEDULE OF WORKS**

**Designated Land**

Proposed Lot 9 (341.9 m<sup>2</sup>) as shown in a plan of subdivision of Lot 29 DP 1112491 prepared by Laterals Planning dated 27/3/2020 to be dedicated as a Drainage Reserve.

**Schedule of Works**

Works for drainage and stormwater management on the designated land. To be specified in accordance with the development consent.

2019

# LOT 29 DORSETT ROAD MARULAN DA/0169/1920.



PREVIOUS TO BEING CLEARED IN 2017

**[APPENDIX 'A SUBMISSION TO DEVELOPMENT APPLICATION]**

Submission to Development.

9 December 2019

Goulburn Mulwaree Council  
 Locked Bag 22  
 Goulburn NSW2580.

To whom it may concern,

SUBJECT: DEVELOPMENT APPLICATION. DA/0169/1920  
 LOCATION:30 DORSETT ROAD MARULAN NSW 2579  
 PROPOSAL: 8 LOT RESIDENTIAL SUBDIVISION.

In response to the letter of application dated the 2<sup>nd</sup> December 2019 and received formally by mail on the 6<sup>th</sup> December 2019.

The adjoining property owners on Dorsett Road herby wish to formally object to the above development application DA/0169/1920 Proposal:

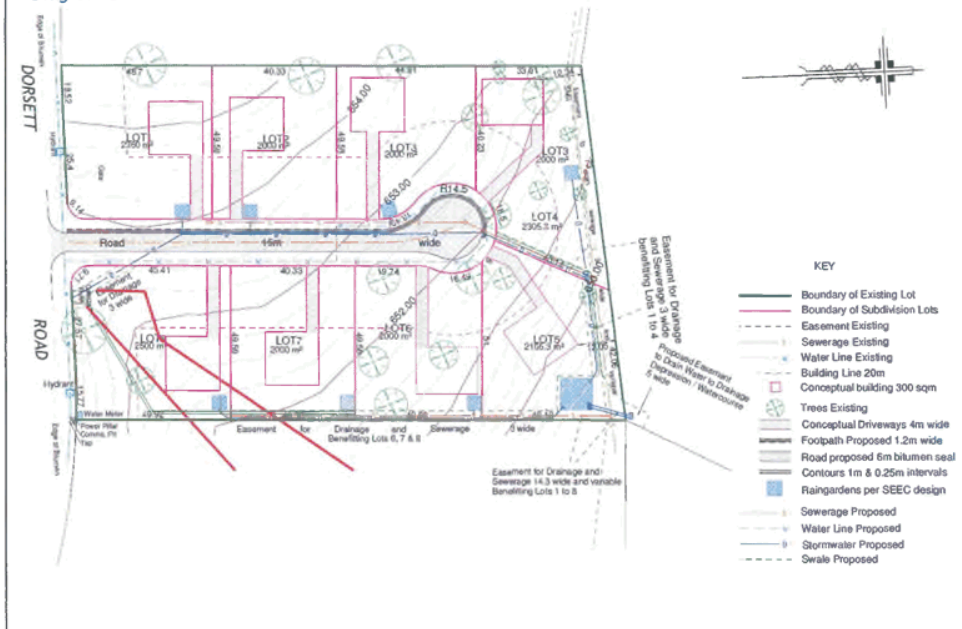
“8 Lot Residential Subdivision” on the basis of the following submissions.

1. ENVIROMENTAL:

**Natural Water Flow to Catchment:**

- The water causeway from the upper S/W Rural blocks flows naturally under Dorsett road and through the proposed development block Lot 8 shown below. From the proposed development plan the direct flow of natural water is incorrectly marked and surveyed.
- The area marked below in **RED** depicts the true flow of the water from the S/W blocks. Refer to the below *Diagram 1* for reference.

Diagram 1.



Date: 09.12.2019

1 | Page



### Submission to Development.

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- Refer to the photos below of MILD WATER flow after a SMALL downpour of rain during construction of dwelling on Lot 28.

VIEW: S/W FROM LOT28



VIEW: S/W FROM LOT28



Date: 09.12.2019

2 | Page

Submission to Development.

VIEW: N/W FROM LOT28



VIEW: N/W FROM LOT28



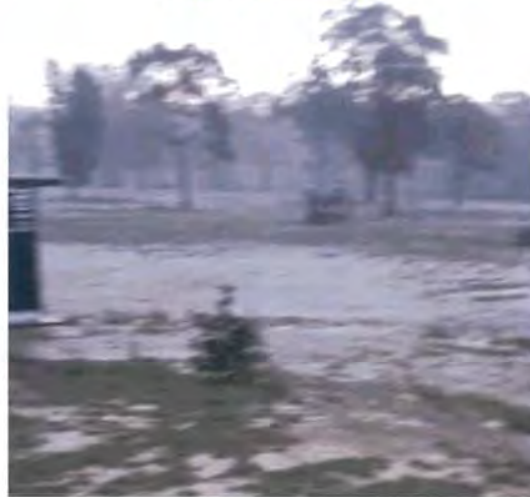
Date: 09.12.2019

3 | Page

Submission to Development.

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Example of a **HEAVY** downpour of rain on lot 28 flowing from lot 30 proposed development.  
VIEW: S/W FROM LOT28



VIEW: S/W FROM LOT28



Date: 09.12.2019

4 | Page

Submission to Development.

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VIEW: N/W FROM LOT28



Note below photo is residual water run off hours after rain had ceased.



Date: 09.12.2019

5 | Page

Submission to Development.

1. ENVIROMENTAL:

*Natural Water Flow to Catchment Continued.*

- In reference to the Statement of environmental effects prepared by Lateral Planning section 2 sub section 2.1 site descriptions (extract below) *Diagram 2*. This document clearly states there are NO defined waterways or drainage depressions on the land and no area of slip or subsidence were identified. As evidence the photos both above and below show there is a natural water flow and impression.

*Diagram 2*



2 SITE ANALYSIS

2.1 SITE DESCRIPTION

The site Lot 29 DP 1112491 30 Dorsett Road, Marulan is shown on the aerial photograph on page 10 below and a copy of the deposited plan is shown on page 8.

The land has a southerly aspect and none of the land has a slope exceeding 18 degrees. All areas of the lots are able to be developed or used for permissible purposes under *Goulburn Mulwaree Local Environmental Plan 2009*. There are no defined waterways or drainage depressions on the land and no areas of slip or subsidence were identified.



*Photo above shows re'direction of natural water flow into Lot 30's proposed Lot 8 from S/W blocks.*

Submission to Development.

GENERAL COMMENTS:

*Outside of what has been flagged in the above regarding water flow, the development application has not taken into consideration the following.*

- Ensure there is sufficient buffer between the northern aspect of lots 4 and 5 from the water course that flows from a westerly to easterly direction, This water course is impacted heavily by the surrounding catchment's and will regularly break above the drainage lines on a normal year.
- Where the rain gardens are currently situated on the application will be regularly inundated for up to a week at a time or quite frequently in a normal year.
- The corners of the proposed dwellings on Lot 5 and Lot 8 will also be impacted heavily.
- Lot 6 has a natural water spring that has only dried up due to the drought. Establishing any infrastructure on this lot will affect the buildings stability. During a normal year this spring increases the bogginess, however during a wet year the spring flows readily. In the event of placing a capping of clay this will only move the issue downhill – which will impact Lot 5.

ENVIRONMENTAL:

*Clearing Of Lot 30 In The Proposed Development' Pre And Post Of The Application Approval.*

- In the proposed application documents there is no documentation or reference to previous clearing of the trees and vegetation. This clearing was conducted between early to mid-2017.
- This application implies Lot 30 was always at this current cleared state. Further to this the applicant is requesting to seek council approval to clear further vegetation and trees.

**SUB NOTE:** In the pre council application was there approval given to clear Lot 30 prior to the application being submitted?

*Refer to the below photos dated early 2017 prior to Lot 30 being cleared.*



Submission to Development.

*Refer to additional photos below dated early 2017 prior to Lot 30 being cleared.*



*See below photos dated mid 2017 post of clearing taking place.*



*The below photo(Left) has been used in the development application NOTE status is cleared. The (Right) photo is pre clearing.*



Date: 09.12.2019

8 | Page

Submission to Development.

ENVIROMENTAL:

**Fauna (Native Wildlife)**

- Whilst a site analysis has been conducted by capital ecology dated the 19/09/2019, the report fails to identify an active wombat burrow between proposed blocks 5 and 6. It should be noted that permits are required from the NPWS prior to relocating the animal, destroying its home or causing any harm to it.

*Below clearly shows it is an active burrow with fresh digging activity and droppings.*



Date: 09.12.2019

9 | Page



## Submission to Development.

2. ZONING OF THE PROPOSED APPLICATION.

**Zoning of any proposed application must coincide and meet the zoning standards. (THE PROPOSED APPLICATION DOES NOT MEET THE CRITERIA OF THE INTENDED ZONING OF THE AREA)**

Local environmental plan (LEP) States R5 Zoning Has The Objective To:

- To provide residential housing in a rural setting while preserving environmentally sensitive locations and scenic quality. Scenic quality and privacy will be impacted greatly on both the adjoining and adjacent dwellings. It will also be an impact visually to other rural Lots located in the current estate. This estate was developed to provide and support a rural lifestyle. All dwellings on Merino, Suffolk and Dorsett roads are established and are suited to a respectful rural outlook.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. How is this acceptable to place small residential building blocks in amongst already respected established rural blocks and maintain a rural scenic quality?
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. N/A
- To minimise conflict between land uses within this zone and land uses within adjoining zones. Both adjoining properties will be greatly impacted by this development for scenic quality and privacy reasons.
- To facilitate and promote an increased range of residential opportunities by providing for low intensity residential development compatible with the rural characteristics of the locality. The rural characteristics will be diminished by this development. The ratio between the vast numbers of proposed dwellings when in comparison to what rural outlook is already respected and established.
- To encourage subdivision of land that is consistent with the constraints and opportunities of the land. How is developing an 8 Lot subdivision amongst developed rural acreage consistent?

2.1 ZONING GENERAL NOTES:

The very nature of the development is to place what will look and feel like an intensive housing development within a small block to achieve maximum profit for the developer. It will impinge on the visual amenity of the adjoining rural properties as well as increasing the noise levels. By its very nature, the development will increase the population to a minimum of 8 people, but most likely families. Given the statistics of households having at least two cars, it is not unreasonable to expect a minimum increase of 16 additional cars on this small rural cul-de-sac. This is quite a substantial number considering the location, the current level of traffic is minimal and there is only one entry and one exit. The increase in traffic and subsequent noise will affect the amenity of the residents currently within the street to an unreasonable extent given the current levels.

The very nature of the development proposed will not preserve the scenic quality of the area which is currently characterised by large residential blocks with vegetation and rural settings. The entire property will be denuded of vegetation and will be instead replaced by bricks, concrete, roofs, lawns and fencing and whatever the residents want in their back yard. This is not the current amenity, nor the amenity intended to be established under the zoning.

The housing development will also increase the cumulative noise levels of the cul-de-sac – decreasing the liveability of the contained area and affecting the residents. The new residents will feel these impacts as well. Not to mention 85% of the surrounding households working in the nearby quarrying industry and shift workers this addition noise will impede, impact sleep quality and life style.

Should each house have a fire place, there will be an increase in localised air pollution from the particles being emitted. Given over the winter months Marulan air shed is affected by inversions for greater than 40% of the time, there is a real potential a significantly impact on the residents living near this development will have

### Submission to Development.

effects of air quality as well as water quality in their tanks from the particulates emitted. Ordinarily, this contribution alone wouldn't be significant, but with the 3 mega quarries, increased truck movements, and increased development as well as the ongoing drought – air and water quality are causing issues throughout local communities that depend on tanks as their primary source for water.

This particular proposal is not in line with the rural characteristics of the cul-de-sac and as a result goes against the intent of the LEP zoning. Diversification facilitating greater intensity with housing should not be at the cost of the rural amenity or liveability for existing or new residents. A reduction in the number of houses, with fewer air conditioners, cars and fire places with the opportunity for retaining and increasing vegetation to keep with the look and feel of the rural amenity as per the zoning and current cul-de-sac development.

From the below aerial map you can evidently identify that this estate is clearly developed with existing rural style constructed dwellings. Referring back to R5 zoning regulations you can see the proposed 8 Lot residential development will evidently, from a scenic perspective not fit the current characteristics of a rural setting. R5 zoning should comply with maintaining the historical culture of those around it. As you can see that a 8 Lot residential area is vastly different to the neighbouring properties.



Date: 09.12.2019

11 | Page

## Submission to Development.

### 2.2 FURTHER TO THE ZONING THE IMPACT OF FIRE WILL BE IDENTIFIED IN THIS ZONE:

*The lot is designated by the RFS NSW government as being within a bushfire prone area. Compliance with the PBP is required within this zone. The below are a list of strategies that should be put in place to protect the development from bushfires:*

- Control the types of development permissible in bush fire prone areas.
- Minimise the impact of radiant heat and direct flame contact by separating the development from the bush fire hazard; **This cannot be achieved. The distance between the houses on Lot 3, 4 and 5 are too close to the vegetation on the adjacent block**
- Reduce the rate of heat output (intensity) of a bush fire close to a development through control of fuel levels; **The land is not controlled by the developer, hence, the reduction in hazard cannot be achieved.**
- Minimise the vulnerability of buildings to ignition from radiation and ember attack; **Achieved through building materials.**
- Enable relatively safe access for the public and facilitate fire-fighting operations; **With the crowding of the lots, this will be limited.**
- Provide adequate water supplies for bush fire suppression operations; **Minimum??? won't be achieved with only 10 000 L tanks**
- Implement community education programs, focusing on property preparedness, including emergency planning and property maintenance requirements, and **N/A to the developer – but does increase pressure on RFS**
- Facilitate the maintenance of APZs, fire trails, and access for firefighting and on-site equipment for fire suppression. **The APZ for Lot 3, 4 and 5 is a drainage line that should remain vegetated to reduce erosion, sedimentation and ensure stability of the banks. This does not allow for the appropriate APZ to be established for the houses along this aspect of the development. Being a drainage area it is also not a reasonable or feasible workable or defensible space for firefighters.**

## Submission to Development.

### QUESTIONS IN REGARDS TO THE PROPOSED DEVELOPMENT.

*To assist in understanding the proposed development application can the following be answered.*

1. Will the proposed development allow double story dwellings to be constructed?
2. To coincide with the recent subdivision off Corriedale road the rear water and nature strip was preserved and fenced out as per the regulations on the D/A. At a minimum a 3 meter easement along the eastern, western and south sides of this development should apply and be fenced out to maintain water quality flowing into the catchment. There also should be vegetation planted in the area of the proposed swale to assist and limit the effects of erosion in the high water flow areas.
3. Will the proposed swale be supported with vegetation to protect against erosion in the high flowing water paths and support the scenic and privacy aspects of the rural outlook?
4. There will be an immediate effect on the current scenic and privacy aspect if this is undertaken therefore ½ to ¾ established trees should be planted along all south, east and west boundaries' so neighbouring property and dwellings maintain their current privacy and scenic aspects.
5. The proposal is allowing 20+meter set back from the col-de-sac tarmac to the front of the proposed dwelling however the rear of these dwellings are only meters off the neighbours boundary fence.
6. Current asset value will be affected by such development. People move to these rural blocks for privacy and lifestyle.
7. With the proposed development being so compact with 8 Lots how will future developments on neighbouring dwellings be affected i.e. Pools, Garages etc. with privacy and council approval?
8. Are street lights being installed?
9. Has there been consideration put in place for noise assessment's in both Construction and development as some current property owners on east west and south sides are shift workers?
10. Dust controls during construction how is this going to be controlled. Water should be last option due to the current water crisis.
11. If the development fencing meets the neighbouring properties how will this be controlled for those who want to re fence their properties? What is the proposed fencing material for the development application?
12. Why curb and gutter for the development? As no other surfaces in Merino, Suffolk and Dorsett roads in the surrounding area are curb and guttered, this will look out of place.

**Part B – To be Published**

**Important Information:**

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

**Your Details**

Name: ALAN & VICKI MITCHELL  
Organisation: \_\_\_\_\_

**Development application details**

DA Number: DA/0169/1920  
DA Address: 30 DORSETT ROAD MARULAN

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

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

Yes  No

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

SEE ATTACHED SUBMISSION

Council collects personal information only for a lawful purpose that is directly related to Council's functions and activities. For further information please contact Council's Privacy Officer or refer to Council's Privacy Management Policy at [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)

Submission to Development Application – attachment pages –

Goulburn Mulwaree Council

Development Application, DA/0169/1920

Location: 30 Dorsett Road Marulan NSW Submission to Development Application  
Goulburn Mulwaree Council

Development Application, DA/0169/1920

Location: 30 Dorsett Road Marulan NSW 2579

Proposal: 8 Lot Residential Subdivision

This submission is tabled to Council in response to the proposed residential development located at 30 Dorsett Road Marulan NSW 2579.

The submission considers the following areas which we believe warrant further review prior to approving:

1. Rezoning of Rural Small Holdings to Residential
2. Watercourse flooding at northern boundary
3. Overflow flooding from southern properties in Dorsett Road (as amended on the maps)
4. Removal of trees from property 30 Dorsett Road and non replacement.
5. Stormwater
6. Utilities.
7. Fencing

1 Rezoning of Rural Small Holdings to Residential

The properties located in the Betley Park Estate Stage 2 (including Dorsett and Suffolk Roads) were originally approved and zoned as 1(c) Rural Small Holdings. Being the first to purchase our property at 6 (Lot 27) Dorsett Road in this stage, we specifically purchased this property as lifestyle away from low to medium density residential precincts from which we moved away from in Sydney. . After much discussion, we understand our neighbours also had the same intention. At the time of our purchase, the available lots within this precinct were approximately 5 acres in size and were the last “large” fully serviced blocks available in the this area. Since the time of purchase, we have not been invited to engage in any form of community consultation regarding the change in the existing density of houses within the Estate.

I have requested separately for information as to when the zoning change occurred and am yet to receive a response from Council. I do not agree with the number of additional dwellings proposed in the development associated with DA/0169/1920 as I believe it does not complement the character or amenity of the intention of the original Estate. Further, I do not agree the development complements the exiting lifestyle structure of the other blocks of land in Dorsett Road, Suffolk Road or Merino Road. A smaller development proposal (e.g. 2 or 3 larger blocks) would be sympathetic to the neighbouring properties and would not look out of place. We understand through consultation with our local real estate agent that the surrounding properties to 30 Dorsett Road are also large semi rural “lifestyle” blocks.

Therefore to have this 8 block residential development approved would not I believe be in keeping with the semi-rural lifestyle around the area. There are a significant number of residential blocks still under development within Marulan Township which I believe cater for the intended density of residential lots proposed in this development application.

Given we are yet to be involved with any community consultation activities by either Council or the developer, we seek the following documentation at Council's earliest convenience prior to final approval of this development:

- The date of any Council meeting at which discussions concerning this area's rezoning from Rural Small Holding to Residential took place;
- The minutes taken at such a meeting/s suitably noting the attendees and the discussion concerning the rezoning and the results of the decision;
- Evidence of any communication both formal/informal as undertaken by Council or any other body, undertaken on behalf of Council, informing the residents of Merino, Dorsett and Suffolk Roads of such decision to rezone the area from Rural Small Holding to Residential.
- It is also unclear whether an approval by Council was granted as part of a change to the LEP at which time there should have been community consultation.

At this stage I made request on 13/12/2019 to Council for this information concerning when this rezoning change was made and have had communication with Ms Dwenda Lewis, and await reply together with answers to my questions.

## 2. Impact on overland flow along the northern boundary and the existing watercourse

During intense rainfall, the existing watercourse along the northern boundary of Dorsett Road breaches its banks and results in overland flow entering the properties of 6, 10, 30, 40 & 50 Dorsett Road. Water extends in some places to approximately 30-45 metres (refer supporting photograph of events attached) inside the fence line and on the northern side of the watercourse. DA/0169/1920 proposes lots 4 & 5 along the northern boundary offset 12 metres from the fence line. We are conscious that the proposal will impact the existing overland flow regime both at the development site and downstream properties (including ours) during intense storm events. We subsequently seek confirmation from Council that the proposed development will not impact the width, depth or velocity of the existing overland flow which may affect buildability of any part of our lot or present an increased risk e.g. of erosion or damage to existing vegetation.

## 3. Overflow flooding from southern properties in Dorsett Road as marked on map

The maps provided as part of the development application indicate a hydrant 15.77 metres from the eastern fence line of Lot 8. However there is no provision on the map for the stormwater pipe under Dorsett Road approximately 35-40 metres from the corner of Lot 8. When there is rainfall, the existing pipe carries storm water from the properties on the southern side of Dorsett Road as well as excess runoff from the properties in Suffolk Road (near to Dorset Road intersection). This storm water flows across proposed Lot 8 as well as diagonally across 10 Dorsett Road and the bottom left hand corner of my property (6 Dorsett Road). Photographs attached.

How has the developer considered the existing storm water flow, how does the developer proposed to manage the water flow from the pipe (outside Lot 8) and how and has the developer proposed to manage the surface water flow so as not to impact both 6 & 10 Dorsett Road?

4. Removal of trees from property 30 Dorsett Road and non replacement.

Over the past few years the large trees in the centre of the block 30 Dorsett Road were removed, mulched and stumps ground out. Can Council please confirm the removal of these trees was completed with suitable approvals in place. (See photos attached). Based on our experience of constructing our house, we understand that Council policies indicate that removal of trees in excess of 2 metres would require approval and subsequent planting of a replacement tree. Further, the development to the north of our properties (i.e. Stage 3 Betley Park) included a development condition that all trees in excess of 2 metres were to remain, and that any removal would require Council approval by the developer or the landowner.

5. Stormwater

We appreciate the proposed Development Application Plans include provision for raingardens in each lot which are typically designed to treat surface runoff (along with the proposed rainwater tanks). However we have reservations about the additional runoff that would be generated by the development from the new impervious areas such as roofs, road surfaces etc. While the rainwater tanks may retard some of the additional runoff during some rain fall events, if full, they will not.

As described in the Statement of Environmental Effects (Laterals Planning, Nov 2019), the undefined waterway which runs parallel to the boundary conveys runoff from the upstream catchment. We are conscious that the additional impervious surfaces and earthworks proposed in the development may affect the behaviour of overland flows. Our concern is not just related to the local property boundary, but also up and downstream, including at our property. Can the Council / developer please confirm there will be no adverse effects on our property (e.g. no greater depth/width of flows nor any increase in velocities) that may restrict future development or increase the potential for sediment / erosion of the natural surface? Please demonstrate through appropriate modelling and reporting.

The proposed earthworks will also result in a concentration of water along the western boundary if not managed. We are conscious that the channelization of runoff will erode the surface over time and deposit sediment along the waterway to the north. Please advise how this will be managed.

6. Utilities.

The proposed development will increase the load placed on the existing water main within Dorsett Road. Can the Council / developer please confirm there is capacity within the existing main to cater for the development without affecting the pressure at our property. Should there be a loss of pressure, we will seek compensation from the water authority.

Given the wider estate has been rezoned, can Council please confirm there is sufficient capacity within the existing water main to service the entire estate should each lot follow with a similar subdivision. If not, what provision is being made now (e.g. developer



contributions or provision within Council's capital works programme) to upgrade the main at a later date?

Can Council also please confirm that the sewerage system currently has the capacity to cater for this development, the Stage 3 Development to the north and the possibility of further "residential" development of the existing blocks in the Stage 1 & Stage 2 Betley Park? . If not, what provision is being made now (e.g. developer contributions or provision within Council's capital works programme) to upgrade the main at a later date?

We note that the Stage 3 Betley Park has curbed guttering plus street lights. At present Merino, Dorsett and Suffolk roads do not have curbed or guttering or streetlights due to the original engineering requirements of Small Rural Landholding. Given that this development will now have dish drains, how is this to be linked seamlessly into the existing roadway in Dorsett Road so as not to detract from the current landscape?

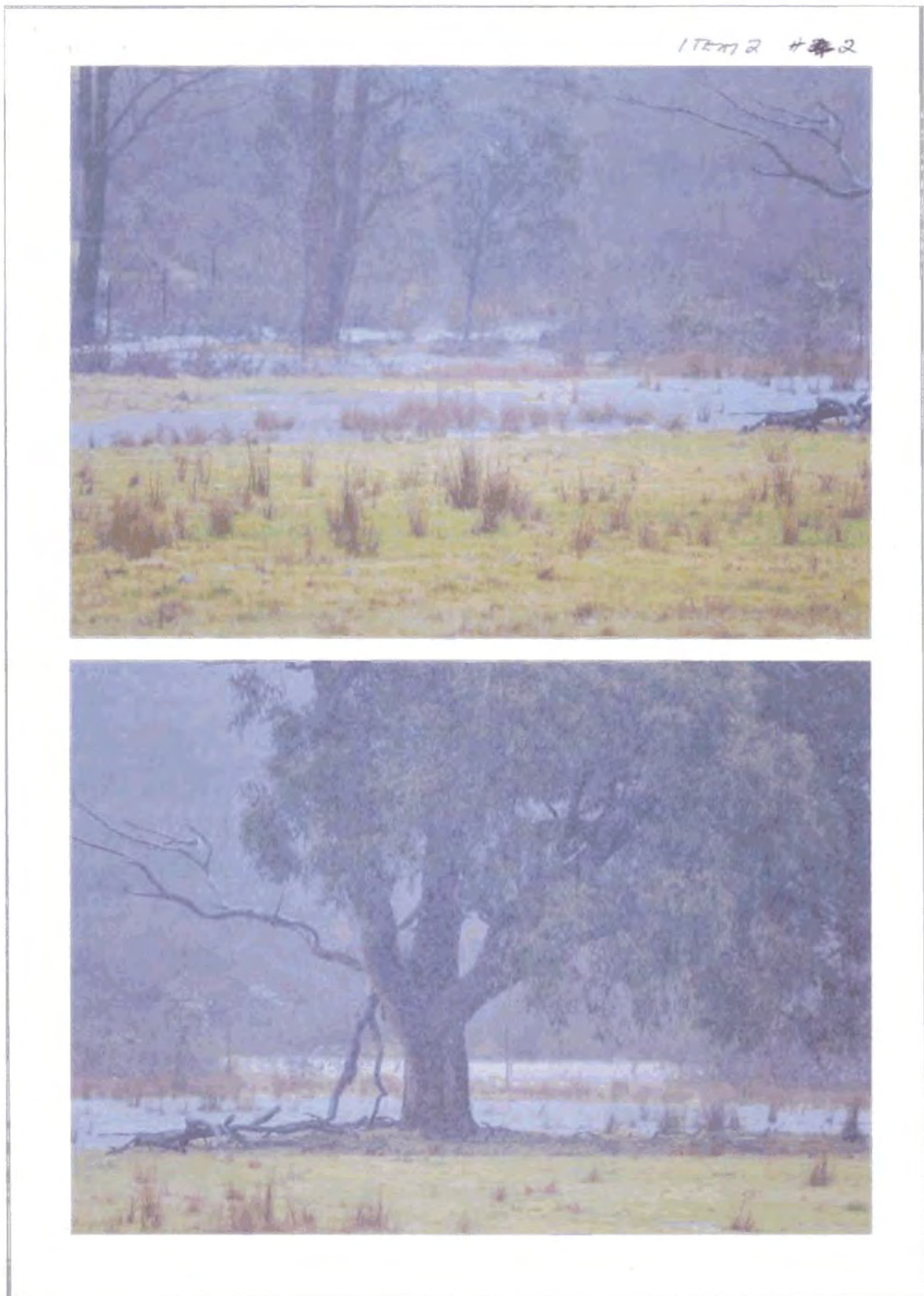
In the existing development, there are no streetlights in Dorsett/Suffolk roads. We are conscious that any inclusion of street lights will not complement the original intent for the Estate. Further we are conscious of light spilling into the adjacent properties. We note that Merino Road now has a streetlight opposite to the new development. Is Council expecting that this development also place a similar streetlight opposite to the proposed road entry and why?

7. Fencing

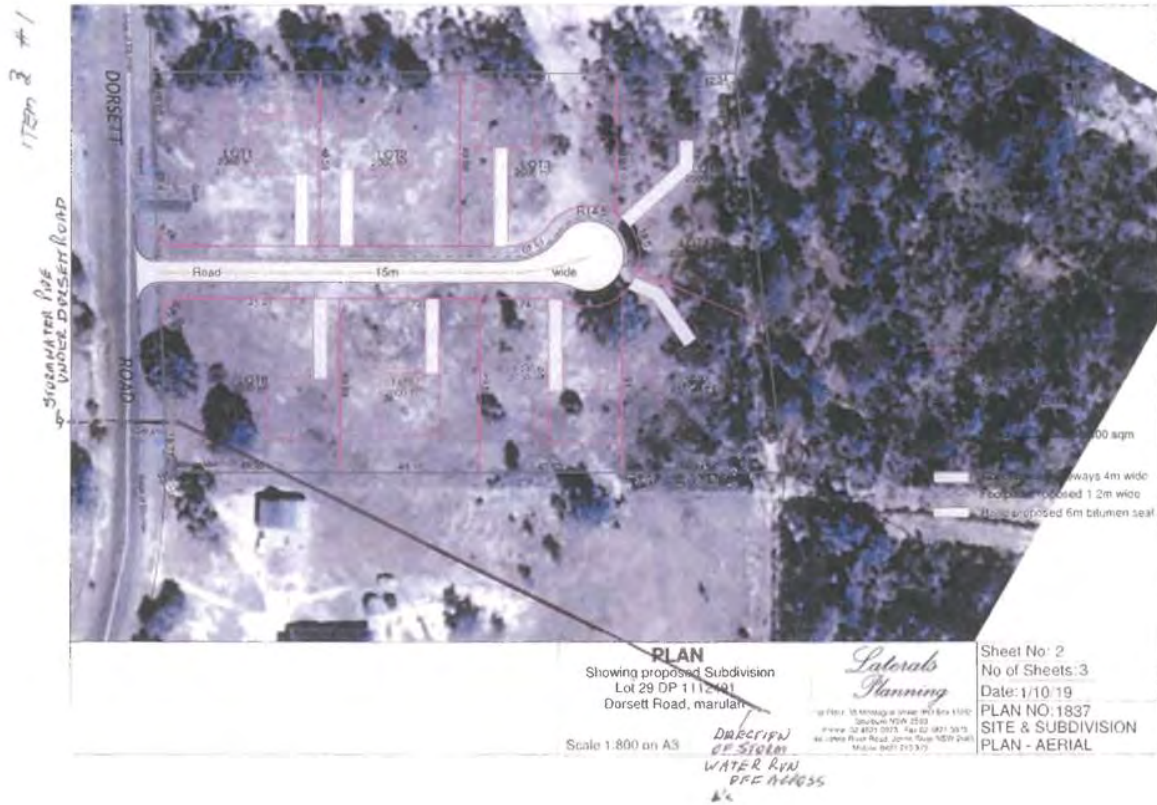
Is the developer proposing that all 8 lots have a "residential style" of colourbond/timber fencing" erected? As this type of fencing is not in keeping with the current scape/structure and would have an affect of enclosing the development whereas all the properties within this Betley Park have a rural fencing. Can Council ensure that the developer maintains a similar fencing structure to the existing properties so as to blend with the current property lines of Dorsett, Suffolk & Merino Roads?

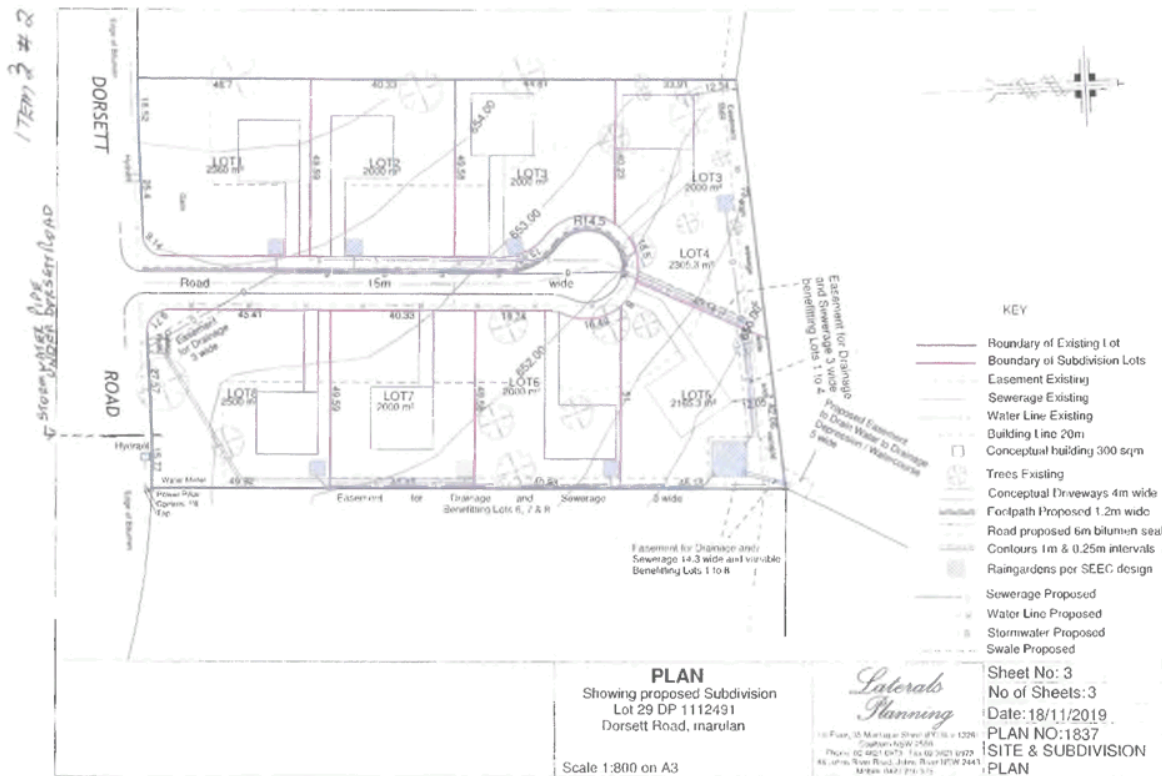
ITEM 2 4 31











ITEM 2 # 3



ITEM #3  
WATER RUN OFF FROM STORM WATER PIPE  
6410 DORSET RD





ITEM 24 A4



Storm Water pipe under  
Doisett Road looking north  
to 30 Doisett Road.

P1

30 Dorsett Rd - Google Maps

<https://www.google.com/maps/place/30+Dorsett+Rd,+Marulan+NSW+2579/@-34.69853...>

Google Maps 30 Dorsett Rd

*EXISTING TREES REMOVED*  
\*\*

*ITEM 4 #1*



Google

Image capture: Jan 2008 © 2019 Google

AFTER TREES REMOVED

ITEM 4 #2





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**From:**  
**Sent:** Monday, 16 December 2019 8:24 PM  
**To:** Council  
**Subject:** 30 Dorsett Road, Marulan

**Categories:**

Att Dailing Day,

I live at 17 Suffolk Road Marulan and I'd like to express my concerns on the proposed residential sub division of 30 Dorsett Road, Marulan.

- The existing water supply already struggles to be sufficient pressure (water completely cuts out mid shower.
- The roads are rural residential roads- meaning no guttering, no street light, speed signs.
- More houses means more of an impact on the native wildlife... ie kangaroos, wombats, goannas, black cockatoos etc.
- This is a residential rural estate, 8 houses on the block is too much and simply residential sized- the block should remain rural residential sized

Yours sincerely

---

**From:**  
**Sent:** Monday, 16 December 2019 12:58 PM  
**To:** Submissions  
**Subject:** DA/0169/1920

Part A Contact details

Part B

name: Raymond and Constance Thorn

Development application details

DA Number: DA/0169/1920

DA Address: 30 Dorsett Rd Marulan 2579

Political Donations: We have not made a donation or gift to anyone on council or employee.

Submission:

Both Raymond and Constance Thorn object to the above application for development to 30 Dorsett Rd Marulan on the following grounds.

Life Style

Natural Environment

Egress

Services

Aesthics

Life Style: When we purchased our property it was zoned semi-rural with block sizes of 5 acres and this was a life style change for us. We moved from the city and wanted to have room around us with no near neighbours. The zoning has been changed without any consultation and or no notification as to the zoning of now residential with block sizes of 2000 square metres.

Natural Environment: The proposed development site was nearly all timbered, with the owners removing nearly all the trees in the past two years. This block has native fauna on it, kangaroos, echidnas, wombats and at least two large 2metre goannas. There are water courses with the rain, so with a development where will the water be directed to and where will the wildlife have access to their normal feeding grounds. There will be high solid fences removing the way wildlife moves in search of food and shelter.

Egress: There is only one way out of Dorsett Rd and Suffolk St and so with the new development there will be at least 8 more cars and families to be safely moved in case of fire or natural occurrences.

Services: With the increase in people will the services, namely water and sewerage be sufficient? When Dorsett was developed it was for larger blocks and less people. I know that the water pressure leaves a lot to be desired so what will the impact be for residents already in residence?

Aesthetics: At the present time there are farm style fences that have no impact on the visual effect of the properties, but with smaller blocks one would imagine wooden fences causing an eyesore to all in residence at this time.

We strongly do not approve of this development for the above reasons that will surely have a huge impact on our lives. So we say NO to the proposal

16/12/2019

**Part B – To be Published**

**Important Information:**

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

**Your Details**

Name: DALE & MELINDA WHITE  
 Organisation: \_\_\_\_\_

**Development application details**

DA Number: \_\_\_\_\_  
 DA Address: D/A/0169/1920

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

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

Yes

No

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

WE OBJECT TO THE 8 LOT PROPOSED SUBDIVISION @ 30 DORSET RD MARULAN N.S.W 2579 ON SEVERAL GROUNDS -

- ① SAFETY - ACCESS & EXITING OF THE SUBDIVISION OF ONLY R & ROAD AVAILABLE MAKES THE SAFETY OF THE AREA A PREMIUM, HAVING CHILDREN WALKING & STANDING @ AREAS FOR BUSES & THE AMOUNT OF VEHICLES USING THIS MAKES WITH MORE ALLOTMENTS UNSAFE.
- ② WATER - CURRENTLY THE WATER PRESSURE OF THE SUBDIVISION IS LOW PARTICULARLY @ PEAK TIMES - WE @ 40 DORSET RD HAVE HAD TO SET UP TANK & PRESSURE PUMP JUST TO BE ABLE TO GET DESCENT/ADEQUATE FLOW & PRESSURE - EACH NEW ALLOTMENT WILL HAVE TO INSTALL TANKS & PUMPS AS A CONVENIENCE JUST TO ENJOY ADEQUATE LIVING.
- ③ WET SEASON/FLOODING - CURRENTLY THE BOTTOM QUARTER OF BLOCKS ON LOWER SIDE ~~AREA~~ OF ROAD FLOOD CROSSING EXTREME DANGER TO THE RESIDENTS OF LOWER 8 BLOCK ALLOTMENT - ESPECIALLY MORE WITH REAR NEW DEVELOPMENT

Council collects personal information only for a lawful purpose that is directly related to Council's functions and activities. For further information please contact Council's Privacy Officer or refer to Council's Privacy Management Policy at [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)



OBJECTION TO 8 LOT DEVELOPMENT @  
 30 DORSETT RD MARULAN N.S.W 2579

Page 2

- ④ SEWERAGE -  
 WITH THE CURRENT DESIGN OF THE SEWERAGE SYSTEM  
 IT IS BELIEF THAT ANOTHER EXTENSION OF '8' LOT SUBDIVISION/DEVELOPMENT  
 WILL NOT SUSTAIN THE SUBDIVISIONS SEWERAGE SYSTEM.
- ⑤ Rural Aspect - When we brought our land we brought it for Rural  
 Aspect & OPEN concept - Now Having this '8' lot Development this may  
 TAKE AWAY THE RURAL OF A Acres + & WITH THE RURAL SUBDIVISION  
 IT IS STARTING TO TAKE A CITY ASPECT.
- ⑥ NOISE - PERMANENT NOISE CREATED BY THIS 8 LOT DEVELOPMENT ~~will~~  
 be detrimental to the Rural/Country feel -  
 TAKING INTO ACCOUNT THE 2 CARS PER ALLOTMENT + & the 8 LOTS  
 (16+ CARS) & DEBRIS & PARKING OF THIS (SEE ACCESS ROAD - CORNER DORSETT & SUFFOLK)  
 CURRENTLY THERE ARE SOME NIGHT SHIFT WORKERS WHO HAVE PURPOSELY BROUGHT  
 IN THIS AREA FOR THE SAME REASON TO HELP IN THEIR SHIFT WORK REQUIREMENTS
- ⑦ CONSTRUCTION PERIOD -  
 How Long ??? - DURING CONSTRUCTION PERIOD THE NOISE, MACHINERY MOVEMENT,  
 DUST & DEBRIS WILL BE OVERWHELMING - STARTING EARLY - FINISHING LATE  
 & THIS ONLY FOR DEVELOPMENT OF 8 LOTS NOT INCLUDING DWELLING CONSTRUCTION  
 INTERRUPTING MY SLEEP & PEACE TRANQUILITY THAT ALLOWS SHIFTWORKERS TO CARRY  
 OUT THEIR CAREERS
- ⑧ ANIMALS - DUE TO THE REDUCED SIZE OF THE LOTS OF LAND - PEOPLE  
 HAVING ANIMALS SHOULD BE RESTRICTED UNDER THE COVENANCE TO ALLOW ONLY  
 1x PET - TAKING INTO ACCOUNT THE NOISE & DEFECATION & ENSURE ALL ANIMALS  
 ARE RESTRICTED TO THEIR ALLOTMENTS especially CATS.

OBJECTION TO 8 LOT DEVELOPMENT @ 30 DORSET RD  
MARULAN N.S.W 2579

Page 3

⑨ FALL OF LAND.

UNDER THE PROPOSED ALLOTMENTS - A SWAIL DRAIN IS IN POSITION FOR LOT 7, 8, 6 & 5 - THIS REQUIRES THE LAND TO BE BUILT UP THROUGHOUT THESE LOTS - MAKING THIS DETRIMENTAL TO OUR LAND & DRAINAGES ESPECIALLY CAUSING SIGNIFICANT ISSUES FOR LOT 20 DORSET RD.

- ⑩ FENCING - CURRENTLY THERE IS WIRE FENCING IN PLACE DOING A SIGNIFICANT JOB - SHOULD ANY PERSON OF THE ALLOTMENT WANT TO REPLACE ANY FENCING OR REPLACE ANY TYPE OF FENCING IT WILL NOT BE AT THE EXPENSE OF PREVIOUS LAND HOLDERS -

CONCLUSION.

As the owners of 40 Dorset Rd Marulan N.S.W. (neighbouring block) we object to such a large number of Proposed Allotments (2000m<sup>2</sup>) positioned beside us. As we have highlighted some points of discussion - we feel this is highly detrimental to why ALL people have brought land in this Area - taking into account the safety & Feasibility of the Area.

Please Remember ALL THE LANDHOLDERS PAY RATES ALSO.

**Part B – To be Published**

**Important Information:**

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

**Your Details**

Name:

Daniel and Naomi Rooke

Organisation:

**Development application details**

DA Number:

DA/0169/1920

DA Address:

lot 29 Dorsett Road Marulan

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

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

Yes

No

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

please see attached letter and photos.

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DA /0169/1920

The block was cleared of all trees and vegetation in mid 2017. There has been no reference to the approval of this tree removal.

There is a significant water drainage issue within this estate that we feel has not being adequately addressed with the proposed easements. Flooding occurs with medium rain fall.

Water supply to the estate is already at a strained level. We would like to know what will be done to improve water pressure with the further proposed 8 dwellings.

The impact on the native wildlife has not been taken into consideration with the number of blocks proposed. There will be a massive disturbance to native wildlife thoroughfare ie: Echidna passes through this parcel of land on a regular basis for the past 3 years. (See attached photos). The local Kangaroos are also being affected with at least 20 – 30 kangaroos being in the street at any given time.

Additional traffic to the area, the 8 proposed dwellings adds approximately an additional 16 vehicles, potentially another 32 car movements a day on the estates road. The proposed road will directly impact on our house 33 Dorsett Rd, with headlights leaving the proposed street beaming through our lounge room window. Also, are there street lights being installed? If so this is a direct impact on the rural aspect of the street which are all 5 to 7 acres blocks. Where there is currently no street lights and are not wanted.

Dorsett Road also falls within a 100km speed limit. With a further 8 dwellings this puts the 100km zone as unrealistic, especially when you have children frequenting the council strip to and from bus stops. 100km speed sign is the last posted speed limit and as confirmed by highway patrol in Goulburn this is in fact the carried through speed limit.

We feel that 8 blocks is excessive within the area that it is proposed. The new dwellings will be situated directly on adjoining boundaries of 5 acre lots. The privacy of these adjoining existing dwelling will be significantly impacted. People move to acreage for the outlook and privacy.

We would also like you to confirm the construction/earth works times as there are several shift workers within the street.

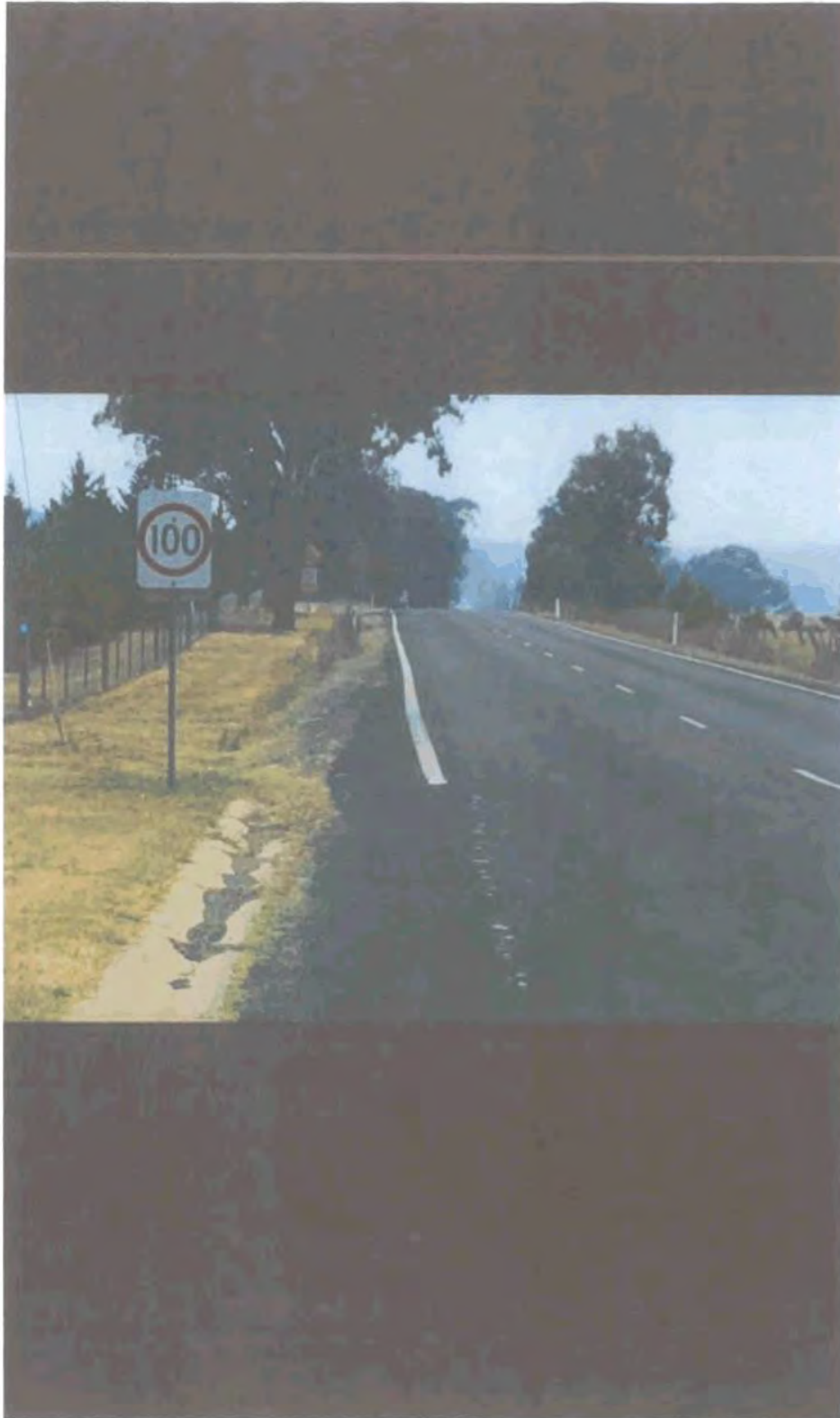
What processes are being implemented for dust and rubbish control? With the current draught and close proximity of existing homes what will done to control the dust?

The negative impact on Dorsett Road starts from the time of approval with construction cars, machinery and heavy vehicles not only frequently travelling in and out of the street but also parking on council strip of neighbouring properties, especially 33 Dorsett Rd as it is directly across the road from the proposed subdivision. Contractors of the current owner have already been parking on the council strip in front of 33 Dorsett Rd. (Photo attached).

Also what monitoring process will be in place to ensure that heavy vehicles are not exceeding their weight limits and damaging the road surface?

We look forward to receiving at reply from Council.

Kind Regards .



LAST SPEED SIGN BEFORE MERINO RD



Echidna that runs between D0 33 AND  
Proposed Block has done FOR ABOUT 3 YEARS



# Laterals

Planning  
Engineering & Management  
Environmental

Our Ref: 1837

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

Attention: Dialina Day

**Re: DA/0169/1920 - Proposed Subdivision  
Lot 29 DP 1112491 – 30 Dorsett Road, Marulan**

Dear Dialina

I refer to your email dated 27 January 2020 regarding submissions received in respect to the above development and please find attached a response on behalf of Alice Nguyen to the matters raised.

In respect to the particular matters raised in your email it is advised:

- I attach a copy of further advice from Capital Ecology regarding fauna on the subject land. The advice includes the following statements:

- *Significance of the presence of the Common Wombat and other non-threatened fauna in the subject land.*

*As detailed in this letter, the native vegetation in the subject land is likely to be of some habitat value to the numerous native fauna species, including the Common Wombat. However, it is also evident that the surrounding vegetation and properties are likely to provide similar or better habitat to the same variety of native fauna. Indeed, the subject land is situated on the southern edge of a patch of approximately 1000 ha of remnant, relatively high-quality woody vegetation. As such, with respect to the general locality, the vegetation in the subject land is unlikely to constitute significant habitat for the Common Wombat or for any other common native fauna species. Therefore, the proposed development is unlikely to have a significant impact on the Common Wombat or any other common native fauna species.*

- *NSW Biodiversity Conservation Act 2016.*

*With respect to the BC Act and BOS, the impacts of the proposed development upon the Common Wombat and other non-threatened native fauna are captured as part of the ecosystem credit obligation. As detailed in the BAM, such species therefore do not require dedicated targeted surveys and do not need to be specifically addressed in the BDAR. As such, with respect to Council's RFI, the presence of active Common Wombat burrows does not need to be incorporated into Capital Ecology's BAM assessment for the proposed development.*



*The advice includes the following recommendation:*

*Immediately prior to commencement of development works, all Common Wombat burrows in the subject land must be inspected for evidence of current Common Wombat occupation. Any identified occupied burrows must have their occupants humanely evicted immediately prior to commencement of development works. Any evicted Common Wombat should be encouraged to make their way under their volition, preferably into the vegetated land beyond the northern boundary of the subject land.*

In summary, the proposed development is unlikely to have a significant impact on the Common Wombat or any other common native fauna species.

- In respect to water pressure in the immediate area it is noted that point 1 of the Council pressure test is located at the frontage of the subject land and has a static pressure of 280kPa (reservoir pump on) and 200kPa (reservoir pump off). Clause 11.05(1) of Council's Standards For Engineering Works Design Specifications 2013 states that "*Reticulation systems shall be designed to supply peak instantaneous demand by gravity while maintaining a minimum static head of 200 kPa (20m). (WSAA 03 Part 1, section 2.4.3).*" The minimum static head at this location is 200kPa and will be greater at each dwelling location as they will be at a lower elevation than point 1 resulting in a greater static head. These new properties will have adequate water pressure and will have no impact on existing static pressures in the area.
- In respect to flooding, a Preliminary Flood Assessment has been undertaken by Strategic Environmental and Engineering Consulting (SEEC) and the assessment includes the following conclusion:

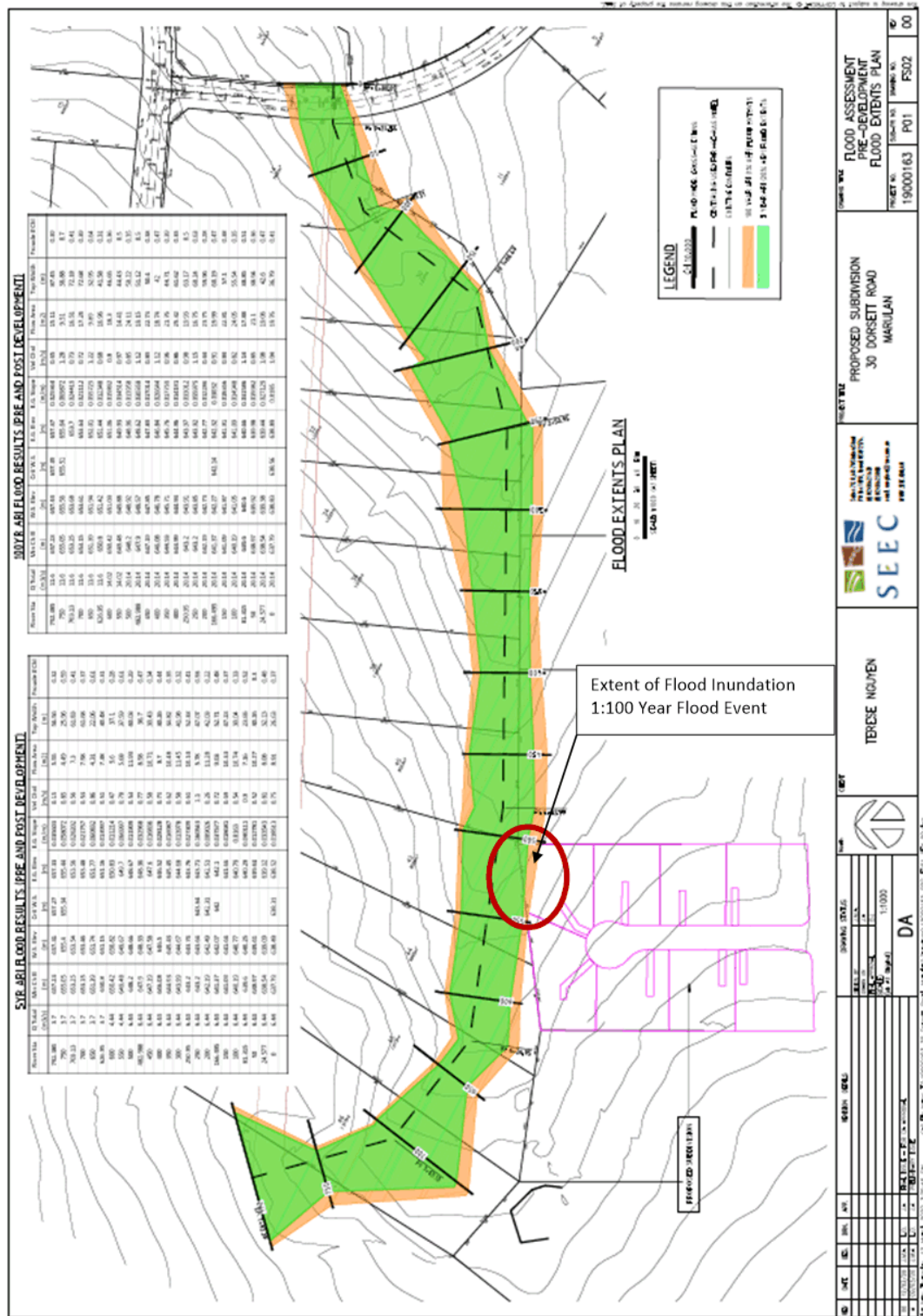
*"Section 6 and the plan in Appendix C of this report detail the results. They illustrate the flood extents within the site and critical flow details for the worst case, pre-development, 100 year ARI flood event.*

*The results show the extent of the 100 year flood event within the existing watercourse adjacent to the proposed development would have a partial encroachment into the site along the northern boundary of proposed Lots 5 and 6.*

*It is recommended that the floor level of any future dwellings in Lots 5 and 6 are set 0.5m above the 1% AEP flood level and not cut into the existing natural surface.*

*Therefore the minimum floor levels for future dwellings on Lots 5 and 6 should be set no lower than 650.36 AHD based on our preliminary assessment."*

The extent of the 1:100 year flood event is shown on the following plan and indicates minimal impact on the subject land.



Flood Extent Plan (Plan Source: SEEC Preliminary Flood Assessment Report)

I attach copies of the Capital Ecology letter dated 9 March 2020, SEEC Preliminary Flood Assessment dated 12 March 2020 and SEEC Concept Stormwater Drainage Plans DA00, DA01, DA02 and DA03 Revision 02. An electronic copy of this submission and supporting documents has been emailed to you.

If you require any additional information or clarification, please contact me on 0428 483 558 or at [robert@laterals.com.au](mailto:robert@laterals.com.au).

Yours sincerely

**Robert Mowle**  
**LATERALS ENGINEERING and MANAGEMENT**  
13 March 2020

RESPONSE TO PUBLIC SUBMISSIONS

1) Submission by Unknown

Item 1:

1. ENVIRONMENTAL:

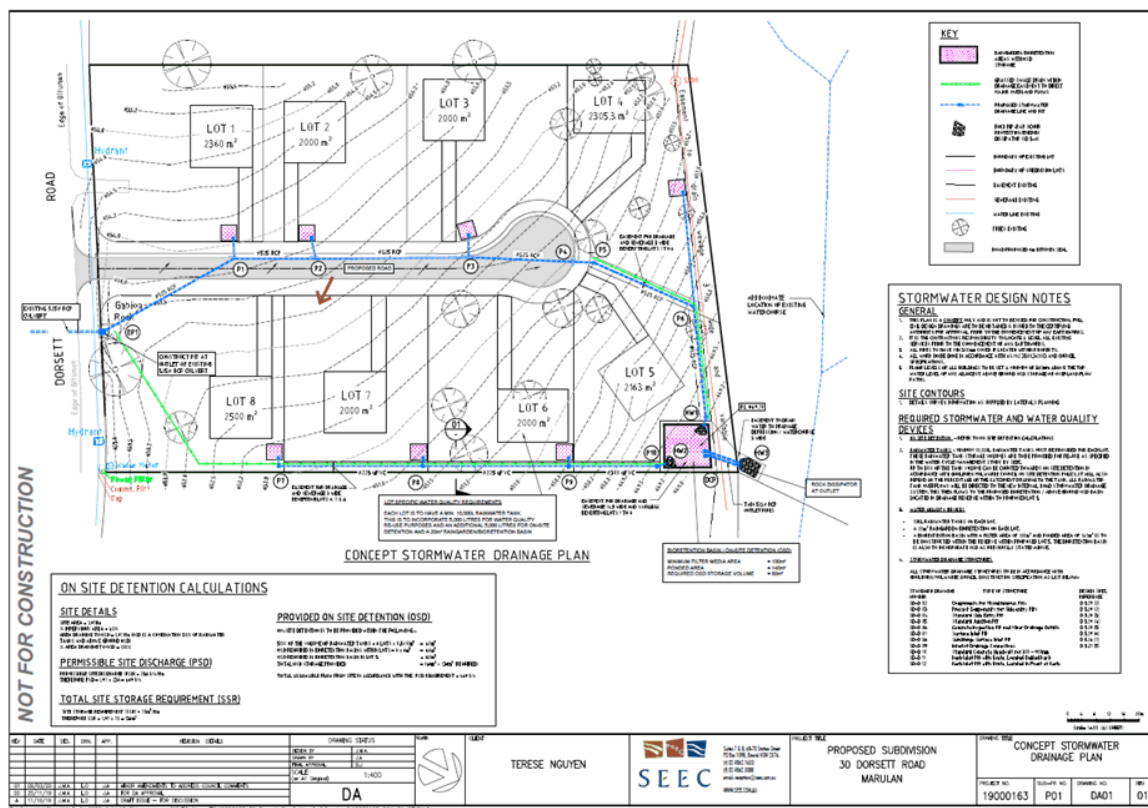
**Natural Water Flow to Catchment:**

- The water causeway from the upper S/W Rural blocks flows naturally under Dorsett road and through the proposed development block Lot 8 shown below. From the proposed development plan the direct flow of natural water is incorrectly marked and surveyed.
- The area marked below in RED depicts the true flow of the water from the S/W blocks.

**Comment:**

It is agreed that the flow of stormwater through the existing 525mm diam. culvert under Dorsett Road is as depicted in Diagram 1. However, the Concept Stormwater Drainage Plan prepared by SEEC (see below) incorporates the following components:

- (i) The 525mm diam. culvert is extended through the development as shown.
- (ii) There is a proposed stormwater drainage swale along the southern boundary of the site as shown.



Concept Stormwater Drainage Plan (Plan Source: SEEC)

The incorporation of the stormwater measures will reduce the impact of stormwater on the subject property and the adjoining properties.

■ Refer to the photos below of MILD WATER flow after a SMALL downpour of rain during construction of dwelling on Lot 28.

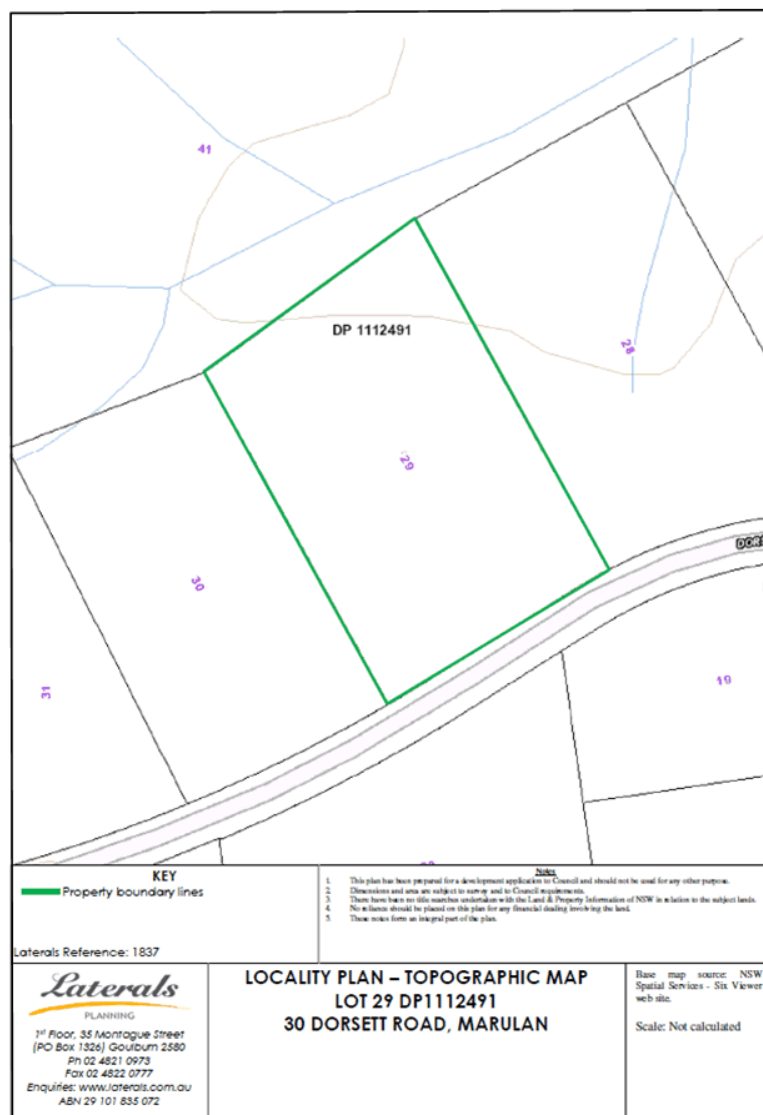
**Comment:**

The photos depict stormwater laying on relatively flat ground which is not unusual in this area. The incorporation of the stormwater measures identified above will reduce the impact of stormwater on the adjoining properties.

■ In reference to the Statement of environmental effects prepared by Lateral Planning section 2 sub section 2.1 site descriptions (extract below) Diagram 2. This document clearly states there are NO defined waterways or drainage depressions on the land and no area of slip or subsidence were identified. As evidence the photos both above and below show there is a natural water flow and impression.

**Comment:**

The topographic map below clearly indicates there are no waterways or drainage depressions on Lot 29 DP 1112491 (the subject land).



**GENERAL COMMENTS:**

*Outside of what has been flagged in the above regarding water flow, the development application has not taken into consideration the following.*

■ *Ensure there is sufficient buffer between the northern aspect of lots 4 and 5 from the water course that flows from a westerly to easterly direction, This water course is impacted heavily by the surrounding catchment's and will regularly break above the drainage lines on a normal year.*

**Comment:**

Residential development is not located near the watercourse and the flood study prepared by SEEC indicates that the proposed dwelling sites will not be impacted by the 1:100 year flood event.

■ *Where the rain gardens are currently situated on the application will be regularly inundated for up to a week at a time or quite frequently in a normal year.*

**Comment:**

The raingardens will be constructed in accordance with WaterNSW guideleines and will be maintained by the property owners.

■ *The corners of the proposed dwellings on Lot 5 and Lot 8 will also be impacted heavily.*

**Comment:**

The incorporation of the stormwater measures will reduce the impact of stormwater on the subject property and the adjoining properties.

■ *Lot 6 has a natural water spring that has only dried up due to the drought. Establishing any infrastructure on this lot will affect the buildings stability. During a normal year this spring increases the bogginess, however during a wet year the spring flows readily. In the event of placing a capping of clay this will only move the issue downhill - which will impact Lot 5.*

**Comment:**

Extant site conditions will be the responsibility of the new lot owners.

**ENVIROMENTAL:**

*Clearing Of Lot 30 In The Proposed Development' Pre And Post Of The Application Approval.*

■ *In the proposed application documents there is no documentation or reference to previous clearing of the trees and vegetation. This clearing was conducted between early to mid-2017.*

■ *This application implies Lot 30 was always at this current cleared state. Further to this the applicant is requesting to seek council approval to clear further vegetation and trees.*

*SUB NOTE: In the pre council application was there approval given to clear Lot 30 prior to the application being submitted?*

**Comment:**

The clearing was carried out in 2017 and was required to reduce a fire hazard and no further clearing has ensued. The matter is being examined by Council and the NSW Office of Environment and Heritage.

■ *Whilst a site analysis has been conducted by capital ecology dated the 19/09/2019, the report fails to identify an active wombat burrow between proposed blocks 5 and 6. It should be noted that permits are required from the NPWS prior to relocating the animal, destroying its home or causing any harm to it.*

**Comment:**

Further advice was requested from Capital Ecology regarding fauna on the subject land.

The advice includes the following statements:

As detailed in this letter, the native vegetation in the subject land is likely to be of some habitat value to the numerous native fauna species, including the Common Wombat.

However, it is also evident that the surrounding vegetation and properties are likely to

provide similar or better habitat to the same variety of native fauna. Indeed, the subject land is situated on the southern edge of a patch of approximately 1000 ha of remnant, relatively high-quality woody vegetation. As such, with respect to the general locality, the vegetation in the subject land is unlikely to constitute significant habitat for the Common Wombat or for any other common native fauna species. Therefore, the proposed development is unlikely to have a significant impact on the Common Wombat or any other common native fauna species. The advice also includes the following recommendation:

Immediately prior to commencement of development works, all Common Wombat burrows in the subject land must be inspected for evidence of current Common Wombat occupation. Any identified occupied burrows must have their occupants humanely evicted immediately prior to commencement of development works. Any evicted Common Wombat should be encouraged to make their way under their volition, preferably into the vegetated land beyond the northern boundary of the subject land.

#### Item 2.

##### ZONING OF THE PROPOSED APPLICATION.

*Zoning of any proposed application must coincide and meet the zoning standards. (THE PROPOSED APPLICATION DOES NOT MEET THE CRITERIA OF THE INTENDED ZONING OF THE AREA)*

*Local environmental plan (LEP) States R5 Zoning Has The Objective To:*

- *To provide residential housing in a rural setting while preserving environmentally sensitive locations and scenic quality. Scenic quality and privacy will be impacted greatly on both the adjoining and adjacent dwellings. It will also be an impact visually to other rural Lots located in the current estate. This estate was developed to provide and support a rural lifestyle. All dwellings on Merino, Suffolk and Dorsett roads are established and are suited to a respectful rural outlook.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. How is this acceptable to place small residential building blocks in amongst already respected established rural blocks and maintain a rural scenic quality?*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. N/A*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones. Both adjoining properties will be greatly impacted by this development for scenic quality and privacy reasons.*
- *To facilitate and promote an increased range of residential opportunities by providing for low intensity residential development compatible with the rural characteristics of the locality. The rural characteristics will be diminished by this development. The ratio between the vast numbers of proposed dwellings when in comparison to what rural outlook is already respected and established.*
- *To encourage subdivision of land that is consistent with the constraints and opportunities of the land. How is developing an 8 Lot subdivision amongst developed rural acreage consistent?*

##### **Comment:**

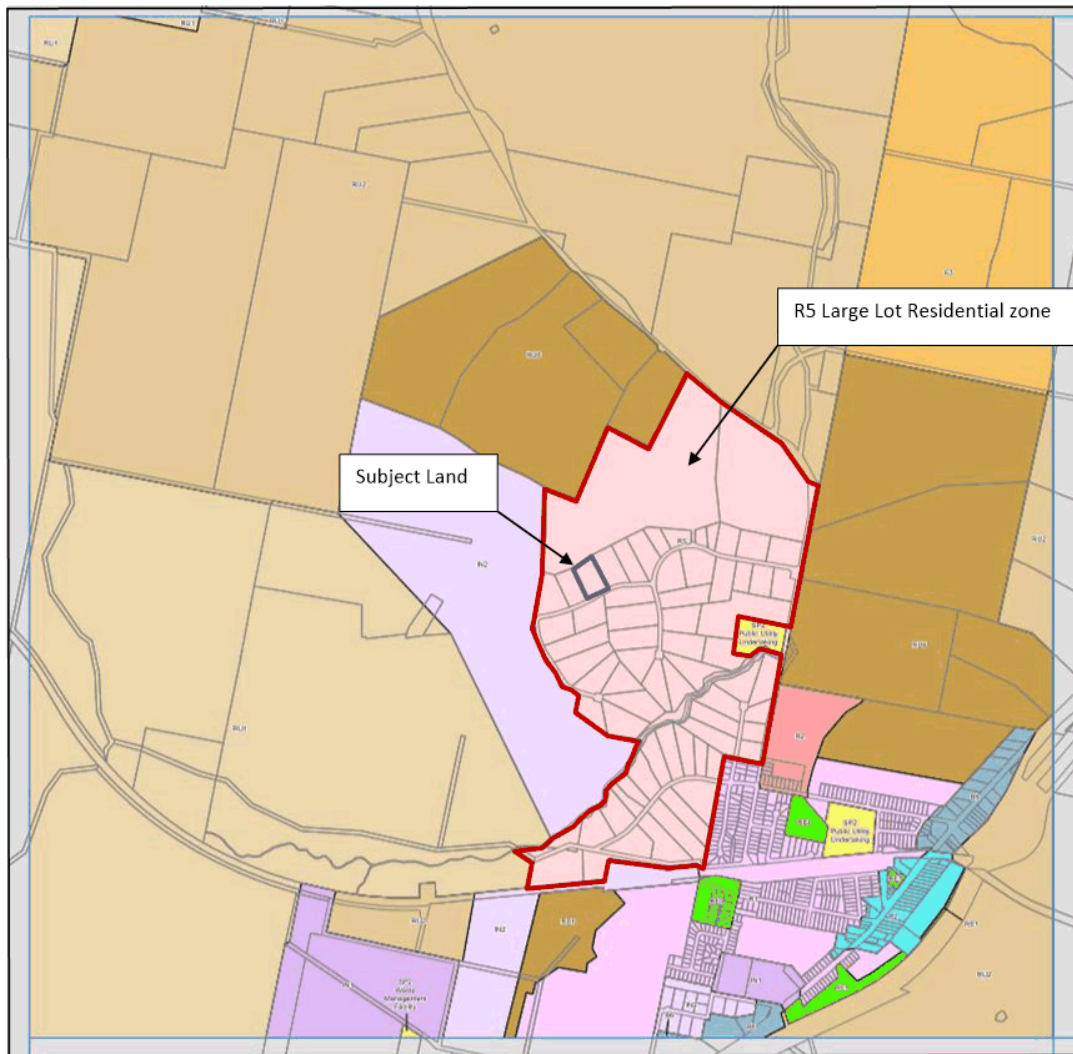
The site is within the R5 Large Lot Residential zone under *Goulburn Mulwaree Local Environmental Plan 2009* and the applicable minimum lot size is 2000m<sup>2</sup>. Subdivision for the size of lots proposed is permissible development under the zone. A copy of the *Goulburn Mulwaree Local Environmental Plan 2009 Zoning Map (LZN 003C)* is shown below on page 10 and a copy of the *Goulburn Mulwaree Local Environmental Plan 2009 Lot Size Map (LSZ 003C)* is shown below on page 11. It is clearly the intent of the *Goulburn Mulwaree Local Environmental Plan 2009* for this whole area to be developed into large lot residential development over time and not as rural acreage development. The development of the subject land in accordance with the *Goulburn Mulwaree Local Environmental Plan 2009* requirements may be the first to occur but further large lot

residential development will occur in this area over time. The Statement of Environmental Effects included the following details regarding the objectives of the R5 Large Lot residential zone:

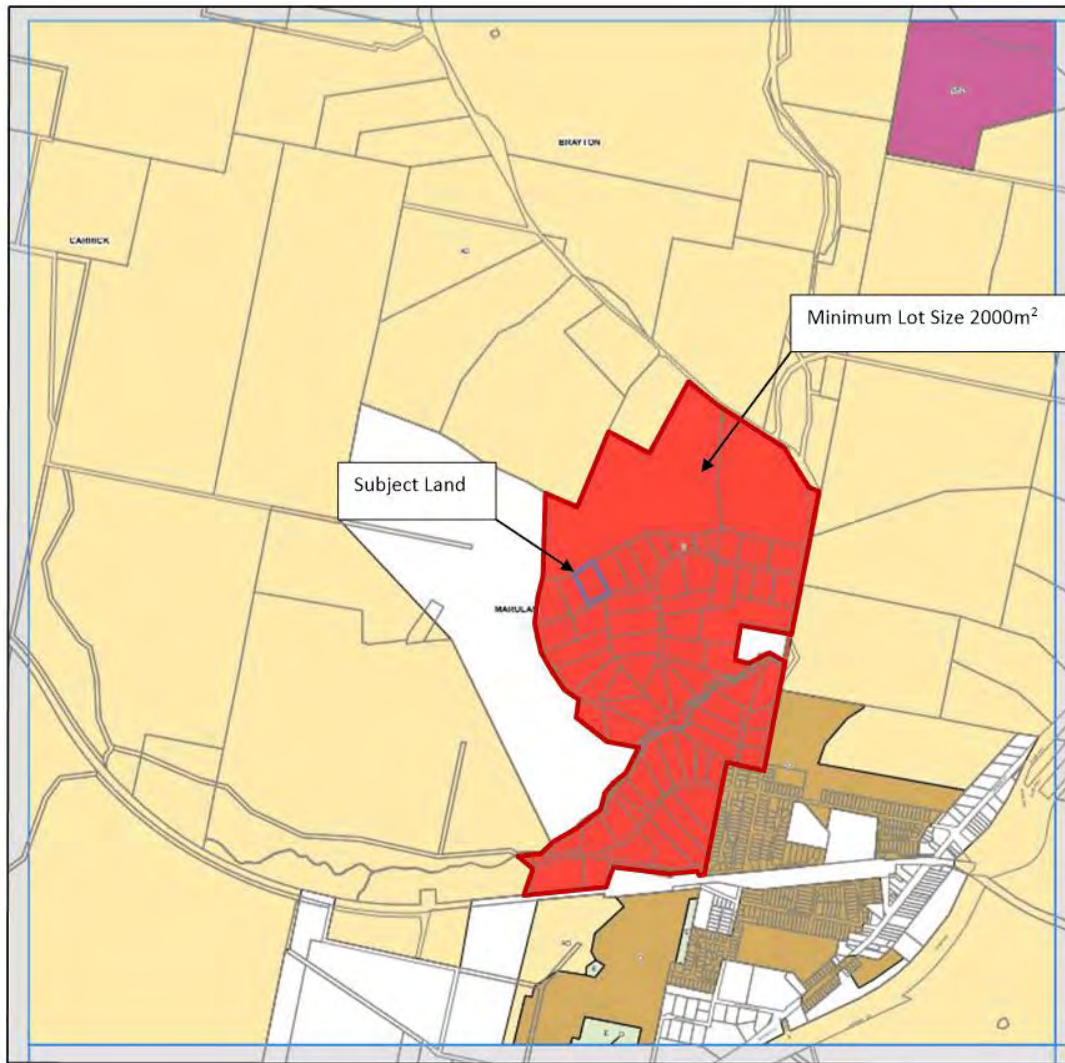
1. *To provide residential housing in a rural setting while preserving environmentally sensitive locations and scenic quality.*  
The subdivision design and assessment has incorporated water management measures to protect water features in the locality and into which the development would drain, and will provide for an offset contribution (or retirement of available credits) in terms of ecological impact. The scenic quality of the locality will alter with the development of the area for large lot residential purposes to the extent that a new scenic value will establish.
2. *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*  
The lots already created are designed and, as shown in this application, are capable of further design for large residential lots without hindering the future development of the remainder of the developing urban area.
3. *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*  
The subdivision has been designed to incorporate infrastructure to meet the demand for public services which can connect to existing infrastructure designed to accommodate the services. Facilities are located within the Village of Marulan and City of Goulburn the expansion of which is accommodated by Council with support as necessary through contributions imposed on development.
4. *To minimise conflict between land uses within this zone and land uses within adjoining zones.*  
It is not anticipated that there will be any conflict between land uses as all land in the immediate and close vicinity of the subdivision is for large lot or rural residential settlement.
5. *To facilitate and promote an increased range of residential opportunities by providing for low intensity residential development compatible with the rural characteristics of the locality.*  
The subdivision, carried out in accordance with the planning design for the locality would assist in providing an increased range of residential opportunity.
6. *To encourage subdivision of land that is consistent with the constraints and opportunities of the land.*  
The land has been studied and assessed to identify constraints with a design achieved that would operate within constraints or make alterations to be capable of being accommodated within existing constraints.

The proposed development is consistent with the objectives of the R5 Large Lot Residential zone.





**Goulburn Mulwaree Local Environmental Plan 2009 Zoning Map - LZN 003C**  
(Source: NSW Legislation Website)



**Goulburn Mulwaree Local Environmental Plan 2009 Lot Size Map - LSZ 003C**  
(Source: NSW Legislation Website)

*Item 2.1***ZONING GENERAL NOTES:**

*The very nature of the development is to place what will look and feel like an intensive housing development within a small block to achieve maximum profit for the developer. It will impinge on the visual amenity of the adjoining rural properties as well as increasing the noise levels. By its very nature, the development will increase the population to a minimum of 8 people, but most likely families. Given the statistics of households having at least two cars, it is not unreasonable to expect a minimum increase of 16 additional cars on this small rural cul-de-sac. This is quite a substantial number considering the location, the current level of traffic is minimal and there is only one entry and one exit. The increase in traffic and subsequent noise will affect the amenity of the residents currently within the street to an unreasonable extent given the current levels.*

*The very nature of the development proposed will not preserve the scenic quality of the area which is currently characterised by large residential blocks with vegetation and rural settings. The entire property will be denuded of vegetation and will be instead replaced by bricks, concrete, roofs, lawns and fencing and whatever the residents want in their back yard. This is not the current amenity, nor the amenity intended to be established under the zoning.*

*The housing development will also increase the cumulative noise levels of the cul-de-sac - decreasing the liveability of the contained area and affecting the residents. The new residents will feel these impacts as well. Not to mention 85% of the surrounding households working in the nearby quarrying industry and shift workers this addition noise will impede, impact sleep quality and life style.*

*Should each house have a fire place, there will be an increase in localised air pollution from the particles being emitted. Given over the winter months Marulan air shed is affected by inversions for greater than 40% of the time, there is a real potential a significantly impact on the residents living near this development will have effects of air quality as well as water quality in their tanks from the particulates emitted. Ordinarily, this contribution alone wouldn't be significant, but with the 3 mega quarries, increased truck movements, and increased development as well as the ongoing drought - air and water quality are causing issues throughout local communities that depend on tanks as their primary source for water.*

*This particular proposal is not in line with the rural characteristics of the cul-de-sac and as a result goes against the intent of the LEP zoning. Diversification facilitating greater intensity with housing should not be at the cost of the rural amenity or liveability for existing or new residents. A reduction in the number of houses, with fewer air conditioners, cars and fire places with the opportunity for retaining and increasing vegetation to keep with the look and feel of the rural amenity as per the zoning and current cul-de-sac development.*

*From the below aerial map you can evidently identify that this estate is clearly developed with existing rural style constructed dwellings. Referring back to R5 zoning regulations you can see the proposed 8 Lot residential development will evidently, from a scenic perspective not fit the current characteristics of a rural setting. R5 zoning should comply with maintaining the historical culture of those around it. As you can see that a 8 Lot residential area is vastly different to the neighbouring properties.*

**Comment:**

The proposed development is consistent with the objectives of the R5 Large Lot Residential zone. It is clearly the intent of the *Goulburn Mulwaree Local Environmental Plan 2009* for this whole area to be developed into large lot residential development over time and not as rural acreage development. The development of the subject land in accordance with the *Goulburn Mulwaree Local Environmental Plan 2009* requirements may be the first to occur but further large lot residential development will occur in this area over time. The site will be visible from Dorset Road and after subdivision will include a newly constructed road with kerb and gutter. The area is general is developing with new dwelling houses and subdivisions in a manner that will not be dissimilar to that now proposed. As such the area is young in developing terms and will change with housing and associated site landscape

and streetscape development concomitant partly with the subdivision and partly with future housing development. As such the subdivision and future residential development would be similar to that which is and will occur in the locality. The subdivision will not result in the construction of any works that will result in a potential decrease in amenity. This aspect will become more applicable in the design of future dwelling houses but note that the land in the vicinity is a newly developing residential neighbourhood that will contain new roads and dwelling houses. The lots are large with a minimum area of 2000 square metres and as such good amenity will be afforded to housing. The subdivision development will require the presence of machinery for the construction of the road and water, sewerage, stormwater, electricity and telephone services. In a developing estate this is normal activity managed by the use of residential mufflers and the timing of works. Works for the subdivision will be carried out during the hours of 7am to 5pm Monday to Friday, 7am and 1pm Saturday with no work on Sunday or Public holidays. Contractors will need to comply with standard construction standards for noise generation.

*Item 2.2*

*FURTHER TO THE ZONING THE IMPACT OF FIRE WILL BE IDENTIFIED IN THIS ZONE:*

*The lot is designated by the RFS NSW government as being within a bushfire prone area. Compliance with the PBP is required within this zone. The below are a list of strategies that should be put in place to protect the development from bushfires:*

*Control the types of development permissible in bush fire prone areas.*

*Minimise the impact of radiant heat and direct flame contact by separating the development from the bush fire hazard; This cannot be achieved. The distance between the houses on Lot 3, 4 and 5 are too close to the vegetation on the adjacent block  
Reduce the rate of heat output (intensity) of a bush fire close to a development through control of fuel levels; The land is not controlled by the developer, hence, the reduction in hazard cannot be achieved.*

*Minimise the vulnerability of buildings to ignition from radiation and ember attack;  
Achieved through building materials.*

*Enable relatively safe access for the public and facilitate fire-fighting operations; With the crowding of the lots, this will be limited.*

*Provide adequate water supplies for bush fire suppression operations; Minimum??? won't be achieved with only 10 000 L tanks Implement community education programs, focusing on property preparedness, including emergency planning and property maintenance requirements, and N/A to the developer - but does increase pressure on RFS*

*Facilitate the maintenance of APZs, fire trails, and access for firefighting and on-site equipment for fire suppression. The APZ for Lot 3, 4 and 5 is a drainage line that should remain vegetated to reduce erosion, sedimentation and ensure stability of the banks. This does not allow for the appropriate APZ to be established for the houses along this aspect of the development. Being a drainage area it is also not a reasonable or feasible workable or defensible space for firefighters.*

**Comment:**

The Statement of Environmental Effects included the following details in respect to bushfire issues:

"The site is identified as Bushfire Prone Land on the bush fire prone land map and assessed in a report prepared by Australian Bushfire Solutions. The report provides recommendations which specify the following:

*Pending acceptance and compliance with the recommendations following (also in Section 1.1) the report does not find justification for the proposal to be rejected due to any bushfire considerations.*

*Pending compliance with the below conditions, the performance criteria and acceptable solutions outlined in Section 5 of PBP Pre-release August 2018 are found to be satisfied.*

*Recommendations of the report include the following -  
BAL, APZ and Landscaping Recommendations include*

- All lots can achieve BAL 29 or lower for a new dwelling- See Table 3 in 3.2.2 which specifies as follow –
  - Lots 1 & 8 can achieve a BAL-Low construction standard
  - Lots 2-3 & 6-7 can achieve a BAL-12.5 construction standard
  - Lots 4 & 5 can achieve a BAL-29 construction standard
- APZ's can be met within property boundaries (APZ of 12m within the northern boundary provided in accordance with Tables A1.12.2 and that the site continue to be maintained as per Appendix 4 Pre Release PBP 2018 which outline in detail management of APZ's—see Appendix 7)

#### Public Roads

- Public roads are two-wheel drive, all weather roads.
- Traffic management devices are constructed to facilitate access by emergency services vehicles.
- Dead ends are not more than 200 metres in length, incorporate a minimum 12m radius turning circle, and are clearly sign posted as a dead end and direct traffic away from the hazard.
- The capacity of road surfaces and bridges is sufficient to carry fully loaded fire fighting vehicles (up to 23 tonnes); bridges/causeways clearly indicate load rating.
- Hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression.
- Curves of roads have a minimum inner radius of six metres.
- The minimum distance between inner and outer curves is six metres.
- Public roads have a cross fall not exceeding 3 degrees.
- There will be a minimum vertical clearance to a height of four metres above the road at all times.

#### Water:

- Reticulated water is supplied to the subdivision.
- Fire hydrant spacing, design and sizing comply with AS 2419.1:2005.
- Hydrants are not located within any road carriageway.
- Fire hydrant flows and pressures comply with AS 2419.1:2005.
- All above ground water service pipes are metal, including and up to any taps.

#### Electricity:

- Where practicable, electrical transmission lines are underground.
- Where overhead electrical transmission lines are proposed:
  - lines are installed with short pole spacing (30 metres), unless crossing gullies, gorges or riparian areas; and
  - no part of a tree is closer to a power line than the distance set out in accordance with the specifications in 'Vegetation Safety Clearances' issued by Energy Australia (NS179, April 2002).

#### Gas:

- Gas installation and maintenance to be in accordance with Australian Standard AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used.
- All fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side.
- Connections to and from gas cylinders are metal.

- *Polymer sheathed flexible gas supply lines to gas meters adjacent to buildings are not used*
- *Above ground gas service pipes are metal, including and up to any taps.*

*In summary the report concludes that the proposed subdivision would allow buildings to be located on each of the proposed new lots satisfying the requirement of being able to be built to a construction level of BAL 29 or lower.*

*If the proposal incorporates the recommendations above, then the proposed subdivision design is considered acceptable in satisfying the performance criteria outlined in Section 5 of PBP 2018 (detailed in section 4 above)."*

The proposed development will comply with bushfire regulations and requirements.

**QUESTIONS IN REGARDS TO THE PROPOSED DEVELOPMENT.**

*To assist in understanding the proposed development application can the following be answered.*

1. *Will the proposed development allow double story dwellings to be constructed?*

**Comment:**

Maximum building height restrictions under *the Goulburn Mulwaree Local Environmental Plan 2009* do not apply to this area.

2. *To coincide with the recent subdivision off Corriedale road the rear water and nature strip was preserved and fenced out as per the regulations on the D/A. At a minimum a 3 meter easement along the eastern, western and south sides of this development should apply and be fenced out to maintain water quality flowing into the catchment. There also should be vegetation planted in the area of the proposed swale to assist and limit the effects of erosion in the high water flow areas.*

**Comment:**

An assessment has been carried out by SEEC for stormwater management and is attached to the Statement of Environmental Effects. The assessment establishes a safe method of disposal and management for stormwater and the provision of a s88B instrument over land to the north provides for safe and effective discharge of stormwater to the waterway along the northern boundary. Completion of the SEEC stormwater management components will result in a neutral or beneficial effect on water quality.

3. *Will the proposed swale be supported with vegetation to protect against erosion in the high flowing water paths and support the scenic and privacy aspects of the rural outlook?*

**Comment:**

The swale will be vegetated to prevent erosion and landscaped in accordance with lot owner requirements.

4. *There will be an immediate effect on the current scenic and privacy aspect if this is undertaken therefore % to % established trees should be planted along all south, east and west boundaries' so neighbouring property and dwellings maintain their current privacy and scenic aspects.*

**Comment:**

The BDAR included with the Statement of Environmental Effects has enabled the whole of site development from subdivision to future dwelling house and driveway (and other associated development that would accompany future residential development (such as garden sheds, garages, gazebos, pathways, vegetable gardens, barbeque areas and the like)). It is anticipated that each future owner will retain the native vegetation but this will change over time as lots develop with differing land management practices by future owners.

5. *The proposal is allowing 20+meter set back from the col-de-sac tarmac to the front of the proposed dwelling however the rear of these dwellings are only meters off the neighbours boundary fence.*

**Comment:**

Building set-backs will be in accordance with Council requirements.

6. *Current asset value will be affected by such development. People move to these rural blocks for privacy and lifestyle.*

**Comment:**

Current asset values are unlikely to be affected but could conceivably increase as residential development occurs in the area.

7. *With the proposed development being so compact with 8 Lots how will future developments on neighbouring dwellings be affected i.e. Pools, Garages etc. with privacy and council approval?*

**Comment:**

The proposed subdivision will not impact on any developments on adjoining lots in the area.

8. *Are street lights being installed?*

**Comment:**

Street lights will only be installed if required by Council as a condition of development consent but this requirement is expected.

9. *Has there been consideration put in place for noise assessment's in both Construction and development as some current property owners on east west and south sides are shift workers?*

**Comment:**

The Statement of Environmental Effects noted that the subdivision development will require the presence of machinery for the construction of the road and water, sewerage, stormwater, electricity and telephone services. In a developing estate this is normal activity managed by the use of residential mufflers and the timing of works. Works for the subdivision will be carried out during the hours of 7am to 5pm Monday to Friday, 7am and 1pm Saturday with no work on Sunday or Public holidays. Contractors will need to comply with standard construction standards for noise generation.

10. *Dust controls during construction how is this going to be controlled. Water should be last option due to the current water crisis.*

**Comment:**

Dust suppression will occur during construction works and waste water will most likely be utilised.

11. *If the development fencing meets the neighbouring properties how will this be controlled for those who want to re fence their properties? What is the proposed fencing material for the development application?*

**Comment:**

Road boundary fencing will be in accordance with Council requirements and generally being of a rural nature. Boundary fencing between land owners will be in accordance with the Dividing Fences Act.

12. *Why curb and gutter for the development? As no other surfaces in Merino, Suffolk and Dorsett roads in the surrounding area are curb and guttered, this will look out of place.*

**Comment:**

Kerb and gutter is a Council requirement in accordance with Table D1.5A (Characteristics of Roads in Residential Road Networks) of the Council Standards for Engineering Works.

**2) Submission by Alan and Vicki Mitchell****1. Rezoning of Rural Small Holdings to Residential**

The properties located in the Betley Park Estate Stage 2 (including Dorsett and Suffolk Roads) were originally approved and zoned as l(c) Rural Small Holdings. Being the first to purchase our property at 6 (Lot 27) Dorsett Road in this stage, we specifically purchased this property as lifestyle away from low to medium density residential precincts from which we moved 21way from in Sydney. After much discussion, we understand our neighbours also had the same intention. At the time of our purchase, the available lots within this precinct were approximately 5 acres in size and were the last "large" fully serviced block available in the this area. Since the time of purchase, we have not been invited to engage in any form of community consultation regarding the change in the existing density of houses within the Estate.

I have requested separately for information as to when the zoning change occurred and am yet to receive a response from Council. I do not agree with the number of additional dwellings proposed in the development associated with DA/0169/1920 as I believe it does not complement the character or amenity of the intention of the original Estate. Further, I do not agree the development complements the exiting lifestyle structure of the other blocks of land in Dorsett Road, Suffolk Road or Merino Road. A smaller development proposal (e.g. 2 or 3 larger blocks) would be sympathetic to the neighbouring properties and would not look out of place. We understand through consultation with our local real estate agent that the surrounding properties to 30 Dorsett Road are also large semi rural "lifestyle" blocks.

Therefore to have this 8 block residential development approved would not I believe be in keeping with the semi-rural lifestyle around the area. There are a significant number of residential blocks still under development within Marulan Township which I believe cater for the intended density of residential lots proposed in this development application.

Given we are yet to be involved with any community consultation activities by either Council or the developer, we seek the following documentation at Council's earliest convenience prior to final approval of this development:

- The date of any Council meeting at which discussions concerning this area's rezoning from Rural Small Holding to Residential took place;
- The minutes taken at such a meeting/s suitably noting the attendees and the decision concerning the rezoning and the results of the decision;
- Evidence of any communication both formal/informal as undertaken by Council or any other body, undertaken on behalf of Council, informing the residents of Merino, Dorsett and Suffolk Roads of such decision to rezone the area from Rural Small Holding to Residential.
- It is also unclear whether an approval by Council was granted as part of a change to the LEP at which time there should have been community consultation.

At this stage I made request on 13/12/2019 to Council for this information concerning when this rezoning change was made and have had communication with Ms Dwenda Lewis, and await reply together with answers to my questions.

**Comment:**

The site is within the R5 Large Lot Residential zone under *Goulburn Mulwaree Local Environmental Plan 2009* and the applicable minimum lot size is 2000m<sup>2</sup> and the proposed subdivision complies with all local environmental plan requirements.

**2. Impact on overland flow along the northern boundary ang the existing watercourse**  
During intense rainfall, the existing watercourse along the northern boundary of Dorsett Road breaches its banks and results in overland flow entering the properties of 6, 10, 30, 40 & 50 Dorsett Road. Water extends in some places to approximately 30-45 metres (refer supporting photograph of events attached) inside the fence line and on the northern side of the watercourse. DA/0169/1920 proposes lots 4 & 5 along the northern boundary offset 12 metres from the fence line. We are conscious that the proposal will impact the existing



*overland flow regime both at the development site and downstream properties (including ours) during intense storm events. We subsequently seek confirmation from Council that the proposed development will not impact the width, depth or velocity of the existing overland flow which may affect buildability of any part of our lot or present an increased risk e.g. of erosion or damage to existing vegetation.*

**Comment:**

The Preliminary Flood Assessment undertaken by SEEC includes the following conclusion and the proposed dwelling sites will not be impacted by the 1:100 year flood event.

“The results show the extent of the 100 year flood event within the existing watercourse adjacent to the proposed development would have a partial encroachment into the site along the northern boundary of proposed Lots 5 and 6. It is recommended that the floor level of any future dwellings in Lots 5 and 6 are set 0.5m above the 1% AEP flood level and not cut into the existing natural surface. Therefore the minimum floor levels for future dwellings on Lots 5 and 6 should be set no lower than 650.36 AHD based on our preliminary assessment.”

3. *Overflow flooding from southern properties in Dorsett Road as marked on map. The maps provided as part of the development application indicate a hydrant 15.77 metres from the eastern fence line of Lot 8. However there is provision on the map for the stormwater pipe under Dorsett Road approximately 35-40 metres from the corner of Lot 8. When there is rainfall, the existing pipe carries storm water from the properties on the southern side of Dorsett Road as well as excess runoff from the properties in Suffolk Road (near to Dorset Road intersection) This storm water flows across proposed Lot 8 as well diagonally across 10 Dorsett Road and the bottom left hand corner of my property (6 Dorsett Road). Photographs attached.*

*How has the developer considered the existing storm water flow, how does the developer proposed to manage the water flow from the pipe (outside Lot 8) and how and has the developer proposed to manage the surface water flow so as not to impact both 6 & 10 Dorsett Road?*

**Comment:**

The Concept Stormwater Drainage Plan prepared by SEEC (see plan on page 5) incorporates the following components:

- (i) The 525mm diam. culvert is extended through the development as shown.
- (ii) There is a proposed stormwater drainage swale along the southern boundary of the site as shown.

The incorporation of the stormwater measures will reduce the impact of stormwater on the subject property and the adjoining properties.

4. *Removal of trees from property 30 Dorsett Road and non replacement . Over the past few years the large trees in the centre of the block 30 Dorsett Road were removed, mulched and stumps ground out. Can Council please confirm the removal of these trees was completed with suitable approvals in place. (See photos attached). Based on our experience of constructing our house, we understand that Council policies indicate that removal of trees in excess of 2 metres would require approval and subsequent planting of a replacement tree. Further, the development to the north of our properties (i.e. Stage 3 Betley Park) included a development condition that all trees in excess of 2 metres were to remain, and that any removal would require Council approval by the developer or the landowner.*

**Comment:**

The clearing was carried out in 2017 and was required to reduce a fire hazard and no further clearing has ensued. The matter is being examined by Council and the NSW Office of Environment and Heritage. The clearing of the land for bushfire protection measures has also been assessed by Capital Ecology in the Biodiversity Development Assessment Report dated September 2019, which is further discussed in section 3.6 above. There is no condition imposed on the Betley Park subdivision consent relating to the retention of trees.

### 5. Stormwater

We appreciate the proposed Development Application Plans include provision for raingardens in each lot which are typically designed to treat surface runoff (along with the proposed rainwater tanks). However we have reservations about the additional runoff that would be generated by the development from the new impervious areas such as roofs, road surfaces etc. While the rainwater tanks may retard some of the additional runoff during some rain fall events, if full, they will not.

As described in the Statement of Environmental Effects (Laterals Planning, Nov 2019), the undefined waterway which runs parallel to the boundary conveys runoff from the upstream catchment. We are conscious that the additional impervious surfaces and earthworks proposed in the development may affect the behaviour of overland flows. Our concern is not just related to the local property boundary, but also up and downstream, including at our property. Can the Council/ developer please confirm there will be no adverse effects on our property (e.g. no greater depth/width of flows nor any increase in velocities) that may restrict future development or increase the potential for sediment / erosion of the natural surface? Please demonstrate through appropriate modelling and reporting.

The proposed earthworks will also result in a concentration of water along the western boundary if not managed. We are conscious that the channelization of runoff will erode the surface over time and deposit sediment along the waterway to the north. Please advise how this will be managed.

#### **Comment:**

An assessment has been carried out by SEEC for stormwater management and is attached to the Statement of Environmental Effects. The assessment establishes a safe method of disposal and management for stormwater and provides for safe and effective discharge of the 1:100 year stormwater event to the waterway along the northern boundary.

Completion of the SEEC stormwater management components will result in a neutral or beneficial effect on water quality. The swale will be vegetated to prevent erosion and landscaped in accordance with lot owner requirements.

### 6. Utilities.

The proposed development will increase the load placed on the existing water main within Dorsett Road. Can the Council / developer please confirm there is capacity within the existing main to cater for the development without affecting the pressure at our property. Should there be a loss of pressure, we will seek compensation from the water authority. Given the wider estate has been rezoned, can Council please confirm there is sufficient capacity within the existing water main to service the entire estate should each 1ot follow with a similar subdivision. If not, what provision is being made now (e.g. developer contributions or prvision within Council's capital works programme) to upgrade the main at a later date?

Can Council also please confirm that the sewerage system currently has the capacity to cater for this development, the Stage 3 Development to the north and the possibility of further "residential" development of the existing blocks in the Stage 1 & Stage 2 Betley Park? . If not, what provision is being made now (e.g. developer contributions or provision within Council's capital works progrmmme) to upgrade the main at a later date?

We note that the Stage 3 Betley Park has curbed guttering plus street lights. At present Merino, Dorsett and Suffolk roads do not have curbed or guttering or streetlights due to the original engineering requirements of Small Rural Landholding. Given that this development will now have dished drains, how is this to be linked seamlessly into the existing roadway in Dorsett Road so as not to detract from the current landscape?

In the existing development, there are no streetlights in Dorsett/Suffolk roads. We are conscious that any inclusion of street lights will not complement the original intent for the Estate. Further we are conscious of light spilling into the adjacent properties. We note that Merino Road now has a streetlight opposite to the new development. Is Council expecting that this development also place a similar streetlight opposite to the proposed road entry and why?

**Comment:**

Any development that will utilise a public reticulated water infrastructure will increase the load on that system. This increase in load has been recognised by Council in the preparation of the Development Servicing Plan for Water Supply, Sewerage and Stormwater with the current Plan developed by Hunterh<sub>2</sub>O dated September 2017. This Plan indicates equivalent tenements for Maulan during 2019/20 of 612ET (water) and 611ET (sewerage) with growth forecast to be approx. 1% annually. This increase in equivalent tenements is then used to prepare a future capital works program and to determine developer contributions. The tables below detail the future capital works program for the Marulan water supply and sewerage infrastructure.

<b>Future Capital Works Program - Water Supply</b>									
Service Area		Marulan							
Year of Calculation		2016							
Assumptions:									
Asset Service Area(s)	Asset Purpose	Asset Details	Construction Date	Cost Estimate	Shared Proportion	Growth Proportion	Recoverable Cost	Justification	
Marulan	Pump Station	Marulan P5 - Porttoom Repairs / Replacement investigation/sandbagging of banks/VDI of 2nd pump & drain to river/ Marulan rising main replacement investigation	2020/21	\$180,000	100%	0%	\$0	Renewal - existing asset post 1986, excluded	
Marulan	Pump Station	Marulan P5 - Porttoom Works/ Marulan rising main replacement stage 1	2020/21	\$300,000	100%	0%	\$0	Renewal - existing asset post 1986, excluded	
Marulan	Pump Station	Marulan P5 - Marulan Rising Main Replacement to Balance Tank	2018/19	\$150,000	100%	0%	\$0	Renewal - existing asset post 1986, excluded	
Marulan	Pump Station	Marulan P5 - Marulan Rising Main Replacement to Balance Tank	2019/20	\$150,000	100%	0%	\$0	Renewal - existing asset post 1986, excluded	
Marulan	Trunk Main	Marulan treated Main - Treatment Plant to 1.5km	2017/18	\$500,000	100%	0%	\$0	Renewal - existing asset post 1986, excluded	
Marulan	Treatment	Marulan Water Treatment Plant - WTP Upgrades	2022/23	\$150,000	100%	100%	\$150,000	New growth works required within next 10 years	
Marulan	Treatment	Marulan Water Treatment Plant - WTP Upgrades	2022/23	\$1,400,000	100%	100%	\$1,400,000	New growth works required within next 10 years	
Marulan	Treatment	Marulan Water Treatment Plant - WTP Upgrades	2023/24	\$150,000	100%	100%	\$150,000	New growth works required within next 10 years	
Marulan	Treatment	Marulan Water Treatment Plant - Marulan Telemetry Upgrade	2020/21	\$120,000	100%	0%	\$0	Renewal - existing asset post 1986, excluded	
Marulan	Treatment	Marulan Water Treatment Plant - Membrane Replacement	2018/19	\$150,000	100%	0%	\$0	Renewal - existing asset post 1986, excluded	
Marulan	Treatment	Marulan Water Treatment Plant - Membrane Replacement	2019/20	\$150,000	100%	0%	\$0	Renewal - existing asset post 1986, excluded	
Marulan	Treatment	Marulan Water Treatment Plant - Membrane Replacement	2023/24	\$150,000	100%	0%	\$0	Renewal - existing asset post 1986, excluded	

**Marulan Future Capital Works Program – Water Supply**

(Source: GMC Development Servicing Plan for Water Supply, Sewerage and Stormwater September 2017)

<b>Future Capital Works Program - Sewerage</b>									
Service Area		Marulan							
Year of Calculation		2016							
Assumptions:									
Asset Service Area(s)	Asset Purpose	Asset Details	Construction Date	Cost Estimate	Shared Proportion	Growth Proportion	Recoverable Cost	Justification	
Marulan	Pump Station	Marulan Pump Stations renewals	2020/21	\$250,000	100%	0%	\$0	Renewal - include as existing assets post 1986	
Marulan	Pump Station	Bonnet Park Upgrade	2023/24	\$400,000	100%	100%	\$400,000	New growth works within next 10 years	
Marulan	Treatment	Marulan WWTP Upgrade Staged	2017/18	\$100,000	100%	35%	\$35,280	New growth works within next 10 years. Excludes improved LOS component	
Marulan	Treatment	Marulan WWTP Upgrade Staged	2018/19	\$350,000	100%	35%	\$123,480	New growth works within next 10 years. Excludes improved LOS component	
Marulan	Treatment	Marulan WWTP Upgrade Staged	2019/20	\$2,500,000	100%	35%	\$882,003	New growth works within next 10 years. Excludes improved LOS component	

**Marulan Future Capital Works Program – Sewerage**

(Source: GMC Development Servicing Plan for Water Supply, Sewerage and Stormwater September 2017)

The proposed subdivision of 8 lots will result in an additional 7 ET's and developer contributions of \$10,525/ET (sewerage), \$5,820/ET (water) and \$1,370/lot (stormwater). The existing Betley Park development immediately to the north of the Dorsett Road area will be creating 53 lots with access to the Marulan reticulated water and sewerage infrastructure and future development could result in an additional 130 lots. This current proposed development will have a negligible impact on the existing water and sewerage infrastructure and any increase in loads is recognised through the future capital works programs. It should also be noted that in accordance with Council's Stormwater and Rainwater Collection Systems Policy all new dwellings as well as commercial and industrial buildings with access to a public water supply are required to install a 20,000litre rainwater tank plumbed to toilets, laundry and other areas of non-potable use. This Policy will further reduce the load on the reticulated potable water supply. Street lights will only be installed if required by Council as a condition of development consent but this requirement is expected. Kerb and gutter is a Council requirement in

accordance with Table D1.5A (Characteristics of Roads in Residential Road Networks) of the Council Standards for Engineering Works.

#### 7. Fencing

*Is the developer proposing that all 8 lots have a "residential style" of colourbond/timber fencing erected? As this type of fencing is not in keeping with the current scape/structure and would have an affect of enclosing the development whereas all the properties within this Betley Park have a rural fencing. Can Council ensure that the developer maintains a similar fencing structure to the existing properties so as to blend with the current property lines of Dorsett, Suffolk & Merino Roads?*

#### **Comment:**

Road boundary fencing will be in accordance with Council requirements and is expected to be generally of a rural nature comprising plain wire and netting. Boundary fencing between land owners is also expected to be of a rural nature comprising plain wire and netting. Colourbond metal fencing is not expected to occur.

### 3) Submission by 17 Suffolk Road

*The existing water supply already struggles to be sufficient pressure (water completely cuts out mid shower.*

#### **Comment:**

In respect to water pressure in the immediate area it is noted that point 1 of the Council pressure test is located at the frontage of the subject land and has a static pressure of 280kPa (reservoir pump on) and 200kPa (reservoir pump off). Clause 11.05(1) of Council's Standards For Engineering Works Design Specifications 2013 states that "*Reticulation systems shall be designed to supply peak instantaneous demand by gravity while maintaining a minimum static head of 200 kPa (20m). (WSAA 03 Part 1, section 2.4.3).*" The minimum static head at this location is 200kPa and will be greater at each dwelling location as they will be at a lower elevation than point 1 resulting in a greater static head. These new properties will have adequate water pressure and will have no impact on existing static pressures in the area.

*The roads are rural residential roads- meaning no guttering, no street light, speed signs.*

#### **Comment:**

Street lights will only be installed if required by Council as a condition of development consent but this requirement is expected. Kerb and gutter is a Council requirement in accordance with Table D1.5A (Characteristics of Roads in Residential Road Networks) of the Council Standards for Engineering Works.

*More houses means more of an impact on the native wildlife... ie kangaroos, wombats, goannas, black cockatoos etc.*

#### **Comment:**

Further advice was requested from Capital Ecology regarding fauna on the subject land and the advice states that "*with respect to the general locality, the vegetation in the subject land is unlikely to constitute significant habitat for the Common Wombat or for any other common native fauna species*".

*This is a residential rural estate, 8 houses on the block is too much and simply residential sized- the block should remain rural residential sized*

#### **Comment:**

The site is within the R5 Large Lot Residential zone under Goulburn Mulwaree Local Environmental Plan 2009 and the applicable minimum lot size is 2000m<sup>2</sup> and the proposed subdivision complies with all local environmental plan requirements.

**4) Submission by Raymond and Constance Thorn**

*Life Style: When we purchased our property it was zoned semi-rural with block sizes of 5 acres and this was a life style change for us. We moved from the city and wanted to have room around us with no near neighbours. The zoning has been changed without any consultation and or no notification as to the zoning of now residential with block sizes of 2000 square metres.*

**Comment:**

The site is within the R5 Large Lot Residential zone under Goulburn Mulwaree Local Environmental Plan 2009 and the applicable minimum lot size is 2000m<sup>2</sup> and the proposed subdivision complies with all local environmental plan requirements.

*Natural Environment: The proposed development site was nearly all timbered, with the owners removing nearly all the trees in the past two years. This block has native fauna on it, kangaroos, echidnas, wombats and at least two large 2metre goannas. There are water courses with the rain, so with a development where will the water be directed to and where will the wildlife have access to their normal feeding grounds. There will be high solid fences removing the way wildlife moves in search of food and shelter.*

**Comment:**

Further advice was requested from Capital Ecology regarding fauna on the subject land and the advice states that “with respect to the general locality, the vegetation in the subject land is unlikely to constitute significant habitat for the Common Wombat or for any other common native fauna species”.

*Egress: There is only one way out of Dorsett Rd and Suffolk St and so with the new development there will be at least 8 more cars and families to be safely moved in case of fire or natural occurrences.*

**Comment:**

This development will have no impact on road ingress / egress in the area. Access to Brayton Road is available via Merino Road.

*Services: With the increase in people will the services, namely water and sewerage be sufficient? When Dorsett was developed it was for larger blocks and less people. I know that the water pressure leaves a lot to be desired so what will the impact be for residents already in residence?*

**Comment:**

See comments above on page 20 and in respect to water pressure in the immediate area it is noted that point 1 of the Council pressure test is located at the frontage of the subject land and has a static pressure of 280kPa (reservoir pump on) and 200kPa (reservoir pump off). Clause 11.05(1) of Council’s Standards For Engineering Works Design Specifications 2013 states that “Reticulation systems shall be designed to supply peak instantaneous demand by gravity while maintaining a minimum static head of 200 kPa (20m). (WSAA 03 Part 1, section 2.4.3).” The minimum static head at this location is 200kPa and will be greater at each dwelling location as they will be at a lower elevation than point 1 resulting in a greater static head. These new properties will have adequate water pressure and will have no impact on existing static pressures in the area.

*Aesthetics: At the present time there are farm style fences that have no impact on the visual effect of the properties, but with smaller blocks one would imagine wooden fences causing an eyesore to all in residence at this time.*

**Comment:**

Road boundary fencing will be in accordance with Council requirements and is expected to be generally of a rural nature comprising plain wire and netting. Boundary fencing between land owners is also expected to be of a rural nature comprising plain wire and netting. Colourbond metal fencing is not expected to occur and can be prohibited via a s88B instrument.

**5) Submission by Dale and Melinda White***Safety:***Comment:**

This development will have no impact on road ingress / egress in the area. Access to Brayton Road being approx. 1.1km from the site is available via Merino Road.

*Water:***Comment:**

See comments above on page 20.

*Flooding:***Comment:**

The Preliminary Flood Assessment undertaken by SEEC includes the following conclusion and the proposed dwelling sites will not be impacted by the 1:100 year flood event.

“The results show the extent of the 100 year flood event within the existing watercourse adjacent to the proposed development would have a partial encroachment into the site along the northern boundary of proposed Lots 5 and 6. It is recommended that the floor level of any future dwellings in Lots 5 and 6 are set 0.5m above the 1% AEP flood level and not cut into the existing natural surface. Therefore the minimum floor levels for future dwellings on Lots 5 and 6 should be set no lower than 650.36 AHD based on our preliminary assessment.”

*Sewerage:***Comment:**

See comments above on page 20.

*Rural Aspect:***Comment:**

The proposed development is consistent with the objectives of the R5 Large Lot Residential zone. It is clearly the intent of the Goulburn Mulwaree Local Environmental Plan 2009 for this whole area to be developed into large lot residential development over time and not as rural acreage development. The development of the subject land in accordance with the Goulburn Mulwaree Local Environmental Plan 2009 requirements may be the first to occur but further large lot residential development will occur in this area over time. The site will be visible from Dorset Road and after subdivision will include a newly constructed road with kerb and gutter. The area is general is developing with new dwelling houses and subdivisions in a manner that will not be dissimilar to that now proposed. As such the area is young in developing terms and will change with housing and associated site landscape and streetscape development concomitant partly with the subdivision and partly with future housing development. As such the subdivision and future residential development would be similar to that which is and will occur in the locality. The subdivision will not result in the construction of any works that will result in a potential decrease in amenity. This aspect will become more applicable in the design of future dwelling houses but note that the land in the vicinity is a newly developing residential neighbourhood that will contain new roads and dwelling houses. The lots are large with a minimum area of 2000 square metres and as such good amenity will be afforded to housing.

*Noise:***Comment:**

The subdivision development will require the presence of machinery for the construction of the road and water, sewerage, stormwater, electricity and telephone services. In a developing estate this is normal activity managed by the use of residential mufflers and the timing of works. Works for the subdivision will be carried out during the hours of 7am to 5pm Monday to Friday, 7am and 1pm Saturday with no work on Sunday or Public holidays. Contractors will need to comply with standard construction standards for noise generation.

*Construction Period:***Comment:**

Works for the subdivision will be carried out during the hours of 7am to 5pm Monday to Friday, 7am and 1pm Saturday with no work on Sunday or Public holidays. Contractors will need to comply with standard construction standards for noise generation.

*Animals:***Comment:**

Further advice was requested from Capital Ecology regarding fauna on the subject land and the advice states that *“with respect to the general locality, the vegetation in the subject land is unlikely to constitute significant habitat for the Common Wombat or for any other common native fauna species”*.

*Fall of Land:***Comment:**

The Concept Stormwater Drainage Plan prepared by SEEC (see plan on page 5) incorporates the following components:

- (i) The 525mm diam. culvert is extended through the development as shown.
- (ii) There is a proposed stormwater drainage swale along the southern boundary of the site as shown.

The incorporation of the stormwater measures will reduce the impact of stormwater on the subject property and the adjoining properties.

*Fencing:***Comment:**

Road boundary fencing will be in accordance with Council requirements and is expected to be generally of a rural nature comprising plain wire and netting. Boundary fencing between land owners is also expected to be of a rural nature comprising plain wire and netting. Colourbond metal fencing is not expected to occur and can be prohibited via a s88B instrument.

**6) Submission by Daniel and Naomi Rooke**

*The block was cleared of all trees and vegetation in mid 2017. There has been no reference to the approval of this tree removal.*

*There is a significant water drainage issue within this estate that we feel has not being adequately addressed with the proposed easements. Flooding occurs with medium rainfall. Water supply to the estate is already at a strained level. We would like to know what will be done to improve water pressure with the further proposed 8 dwellings.*

*The impact on the native wildlife has not been taken into consideration with the number of blocks proposed. There will be a massive disturbance to native wildlife thoroughfare ie: Echidna passes through this parcel of land on a regular basis for the past 3 years. (See attached photos). The local Kangaroos are also being affected with at least 20 - 30 kangaroos being in the street at any given time.*

*Additional traffic to the area, the 8 proposed dwellings adds approximately an additional 16 vehicles, potentially another 32 car movements a day on the estates road. The proposed road will directly impact on our house 33 Dorsett Rd, with headlights leaving the proposed street beaming through our lounge room window. Also, are there street lights being installed? If so this is a direct impact on the rural aspect of the street which are an 5 to 7 acres blocks. Where there is currently no street lights and are not wanted.*

*Dorsett Road also falls within a 100km speed limit. With a further 8 dwellings this puts the 100km zone as unrealistic, especially when you have children frequenting the council strip to and from bus stops. 100km speed sign is the last posted speed limit and as confirmed by highway patrol in Goulburn this is in fact the carried through speed limit.*

*We feel that 8 blocks is excessive within the area that it is proposed. The new dwellings will be situated directly on adjoining boundaries of 5 acre lots. The privacy of these adjoining*

*existing dwelling will be significantly impacted. People move to acreage for the outlook and privacy.*

*We would also like you to confirm the construction/earthworks works times as there are several shift workers within the street.*

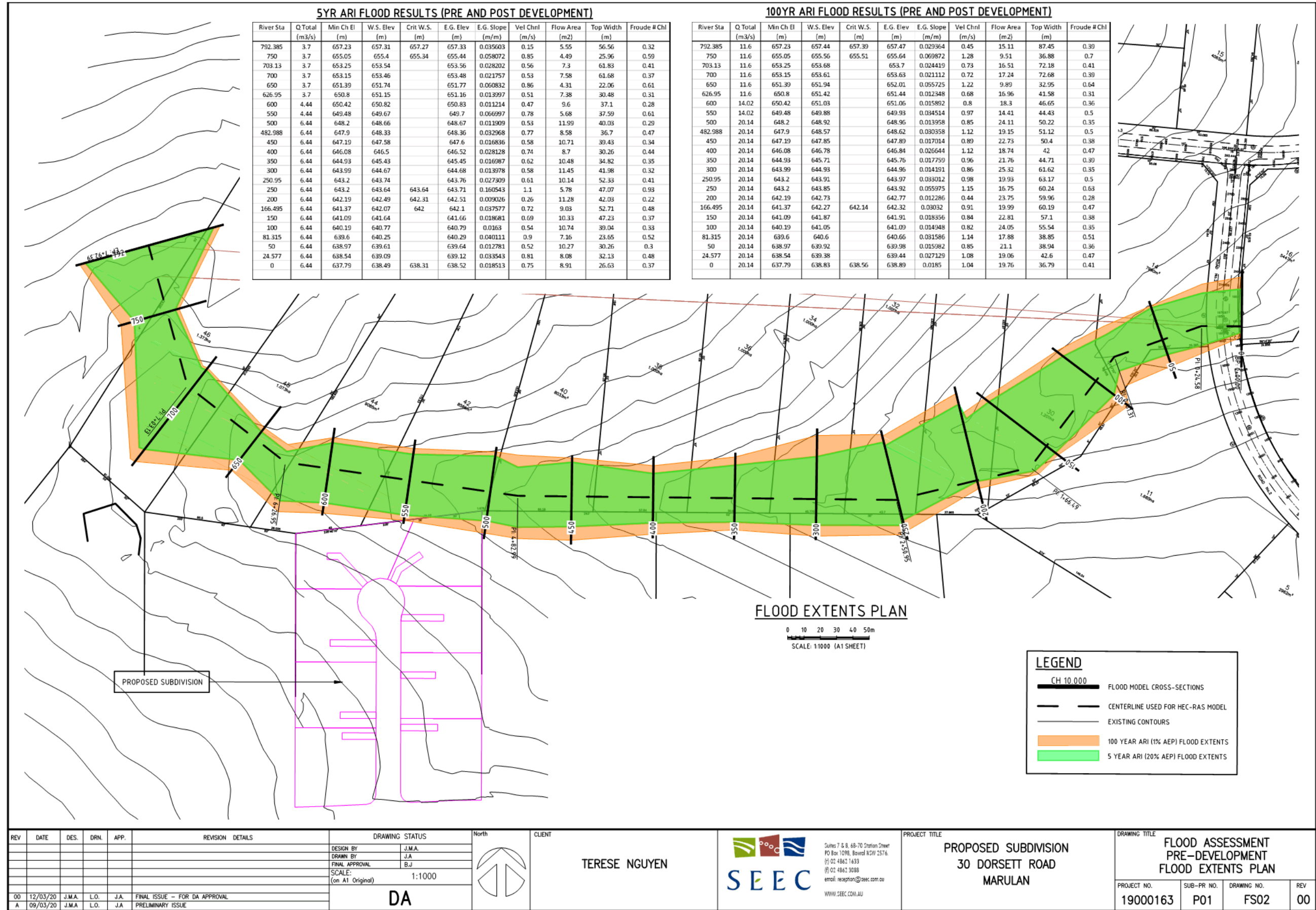
*What processes are being implemented for dust and rubbish control? With the current draught and close proximity of existing homes what will done to control the dust?*

*The negative impact on Dorsett Road starts from the time of approval with construction cars, machinery and heavy vehicles not only frequently travelling in and out of the street but also parking on council strip of neighbouring properties, especially 33 Dorsett Rd as it is directly across the road from the proposed subdivision. Contractors of the current owner have already been parking on the Council strip in front of 33 Dorsett Rd. (Photo attached). Also what monitoring process will be in place to ensure that heavy vehicles are not exceeding their weight limits and damaging the road surface?*

**Comment:**

All matters have been addressed previously and refer to comments above.







# Development Service Plan

Goulburn Stormwater

360776



Prepared for  
Goulburn Mulwaree Council

25 September 2020





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V0-04	24/03/2020	Services areas updated to include City wide, Clyde St, and Marys Mount	KS	GK
V0-05	26/05/2020	Inclusion of additional information	KS	GK
V0-06	05/06/2020	Update with client feedback	KS	GK
V0-07	09/09/2020	Issued for Audit	GK	GK

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## Summary

This Development Servicing Plan (DSP) covers Stormwater developer charges in regards to the City Wide, Clyde St and Marys Mount development areas served by Goulburn Mulwaree Council.

This DSP has been prepared in accordance with the 2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater issued by the Minister for Lands and Water, pursuant to Section 306 (3) of the *Water Management Act, 2000*.

The area covered by this DSP, and the existing and proposed works serving the area, are shown on the plans in Section 12.

The timing and expenditure for works serving the area covered by this DSP are shown in Section 4 and listed in Appendix A.

Levels of service to be provided for Marys Mount DSP area are summarised in Section 5.

The stormwater developer charges for the areas covered by this DSP document have been determined as follows:

Table 1-1 Developer Charges

Service	DSP Name	Service Area	Calculated Developer Charge (\$ per ET)	Adopted Developer Charge (\$ per ET)
Stormwater	DSP Area A	<ul style="list-style-type: none"> <li>▪ Clyde St</li> </ul>	\$9,363	\$9,363
	DSP Area B	<ul style="list-style-type: none"> <li>▪ Marys Mount</li> <li>▪ City Wide</li> </ul>	\$3,613	\$3,613

Developer charges relating to this DSP will be reviewed after a period of 4 to 8 years, in accordance with the guidelines.

In the period between any review, developer charges will be adjusted annually on the basis of the movements in the CPI for Australia ABS: Consumer Price Index (Sydney), excluding the impact of GST.

The developer shall be responsible for the full cost of the design and construction of water supply, sewerage and stormwater reticulation works within subdivisions.

Background information containing all the critical data including calculation models behind Marys Mount Stormwater DSP is available on request from Council.



## Table of Contents

Summary	iii
1 Introduction	1
2 Administration	2
2.1 DSP Name and Area Covered	2
2.2 Payment of Developer Charges	2
2.3 Deferred / Periodic Payments	3
2.4 Works in Kind	3
2.5 Works on Council Land	3
2.6 Dispute Resolution	4
3 Demographic and Land Use planning information	6
3.1 Growth Projections	6
3.2 Land Use Information	7
4 Stormwater Infrastructure	8
4.1 Existing Capital Costs	8
4.2 Future Capital Works Program	8
4.3 Reticulation Works	9
5 Levels of Service	10
5.1 Stormwater	10
6 Design Parameters	11
6.1 Stormwater	11
7 Developer Charge Calculation – Stormwater	12
7.1 Summary	12
7.2 Service Areas	12
7.3 Equivalent Tenements (ETs)	12
7.4 Capital Charge	14
7.5 DSP Area	14
7.6 Reduction Amount	15
7.7 Developer Charge	16
7.8 Cross-Subsidy	16
8 Reviewing / Updating of Calculated Developer Charges	17
9 Background Information	18
10 Other DSPs and Related Contribution Plans	19
11 Glossary	20
12 Plans	22
13 Calculation of ETs	31
14 Existing Capital Costs	36
15 Future Capital Works Program	39
16 Calculation of the Capital Charge	45
16.1 City Wide	46



16.2	Clyde St	48
16.3	Marys Mount	50
17	Calculation of the Reduction Amount	52
18	Cross-Subsidy Calculations	54
19	Stormwater Modelling for Marys Mount	55
19.1	Hydrology	55
19.2	Hydraulics	61
19.3	Revegetation	64
19.4	Costing	64

## Appendices

### Appendix A Existing Asset Listing

#### Tables

Table 1-1	Developer Charges	iii
Table 2-1	DSP Stormwater Service Area	2
Table 3-1	Projected Population Growth	6
Table 3-2	Projected Demand Growth for ETs	7
Table 4-1	Existing Stormwater MEERA	8
Table 4-2	Future Stormwater MEERA	8
Table 5-1	Level of Service for Stormwater	10
Table 7-1	Summary of Proposed Stormwater Developer Charges	12
Table 7-2	Stormwater Service Areas	12
Table 7-3	ET Projections for Stormwater	13
Table 7-4	Summary of Capital Charges	14
Table 7-5	Agglomeration of Service Areas	14
Table 7-6	Weighted Average Capital Charge	14
Table 7-7	Calculation of the Reduction Amount	15
Table 7-8	Developer Charge Calculation	16
Table 19-1	WBNM Hydrological Parameters	59
Table 19-2	Rainfall data	59
Table 19-3	Peak flow rates based on 100 year ARI modelling	60
Table 19-4	Existing Culvert sizing.	61
Table 19-5	Existing Culvert maximum discharge rate.	63
Table 19-6	Recommended Culvert sizing to meet Goulburn Council Standards.	63
Table 19-7	Proposed and current revegetated areas.	64
Table 19-8	Summary of estimated Culvert upgrade costs.	64
Table 19-9	Summary of estimated revegetation costs	65



## Figures

Figure 2-1	Goulburn Stormwater Service Areas Overview	5
Figure 4-1	Future Works Spend Profile	9
Figure 12-1	Zoning Plan City Wide	23
Figure 12-2	Zoning Plan Clyde St	24
Figure 12-3	Zoning Plan Marys Mount	25
Figure 12-4	Existing Services City Wide	26
Figure 12-5	Existing Services Clyde St	27
Figure 12-6	Existing Services Marys Mount	28
Figure 12-7	Future Services Clyde St	29
Figure 12-8	Future Services Marys Mount	30
Figure 19-1	Study area	56
Figure 19-2	Hydrological Catchments (2m Contours)	57
Figure 19-3	Impervious area coverage	58
Figure 19-4	Culvert locations	62
Figure 19-5	Revegetation	66

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## 1 Introduction

Section 64 of the *Local Government Act, 1993* enables a local government council to levy developer charges for water supply, sewerage and stormwater. This derives from a cross-reference in that Act to Section 306 of the *Water Management Act, 2000*.

A Development Servicing Plan (DSP) details the water supply, sewerage and/or stormwater developer charges to be levied on development areas utilising a water utility's water supply, sewerage and/or stormwater infrastructure.

This DSP document covers stormwater infrastructure developer charges in regard to the City Wide, Clyde St and Marys Mount development areas served by Goulburn Mulwaree Council (GMC).

This DSP document has been prepared in accordance with the 2016 Developer Charges Guidelines for Water Supply, Sewerage and Stormwater issued by the Minister of Lands and Water, pursuant to Section 306 (3) of the *Water Management Act, 2000*.

This DSP document supersedes any other requirements related to stormwater developer charges for the areas covered by this DSP. This DSP takes precedence over any of GMC's code or policies where there are any inconsistencies relating to stormwater developer charges.

The developer charge calculation is based on the net present value (NPV) approach, which effectively means the funds committed to developing infrastructure for a development area are fully recovered from the development. The calculation is based on the formula:

$$\text{Developer Charge} = \text{Capital Charge} - \text{Reduction amount}$$

Where:

- > Capital charge is the expenditure required over time to service the development area
- > Reduction amount is the net income received from providing the services to the development area

The calculations are expressed on a per unit basis, the Equivalent Tenement (ET), which is defined as the annual demand a detached residential dwelling will place on the infrastructure.



## 2 Administration

### 2.1 DSP Name and Area Covered

The service area boundaries with this DSP area are defined by the extent of the stormwater network within the LGA. These boundaries capture the existing and future developments served by GMC. Table 2-1 outlines the service areas.

Table 2-1 DSP Stormwater Service Area

DSP Name	Area Covered
City Wide	This service area is located in Goulburn and extends to all the existing developments, excluding those in the other service areas. This area is shown in Figure 12-1 Zoning Plan City Wide .
Clyde St	This service area is a new development area greater than 500 lots and is located to the west of the town in Goulburn, south of the Wollondilly River. This area is shown in Figure 12-2 Zoning Plan Clyde St.
Marys Mount	This service area is a new development area greater than 500 lots and is located to the north of Wollondilly River between Crookwell Road and Middle Arm Road in Goulburn. This area is shown in Figure 12-3 Zoning Plan Marys Mount.

Stormwater contribution rates for the service area of Marulan are not covered in this DSP plan. Please refer to Councils website to obtain a copy of *Development Servicing Plan for Water Supply, Sewerage and Stormwater 2017*.

This DSP repeals all pre-existing developer charges related to stormwater for the service areas listed in Table 2-1.

### 2.2 Payment of Developer Charges

Developer charges will be determined and levied in accordance with the provisions of this DSP document at the time of considering an application for a compliance certificate under Section 305 of the *Water Management Act 2000* or a construction certificate under Section 109 of the *Environmental Planning and Assessment Act 1979* or at the time of issuing a notice or other form of written advice, e.g. Under the *SEPP (Exempt and Complying Development Codes) 2008*. The time limit for payment of developer charges will be included in the notice of determination or will be advised to the developer by a separate notice. Payment of developer charges is usually prior to the issue of 307 Certificate or Subdivision Certificate. The amount of any developer charges not paid within the specified time limit will lapse. Any subsequent determination of developer charges will be made in accordance with GMC's then current DSP.

However, local water utilities (LWU) may elect to determine developer charges at the time of considering a development application. Such a determination would accompany the development consent, and must specify a time limit for payment as indicated above. If the developer charges are paid in full within the specified time limit, subject to the development consent remaining valid, no further adjustment to the developer charges may be made at the time of considering an application for a Compliance Certificate. However, if the developer charges had not been paid in full within the time limit, the developer charges will be determined by the LWU at the time of considering an application for a Compliance Certificate, using the LWU's then current DSP document.

All new properties and properties with an increase in impervious area are liable for payment of developer charges for stormwater. Credit for existing use is applied in the calculation of the ET loadings, as the developer charges are levied for additional ET loading only. For example, the first lot in a residential subdivision is exempt from developer charges where the lot already contributes runoff from an existing dwelling and associated impervious areas to the stormwater system. Properties without existing impervious area do not receive credit for stormwater charges.

Payment of development contributions should be finalised at the following stages:

- > Development applications involving subdivision – prior to the release of the subdivision certificate
- > Development applications involving building work – prior to the release of the occupation certificate



- > Development applications involving both subdivisions and building work (e.g. integrated housing developments) – prior to the release of the construction certificate
- > Development applications where no construction certificate is required - prior to commencement of the approved development
- > Prior to release of complying development certificate

### 2.3 Deferred / Periodic Payments

The contributions levied by this Plan are required to provide service infrastructure to new development as it comes on line. To fund completion of this work, all contributions must be paid prior to release of any subdivision or construction certificate.

Consideration will not be given to deferred, staged or periodic payments in order to settle contributions.

### 2.4 Works in Kind

The Council may accept an offer by the applicant to make a contribution by way of an 'in-kind' contribution or through provision of a material public benefit.

The offer may only be accepted if the applicant satisfies the Council that:

- > Payment of the contribution in accordance with the provisions of this DSP is unreasonable or unnecessary in the circumstances of the case
- > The 'in-kind' contribution will not prejudice the timing or manner of the provision of any particular facility or service for which the contribution is required
- > The value of the works to be undertaken is at least equal to the value of the contribution assessed in accordance with this DSP.

### 2.5 Works on Council Land

The installation of stormwater treatment infrastructure on Council land or land proposed to be dedicated to and ultimately maintained by Council will be considered in the following circumstances:

- > The development serviced by the infrastructure is significant in size and/or involves multiple owners
- > The site for the infrastructure is available for use by Council for operational purposes

Permission for the installation of stormwater treatment infrastructure on Council land or land proposed to be dedicated to Council must be sought from and provided by Council for each instance. This would ordinarily occur as part of consideration of a development application. Council permission would be contingent upon the developer entering into a Planning Agreement with Council.

An application would be considered in the context of the public benefit that may result from this infrastructure on public land or that may result from the development itself. The following is for guidance for such application.

In any quantitative assessment Council will take into account the following:

- > the value of the Council land that is being utilised for the infrastructure
- > the capitalised costs to Council of operating, maintaining and renewing the infrastructure based on a 30-year life

#### Direct Works to be Carried out by the Developer

##### *Construction*

All construction shall be arranged by the developer at their own cost. This shall include but not be limited to: survey, design, legal fees, earthworks, access road, discharge arrangements, fencing, and landscaping.



#### Initial Maintenance

The initial maintenance period shall be carried out by the developer at their own cost. The minimum duration for this period is 2 years from the date of the completion of the final stage of the development being serviced by the facility.

#### Contributions Required from the Developer

Due to the use of public land, and future operation and maintenance costs to be incurred by Council, the developer contributions listed below apply. These contributions are payable at Subdivision Certificate stage and are separate and additional to other developer contributions.

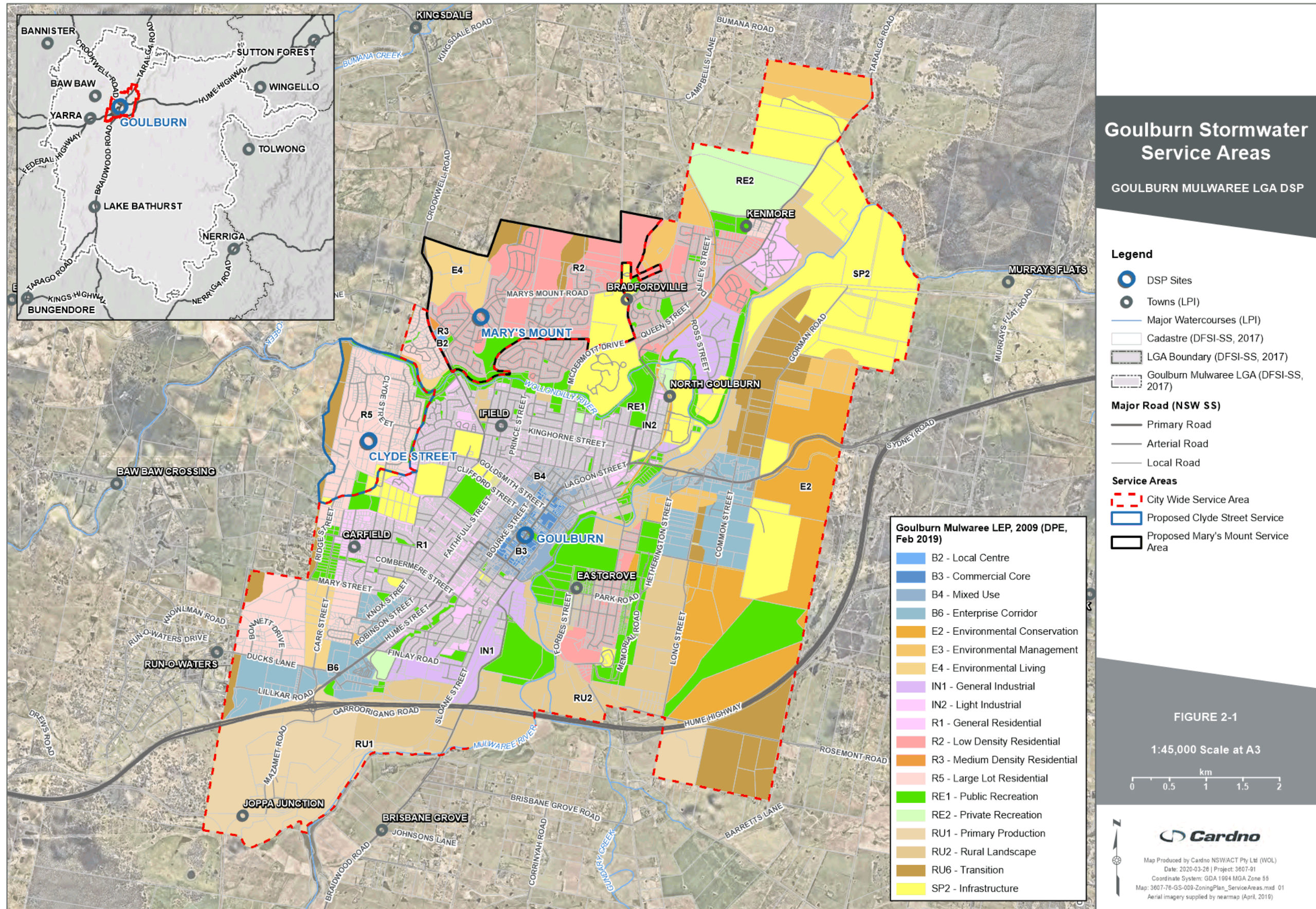
- > Compensation for Use of Land
  - If the stormwater infrastructure is proposed on land owned by Council, the developer shall pay to Council compensation for the land to be used. A valuation (by agreed certified valuer) shall be carried out at the developer's cost.
- > Capitalised Operation and Maintenance Costs
  - The developer shall contribute the present value of future operation and maintenance costs for the facility over a period of 30 years (subsequent to the initial maintenance period) at the discount rate equal to the 30-year Treasury bond rate applicable at the time of the Planning Agreement initiation.
- > Capitalised Renewal Costs
  - The developer shall contribute the present value of the future renewal of the facility after an assumed life of 30 years at the discount equal to the 30-year Treasury bond rate applicable at the time of the Planning Agreement initiation.

## 2.6 Dispute Resolution

Disputes will be resolved in accordance with Section 2.9 of the Guidelines, which states:

1. A developer who is dissatisfied with how a LWU has calculated a developer charge for his development may lodge a formal complaint to the LWU
2. The general manager of the LWU is to review the complaint or cause it to be reviewed;
3. If the developer is not satisfied with the general manager's response, he may refer the complaint to the Ombudsman [note: technical matters are discussed under (4) below]
4. If the complaint is on technical matters or issues of interpretation of these guidelines, the developer may refer the complaint to DPI Water. DPI Water will respond to the complaint. Where warranted, DPI Water may refer the matter to the expert technical panel, which includes representatives from DPI Water, IPART, the NSW Water Directorate, local water utilities and the development industry, and a developer charges expert.
5. The developer, if still dissatisfied, may request that the matter be reviewed by way of arbitration by an arbitrator, who is to be appointed by agreement between the developer and the LWU
6. The decision of the arbitrator is binding on both the developer and LWU
7. Costs of the arbitration are to be borne equally by the developer and the LWU
8. The Commercial Arbitration Act 2010 applies to any such arbitration

GMC is not a member of the Electricity and Water Ombudsman (EWON).







### 3 Demographic and Land Use planning information

#### 3.1 Growth Projections

Growth projections for Goulburn Mulwaree Local Government Area (LGA) population are shown in Table 3-1. These projections are from 2020 to 2050, which is GMC's current 30 year planning horizon. The population in January 1996 (ie. 1995/96) is also indicated. The population projections are for the entire LGA and include un-serviced villages and rural areas.

Projected population data is based off *Profile ID, 2019* which gives the official population of Goulburn Mulwaree Council area as of the 30<sup>th</sup> June 2017, as 30,556. The population growth rates from present day over the 30-year forecast horizon has determined from a combination of sources, including *The Tableland Regional Community Strategic Plan 2016-2036*, the NSW Government's Planning and Environment department 2016 *NSW population projections data* and the *Profile ID* data.

Table 3-1 Projected Population Growth

Year	Population (Goulburn)	Growth Rate (% p.a.)
1995/96	25,562	0.67%
2019/20	31,797	1.16%
2020/21	32,167	1.16%
2021/22	32,499	1.03%
2022/23	32,835	1.03%
2023/24	33,174	1.03%
2024/25	33,517	1.03%
2025/26	33,863	1.03%
2026/27	34,197	0.99%
2027/28	34,535	0.99%
2028/29	34,875	0.99%
2029/30	35,219	0.99%
2030/31	35,567	0.99%
2031/32	35,888	0.90%
2032/33	36,212	0.90%
2033/34	36,539	0.90%
2034/35	36,869	0.90%
2035/36	37,202	0.90%
2036/37	37,538	0.90%
2037/38	37,877	0.90%
2038/39	38,219	0.90%
2039/40	38,564	0.90%
2040/41	38,912	0.90%
2041/42	39,264	0.90%
2042/43	39,618	0.90%
2043/44	39,976	0.90%
2044/45	40,337	0.90%
2045/46	40,701	0.90%
2046/47	41,068	0.90%



2048/49	41,813	0.90%
2049/50	42,191	0.90%

Growth projections for the number of Equivalent Tenements (ETs) for stormwater are shown in Table 3-2. The ET in January 1996 is also indicated. ET calculations are included in Section 7.3 of the DSP document.

Table 3-2 Projected Demand Growth for ETs

Service Area	City Wide	Clyde St	Marys Mount	Total
ETs 1996	7,803	0	0	7,803
ETs 2020	8,887	278	1,361	10,527
Projected ETs 2050	12,343	505	2,025	14,873
Total New ETs	3,456	227	664	4,346

### 3.2 Land Use Information

This DSP document should be read in conjunction with Goulburn Mulwaree Local Environmental Plan 2009.

Within the City Wide service area, the expected growth is mainly driven by infill development.

Clyde St is a new development area with a potential of 505 lots total. In 2004, there were a total of 65 lots approved and in 2019 there were a total of 265 lots approved. Council expects this area to be built out in approximately 10 years from the time of this report. Based on these facts, a linear growth rate was assumed and used in the calculations.

Marys Mount is a new development area with a potential of 2025 lots total. This area commenced development in 2004/05 and in 2019 there are a total of 1270 lots approved. Council expects this area to be built out in approximately 10 years from the time of this report. Based on these facts, a linear growth rate was assumed and used in the calculations.





## 4 Stormwater Infrastructure

The broader Goulburn Stormwater network drains to the Wollondilly River and the Mulwaree Ponds. The existing piped drainage network consists of over 100 km of pipes ranging in diameter from 150 mm to 2,100 mm. The urban drainage system also comprises detention basins, headwalls, pits and open drains. Within the Marys Mount area, the primary drainage channels are overland and involve a number of key road crossings.

The existing stormwater infrastructure servicing the City Wide, Clyde St and Marys Mount areas are shown on the plans in Section 12 of this DSP.

### 4.1 Existing Capital Costs

The estimated Modern Engineering Equivalent Replacement Asset (MEERA) capital cost of stormwater capital works servicing the Goulburn Mulwaree Council area covered by this DSP document are shown in Appendix A. Note that only those assets built in the last 30 years (cut off is 1989) are included and reticulation assets are excluded. In this case, any pipe section with diameter less than or equal to 375mm has been excluded.

The recoverable amount is calculated using the MEERA and is reduced based on two factors:

- > The proportion of growth in that service area
- > The percentage of the asset that services the area if the asset is shared with another area

The total MEERA cost for existing Stormwater assets in Goulburn is shown in Table 4-1.

Table 4-1 Existing Stormwater MEERA

Service Area	MEERA Value of Existing Assets	Recoverable MEERA for DSP
City Wide	\$34,286,327	\$3,645,384
Clyde St	\$11,203,605	\$2,961,214
Marys Mount	\$4,658,678	\$4,591,291

### 4.2 Future Capital Works Program

The timing and expenditure for stormwater capital works (including backlog works) serving the area covered by this DSP document are shown in Appendix A.

The capital works required was assessed through a stormwater modelling process as outlined in Appendix A. The summary of the required works is shown in the Table 4-2.

Table 4-2 Future Stormwater MEERA

Service Area	MEERA Value of Future Assets	Recoverable MEERA for DSP
City Wide	\$38,442,905	\$6,773,883
Clyde St	\$4,723,565	\$2,123,266
Marys Mount	\$6,927,817	\$2,271,640

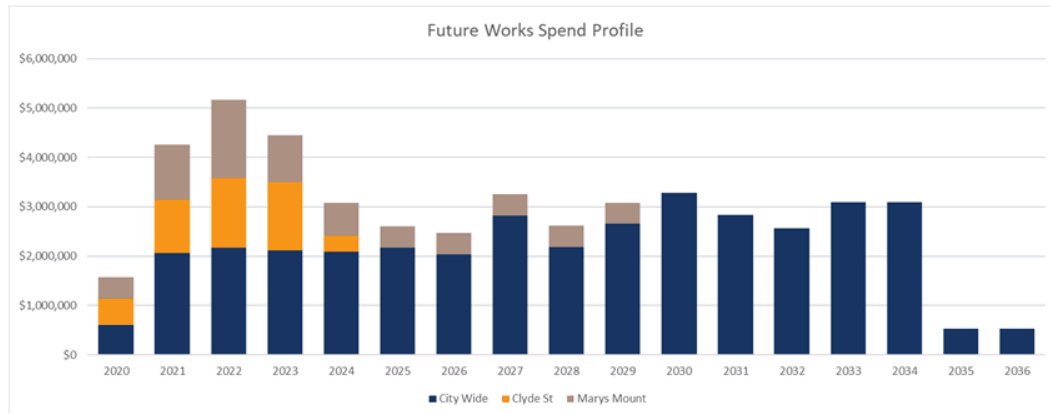


Figure 4-1 Future Works Spend Profile

### 4.3 Reticulation Works

The developer shall be responsible for the full cost of the design and construction of stormwater reticulation works within subdivisions. For this DSP, reticulation assets are defined as all assets less than 375mm diameter.





## 5 Levels of Service

System design and operation are based on providing the following levels of service (LoS). Typical levels of service are outlined below. Further information on levels of service is available from:

- > GMC’s Water Supply and Sewerage Strategic Business Plan (GHD, 2011)
- > NSW Water and Sewerage Strategic Business Planning Guidelines, NSW Office of Water, July 2011, (available at [www.water.nsw.gov.au](http://www.water.nsw.gov.au)).

### 5.1 Stormwater

The LoS that apply to GMC’s stormwater system are the targets that GMC aims to meet. These targets are not intended as a formal customer contract. GMC’s current LoS for stormwater are outlined in Table 5-1.

Table 5-1 Level of Service for Stormwater

Description	Unit	Target LoS
<b>Community Levels of Service</b>		
Minimal disruption due to a bridge/culvert maintenance	% Satisfaction	> 90% Satisfaction
Satisfactory provision of waterway crossing during flooding	Number / annum	13
Provide safe drainage systems free from preventable hazards	Number of injuries or property damage	0
<b>Technical Levels of Service</b>		
Conveyance capacity – trunk mains	Average recurrence interval	1 in 100 year
Conveyance capacity – collection network	Average recurrence interval	1 in 5 year
Carry out routine maintenance as scheduled	Number / annum	3 times / annum
Ensure access and reduced flooding etc. by pre-plan maintenance	Number of access issues per year	0
Provide Stormwater services in a cost effective manner	% budget overrun	No budget overrun
Provide clear safety signage	Number of defects per annum	0



## 6 Design Parameters

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### 6.1 Stormwater

Investigation and design of stormwater system components is based on the following documentation:

- > Goulburn Mulwaree Council Stormwater Drainage Design Handbook (March 2013)
- > Council Standards for Engineering Works Policy
- > Council Standards for Engineering Works Preface and Supplementary Notes
- > Australian Rainfall and Runoff (ARR) 2016
- > Water Sensitive Urban Design Report – Clyde Street (August 2004)
- > Water Sensitive Urban Design Report – Marys Mount (August 2003)
- > CBD Master Plan (December 2009)
- > Transport Asset Management Plan (April 2017)

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## 7 Developer Charge Calculation – Stormwater

### 7.1 Summary

The developer charges for the areas covered by this DSP document are summarised in Table 7-1.

Table 7-1 Summary of Proposed Stormwater Developer Charges

DSP Area	Capital Charge (\$ per ET)	Reduction Amount (\$ per ET)	Calculated Maximum Developer Charge (\$ per ET)	Adopted Developer Charge (\$ per ET)
DSP Area A ▪ Clyde St	\$9,207	-\$156	\$9,363	\$9,363
DSP Area C ▪ Marys Mount ▪ City Wide	\$3,457		\$3,613	\$3,613

These amounts have been calculated as per *The Guidelines* and the calculations are shown in the following sections.

### 7.2 Service Areas

The stormwater service areas and the basis of determining the service areas are as follows:

Table 7-2 Stormwater Service Areas

Service area	Basis of determining the service area
City Wide	Captures the existing stormwater network within the town of Goulburn
Clyde St	New Development area of over 500 lots
Marys Mount	New Development area of over 500 lots

### 7.3 Equivalent Tenements (ETs)

The *Guidelines* define an equivalent tenement as the annual demand a detached residential dwelling will place on the infrastructure. For stormwater, one ET represents the equivalent runoff from a single, detached residential dwelling with an average impervious area of 350m<sup>2</sup>. The number of ET's for non-residential property will be calculated based on the impervious area, where 350m<sup>2</sup> impervious area represents one ET.

In order to determine the number of stormwater ET's for input into the capital charge calculations, it was assumed that the number of stormwater ETs was equivalent to the number of lots and dwellings in each service area. For City Wide, the number of dwellings was used as the basis and growth rates were based on the population growth predictions as per *Profile ID, 2019*, the *Tableland Regional Community Strategic Plan 2016-2036* and data from the NSW Government's Planning and Environment department 2016 NSW population projections. Clyde St and Marys Mount were based on a linear projection of lot development from data supplied by GMC as discussed in Section 3.2.

ET projections for each service area over the next 30 years are shown in Table 7-3 and the ETs in January 1996 are also provided. ET calculation details for each service area are shown in Section 13.



Table 7-3 ET Projections for Stormwater

Year	LGA	City Wide	Clyde St	Marys Mount
Historic Growth Rate	0.90%	0.54%	5.04%	7.14%
Future Growth Rate	1.00%	1.10%	6.47%	4.24%
1995/96	7,803	7,803	0	0
2019/20	10,527	8,887	278	1,361
2020/21	10,695	8,985	295	1,415
2021/22	10,865	9,084	313	1,469
2022/23	11,036	9,184	330	1,523
2023/24	11,209	9,285	347	1,577
2024/25	11,382	9,387	364	1,631
2025/26	11,556	9,490	381	1,685
2026/27	11,732	9,595	398	1,739
2027/28	11,908	9,701	415	1,792
2028/29	12,086	9,807	433	1,846
2029/30	12,265	9,915	450	1,900
2030/31	12,445	10,024	467	1,954
2031/32	12,627	10,135	484	2,008
2032/33	12,773	10,246	501	2,025
2033/34	12,889	10,359	505	2,025
2034/35	13,003	10,473	505	2,025
2035/36	13,119	10,589	505	2,025
2036/37	13,235	10,705	505	2,025
2037/38	13,353	10,823	505	2,025
2038/39	13,472	10,942	505	2,025
2039/40	13,593	11,063	505	2,025
2040/41	13,714	11,184	505	2,025
2041/42	13,838	11,308	505	2,025
2042/43	13,962	11,432	505	2,025
2043/44	14,088	11,558	505	2,025
2044/45	14,215	11,685	505	2,025
2045/46	14,344	11,814	505	2,025
2046/47	14,474	11,944	505	2,025
2047/48	14,605	12,075	505	2,025
2048/49	14,738	12,208	505	2,025
2049/50	14,873	12,343	505	2,025



### 7.4 Capital Charge

The capital charge for each service area covered by this DSP document has been calculated using NPV spreadsheet method.

Under the NPV spreadsheet method, the capital cost of relevant assets and projected ETs served in a service area are entered into a spreadsheet. These capital costs are only for the share of the asset capacity used in the service area. The PV of capital cost and the PV of the new ETs are calculated, and the capital charge per ET is the PV of the capital cost divided by the PV of the ETs, according to the formula:

$$\text{Capital Charge} = \frac{\text{NPV Capital Cost}}{\text{NPV ETs}}$$

Calculations details for PV of ETs and PV of capital costs for each service area are shown in Section 16.

The summary of the capital charge calculations is shown in Table 7-4.

Table 7-4 Summary of Capital Charges

Service Area	PV of New ETs for pre-1996 assets @3%	PV of New ETs for post-1996 assets @5%	PV capital cost for pre-1996 assets @3%	PV capital cost for post-1996 assets @5%	Capital charge for pre-1996 assets	Capital charge for post-1996 assets	Capital charge per ET (\$)
City Wide	1842	1143	\$1,209,105	\$3,093,336	\$656	\$2,707	\$3,363
Clyde St	277	196	\$0	\$1,808,410	\$0	\$9,207	\$9,207
Marys Mount	1,100	758	\$0	\$2,837,018	\$0	\$3,742	\$3,742

### 7.5 DSP Area

It is a requirement of the DSP *Guidelines* that any service areas that have a capital charge within 30% of the highest capital charge are agglomerated together in a single DSP area. Table 7-5 shows the calculation.

Table 7-5 Agglomeration of Service Areas

Service Area	Capital Charge (\$ per ET)	Percentage of Highest Capital Charge DSP Area	Percentage of next Highest Capital Charge DSP Area	Percentage of next Highest Capital Charge DSP Area
Clyde St	\$9,207	100%	0%	0%
Marys Mount	\$3,742	41%	100%	0%
City Wide	\$3,363	37%	90%	0%

Weighted average capital charge for each DSP area is calculated by weighting by the PV of new ETs in each service area. The calculation is shown in Table 7-6.

Table 7-6 Weighted Average Capital Charge

DSP Area	Service Area	Capital charge for service area	New ETs in service area	PV New ETs	% of PV of new ETs in DSP area	Weighted component of Capital Charge	Weighted Capital Charge for DSP Area
DSP Area A	Clyde St	\$9,207	227	176	100%	\$9,207	\$9,207
DSP Area B	Marys Mount	\$3,742	664	577	25%	\$927	\$3,457
	City Wide	\$3,363	3456	1751	75%	\$2,530	

The utility-wide weighted average capital charge is \$4,409.



### 7.6 Reduction Amount

Council has adopted the NPV of Annual Bills method to calculate the Reduction Amount. This method involves calculating the difference between the revenue from annual bills and annual costs of operation, maintenance and administration (OMA). This calculation is projected for development over the next 30 years. All amounts are expressed in terms of ET's.

The reduction amounts have been calculated based on the following assumptions:

- > Annual Income from rates and charges is \$0.00.
  - Council does not charge a levy for stormwater infrastructure
- > Annual OMA cost at the commencement of the DSP = \$130,000.00 per annum
- > Total ET's in the LGA in 2020 are 10570

The net income is calculated according to the formula:

$$\text{Net income per ET} = \text{Annual income per ET} - \text{OMA per ET}$$

The resulting net income amount is -\$12.54.

The reduction amount is calculated according to the formula:

$$\text{Reduction amount} = \frac{\text{NPV net income}}{\text{NPV ETs}}$$

The calculations are shown in Table 7-7. The resulting reduction amount is -\$156

Table 7-7 Calculation of the Reduction Amount

Year	Total ETs	New ETs	PV New ETs (5%)	Cumulative ETs	Net Income (\$'000s)	PV Net income (5%) (\$'000s)
2019/20	10,527					
2020/21	10695	168	160	168	-\$2,105	-\$2,005
2021/22	10865	170	154	338	-\$4,235	-\$3,842
2022/23	11036	171	148	509	-\$6,378	-\$5,510
2023/24	11209	173	142	682	-\$8,546	-\$7,031
2024/25	11382	173	136	855	-\$10,714	-\$8,395
2025/26	11556	174	130	1029	-\$12,894	-\$9,622
2026/27	11732	176	125	1205	-\$15,100	-\$10,731
2027/28	11908	176	119	1381	-\$17,305	-\$11,713
2028/29	12086	178	115	1559	-\$19,535	-\$12,593
2029/30	12265	179	110	1738	-\$21,778	-\$13,370
2030/31	12445	180	105	1918	-\$24,034	-\$14,052
2031/32	12627	182	101	2100	-\$26,315	-\$14,653
2032/33	12773	146	77	2246	-\$28,144	-\$14,925
2033/34	12889	116	59	2362	-\$29,598	-\$14,949
2034/35	13003	114	55	2476	-\$31,026	-\$14,924
2035/36	13119	116	53	2592	-\$32,480	-\$14,879
2036/37	13235	116	51	2708	-\$33,933	-\$14,805
2037/38	13353	118	49	2826	-\$35,412	-\$14,714
2038/39	13472	119	47	2945	-\$36,903	-\$14,604
2039/40	13593	121	46	3066	-\$38,419	-\$14,480
2040/41	13714	121	43	3187	-\$39,936	-\$14,335





Year	Total ETs	New ETs	PV New ETs (5%)	Cumulative ETs	Net Income (\$'000s)	PV Net income (5%) (\$'000s)
2041/42	13838	124	42	3311	-\$41,489	-\$14,183
2042/43	13962	124	40	3435	-\$43,043	-\$14,014
2043/44	14088	126	39	3561	-\$44,622	-\$13,836
2044/45	14215	127	38	3688	-\$46,214	-\$13,647
2045/46	14344	129	36	3817	-\$47,830	-\$13,452
2046/47	14474	130	35	3947	-\$49,459	-\$13,248
2047/48	14605	131	33	4078	-\$51,101	-\$13,035
2048/49	14738	133	32	4211	-\$52,767	-\$12,820
2049/50	14873	135	31	4346	-\$54,459	-\$12,601
Total			2352			-\$366,965
Reduction Amount						-\$156

### 7.7 Developer Charge

The developer charge is calculated according to the formula:

$$\text{Developer Charge} = \text{Capital Charge} - \text{Reduction Amount}$$

The calculated developer charges are the maximum that may be levied by a LWU. The calculation is shown below in Table 7-8

Table 7-8 Developer Charge Calculation

DSP Area	Service Area	Capital Charge (\$ per ET)	Reduction Amount (\$ per ET)	Calculated Developer Charge (\$ per ET)	Maximum Developer Charge (\$ per ET)
DSP Area A	Clyde St	\$9,207	-\$156	\$9,363	
DSP Area B	Marys Mount	\$3,457		\$3,613	
	City Wide			\$3,613	

### 7.8 Cross-Subsidy

If the LWU elects to adopt a developer charge less than the calculated maximum developer charge, they must then calculate a cross-subsidy in the annual bill. The cross-subsidy is the difference (%) between the annual bill with the calculated maximum developer charge and the annual bill with the proposed lower developer charge.

The cross-subsidy, resulting from capping of developer charges must be disclosed in the DSP, the utility's Annual Report, annual Operational Plan and in communication materials for consultation with stakeholders.

For this DSP, Council has elected to adopt the maximum calculated developer charges for stormwater, therefore no cross-subsidy will apply.



## 8 Reviewing / Updating of Calculated Developer Charges

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Developer charges will be adjusted on 1 July each year on the basis of movements in the CPI for Australia ABS: Consumer Price Index (Sydney), in the preceding 12 months to December, excluding the impact of GST.

Developer charges will be reviewed by Council after a period of 4 to 8 years, or when a significant change in forecast spend or strategic development planning occurs.

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## 9 Background Information

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Background information containing all the critical data including calculation models behind each DSP is available from GMC on request. The contact details are below:

Goulburn Mulwaree Council Utilities Section  
Ph: (02) 4823 4444

The background document lists and references all the other studies that have been used as a source, including GMC's Strategic Business Plan, Financial Plan and stormwater water modelling.

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## 10 Other DSPs and Related Contribution Plans

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This DSP document supersedes any other requirements related to stormwater developer charges for the service area covered by this DSP.

Other related DSPs are:

- > *Developer Servicing Plan for Water Supply, Sewerage and Stormwater (Hunter H<sub>2</sub>O 2017)*

The related Section 94 contributions plans prepared by GMC are:

- > *Goulburn Mulwaree Council Section 94A Levy Development Contributions Plan 2009 (Parsons Brinckerhoff, 2009)*
- > *Goulburn Mulwaree Council Section 94A Levy Development Contributions Plan 2009 Amendment No. 2 (2012)*

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## 11 Glossary

Annual Bill	LWU's annual water supply or sewage bill for an annual demand of 1 ET.
Asset	An asset (or part of an asset) including land and headworks assets that directly provides, or will provide, the developer services to development within the DSP area for which the Developer Charge is payable.
ADWF	Average dry weather flow. One of the design parameters for flow in sewers.
Annual Demand	The total water demand over a year. Used to size headworks components
Background Information	Contains all the critical data behind each DSP. This information should be made available electronically to developers on request, e.g. On a USB and should include the calculation models in Excel or similar electronic spreadsheet format, so that all components of the models can be investigated.
BOD	Biochemical oxygen demand. Used as a measure of the 'strength' of sewage.
Capital Cost	The Present Value (MEERA basis) of all expenditure on assets used to service the development.
Capital Charge	Capital cost of assets per ET adjusted for commercial return on investment (ROI)
CP	Section 94 Contributions Plan
CPI	Consumer price index.
DPI Water	A division of NSW Department of Primary Industries
Developer Charge (DC)	Charge levied on developers to recover part of the capital cost incurred in providing infrastructure to new development
Development Area	See DSP area
Discount Rate	The rate used to calculate the present value of money arising in the future.
DSP Document	Development Servicing Plan Document
DSP Area	That part of a water utility's area covered by a particular Development Servicing Plan. Also referred to as Development Area.
EP	Equivalent Persons (or equivalent population). Used as a design parameter for loadings of sewage treatment works.
ET	Equivalent tenement. The annual demand a detached residential dwelling will place on the infrastructure in terms of the water consumption or sewage discharge.
Government Subsidies	Government funds provided towards the capital cost of a project.
GMC	Goulburn Mulwaree Council
GST	Goods and services tax.
Headworks	Significant assets at the top end of the water systems or the bottom end of the wastewater and stormwater system. For example water headworks may comprise a system of storage reservoirs, water treatment works and major supply conduits.
IPART	The NSW Independent Pricing and Regulatory Tribunal.
kL	Kilolitre (1,000 litres).
LGNSW	Local Government and Shires Associations.
LWU	Local water utility (NSW). Excludes Sydney Water Corporation, Hunter Water Corporation, Gosford Council, Wyong Council, Essential Water and Fish River Water Supply.
MEERA	Modern Engineering Equivalent Replacement Asset. An asset value calculated on the basis that the asset is constructed at the time of valuation in accordance with modern engineering practice and the most economically viable technologies, which provides similar utility functions to the existing asset in service.
ML	Megalitre (1,000,000 litres, or 1,000 kilolitres).
Net Income	Annual bill minus OMA cost per ET.
NOW	NSW Office of Water, replaces by DPI Water since July 2015



NPV	Net present value means the difference between the Present Value of a revenue stream and the Present Value of a cost stream.
OMA	Operation, maintenance and administration (cost).
Peak Day Demand	The maximum demand in any one day of the year. Used to size water treatments works, service reservoirs, trunk mains and pumping stations in the distribution system.
Operating Cost	In relation to a DSP is the operation, maintenance and administration cost (excluding depreciation and interest) of a LWU in providing Customer services to a DSP area.
Periodic bills	The periodic bills (generally quarterly) levied by a LWU in accordance with their annual operational plan.
Post 1996 Asset	An asset that was commissioned by a LWU on or after 1 January 1996 or that is yet to be commissioned.
Pre-1996 Asset	An asset that was commissioned by a LWU before 1 January 1996.
PV	Present value. The current value of future money or ETs.
PWWF	Peak wet weather flow. One of the design parameters of flow in sewers.
Real Terms	The value of a variable adjusted for inflation by a CPI adjustment
Reduction Amount	The amount by which the capital charge is reduced to arrive at the developer charge. This amount reflects the capital contribution that will be paid by the occupier of a development as part of future annual bills.
ROI	Return on investment. Represents the income that is, or could be, generated by investing money.
Service Area	An area serviced by a separate water supply system, an area served by a separate STW, a separate small town or village, or a new development of over 500 ETs.
SS	Suspended solids, or the concentration of particles in sewage. Used as a measure of the 'strength' of sewage.
STW	Sewage treatment works
TRB	Typical residential bill, which is the principal indicator of the overall cost of a water supply or sewerage system and is the bill paid by a residential customer using the utility's average annual residential water supplied per connected property.
WICA	Water Industry Competition Act, 2006
WICAA	Water Industry Competition Amendment (Review) Act, 2014
WTW	Water treatment works



## 12 Plans

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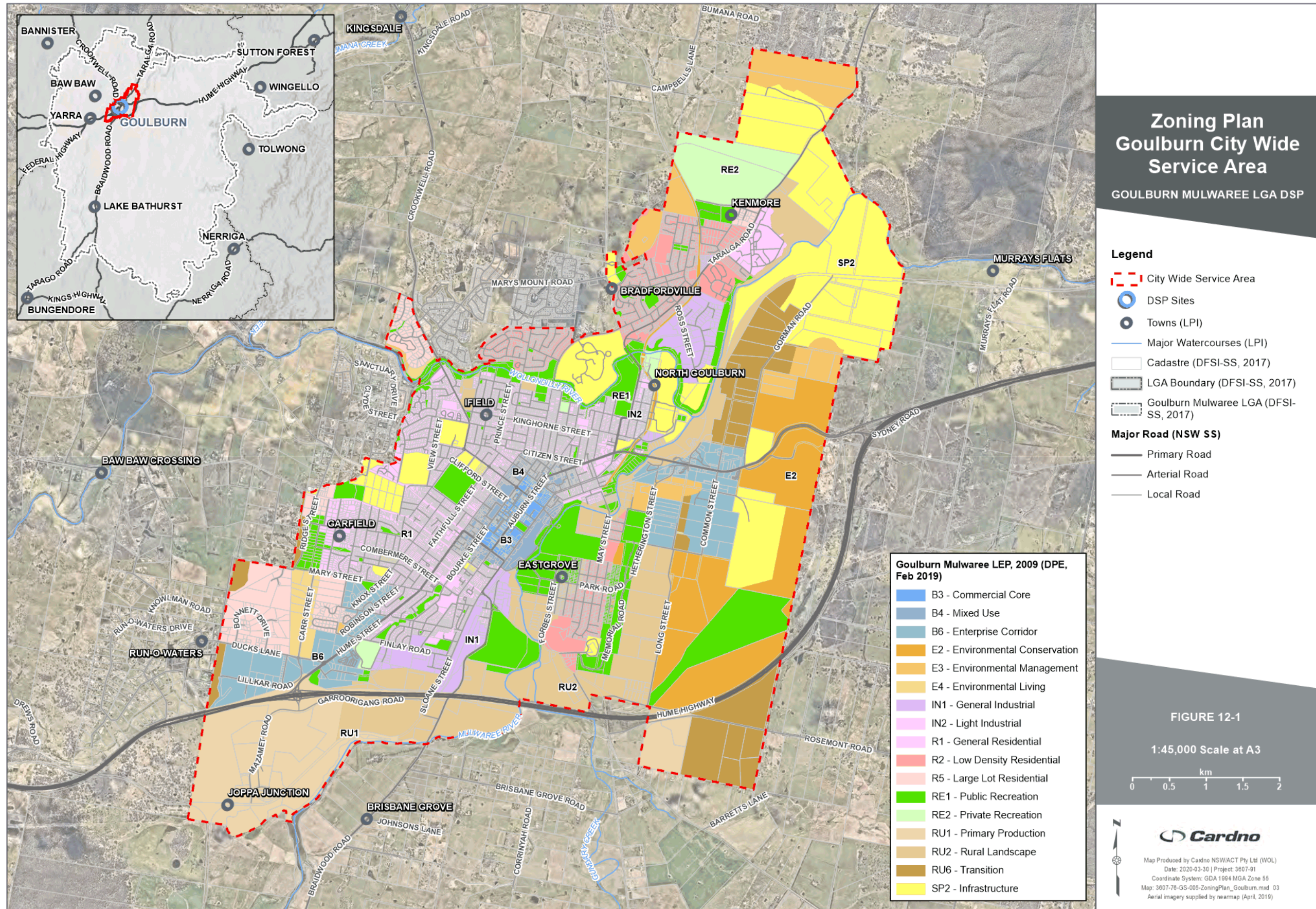
This section presents a number of plans to illustrate the services areas and assets covered by this DSP. Plans are shown for the:

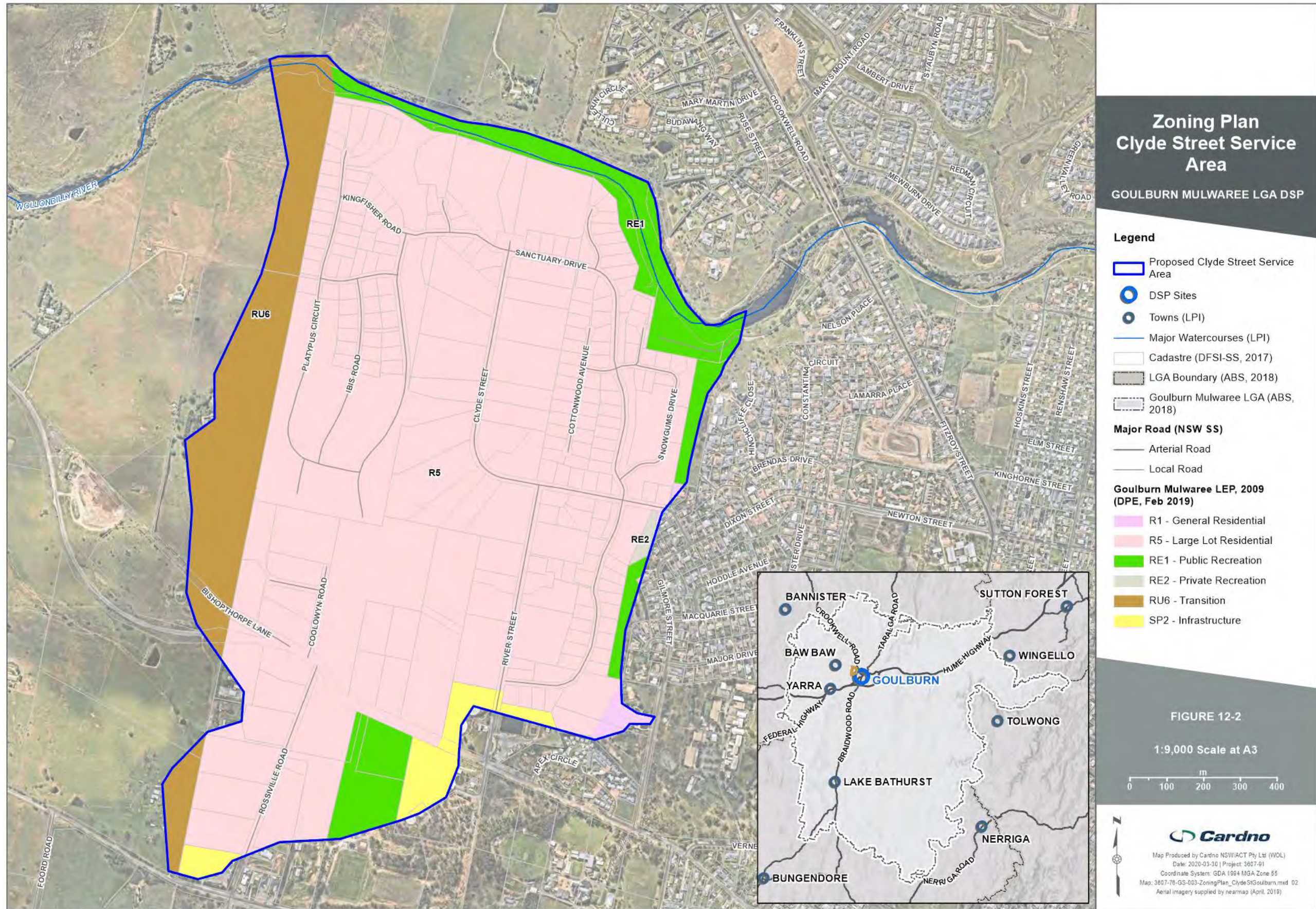
- > Individual Service Areas
  - Figure 12-1 Zoning Plan City Wide
  - Figure 12-2 Zoning Plan Clyde St
  - Figure 12-3 Zoning Plan Marys Mount
- > An overview of existing Services
  - Figure 12-4 Existing Services City Wide
  - Figure 12-5 Existing Services Clyde St
  - Figure 12-6 Existing Services Marys Mount
- > Future Works
  - Figure 12-7 Future Works Clyde St
  - Figure 12-8 Future Works Marys Mount

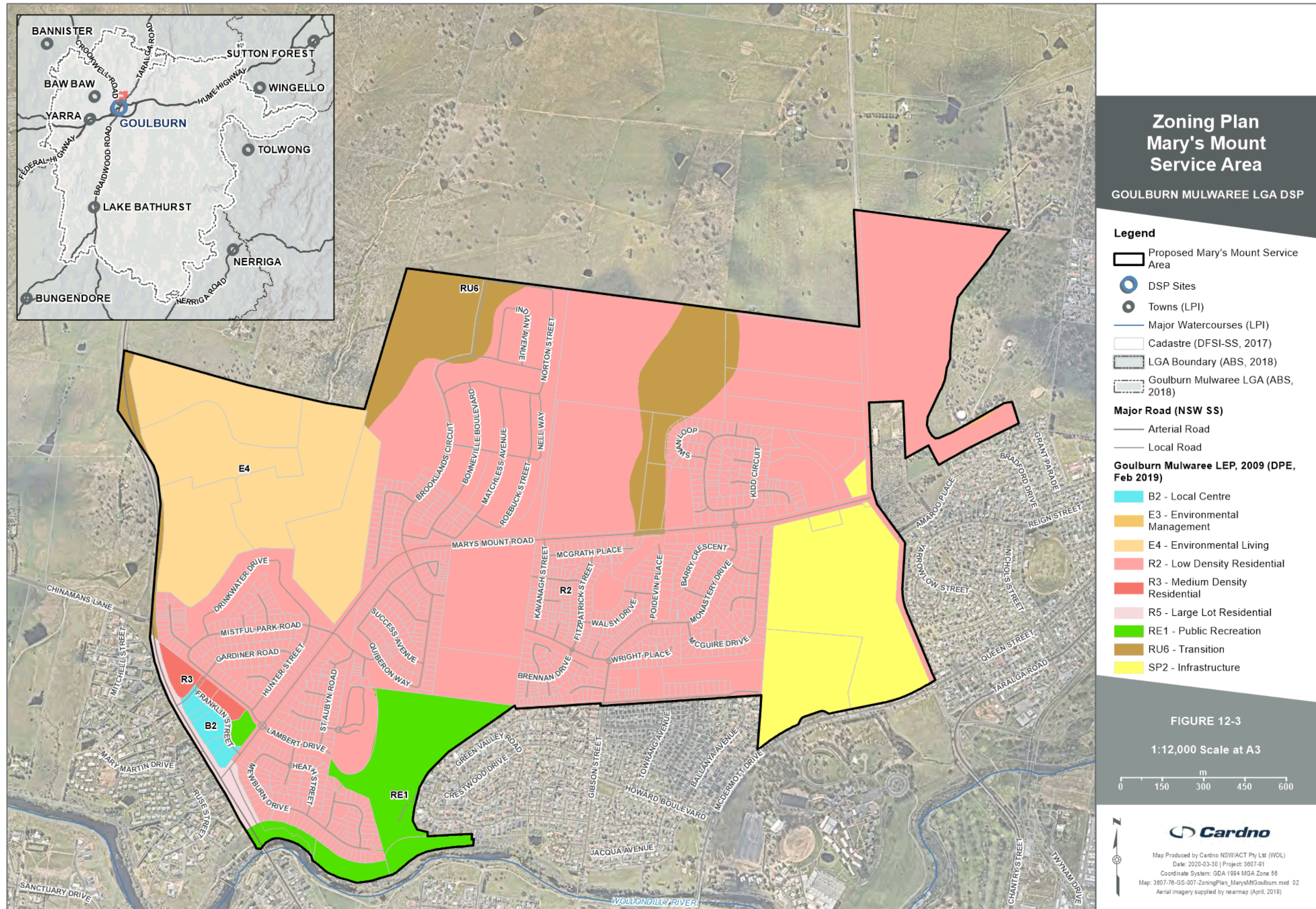
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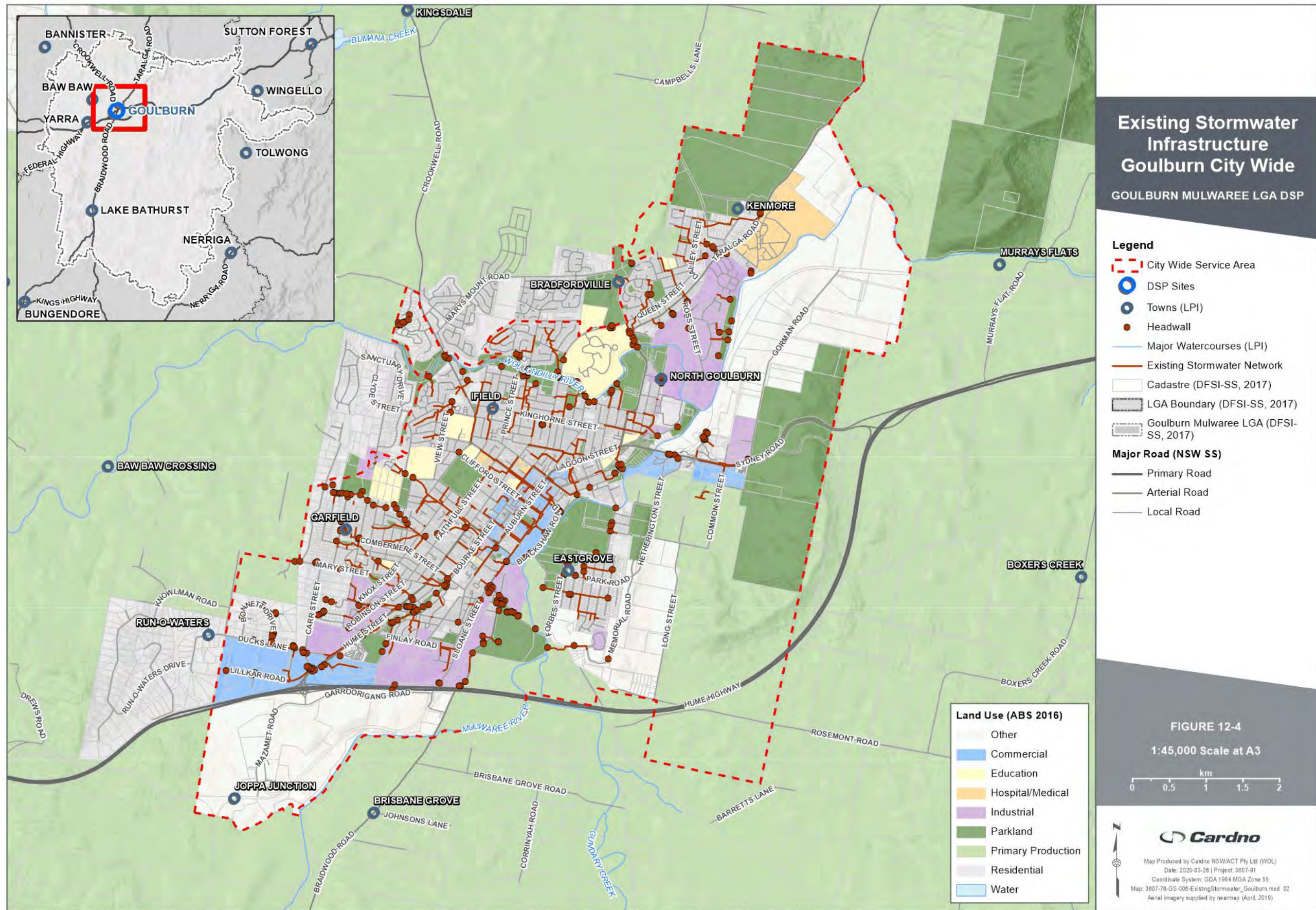




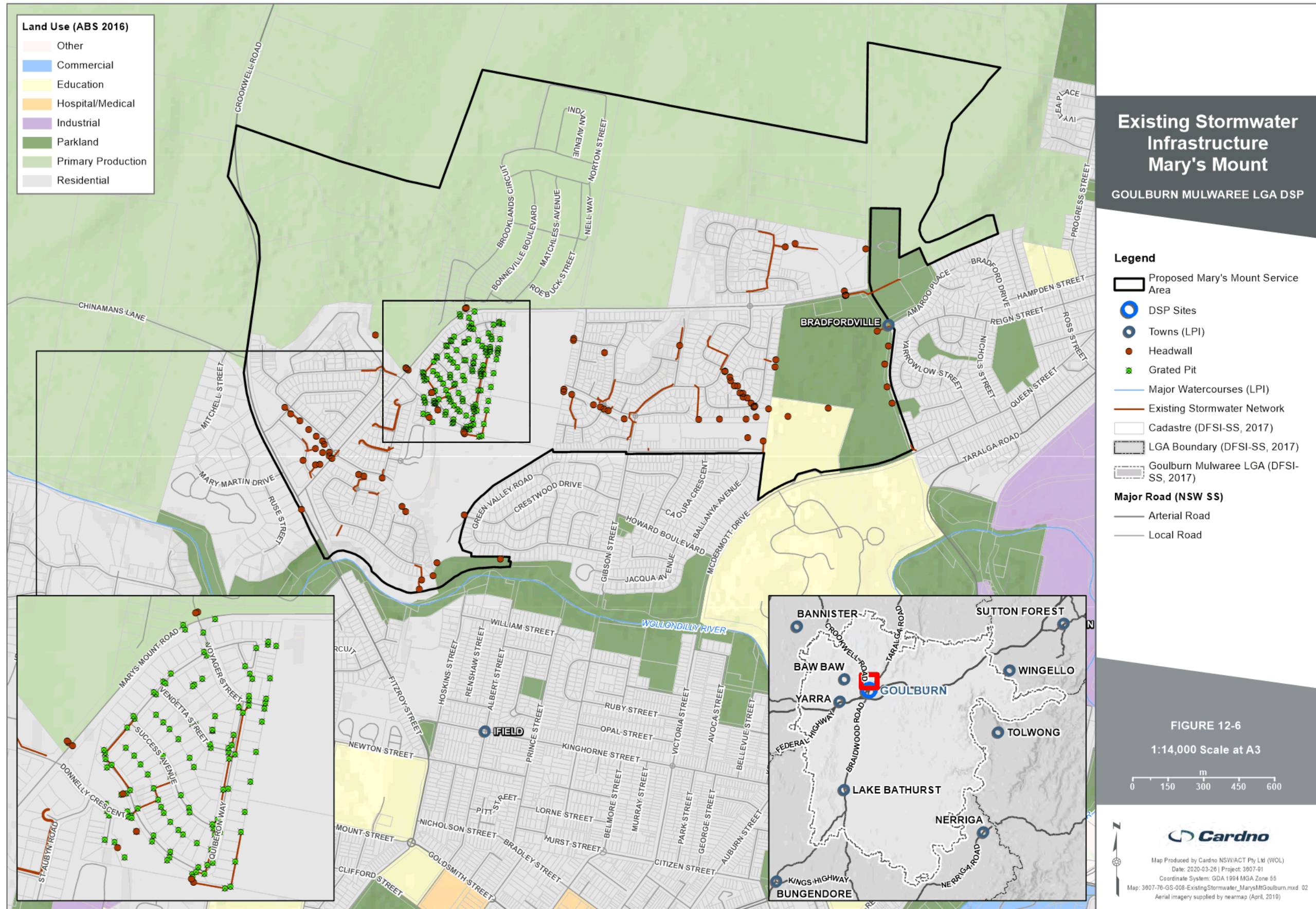


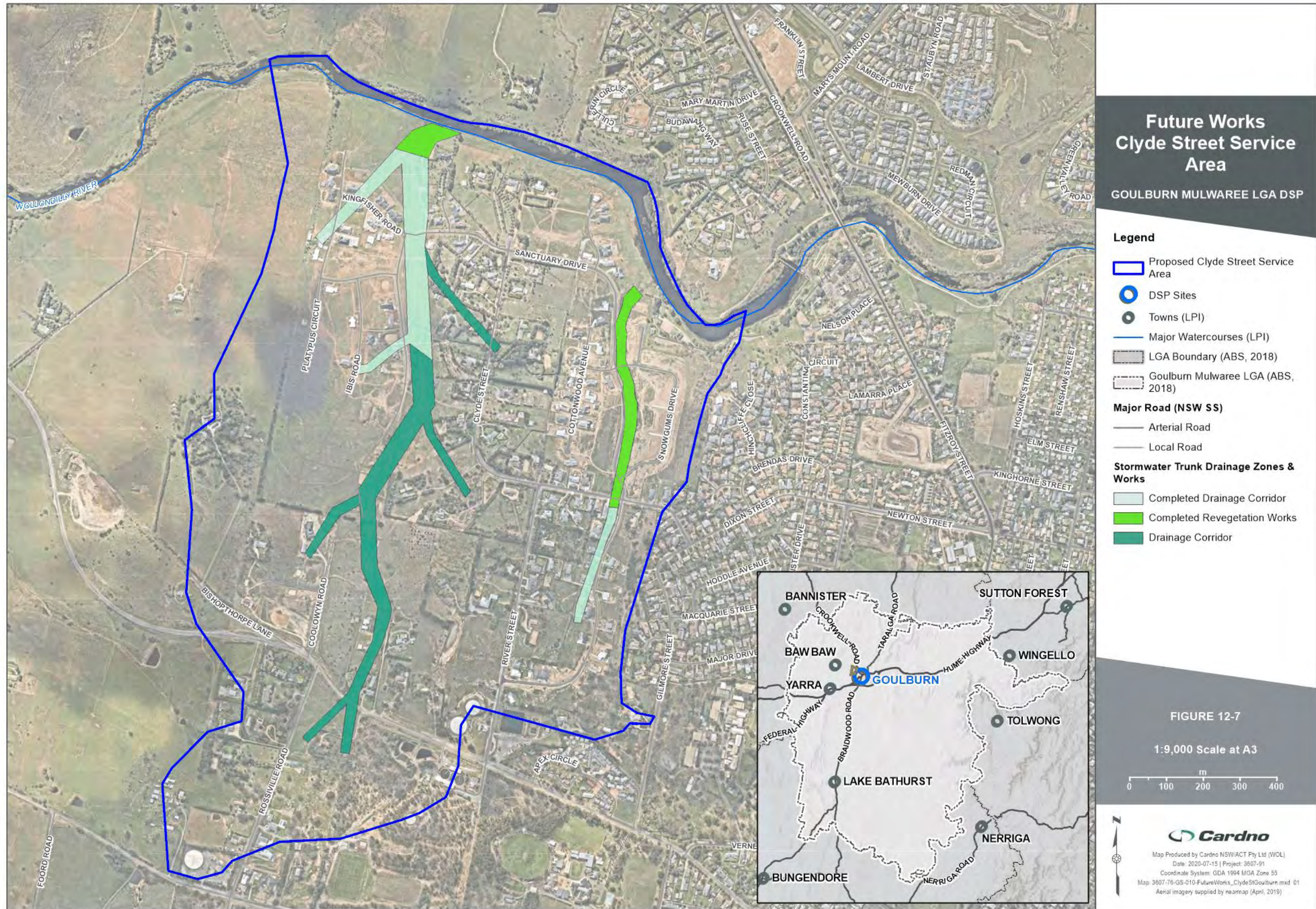


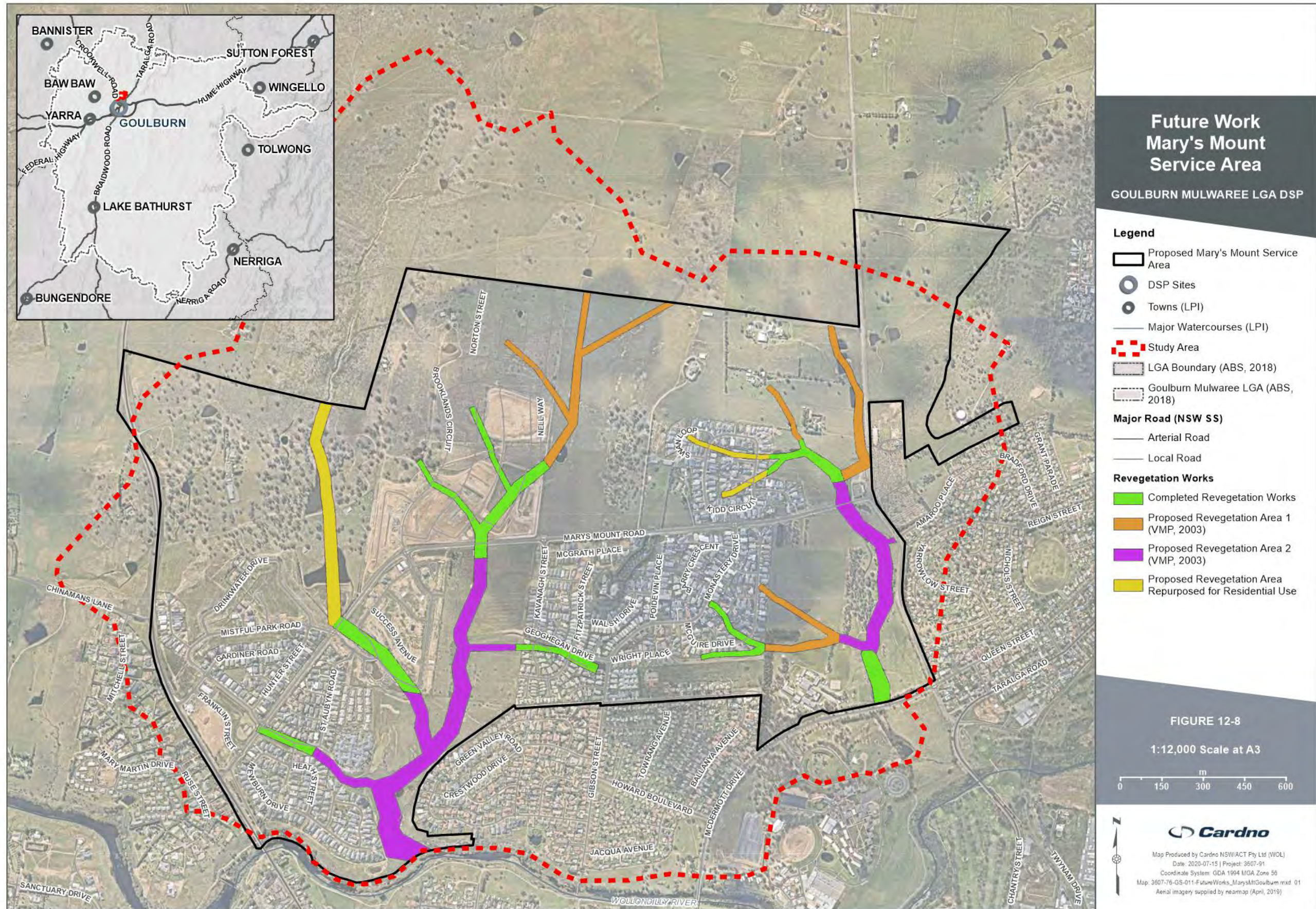
















### 13 Calculation of ETs

The process for developing the ETs involves the following steps:

- > Establishing the current, historic and projected population figures
- > Determining the population growth rates
- > Determining the number of current ETs based on the current dwellings and lots in the development areas
- > Applying the growth rates to calculate the historic and projected ETs

Data was sourced from *population.id*, *The Tableland Regional Community Strategic Plan 2016-2036*, NSW Government's Planning and Environment department 2016 NSW population projections and data provided from Council.

#### Clyde St

Based on the DSP completed in the 2004, the Clyde St area had 65 existing lots with a potential for 505 lots total (Page 8, GMC s64 Levy Clyde Street Plan 2004). The same document sights an occupancy rate of 2.7. This results in a population of 175 in 2004.

Council has advised that 200 lots have since been approved to date, giving a total of 265 lots in 2019. Council expects the subdivision to be built out in approximately 10 years.

Using these details, a population profile can be developed and growth rates calculated for historic and future projection as shown below. A linear growth rate in this area has been assumed.

Year	2004	2019	2033
Lots	65	265	505
Population	175	715	1364
Nominal Annual Growth		5.04%	6.47%

#### Marys Mount

The Marys Mount area has 2025 lots as advised by Council. Development of this area was commenced in 2004/05. Based on the area calculations, there are approximately 1270 lots developed in 2019.

Based on the population calculations, there are 3400 people living in the area in 2019. Using these details, a population profile can be developed and growth rates calculated for historic and future projection as shown below. A linear growth rate in this area has been assumed.

Year	2005	2019	2033
Lots	0	1271	2025
Population	0	3430	5468
Nominal Annual Growth		7.14%	4.24%



**Population**

Historic Population	1996	2001	2006	2011	2016	2019
City Wide	21,208	20,829	20,529	19,809	19,348	19,877
Clyde St	0	67	247	427	607	716
Marys Mount	0	0	245	1,470	2,695	3,430
LGA (includes rural)	25,562	26,431	26,849	27,638	29,730	31,432

Future Population	2021	2026	2031	2036
City Wide	20,167	20,713	21,177	22,107
Clyde St	808	1,040	1,271	1,364
Marys Mount	3,721	4,449	5,176	5,468
LGA (includes rural)	32,167	33,863	35,567	37,202

Growth by Service Area	Historic	Future
City Wide	0.54%	1.10%
Clyde St	5.04%	6.47%
Marys Mount	7.14%	4.24%
LGA (includes rural)	0.90%	1.00%

**Dwellings**

Dwellings by Profile.id Areas	2019
Goulburn Central CBD	1,325
Goulburn Central North	2,325
Goulburn Central South	1,216
Goulburn North	2,682
Goulburn South East	1,258
Goulburn West	1,625
Total	10,430

**Equivalent Tenements in 2019**

Service Area	Current Residential Dwellings (ETs) (2019)
City Wide	8,920
Clyde St	282
Marys Mount	1,324
Total	10,527



**Equivalent Tenement Forecast**

Year	Equivalent Tenements (ET) LGA	Equivalent Tenements (ET) City Wide	Equivalent Tenements (ET) Clyde St	Equivalent Tenements (ET) Marys Mount
1995/96	7,803	7,803	0	0
1996/97	7,846	7,846	0	0
1997/98	7,888	7,888	0	0
1998/99	7,931	7,931	0	0
1999/00	7,985	7,974	11	0
2000/01	8,042	8,017	24	0
2001/02	8,098	8,061	37	0
2002/03	8,156	8,105	51	0
2003/04	8,213	8,149	64	0
2004/05	8,271	8,193	77	0
2005/06	8,419	8,238	91	91
2006/07	8,568	8,282	104	182
2007/08	8,717	8,327	118	272
2008/09	8,867	8,373	131	363
2009/10	9,016	8,418	144	454
2010/11	9,166	8,464	158	545
2011/12	9,316	8,510	171	635
2012/13	9,466	8,556	184	726
2013/14	9,617	8,603	198	817
2014/15	9,768	8,649	211	908
2015/16	9,919	8,696	224	998
2016/17	10,070	8,744	238	1,089
2017/18	10,222	8,791	251	1,180
2018/19	10,374	8,839	265	1,271
2019/20	10,527	8,887	278	1,361
2020/21	10,695	8,985	295	1,415
2021/22	10,865	9,084	313	1,469
2022/23	11,036	9,184	330	1,523
2023/24	11,209	9,285	347	1,577
2024/25	11,382	9,387	364	1,631
2025/26	11,556	9,490	381	1,685
2026/27	11,732	9,595	398	1,739
2027/28	11,908	9,701	415	1,792
2028/29	12,086	9,807	433	1,846
2029/30	12,265	9,915	450	1,900
2030/31	12,445	10,024	467	1,954
2031/32	12,627	10,135	484	2,008
2032/33	12,773	10,246	501	2,025
2033/34	12,889	10,359	505	2,025
2034/35	13,003	10,473	505	2,025



Year	Equivalent Tenements (ET) LGA	Equivalent Tenements (ET) City Wide	Equivalent Tenements (ET) Clyde St	Equivalent Tenements (ET) Marys Mount
2035/36	13,119	10,589	505	2,025
2036/37	13,235	10,705	505	2,025
2037/38	13,353	10,823	505	2,025
2038/39	13,472	10,942	505	2,025
2039/40	13,593	11,063	505	2,025
2040/41	13,714	11,184	505	2,025
2041/42	13,838	11,308	505	2,025
2042/43	13,962	11,432	505	2,025
2043/44	14,088	11,558	505	2,025
2044/45	14,215	11,685	505	2,025
2045/46	14,344	11,814	505	2,025
2046/47	14,474	11,944	505	2,025
2047/48	14,605	12,075	505	2,025
2048/49	14,738	12,208	505	2,025
2049/50	14,873	12,343	505	2,025

**Equivalent Tenement Take-up**

Year	Annual (ET) LGA	Take-up	Annual (ET) City Wide	Take-up	Annual (ET) Clyde St	Take-up	Annual (ET) Marys Mount	Take-up
1995/96								
1996/97	42		42		0		0	
1997/98	42		42		0		0	
1998/99	43		43		0		0	
1999/00	54		43		11		0	
2000/01	57		43		13		0	
2001/02	56		44		13		0	
2002/03	58		44		14		0	
2003/04	57		44		13		0	
2004/05	58		44		13		0	
2005/06	148		45		14		91	
2006/07	149		44		13		91	
2007/08	149		45		14		90	
2008/09	150		46		13		91	
2009/10	149		45		13		91	
2010/11	150		46		14		91	
2011/12	150		46		13		90	
2012/13	150		46		13		91	
2013/14	151		47		14		91	
2014/15	151		46		13		91	



Year	Annual (ET) LGA	Take-up	Annual (ET) City Wide	Take-up	Annual (ET) Clyde St	Take-up	Annual (ET) Marys Mount	Take-up
2015/16	151		47		13		90	
2016/17	151		48		14		91	
2017/18	152		47		13		91	
2018/19	152		48		14		91	
2019/20	153		48		13		90	
2020/21	168		98		17		54	
2021/22	170		99		18		54	
2022/23	171		100		17		54	
2023/24	173		101		17		54	
2024/25	173		102		17		54	
2025/26	174		103		17		54	
2026/27	176		105		17		54	
2027/28	176		106		17		53	
2028/29	178		106		18		54	
2029/30	179		108		17		54	
2030/31	180		109		17		54	
2031/32	182		111		17		54	
2032/33	146		111		17		17	
2033/34	116		113		4		0	
2034/35	114		114		0		0	
2035/36	116		116		0		0	
2036/37	116		116		0		0	
2037/38	118		118		0		0	
2038/39	119		119		0		0	
2039/40	121		121		0		0	
2040/41	121		121		0		0	
2041/42	124		124		0		0	
2042/43	124		124		0		0	
2043/44	126		126		0		0	
2044/45	127		127		0		0	
2045/46	129		129		0		0	
2046/47	130		130		0		0	
2047/48	131		131		0		0	
2048/49	133		133		0		0	
2049/50	135		135		0		0	
Total new ETs	7,069		4,539		505		2,025	
Future new ETs	4,346		3,456		227		664	



## 14 Existing Capital Costs

This section lists a summary of the assets included in this DSP, a full listing is provided in Appendix A.

### Existing Asset Summary MEERA value – City Wide

Year	Box Culvert Headwall	Drainage	PIPE	Pipe Headwall	Culvert	Stormwater Improvements	Total
1990			\$846,804	\$1,142			\$847,945
1991	\$36,069		\$919,814	\$11,545			\$967,428
1992	\$3,775		\$572,642				\$576,418
1993	\$1,848		\$211,330	\$852			\$214,030
1994			\$353,872	\$951			\$354,823
1995			\$325,630	\$1,609			\$327,239
1996			\$428,573	\$329			\$428,902
1997			\$46,999	\$229			\$47,228
1998			\$94,803	\$3,668			\$98,471
1999			\$124,705				\$124,705
2000	\$8,365		\$707,005	\$3,690			\$719,060
2001			\$9,055	\$234			\$9,289
2002			\$190,867	\$456			\$191,323
2003	\$1,293		\$372,694	\$5,143			\$379,130
2004	\$1,457		\$161,808	\$922			\$164,187
2005			\$49,267	\$888			\$50,155
2006			\$966,555	\$329			\$966,885
2007	\$5,554		\$1,549,616	\$5,495			\$1,560,665
2008				\$468			\$468
2009			\$62,477	\$329			\$62,806
2010			\$4,258	\$229		\$12,305	\$16,792



Development Service Plan  
Goulburn Stormwater

2011			\$17,208		\$38,035	\$55,243
2012					\$89,364	\$89,364
2013					\$83,684	\$83,684
2014					\$89,444	\$89,444
2015					\$120,714	\$120,714
2016					\$115,777	\$115,777
2017		\$361,057			\$235,157	\$596,214
2018		\$361,057			\$60,877	\$421,934
2019					\$232,463	\$232,463
<b>Total</b>	<b>\$58,362</b>	<b>\$722,115</b>	<b>\$8,015,981</b>	<b>\$38,510</b>	<b>\$1,077,821</b>	<b>\$9,912,788</b>

Existing Asset Summary MEERA value – Clyde St

Year	Creek Remediation	Total
2007	\$448,686	\$448,686
2009	\$121,690	\$121,690
2016	\$1,716,184	\$1,716,184
2017	\$310,020	\$310,020
2018	\$364,635	\$364,635
<b>Total</b>	<b>\$2,961,214</b>	<b>\$2,961,214</b>



Existing Asset Summary MEERA value – Marys Mount

Year	Box Culvert Headwall	Drainage	PIPE	Pipe Headwall	Culvert	Total
2004			\$733,710	\$3,448		\$737,159
2005			\$39,575			\$39,575
2006			\$3,128	\$229		\$3,357
2007		\$199,800	\$158,038			\$357,838
2008	\$1,469		\$77,523			\$78,992
2009		\$299,700				\$299,700
2010	\$7,204		\$68,137			\$75,341
2011		\$599,400	\$112,714			\$712,114
2012			\$46,743			\$46,743
2013	\$913	\$599,400	\$349,366	\$522		\$950,200
2014			\$21,542			\$21,542
2015		\$599,400				\$599,400
2017		\$669,330				\$669,330
<b>Total</b>	<b>\$9,585</b>	<b>\$2,967,030</b>	<b>\$1,610,477</b>	<b>\$4,200</b>		<b>\$4,591,291</b>





## 15 Future Capital Works Program

A full listing of the proposed future works is shown in the table below.

Asset Service Area(s)	Asset Purpose	Asset Details	Construction Date	Cost Estimate (2020 MEERA)	Shared Proportion	Growth Proportion	Recoverable Cost	Justification
Marys Mount	Drainage	Revegetation	2019/2020	\$431,668	100%	33%	\$141,544	Future renewal within next 10 years
Marys Mount	Drainage	Culvert 9 - McDermott Drive	2020/2021	\$186,540	100%	33%	\$61,167	Future renewal within next 10 years
Marys Mount	Drainage	Revegetation	2020/2021	\$431,668	100%	33%	\$141,544	Future renewal within next 10 years
Marys Mount	Drainage	Culvert 8 - Marys Mount Road	2020/2021	\$494,727	100%	33%	\$162,222	Future renewal within next 10 years
Marys Mount	Drainage	Revegetation	2021/2022	\$431,668	100%	33%	\$141,544	Future renewal within next 10 years
Marys Mount	Drainage	Culvert 4 - Marys Mount Road	2021/2022	\$563,012	100%	33%	\$184,612	Future renewal within next 10 years
Marys Mount	Drainage	Revegetation	2022/2023	\$431,668	100%	33%	\$141,544	Future renewal within next 10 years
Marys Mount	Drainage	Culvert 6 - Marys Mount Road	2021/2022	\$599,755	100%	33%	\$196,660	Future renewal within next 10 years
Marys Mount	Drainage	Culvert 3 - Baxter Place	2022/2023	\$361,210	100%	33%	\$118,441	Future renewal within next 10 years
Marys Mount	Drainage	Revegetation	2023/2024	\$431,668	100%	33%	\$141,544	Future renewal within next 10 years
Marys Mount	Drainage	Culvert 2 - Marys Mount Road	2022/2023	\$161,216	100%	33%	\$52,863	Future renewal within next 10 years
Marys Mount	Drainage	Revegetation	2024/2025	\$431,668	100%	33%	\$141,544	Future renewal within next 10 years
Marys Mount	Drainage	Culvert 1 - Crookwell Road	2023/2024	\$106,215	100%	33%	\$34,828	Future renewal within next 10 years
Marys Mount	Drainage	Revegetation	2025/2026	\$431,668	100%	33%	\$141,544	Future renewal within next 10 years
Marys Mount	Drainage	Culvert 7 - Brennan Drive	2023/2024	\$138,464	100%	33%	\$45,402	Future renewal within next 10 years
Marys Mount	Drainage	Revegetation	2026/2027	\$431,668	100%	33%	\$141,544	Future renewal within next 10 years
Marys Mount	Drainage	Revegetation	2027/2028	\$431,668	100%	33%	\$141,544	Future renewal within next 10 years
Marys Mount	Drainage	Revegetation	2028/2029	\$431,668	100%	33%	\$141,544	Future renewal within next 10 years
City Wide	Detention Basin	Detention Basin Quality Control Works	2030/2031	\$1,413,183	100%	28%	\$0	New asset required for development - not yet constructed, excluded outside of 10 years
City Wide	Drainage	Headwall Renewal	2019/2020	\$3,533	100%	28%	\$989	Future renewal within next 10 years



Asset Service Area(s)	Asset Purpose	Asset Details	Construction Date	Cost Estimate (2020 MEERA)	Shared Proportion	Growth Proportion	Recoverable Cost	Justification
City Wide	Drainage	Headwall Renewal	2019/2020	\$3,533	100%	28%	\$989	Future renewal within next 10 years
City Wide	Drainage	GPT Renewal	2019/2020	\$18,548	100%	28%	\$5,193	Future renewal within next 10 years
City Wide	Drainage	GPT Renewal	2019/2020	\$18,548	100%	28%	\$5,193	Future renewal within next 10 years
City Wide	Drainage	Pipe Renewal	2019/2020	\$21,366	100%	28%	\$5,982	Future renewal within next 10 years
City Wide	Drainage	Pipe Renewal	2019/2020	\$21,366	100%	28%	\$5,982	Future renewal within next 10 years
City Wide	Drainage	Victoria St - construct relief line 750mm (450m)	2019/2020	\$525,439	100%	28%	\$147,124	Pipes - existing line under capacity
City Wide	Drainage	Landsdowne St/ Hovell St: Limited stormwater infrastructure in the area creating overland flow issues for 26 Hovell St and 23 Hollis Avenue	2020/2021	\$176,648	100%	28%	\$49,462	Future renewal within next 10 years
City Wide	Drainage	Headwall Renewal	2020/2021	\$3,533	100%	28%	\$989	Future renewal within next 10 years
City Wide	Drainage	GPT Renewal	2020/2021	\$18,548	100%	28%	\$5,193	Future renewal within next 10 years
City Wide	Drainage	Pipe Renewal	2020/2021	\$21,366	100%	28%	\$5,982	Future renewal within next 10 years
City Wide	Drainage	Citizen St - Construct relief line 900 dia (600m)	2020/2021	\$1,011,133	100%	28%	\$283,119	Pipes - existing 1200 dia under capacity
City Wide	Drainage	Yarrowlow St to Taralga Rd - Duplicate existing lines -900 dia	2020/2021	\$283,732	100%	28%	\$79,445	Pipes - existing lines under capacity
City Wide	Drainage	Taralga Rd - Relief line 750 dia (60m)	2020/2021	\$116,694	100%	28%	\$32,674	Pipes - existing 1050 dia under capacity
City Wide	Drainage	Headwall Renewal	2021/2022	\$3,533	100%	28%	\$989	Future renewal within next 10 years
City Wide	Drainage	GPT Renewal	2021/2022	\$18,548	100%	28%	\$5,193	Future renewal within next 10 years
City Wide	Drainage	Pipe Renewal	2021/2022	\$21,366	100%	28%	\$5,982	Future renewal within next 10 years
City Wide	Drainage	Prince St 69 and 71 - Augment existing 1350 dia (185m)	2021/2022	\$635,137	100%	28%	\$177,840	Pipes - existing 1050 dia under capacity
City Wide	Drainage	Clinton St - Duplicate existing 900	2021/2022	\$558,561	100%	28%	\$156,398	Pipes - existing 900 dia under capacity
City Wide	Drainage	Overland flow path land acquisition - Common Street Business Park Wetland site	2021/2022	\$222,576	100%	28%	\$62,322	New asset required for development - not yet constructed



Asset Service Area(s)	Asset Purpose	Asset Details	Construction Date	Cost Estimate (2020 MEERA)	Shared Proportion	Growth Proportion	Recoverable Cost	Justification
City Wide	Drainage	Headwall Renewal	2022/2023	\$3,533	100%	28%	\$989	Future renewal within next 10 years
City Wide	Drainage	GPT Renewal	2022/2023	\$18,548	100%	28%	\$5,193	Future renewal within next 10 years
City Wide	Drainage	Pipe Renewal	2022/2023	\$21,366	100%	28%	\$5,982	Future renewal within next 10 years
City Wide	Drainage	View St - Replace with 2 x 750 dia (390m)	2022/2023	\$753,898	100%	28%	\$211,093	Pipes - existing 450 dia under capacity
City Wide	Drainage	Goldsmith St 8004-8003 - Duplicate 1050 on opposite side of road (275m)	2022/2023	\$539,659	100%	28%	\$151,106	Pipes - existing 1050 dia under capacity
City Wide	Drainage	Robinson St - Duplicate 600 dia	2022/2023	\$131,991	100%	28%	\$36,958	Pipes - existing 600 dia under capacity
City Wide	Drainage	Clifford St - Relief line parallel to existing 525 dia (480m)	2022/2023	\$317,966	100%	28%	\$89,031	Pipes - existing 900 dia under capacity
City Wide	Drainage	Overland flow path land acquisition - Park Road Wetland site	2022/2023	\$153,684	100%	28%	\$43,032	New asset required for development - not yet constructed
City Wide	Drainage	Headwall Renewal	2023/2024	\$3,533	100%	28%	\$989	Future renewal within next 10 years
City Wide	Drainage	GPT Renewal	2023/2024	\$18,548	100%	28%	\$5,193	Future renewal within next 10 years
City Wide	Drainage	Pipe Renewal	2023/2024	\$21,366	100%	28%	\$5,982	Future renewal within next 10 years
City Wide	Drainage	Nichols St - Duplicate 675	2023/2024	\$320,033	100%	28%	\$89,610	Pipes - existing pipes under capacity
City Wide	Drainage	Yarrowlow St to Tarauga Rd - Duplicate existing lines -1050 dia	2023/2024	\$577,285	100%	28%	\$161,641	Pipes - existing lines under capacity
City Wide	Drainage	Bradley St - Relief line on northern side 900 dia (360m)	2023/2024	\$577,003	100%	28%	\$161,562	Pipes - existing 750 dia under capacity
City Wide	Drainage	Overland flow path land acquisition - Dick Street flowpath	2023/2024	\$225,226	100%	28%	\$63,064	New asset required for development - not yet constructed
City Wide	Drainage	Overland flow path land acquisition - Clinton, Gilmore, Verner Detention site	2023/2024	\$171,098	100%	28%	\$47,908	New asset required for development - not yet constructed
City Wide	Drainage	Drainage Upgrade	2072/2028	\$532,593	100%	28%	\$149,127	Future renewal within next 10 years
City Wide	Drainage	Headwall Renewal	2024/2025	\$3,533	100%	28%	\$989	Future renewal within next 10 years
City Wide	Drainage	GPT Renewal	2024/2025	\$18,548	100%	28%	\$5,193	Future renewal within next 10 years
City Wide	Drainage	Pipe Renewal	2024/2025	\$21,366	100%	28%	\$5,982	Future renewal within next 10 years



Asset Service Area(s)	Asset Purpose	Asset Details	Construction Date	Cost Estimate (2020 MEERA)	Shared Proportion	Growth Proportion	Recoverable Cost	Justification
City Wide	Drainage	Lansdowne St - Relief line on southern side 1050 dia (580m)	2024/2025	\$1,152,451	100%	28%	\$322,688	Pipes - existing 1350 dia under capacity
City Wide	Drainage	Drainage Upgrade	2032/2033	\$532,593	100%	28%	\$0	Future renewal - excluded outside of 10 years
City Wide	Drainage	Headwall Renewal	2025/2026	\$3,533	100%	28%	\$989	Future renewal within next 10 years
City Wide	Drainage	GPT Renewal	2025/2026	\$18,548	100%	28%	\$5,193	Future renewal within next 10 years
City Wide	Drainage	Pipe Renewal	2025/2026	\$21,366	100%	28%	\$5,982	Future renewal within next 10 years
City Wide	Drainage	Overland flow path land acquisition - Fitzroy Street flowpath	2025/2026	\$44,162	100%	28%	\$12,365	New asset required for development - not yet constructed
City Wide	Drainage	Drainage Upgrade	2033/2034	\$532,593	100%	28%	\$0	Future renewal - excluded outside of 10 years
City Wide	Drainage	Drainage Upgrade	2034/2035	\$532,593	100%	28%	\$0	Future renewal - excluded outside of 10 years
City Wide	Drainage	Drainage Upgrade	2035/2036	\$532,593	100%	28%	\$0	Future renewal - excluded outside of 10 years
City Wide	Drainage	Drainage Upgrade	2036/2037	\$532,593	100%	28%	\$0	Future renewal - excluded outside of 10 years
City Wide	Drainage	Drainage Upgrade	2037/2038	\$532,593	100%	28%	\$0	Future renewal - excluded outside of 10 years
City Wide	Drainage	Eastgrove Subway - Channel works	2027/2028	\$423,955	100%	28%	\$118,708	Drainage
City Wide	Drainage	Drainage Upgrade	2038/2039	\$532,593	100%	28%	\$0	Future renewal - excluded outside of 10 years
City Wide	GPT	3 Small traps	2020/2021	\$79,492	100%	28%	\$22,258	New asset required for development - not yet constructed
City Wide	GPT	7 Large traps	2029/2030	\$1,854,803	100%	28%	\$519,348	New asset required for development - not yet constructed
City Wide	Natural channel rehabilitation	8km of Channel of average 10m width = 180,000sqm. Earthworks @\$5 = \$900,000	2026/2027	\$1,589,831	100%	28%	\$445,156	New asset required for development - not yet constructed
City Wide	Natural channel rehabilitation	8km of Channel of average 10m width = 180,000sqm. Revegetation	2028/2029	\$1,421,583	100%	28%	\$398,046	New asset required for development - not yet constructed



Asset Service Area(s)	Asset Purpose	Asset Details	Construction Date	Cost Estimate (2020 MEERA)	Shared Proportion	Growth Proportion	Recoverable Cost	Justification
City Wide	Natural channel rehabilitation	8km of Channel of average 10m width = 180,000sqm. Revegetation	2029/2030	\$1,421,583	100%	28%	\$398,046	New asset required for development - not yet constructed
City Wide	Natural channel rehabilitation	8km of Channel of average 10m width = 180,000sqm. Revegetation	2030/2031	\$1,421,583	100%	28%	\$0	New asset required for development - not yet constructed, excluded outside of 10 years
City Wide	Rehabilitation	Brick drain, Sloane St Rehabilitation/ Replacement	2021/2022	\$176,648	100%	28%	\$49,462	New asset required for development - not yet constructed
City Wide	Sediment control	Road shoulders with existing K&G 5.153 km x 7 m wide x \$25sqm	2025/2026	\$1,592,966	100%	28%	\$446,034	New asset required for development - not yet constructed
City Wide	Sediment control	Road shoulders with no K&G 13.6 km x 8 m wide seal + 13.6 length K&G	2031/2032	\$2,562,572	100%	28%	\$0	New asset required for development - not yet constructed, excluded outside of 10 years
City Wide	Sediment control	Road shoulders with no K&G 13.6 km x 8 m wide seal + 13.6 length K&G	2032/2033	\$2,562,572	100%	28%	\$0	New asset required for development - not yet constructed, excluded outside of 10 years
City Wide	Sediment control	Road shoulders with no K&G 13.6 km x 8 m wide seal + 13.6 length K&G	2033/2034	\$2,562,572	100%	28%	\$0	New asset required for development - not yet constructed, excluded outside of 10 years
City Wide	Strategy	Stormwater Strategy	2023/2024	\$176,648	100%	28%	\$49,462	New asset required for development - not yet constructed
City Wide	Wetland	Wetland quality control works	2024/2025	\$971,563	100%	28%	\$272,040	New asset required for development - not yet constructed
City Wide	Drainage	St Peter & Pauls School	2020/2021	\$176,648	100%	28%	\$49,462	Future renewal within next 10 years
City Wide	Drainage	37, 35 Knox St	2020/2021	\$176,648	100%	28%	\$49,462	Future renewal within next 10 years
City Wide	Drainage	63, 61, 59 Mary St	2021/2022	\$176,648	100%	28%	\$49,462	Future renewal within next 10 years
City Wide	Drainage	79, 77 Robinson St	2021/2022	\$176,648	100%	28%	\$49,462	Future renewal within next 10 years
City Wide	Drainage	47 Robinson St	2021/2022	\$176,648	100%	28%	\$49,462	Future renewal within next 10 years
City Wide	Drainage	59, 57 Cathcart St below Cathcart Park	2022/2023	\$176,648	100%	28%	\$49,462	Future renewal within next 10 years
City Wide	Drainage	Drainage reserve and culvert across Faithful/ Addison St intersection	2025/2026	\$353,296	100%	28%	\$98,924	Future renewal within next 10 years
City Wide	Drainage	Vegetation 139,480sqm	2026/2027	\$1,231,825	100%	28%	\$344,913	New asset required for development - not yet constructed



Asset Service Area(s)	Asset Purpose	Asset Details	Construction Date	Cost Estimate (2020 MEERA)	Shared Proportion	Growth Proportion	Recoverable Cost	Justification
City Wide	Drainage	Vegetation 139,480sqm	2027/2028	\$1,231,825	100%	28%	\$344,913	New asset required for development - not yet constructed
City Wide	Drainage	Vegetation 139,480sqm	2028/2029	\$1,231,825	100%	28%	\$344,913	New asset required for development - not yet constructed
Clyde St	Creek Remediation	Structures	2020/2021	\$162,516	100%	45%	\$73,052	New asset required for development - not yet constructed
Clyde St	Creek Remediation	Revegetation 18,000sqm	2020/2021	\$476,949	100%	45%	\$214,391	New asset required for development - not yet constructed
Clyde St	Culvert Augmentation	Various road crossing culvert augmentation	2021/2020	\$529,944	100%	45%	\$238,212	New asset required for development - not yet constructed
Clyde St	Drainage	57 Elizabeth St	2023/2024	\$176,648	100%	45%	\$79,404	Future renewal within next 10 years
Clyde St	Drainage	Earthworks 78,200cum @\$10	2022/2023	\$1,381,386	100%	45%	\$620,940	New asset required for development - not yet constructed
Clyde St	Rectify erosion problems	various roads including Clinton Street	202/2021	\$441,620	100%	45%	\$198,510	New asset required for development - not yet constructed
Clyde St	Sand Filter	Near Wollondilly river, including land acquisition	2021/2022	\$1,413,183	100%	45%	\$635,233	New asset required for development - not yet constructed
Clyde St	Studies and plans	WSUD, creek management and creek vegetation studies and reports	2023/2024	\$141,318	100%	45%	\$63,523	New asset required for development - not yet constructed



## 16 Calculation of the Capital Charge

The common inputs for the calculations of the capital charge are shown in the table below.

The following sections outline the calculation table for each service area.

Dates and General information	Value	Source
Year of Calculation	2020	
Assessment date	30/06/2020	
Discount rate date	1/01/1996	
30yr cut-off date	30/06/1990	
Discount Rate (PA) For Assets Constructed Before 1 January 1996:	3%	DSP Guidelines
Discount Rate (PA) For Assets Constructed On Or After 1 January 1996:	5%	DSP Guidelines
Discount Rate (PA) For Proposed Future Assets:	5%	DSP Guidelines

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16.1 City Wide

City Wide			
	NPV Assets	NPV ETs	Capital Charge
Existing Assets (Pre 1996)	\$1,209,105	1842	\$656
Existing Assets (Post 1996)	\$3,093,336	1143	\$2,707
		<b>Total</b>	<b>\$3,363</b>

Year	Annual ET Take-up (ET)	Existing Assets (Pre 1996)	Existing Assets (Post 1996)	Historical Index	PV of Historical ETs (3%)	PV of Historical ETs (5%)	PV Existing Assets (Pre 1996) (3%)	PV Existing Assets (Post 1996) (5%)
1989/90		\$311,891						
1990/91		\$355,840						
1991/92		\$212,018						
1992/93		\$78,725						
1993/94		\$130,511						
1994/95		\$120,365						
1995/96	0		\$157,727	0	0	0	\$1,209,105	\$157,727
1996/97	42		\$17,368	1	41	40		\$16,541
1997/98	42		\$36,212	2	40	38		\$32,846
1998/99	43		\$45,860	3	39	37		\$39,615
1999/00	43		\$264,431	4	38	35		\$217,548
2000/01	43		\$3,416	5	37	34		\$2,677
2001/02	44		\$70,358	6	37	33		\$52,502
2002/03	44		\$139,423	7	36	31		\$99,086
2003/04	44		\$60,379	8	35	30		\$40,867
2004/05	44		\$18,444	9	34	28		\$11,889
2005/06	45		\$355,568	10	33	28		\$218,288
2006/07	44		\$573,928	11	32	26		\$335,564
2007/08	45		\$172	12	32	25		\$96
2008/09	46		\$23,097	13	31	24		\$12,249
2009/10	45		\$6,175	14	30	23		\$3,119
2010/11	46		\$20,315	15	30	22		\$9,772
2011/12	46		\$32,863	16	29	21		\$15,055
2012/13	46		\$30,775	17	28	20		\$13,427
2013/14	47		\$32,892	18	28	20		\$13,668
2014/15	46		\$44,392	19	26	18		\$17,567
2015/16	47		\$42,577	20	26	18		\$16,047
2016/17	48		\$219,255	21	26	17		\$78,700
2017/18	47		\$155,165	22	25	16		\$53,043
2018/19	48		\$85,487	23	24	16		\$27,832
2019/20	48		\$171,454	24	24	15		\$53,162
2020/21	98		\$578,047	25	47	29		\$170,699





Year	Annual ET Take-up (ET)	Existing Assets (Pre 1996)	Existing Assets (Post 1996)	Historical Index	PV of Historical ETs (3%)	PV of Historical ETs (5%)	PV Existing Assets (Pre 1996) (3%)	PV Existing Assets (Post 1996) (5%)
2021/22	99		\$606,572	26	46	28		\$170,593
2022/23	100		\$592,846	27	45	27		\$158,793
2023/24	101		\$585,411	28	44	26		\$149,335
2024/25	102		\$606,893	29	43	25		\$147,442
2025/26	103		\$569,488	30	42	24		\$131,767
2026/27	105		\$790,069	31	42	23		\$174,099
2027/28	106		\$612,749	32	41	22		\$128,595
2028/29	106		\$742,959	33	40	21		\$148,497
2029/30	108		\$917,394	34	40	21		\$174,630
2030/31	109		\$0	35	39	20		\$0
2031/32	111		\$0	36	38	19		\$0
2032/33	111		\$0	37	37	18		\$0
2033/34	113		\$0	38	37	18		\$0
2034/35	114		\$0	39	36	17		\$0
2035/36	116		\$0	40	36	16		\$0
2036/37	116		\$0	41	35	16		\$0
2037/38	118		\$0	42	34	15		\$0
2038/39	119		\$0	43	33	15		\$0
2039/40	121		\$0	44	33	14		\$0
2040/41	121		\$0	45	32	13		\$0
2041/42	124		\$0	46	32	13		\$0
2042/43	124		\$0	47	31	13		\$0
2043/44	126		\$0	48	30	12		\$0
2044/45	127		\$0	49	30	12		\$0
2045/46	129		\$0	50	29	11		\$0
2046/47	130		\$0	51	29	11		\$0
2047/48	131		\$0	52	28	10		\$0
2048/49	133		\$0	53	28	10		\$0
2049/50	135		\$0	54	27	10		\$0
<b>Total</b>	<b>4539</b>				<b>1842</b>	<b>1143</b>	<b>\$1,209,105</b>	<b>\$3,093,336</b>



16.2 Clyde St

Clyde St			
	NPV Assets	NPV ETs	Capital Charge
Existing Assets (Pre 1996)	\$0	277	\$0
Existing Assets (Post 1996)	\$1,808,410	196	\$9,207
		<b>Total</b>	<b>\$9,207</b>

Year	Annual ET Take-up (ET)	Existing Assets (Pre 1996)	Existing Assets (Post 1996)	Historical Index	PV of Historical ETs (3%)	PV of Historical ETs (5%)	PV Existing Assets (Pre 1996) (3%)	PV Existing Assets (Post 1996) (5%)
1989/90		\$0						
1990/91		\$0						
1991/92		\$0						
1992/93		\$0						
1993/94		\$0						
1994/95		\$0						
1995/96	0		\$0	0	0	0	\$0	\$0
1996/97	0		\$0	1	0	0		\$0
1997/98	0		\$0	2	0	0		\$0
1998/99	0		\$0	3	0	0		\$0
1999/00	11		\$0	4	10	9		\$0
2000/01	13		\$0	5	11	10		\$0
2001/02	13		\$0	6	11	10		\$0
2002/03	14		\$0	7	11	10		\$0
2003/04	13		\$0	8	10	9		\$0
2004/05	13		\$0	9	10	8		\$0
2005/06	14		\$0	10	10	9		\$0
2006/07	13		\$448,686	11	9	8		\$262,337
2007/08	14		\$0	12	10	8		\$0
2008/09	13		\$121,690	13	9	7		\$64,535
2009/10	13		\$0	14	9	7		\$0
2010/11	14		\$0	15	9	7		\$0
2011/12	13		\$0	16	8	6		\$0
2012/13	13		\$0	17	8	6		\$0
2013/14	14		\$0	18	8	6		\$0
2014/15	13		\$0	19	7	5		\$0
2015/16	13		\$1,716,184	20	7	5		\$646,812
2016/17	14		\$310,020	21	8	5		\$111,279
2017/18	13		\$364,635	22	7	4		\$124,650
2018/19	14		\$0	23	7	5		\$0
2019/20	13		\$238,212	24	6	4		\$73,862
2020/21	17		\$485,953	25	8	5		\$143,503



Year	Annual ET Take-up (ET)	Existing Assets (Pre 1996)	Existing Assets (Post 1996)	Historical Index	PV of Historical ETs (3%)	PV of Historical ETs (5%)	PV Existing Assets (Pre 1996) (3%)	PV Existing Assets (Post 1996) (5%)
2021/22	18		\$635,233	26	8	5		\$178,653
2022/23	17		\$620,940	27	8	5		\$166,318
2023/24	17		\$142,927	28	7	4		\$36,460
2024/25	17		\$0	29	7	4		\$0
2025/26	17		\$0	30	7	4		\$0
2026/27	17		\$0	31	7	4		\$0
2027/28	17		\$0	32	7	4		\$0
2028/29	18		\$0	33	7	4		\$0
2029/30	17		\$0	34	6	3		\$0
2030/31	17		\$0	35	6	3		\$0
2031/32	17		\$0	36	6	3		\$0
2032/33	17		\$0	37	6	3		\$0
2033/34	4		\$0	38	1	1		\$0
2034/35	0		\$0	39	0	0		\$0
2035/36	0		\$0	40	0	0		\$0
2036/37	0		\$0	41	0	0		\$0
2037/38	0		\$0	42	0	0		\$0
2038/39	0		\$0	43	0	0		\$0
2039/40	0		\$0	44	0	0		\$0
2040/41	0		\$0	45	0	0		\$0
2041/42	0		\$0	46	0	0		\$0
2042/43	0		\$0	47	0	0		\$0
2043/44	0		\$0	48	0	0		\$0
2044/45	0		\$0	49	0	0		\$0
2045/46	0		\$0	50	0	0		\$0
2046/47	0		\$0	51	0	0		\$0
2047/48	0		\$0	52	0	0		\$0
2048/49	0		\$0	53	0	0		\$0
2049/50	0		\$0	54	0	0		\$0
<b>Total</b>	<b>505</b>				<b>277</b>	<b>196</b>	<b>\$0</b>	<b>\$1,808,410</b>



16.3 Marys Mount

Marys Mount			
	NPV Assets	NPV ETs	Capital Charge
Existing Assets (Pre 1996)	\$0	1100	\$0
Existing Assets (Post 1996)	\$2,837,018	758	\$3,742
		<b>Total</b>	<b>\$3,742</b>

Year	Annual ET Take-up (ET)	Existing Assets (Pre 1996)	Existing Assets (Post 1996)	Historical Index	PV of Historical ETs (3%)	PV of Historical ETs (5%)	PV Existing Assets (Pre 1996) (3%)	PV Existing Assets (Post 1996) (5%)
1989/90		\$0						
1990/91		\$0						
1991/92		\$0						
1992/93		\$0						
1993/94		\$0						
1994/95		\$0						
1995/96	0		\$0	0	0	0	\$0	\$0
1996/97	0		\$0	1	0	0		\$0
1997/98	0		\$0	2	0	0		\$0
1998/99	0		\$0	3	0	0		\$0
1999/00	0		\$0	4	0	0		\$0
2000/01	0		\$0	5	0	0		\$0
2001/02	0		\$0	6	0	0		\$0
2002/03	0		\$0	7	0	0		\$0
2003/04	0		\$737,159	8	0	0		\$498,938
2004/05	0		\$39,575	9	0	0		\$25,510
2005/06	91		\$3,357	10	68	56		\$2,061
2006/07	91		\$357,838	11	66	53		\$209,221
2007/08	90		\$78,992	12	63	50		\$43,986
2008/09	91		\$299,700	13	62	48		\$158,937
2009/10	91		\$75,341	14	60	46		\$38,052
2010/11	91		\$712,114	15	58	44		\$342,539
2011/12	90		\$46,743	16	56	41		\$21,414
2012/13	91		\$950,200	17	55	40		\$414,569
2013/14	91		\$21,542	18	53	38		\$8,951
2014/15	91		\$599,400	19	52	36		\$237,203
2015/16	90		\$0	20	50	34		\$0
2016/17	91		\$669,330	21	49	33		\$240,251
2017/18	91		\$0	22	47	31		\$0
2018/19	91		\$0	23	46	30		\$0
2019/20	90		\$141,544	24	44	28		\$43,888
2020/21	54		\$364,933	25	26	16		\$107,766



Year	Annual ET Take-up (ET)	Existing Assets (Pre 1996)	Existing Assets (Post 1996)	Historical Index	PV of Historical ETs (3%)	PV of Historical ETs (5%)	PV Existing Assets (Pre 1996) (3%)	PV Existing Assets (Post 1996) (5%)
2021/22	54		\$522,817	26	25	15		\$147,037
2022/23	54		\$312,848	27	24	14		\$83,796
2023/24	54		\$221,775	28	24	14		\$56,573
2024/25	54		\$141,544	29	23	13		\$34,388
2025/26	54		\$141,544	30	22	12		\$32,750
2026/27	54		\$141,544	31	22	12		\$31,191
2027/28	53		\$141,544	32	21	11		\$29,705
2028/29	54		\$141,544	33	20	11		\$28,291
2029/30	54		\$0	34	20	10		\$0
2030/31	54		\$0	35	19	10		\$0
2031/32	54		\$0	36	19	9		\$0
2032/33	17		\$0	37	6	3		\$0
2033/34	0		\$0	38	0	0		\$0
2034/35	0		\$0	39	0	0		\$0
2035/36	0		\$0	40	0	0		\$0
2036/37	0		\$0	41	0	0		\$0
2037/38	0		\$0	42	0	0		\$0
2038/39	0		\$0	43	0	0		\$0
2039/40	0		\$0	44	0	0		\$0
2040/41	0		\$0	45	0	0		\$0
2041/42	0		\$0	46	0	0		\$0
2042/43	0		\$0	47	0	0		\$0
2043/44	0		\$0	48	0	0		\$0
2044/45	0		\$0	49	0	0		\$0
2045/46	0		\$0	50	0	0		\$0
2046/47	0		\$0	51	0	0		\$0
2047/48	0		\$0	52	0	0		\$0
2048/49	0		\$0	53	0	0		\$0
2049/50	0		\$0	54	0	0		\$0
<b>Total</b>	2025				1100	758	\$0	\$2,837,018



## 17 Calculation of the Reduction Amount

Income	Water	Source
Income	\$0	Council provided income per annum - no levy in place
Ops, Mnt and Admin	\$130,000	Council provided OMA costs per annum
ET's	10374	
Income / ET	\$0.00	
Ops, Mnt and Admin / ET	\$12.53	
Net income per ET	-\$12.53	

	NPV Income	NPV ETs	Reduction Amount
Reduction Amount	-\$366,965	2352	-\$156

Year	Total ETs	New ETs	PV New ETs (5%)	Cumulative ETs	Net Income (\$'000s)	PV Net income (5%) (\$'000s)
2019/20	10,527					
2020/21	10695	168	160	168	-\$2,105	-\$2,005
2021/22	10865	170	154	338	-\$4,235	-\$3,842
2022/23	11036	171	148	509	-\$6,378	-\$5,510
2023/24	11209	173	142	682	-\$8,546	-\$7,031
2024/25	11382	173	136	855	-\$10,714	-\$8,395
2025/26	11556	174	130	1029	-\$12,894	-\$9,622
2026/27	11732	176	125	1205	-\$15,100	-\$10,731
2027/28	11908	176	119	1381	-\$17,305	-\$11,713
2028/29	12086	178	115	1559	-\$19,535	-\$12,593
2029/30	12265	179	110	1738	-\$21,778	-\$13,370
2030/31	12445	180	105	1918	-\$24,034	-\$14,052
2031/32	12627	182	101	2100	-\$26,315	-\$14,653
2032/33	12773	146	77	2246	-\$28,144	-\$14,925
2033/34	12889	116	59	2362	-\$29,598	-\$14,949
2034/35	13003	114	55	2476	-\$31,026	-\$14,924
2035/36	13119	116	53	2592	-\$32,480	-\$14,879
2036/37	13235	116	51	2708	-\$33,933	-\$14,805
2037/38	13353	118	49	2826	-\$35,412	-\$14,714
2038/39	13472	119	47	2945	-\$36,903	-\$14,604
2039/40	13593	121	46	3066	-\$38,419	-\$14,480
2040/41	13714	121	43	3187	-\$39,936	-\$14,335
2041/42	13838	124	42	3311	-\$41,489	-\$14,183
2042/43	13962	124	40	3435	-\$43,043	-\$14,014
2043/44	14088	126	39	3561	-\$44,622	-\$13,836
2044/45	14215	127	38	3688	-\$46,214	-\$13,647
2045/46	14344	129	36	3817	-\$47,830	-\$13,452



Year	Total ETs	New ETs	PV New ETs (5%)	Cumulative ETs	Net Income (\$'000s)	PV Net income (5%) (\$'000s)
2046/47	14474	130	35	3947	-\$49,459	-\$13,248
2047/48	14605	131	33	4078	-\$51,101	-\$13,035
2048/49	14738	133	32	4211	-\$52,767	-\$12,820
2049/50	14873	135	31	4346	-\$54,459	-\$12,601
<b>Total</b>			2352			-\$366,965

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## 18 Cross-Subsidy Calculations

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This section is not required as no cross-subsidy is applied in this DSP.

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## 19 Stormwater Modelling for Marys Mount

Stormwater Modelling and Reporting	Sam Kelly, Mitchell Howard	15/02/19
Reviewed by	Mark Hulme	15/02/19
Updated by	Geoffrey Kleu	03/06/20

In order to determine the future stormwater infrastructure requirements of the Marys Mount area, stormwater modelling of the area was undertaken. The methodology and results of the modelling are detailed in this section.

### 19.1 Hydrology

#### 19.1.1 Catchment Description

The study area, presented in Figure 19-1, is located to the north of Wollondilly River between Crookwell Road and Middle Arm Road, Goulburn. The study area consists of approximately 677 ha comprised of a mix of low density residential development (approximately 35%) and farming land. This area is proposed to be increasingly used for residential development in the near future. Two key watercourses flow through the study area, flowing from the north towards Wollondilly River in the South. These watercourses, along with several other minor tributaries, are crossed by several urban roads in the region, including Marys Mount Road, Crookwell Road and McDermott Drive

The slopes of the hills either side of the two respective water courses are steep (5-10%). The whole site drains generally towards the south along the two watercourses with a slope of around 3%. The study area is largely free of vegetation.

#### 19.1.2 Hydrological Model Selection

The computer model Watershed Bounded Network Model (WBNM; 2012) was used for hydrological modelling of the study area. WBNM is an advanced storage-routing model that allows simulation of catchment behaviour and is a recognised network model in Australian Rainfall and Runoff (ARR, 1987). This particular model was considered appropriate for the task of modelling the study area, given its ability to model a wide range of catchment characteristics. The model allowed peak flows to be established at various locations throughout the subject site. The WBNM model was also used in the Goulburn Flood Study, (Wollondilly and Mulwaree Rivers Flood Study, 2016) for calculation of peak flows.

#### 19.1.3 Model Inputs

##### 19.1.3.1 Sub-Catchment Topology

Details of the sub-catchment delineation used in the hydrologic model is presented Figure 19-2.

The sub-catchment topology for the constructed model reflects input from:

- > Aerial Laser Survey (ALS) elevation data
- > Cardno's GIS database for cadastral information
- > Aerial photography from NearMap for the establishment of impervious areas

##### 19.1.3.2 Impervious Fraction

Impervious fractions were calculated for the catchment based on aerial photography and current Cadastre for the site area. Adopted impervious factors were 45% for light residential, 65% for roads, including verges, and 100% for roofs and buildings in accordance with Goulburn Council standards, (Goulburn Mulwaree Council Stormwater Drainage Design handbook, 2013). A map of calculated impervious area coverage is included in Figure 19-3.



Figure 19-1 Study area

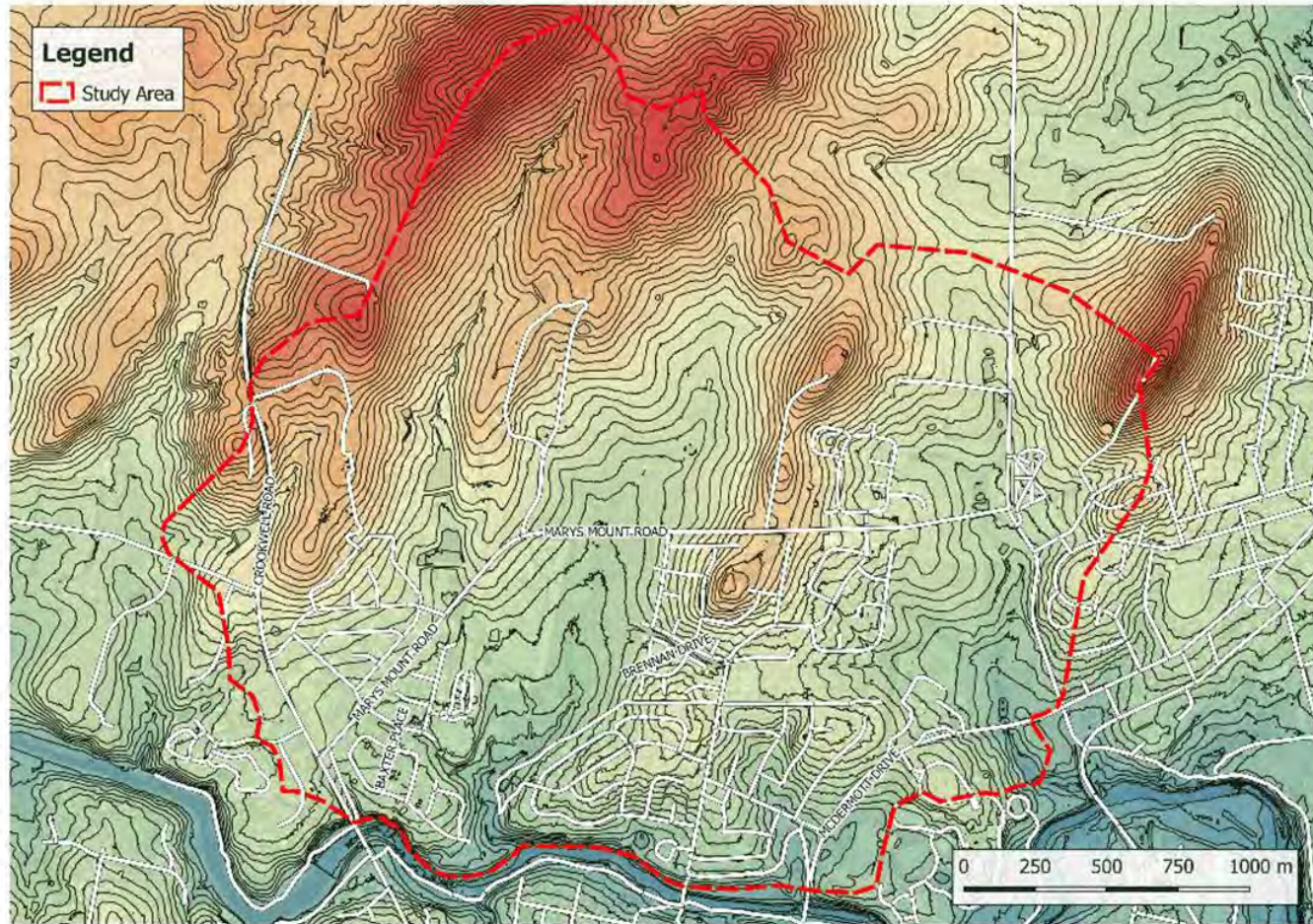




Figure 19-2 Hydrological Catchments (2m Contours)

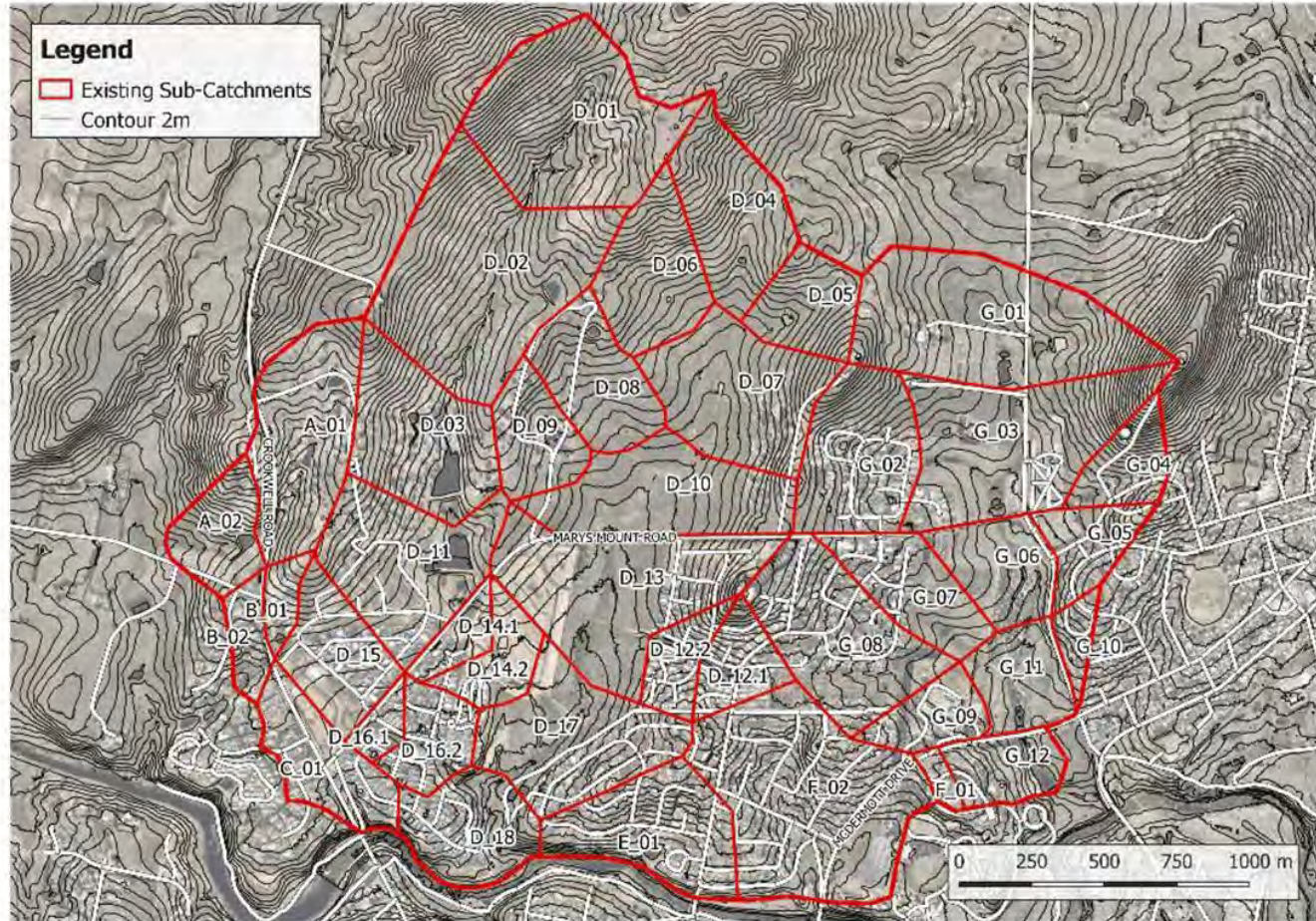
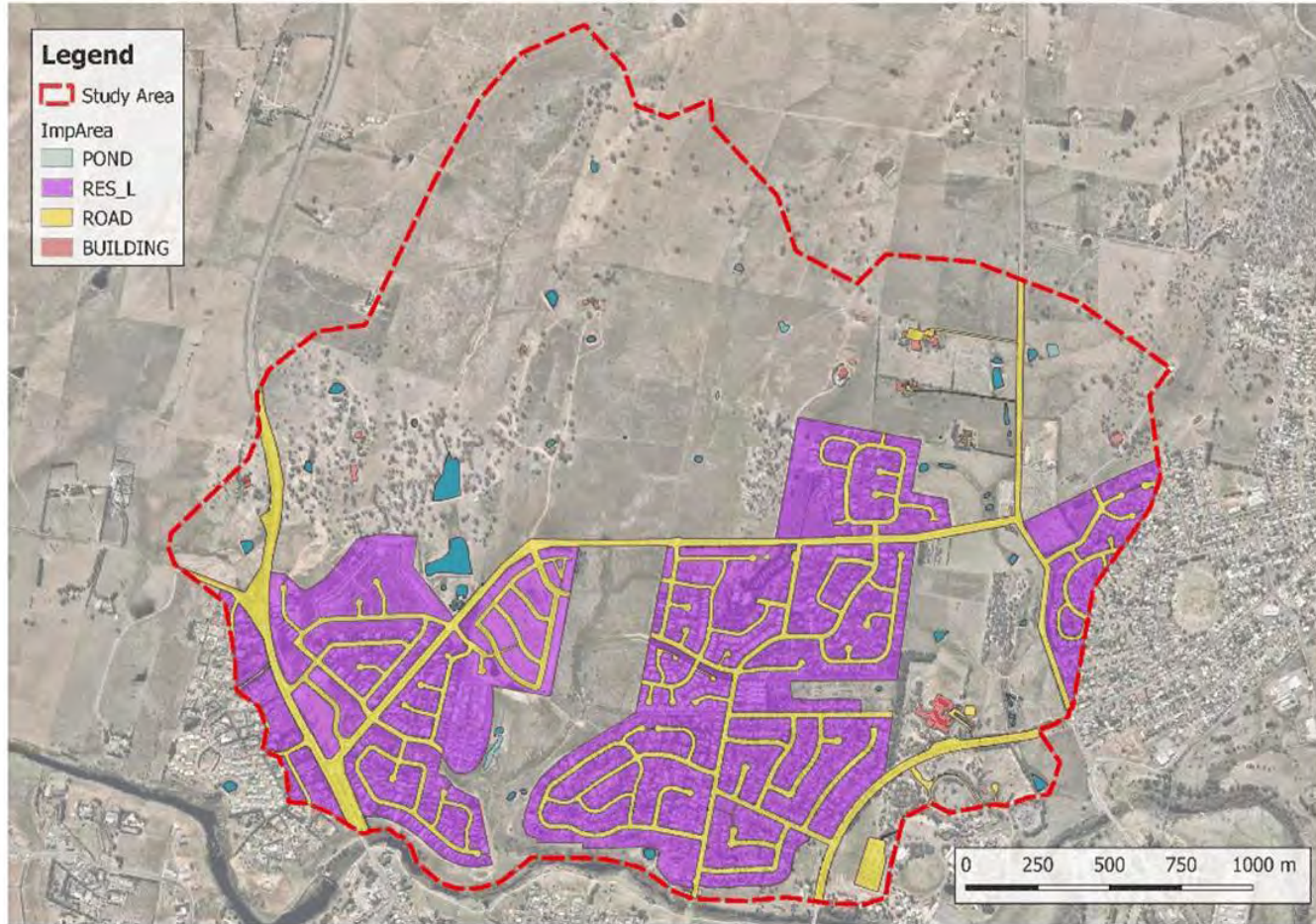




Figure 19-3 Impervious area coverage





19.1.3.3 Hydrological Parameters

Hydrological parameters adopted for the WBNM model are provided in Table 19-1. These values are primarily based on parameters used in the Goulburn Flood Study, (Wollondilly and Mulwaree Rivers Flood Study, 2016).

Table 19-1 WBNM Hydrological Parameters

Parameter	Value(s)	Comment
Initial loss (pervious surface)	0 mm	For long duration storms critical for this catchment, antecedent rainfall is likely, therefore initial loss assumed to be zero.
Initial loss (impervious surface)	0 mm	For long duration storms critical for this catchment, antecedent rainfall is likely, therefore initial loss assumed to be zero.
Continuing loss (pervious surface)	1.95 mm/hr	Adopted in accordance with Goulburn Flood Study (2016).
C (Lag parameter)	1.6	Adopted in accordance with Goulburn Flood Study (2016).
Stream routing factor	1.00	Accepted value for natural streams

19.1.3.4 Rainfall Data

Rainfall data for the site was sourced from the Bureau of Meteorology (BOM). The data used to generate the design storm bursts in the WBNM model is presented in Table 19-2. ARR1987 rainfall data has been utilised in this study this was the rainfall data used in Goulburn Mulwaree Shire Council's adopted flood study (WMA 2016).

Table 19-2 Rainfall data

Parameter	Value
2 Year 1 Hour Intensity	23.3 mm/hr
2 Year 12 Hour Intensity	4.5 mm/hr
2 Year 72 Hour Intensity	3.5 mm/hr
50 Year 1 Hour Intensity	45 mm/hr
50 Year 12 Hour Intensity	8.4 mm/hr
50 Year 72 Hour Intensity	2.4 mm/hr
F2 Geographic Factor	4.29
F50 Geographic Factor	15.64
Location Skew Coefficient	0.16

19.1.4 Results

The WBNM hydrological model was run with a spectrum of storm durations to allow determination of the critical design storm duration for the catchment and the derivation of hydrographs at key locations for use in the hydraulic model. It was established that for the 100 year ARI event, the critical duration is varied between 30 and 120 minutes. Refer to Table 19-3 for detailed modelling results.



Table 19-3 Peak flow rates based on 100 year ARI modelling

Catchment	Duration (min)	Peak flow rate (m <sup>3</sup> /s)
A_01	90	3.759
A_02	60	4.358
B_01	30	1.05
B_02	90	2.034
C_01	30	3.599
D_01	60	4.25
D_02	60	7.362
D_03	90	8.711
D_04	90	2.805
D_05	90	1.874
D_06	90	2.532
D_07	60	8.254
D_08	90	2.408
D_09	90	1.852
D_10	60	12.728
D_11	120	10.065
D_12.1	30	2.246
D_12.2	90	3.15
D_13	90	15.474
D_14.1	120	10.247
D_14.2	120	10.541
D_15	30	3.545
D_16.1	90	3.512
D_16.2	60	4.312
D_17	120	29.073
D_18	120	29.475
E_01	30	4.583
F_01	30	0.513
F_02	90	8.501
G_01	90	4.86
G_02	90	4.475
G_03	60	9.848
G_04	90	1.843
G_05	90	3.199
G_06	60	12.89
G_07	90	2.894
G_08	90	5.465
G_09	90	1.845
G_10	30	1.068
G_11	60	19.974
G_12	60	20.251



## 19.2 Hydraulics

### 19.2.1 Culvert Locations

Through Near-map Imagery, 9 key hydraulic structures were identified across the study area (Figure 19-4). Existing stormwater data provided by Goulburn Mulwaree Council provided detail on culvert and pipe sizing for culverts 2, 3, 4, 8 and 9. For culverts 5 and 6, sizing was estimated from site photos taken on 19/12/2018. There was not enough information available at the time of assessment to determine the sizing of culverts 1 and 7. The assumed sizing for existing culverts is shown in Table 19-4.

Table 19-4 Existing Culvert sizing.

ID	no. of culverts/pipes	Culvert Type	Height (mm)	Width (mm)	Diameter (mm)	council plan ref.
1	Insufficient Information					
2	1	Box	600	1200		R788
3					2400	R719
4	2	Box	900	1200		R789
*5	3	Box	1800	1800		
*6	2	Box	600	1200		
7	Insufficient Information					
8	2	Box	600	1200		R113,R694
9	2	Pipe			1800	R128

\*Culvert sizing estimated from site photos (19/12/2018)

### 19.2.2 Culvert Capacity Calculation

Culvert Inlet control (Culvert IC) is a program developed by Michael Boyd at the University of Wollongong (Boyd 2003) to calculate the headwater discharge relationship for the existing box culverts and major pipe structures. Culvert IC was used to assess the maximum flow of each existing culvert under design storm conditions. For culverts determined to be insufficient to convey the design storm, the required size was then calculated to estimate the future cost to upgrade these culverts.

For this analysis, the following assumptions were made:

- > The design event used for the culverts capacity analysis was the 100 year ARI (refer GMC Stormwater Drainage Design Standards 2013, D5.14 – Major Structures)
- > The culverts operate under inlet control (in consideration of the catchment slope and elevation above the Wollondilly River 100 year ARI maximum flood level as determined in the GFS 2016)
- > The maximum upstream head level for determining culvert capacity was the obvert level (or pipe height in the absence of data) minus 0.3m representing the required design flood level during an unblocked scenario (refer GMC Stormwater Drainage Design Standards 2013, D5.14 – Major Structures)
- > The Wing wall flare was assumed to be 45 degrees for box culverts and square for pipe headwalls.



Figure 19-4 Culvert locations







**19.2.3 Results**

*19.2.3.1 Existing Culverts*

IC Culvert Results indicate that all but Culvert 5 are undersized and are likely to require future upgrades to meet Goulburn Council Standards, (Table 19-5).

Table 19-5 Existing Culvert maximum discharge rate.

Culvert ID	Road	100yr Peak flow (m <sup>3</sup> /s)	Current Culvert Capacity (m <sup>3</sup> /s)	Estimated Upgrade Required	Priority
1	Crookwell rd.	1.05	No details	Yes	7
2	Marys Mount rd.	3.545	2.397	Yes	6
3 (minor rd.)	Baxter pl.	3.512	1.716	Yes	5
4	Marys Mount rd.	10.065	5.806	Yes	4
5 (minor rd.)	n/a	10.247	20.252	No	
6	Marys Mount rd.	12.728	2.37	Yes	1
7 (minor rd.)	Brennan dr.	2.246	No details	Yes	8
8	Marys Mount rd.	9.848	3.318	Yes	3
9	McDermott dr.	19.974	12.526	Yes	2

*19.2.3.2 Culvert upgrade requirements*

IC Culverts was use to estimate an appropriate culvert sizing to meet Goulburn Mulwaree Council standards. The recommended sizing is presented in Table 19-6.

Table 19-6 Recommended Culvert sizing to meet Goulburn Council Standards.

Culvert ID	Road	no. of culverts/pipes	Height (mm)	Width (mm)	Diameter (mm)
1	Crookwell rd.	1	600	1200	
2	Marys Mount rd.	1	900	1200	
3 (minor rd.)	Baxter pl.	3	600	1200	
4	Marys Mount rd.	3	1200	1500	
5 (minor rd.)	n/a	No Upgrade Required			
6	Marys Mount rd.	3	1200	1800	
7 (minor rd.)	Brennan dr.	1	900	1200	
8	Marys Mount rd.	3	1200	1500	
9	McDermott dr.	3			1800



### 19.3 Revegetation

With the Goulburn City Council Vegetation Management Plan (VMP, 2003) riparian revegetation works were proposed in Areas 1 and 2 (Figure 19-5). After review of current NearMap Imagery, there were areas that had seemed to be revegetated or area reused for residential development. The Remaining Area to be revegetated is estimated at 31.489Ha.

Table 19-7 Proposed and current revegetated areas.

Item	Initial Assessment '19 Land Area (Hectare)		Updated Assessment '20 Land Area (Hectare) <sup>1</sup>
Area revegetated completed	3.754		9.979
Proposed revegetation area repurposed	0.954		4.613
Remaining area to be revegetated	Area 1	17.376	7.492
	Area 2	14.113	14.113
Total remaining area to be revegetated	31.489		21.605

### 19.4 Costing

#### 19.4.1 Culverts

Using the culvert sizing determined in Section 19.2.3.2 a summary of the estimated culvert upgrade costs in presented in Table 19-8

These cost estimate has been prepared for guidance only based on the following assumptions:

- > Contactors shall write their own quantities together with any additional items they deem necessary to obtain a true cost for the works.
- > Estimates are based on current costs at the time of preparation.
- > No inflation for future construction of structures is quantified.
- > Costs estimations are for supply and install on structures only.
- > Cost are not quantified for; earthworks, inlet and outlet lining or carriageway modifications.
- > Culvert lengths are estimated between existing headwalls from current near map imagery at the time of preparation.

Table 19-8 Summary of estimated Culvert upgrade costs.

ROAD HYDRAULIC STRUCTURES - Marys Mount Road Catchment		
Culvert	ROAD	TOTAL
1	Crookwell Road	\$60,128.00
2	Marys Mount Road	\$91,264.00
3	Baxer Place	\$204,480.00
4	Marys Mount Road	\$318,720.00
6	Marys Mount Road	\$339,520.00
7	Brennan Drive	\$78,384.00
8	Marys Mount Road	\$280,064.00
9	McDermott Drive	\$105,600.00
ROAD HYDRAULIC STRUCTURES TOTAL:		\$1,478,160.00

<sup>1</sup> Council provided updated data in May 2020 for the completed areas of revegetation, these calculations have been updated to generate a new cost forecast for inclusion in the DSP, shown in Table 19-9. Figure 19-5 has been updated accordingly.



**19.4.2 Revegetation**

Based on the analysis in Section 19.3, the total estimated cost of revegetation of the 21.6ha is \$4,321,000. Council's recent costs for revegetation projects have been in the order of \$20.00 to \$35.00 per square metre for standard to high level revegetation. As such, \$20.00 per square metre was adopted for the calculation of the revegetation costs for the forward works plan. Spread over ten (10) years, the spend profile is shown in Table 19-9.

Table 19-9 Summary of estimated revegetation costs

Revegetation - Marys Mount Road Catchment		
Year	Task	TOTAL
2020	Revegetation	\$432,100
2021	Revegetation	\$432,100
2022	Revegetation	\$432,100
2023	Revegetation	\$432,100
2024	Revegetation	\$432,100
2025	Revegetation	\$432,100
2026	Revegetation	\$432,100
2027	Revegetation	\$432,100
REVEGETATION TOTAL:		\$4,321,000

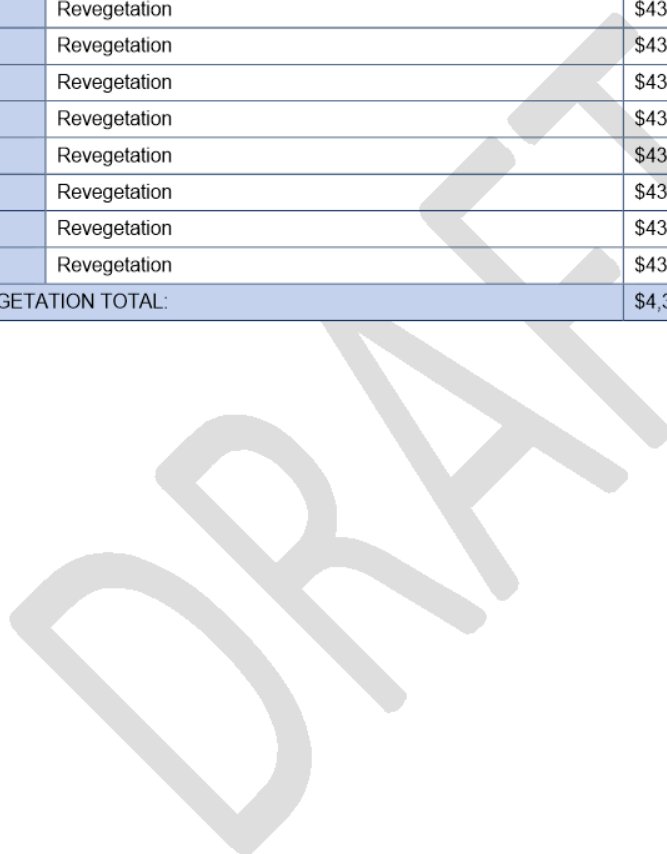
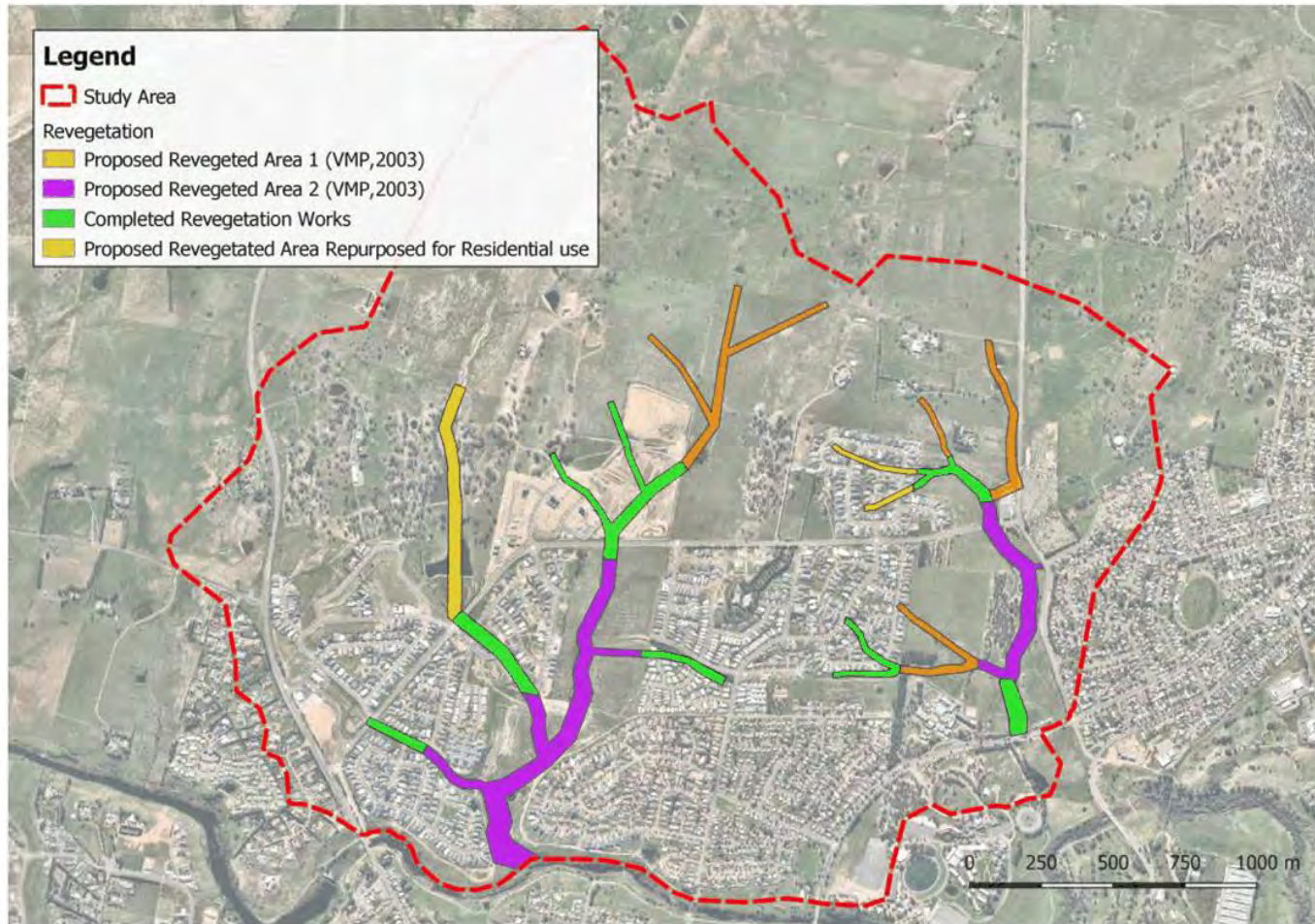




Figure 19-5 Revegetation







A full listing of the existing assets is provided in this table.

- > *Shared Proportion* – indicates if an asset is shared with another service area
- > *Growth Proportion* – indicates the contribution of the asset to the new growth ET's in the service area

Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
Marys Mount	PIPE	450 mm diameter	1986	\$14,729.6	100.0%	100.0%	\$0	Excluded - asset > 30yrs old
Marys Mount	PIPE	525 mm diameter	1986	\$17,196.7	100.0%	100.0%	\$0	Excluded - asset > 30yrs old
Marys Mount	PIPE	600 mm diameter	1986	\$35,459.7	100.0%	100.0%	\$0	Excluded - asset > 30yrs old
Marys Mount	Pipe Culvert Headwall	1500 mm diameter	2004	\$1,277.6	100.0%	100.0%	\$1,278	Asset less than 30 years old
Marys Mount	Pipe Culvert Headwall	1500 mm diameter	2004	\$1,277.6	100.0%	100.0%	\$1,278	Asset less than 30 years old
Marys Mount	PIPE	1500 mm diameter	2004	\$33,968.1	100.0%	100.0%	\$33,968	Asset less than 30 years old
Marys Mount	PIPE	2400 mm diameter	2004	\$71,698.9	100.0%	100.0%	\$71,699	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2004	\$3,109.0	100.0%	100.0%	\$3,109	Asset less than 30 years old
Marys Mount	Pipe Culvert Headwall	525 mm diameter	2004	\$234.1	100.0%	100.0%	\$234	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2004	\$8,825.0	100.0%	100.0%	\$8,825	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2004	\$13,832.9	100.0%	100.0%	\$13,833	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2004	\$36,664.0	100.0%	100.0%	\$36,664	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2004	\$5,407.8	100.0%	100.0%	\$5,408	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2004	\$20,378.3	100.0%	100.0%	\$20,378	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2004	\$8,580.6	100.0%	100.0%	\$8,581	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2004	\$19,125.2	100.0%	100.0%	\$19,125	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2004	\$9,807.0	100.0%	100.0%	\$9,807	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2004	\$10,584.6	100.0%	100.0%	\$10,585	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2004	\$20,222.8	100.0%	100.0%	\$20,223	Asset less than 30 years old
Marys Mount	Pipe Culvert Headwall	600 mm diameter	2004	\$329.4	100.0%	100.0%	\$329	Asset less than 30 years old
Marys Mount	Pipe Culvert Headwall	600 mm diameter	2004	\$329.4	100.0%	100.0%	\$329	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2004	\$11,458.4	100.0%	100.0%	\$11,458	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2004	\$6,060.7	100.0%	100.0%	\$6,061	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2004	\$9,489.5	100.0%	100.0%	\$9,490	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2004	\$5,222.8	100.0%	100.0%	\$5,223	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
Marys Mount	PIPE	600 mm diameter	2004	\$10,594.7	100.0%	100.0%	\$10,595	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2004	\$22,412.9	100.0%	100.0%	\$22,413	Asset less than 30 years old
Marys Mount	PIPE	675 mm diameter	2004	\$19,555.9	100.0%	100.0%	\$19,556	Asset less than 30 years old
Marys Mount	PIPE	900 mm diameter	2004	\$151,195.3	100.0%	100.0%	\$151,195	Asset less than 30 years old
Marys Mount	PIPE	900 mm diameter	2004	\$235,515.8	100.0%	100.0%	\$235,516	Asset less than 30 years old
Marys Mount	Pipe	450 mm diameter	2005	\$26,101.3	100.0%	100.0%	\$26,101	Asset less than 30 years old
Marys Mount	Pipe	450 mm diameter	2005	\$8,323.9	100.0%	100.0%	\$8,324	Asset less than 30 years old
Marys Mount	Pipe	450 mm diameter	2005	\$5,149.8	100.0%	100.0%	\$5,150	Asset less than 30 years old
Marys Mount	Pipe Culvert Headwall	450 mm diameter	2006	\$229.3	100.0%	100.0%	\$229	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2006	\$3,128.2	100.0%	100.0%	\$3,128	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2007	\$4,671.2	100.0%	100.0%	\$4,671	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2007	\$4,762.1	100.0%	100.0%	\$4,762	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2007	\$28,083.5	100.0%	100.0%	\$28,083	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2007	\$21,551.4	100.0%	100.0%	\$21,551	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2007	\$19,907.3	100.0%	100.0%	\$19,907	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2007	\$20,440.5	100.0%	100.0%	\$20,440	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2007	\$18,396.4	100.0%	100.0%	\$18,396	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2007	\$4,012.6	100.0%	100.0%	\$4,013	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2007	\$12,717.8	100.0%	100.0%	\$12,718	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2007	\$5,580.6	100.0%	100.0%	\$5,581	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2007	\$7,546.4	100.0%	100.0%	\$7,546	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2007	\$10,368.5	100.0%	100.0%	\$10,369	Asset less than 30 years old
Marys Mount	Box Culvert Headwall	1200 mm x 600 mm	2008	\$1,468.7	100.0%	100.0%	\$1,469	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2008	\$3,300.5	100.0%	100.0%	\$3,300	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2008	\$17,386.9	100.0%	100.0%	\$17,387	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2008	\$2,833.4	100.0%	100.0%	\$2,833	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2008	\$14,201.2	100.0%	100.0%	\$14,201	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2008	\$22,497.9	100.0%	100.0%	\$22,498	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
Marys Mount	PIPE	525 mm diameter	2008	\$5,567.8	100.0%	100.0%	\$5,568	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2008	\$5,412.3	100.0%	100.0%	\$5,412	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2008	\$6,323.2	100.0%	100.0%	\$6,323	Asset less than 30 years old
Marys Mount	Box Culvert Headwall	1200 mm x 600 mm	2010	\$1,468.7	100.0%	100.0%	\$1,469	Asset less than 30 years old
Marys Mount	Box Culvert Headwall	1200 mm x 900 mm x 2 cells	2010	\$2,867.4	100.0%	100.0%	\$2,867	Asset less than 30 years old
Marys Mount	Box Culvert Headwall	1200 mm x 900 mm x 2 cells	2010	\$2,867.4	100.0%	100.0%	\$2,867	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2010	\$13,309.1	100.0%	100.0%	\$13,309	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2010	\$9,030.8	100.0%	100.0%	\$9,031	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2010	\$4,729.2	100.0%	100.0%	\$4,729	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2010	\$5,639.9	100.0%	100.0%	\$5,640	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2010	\$3,446.0	100.0%	100.0%	\$3,446	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2010	\$5,685.9	100.0%	100.0%	\$5,686	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2010	\$9,553.0	100.0%	100.0%	\$9,553	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2010	\$9,303.7	100.0%	100.0%	\$9,304	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2010	\$3,446.0	100.0%	100.0%	\$3,446	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2010	\$3,993.5	100.0%	100.0%	\$3,994	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2011	\$13,707.3	100.0%	100.0%	\$13,707	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2011	\$15,736.6	100.0%	100.0%	\$15,737	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2011	\$5,651.4	100.0%	100.0%	\$5,651	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2011	\$10,510.2	100.0%	100.0%	\$10,510	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2011	\$5,510.7	100.0%	100.0%	\$5,511	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2011	\$15,879.2	100.0%	100.0%	\$15,879	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2011	\$11,900.4	100.0%	100.0%	\$11,900	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2011	\$20,716.5	100.0%	100.0%	\$20,717	Asset less than 30 years old
Marys Mount	PIPE	650 mm diameter	2011	\$5,400.2	100.0%	100.0%	\$5,400	Asset less than 30 years old
Marys Mount	PIPE	675 mm diameter	2011	\$7,701.0	100.0%	100.0%	\$7,701	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2012	\$19,542.5	100.0%	100.0%	\$19,543	Asset less than 30 years old





Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
Marys Mount	PIPE	450 mm diameter	2012	\$7,795.6	100.0%	100.0%	\$7,796	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2012	\$5,850.5	100.0%	100.0%	\$5,850	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2012	\$3,633.6	100.0%	100.0%	\$3,634	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2012	\$9,921.3	100.0%	100.0%	\$9,921	Asset less than 30 years old
Marys Mount	Box Culvert Headwall	1200 mm x 300 mm	2013	\$912.7	100.0%	100.0%	\$913	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2013	\$25,653.4	100.0%	100.0%	\$25,653	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2013	\$14,779.4	100.0%	100.0%	\$14,779	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2013	\$8,538.4	100.0%	100.0%	\$8,538	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2013	\$16,847	100.0%	100.0%	\$16,847	Asset less than 30 years old
Marys Mount	PIPE	450 mm diameter	2013	\$21,020	100.0%	100.0%	\$21,020	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2013	\$13,042	100.0%	100.0%	\$13,042	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2013	\$11,091	100.0%	100.0%	\$11,091	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2013	\$8,541	100.0%	100.0%	\$8,541	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2013	\$12,229	100.0%	100.0%	\$12,229	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2013	\$8,843	100.0%	100.0%	\$8,843	Asset less than 30 years old
Marys Mount	PIPE	525 mm diameter	2013	\$13,193	100.0%	100.0%	\$13,193	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2013	\$21,832	100.0%	100.0%	\$21,832	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2013	\$16,722	100.0%	100.0%	\$16,722	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2013	\$55,431	100.0%	100.0%	\$55,431	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2013	\$10,024	100.0%	100.0%	\$10,024	Asset less than 30 years old
Marys Mount	PIPE	600 mm diameter	2013	\$5,907	100.0%	100.0%	\$5,907	Asset less than 30 years old
Marys Mount	PIPE	675 mm diameter	2013	\$25,190	100.0%	100.0%	\$25,190	Asset less than 30 years old
Marys Mount	PIPE	675 mm diameter	2013	\$20,582	100.0%	100.0%	\$20,582	Asset less than 30 years old
Marys Mount	Pipe Culvert Headwall	825 mm diameter	2013	\$522	100.0%	100.0%	\$522	Asset less than 30 years old
Marys Mount	PIPE	825 mm diameter	2013	\$31,963	100.0%	100.0%	\$31,963	Asset less than 30 years old
Marys Mount	PIPE	825 mm diameter	2013	\$7,938	100.0%	100.0%	\$7,938	Asset less than 30 years old
Marys Mount	PIPE	650 mm diameter	2014	\$7,295	100.0%	100.0%	\$7,295	Asset less than 30 years old
Marys Mount	PIPE	650 mm diameter	2014	\$10,025	100.0%	100.0%	\$10,025	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
Marys Mount	PIPE	650 mm diameter	2014	\$4,222	100.0%	100.0%	\$4,222	Asset less than 30 years old
Marys Mount	Drainage	Revegetation	2007	\$199,800	100.0%	100.0%	\$199,800	Asset less than 30 years old
Marys Mount	Drainage	Revegetation	2009	\$299,700	100.0%	100.0%	\$299,700	Asset less than 30 years old
Marys Mount	Drainage	Revegetation	2011	\$599,400	100.0%	100.0%	\$599,400	Asset less than 30 years old
Marys Mount	Drainage	Revegetation	2013	\$599,400	100.0%	100.0%	\$599,400	Asset less than 30 years old
Marys Mount	Drainage	Revegetation	2015	\$599,400	100.0%	100.0%	\$599,400	Asset less than 30 years old
Marys Mount	Drainage	Revegetation	2017	\$669,330	100.0%	100.0%	\$669,330	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1987	\$4,327	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1987	\$4,124	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1987	\$19,221	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1987	\$24,995	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1987	\$8,002	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1987	\$41,042	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1987	\$2,653	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1987	\$40,394	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1987	\$19,144	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1987	\$19,822	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1987	\$42,401	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1987	\$1,834	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1987	\$14,546	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1987	\$14,979	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	675 mm diameter	1987	\$41,104	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	675 mm diameter	1987	\$57,773	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	750 mm diameter	1987	\$8,221	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	900 mm diameter	1987	\$30,433	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	900 mm diameter	1987	\$13,482	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	900 mm diameter	1987	\$77,623	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	1050 mm diameter	1987	\$12,647	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	1050 mm diameter	1987	\$64,513	100.0%	36.8%	\$0	Excluded - asset > 30yrs old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	1050 mm diameter	1987	\$48,044	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	1050 mm diameter	1987	\$60,460	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	Pipe Culvert Headwall	1050 mm diameter	1987	\$951	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	Pipe Culvert Headwall	1050 mm diameter	1987	\$951	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	Pipe Culvert Headwall	1050 mm diameter	1987	\$951	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	1200 mm diameter	1987	\$79,684	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	1200 mm diameter	1987	\$56,425	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	Pipe Culvert Headwall	1200 mm diameter	1987	\$1,043	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	Box Culvert Headwall	1200 mm x 450 mm	1987	\$1,398	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	Box Culvert Headwall	1200 mm x 450 mm	1987	\$1,398	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	525 mm diameter	1987	\$6,061	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	525 mm diameter	1987	\$17,072	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	525 mm diameter	1987	\$43,943	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1987	\$9,196	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1987	\$20,650	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1987	\$8,847	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1987	\$3,897	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1987	\$5,732	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1987	\$3,084	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1987	\$18,043	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1987	\$27,759	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1987	\$4,627	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1987	\$22,459	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1987	\$18,593	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1987	\$12,718	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	Pipe Culvert Headwall	675 mm diameter	1987	\$449	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	Pipe Culvert Headwall	900 mm diameter	1987	\$527	100.0%	36.8%	\$0	Excluded - asset > 30yrs old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	1050 mm diameter	1988	\$217,093	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	1050 mm diameter	1988	\$8,314	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	1050 mm diameter	1988	\$7,023	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	1050 mm diameter	1988	\$38,623	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	1050 mm diameter	1988	\$84,585	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	1050 mm diameter	1988	\$33,182	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	1050 mm diameter	1988	\$29,822	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	1050 mm diameter	1988	\$248,801	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	1500 mm diameter	1988	\$131,158	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1988	\$20,484	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1988	\$7,581	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1988	\$6,203	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1988	\$7,976	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1988	\$5,223	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1988	\$21,059	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	450 mm diameter	1988	\$18,685	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	Pipe Culvert Headwall	450 mm diameter	1988	\$229	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	Pipe Culvert Headwall	450 mm diameter	1988	\$229	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	525 mm diameter	1988	\$39,557	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	525 mm diameter	1988	\$5,906	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	525 mm diameter	1988	\$5,906	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	525 mm diameter	1988	\$9,687	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1988	\$6,529	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1988	\$11,674	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1988	\$28,325	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1988	\$42,307	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1988	\$31,820	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1988	\$13,108	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	600 mm diameter	1988	\$0	100.0%	36.8%	\$0	Excluded - asset > 30yrs old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	600 mm diameter	1988	\$0	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	Pipe Culvert Headwall	600 mm diameter	1988	\$329	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	825 mm diameter	1988	\$62,825	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	900 mm diameter	1988	\$120,956	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	900 mm diameter	1988	\$34,029	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	900 mm diameter	1988	\$38,884	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	900 mm diameter	1988	\$14,616	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	900 mm diameter	1988	\$34,513	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	900 mm diameter	1988	\$189,479	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	900 mm diameter	1988	\$84,001	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	900 mm diameter	1988	\$3,005	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	900 mm diameter	1988	\$7,075	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	900 mm diameter	1988	\$31,014	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	900 mm diameter	1988	\$50,457	100.0%	36.8%	\$0	Excluded - asset > 30yrs old
City Wide	PIPE	1050 mm diameter	1989	\$131,950	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1989	\$58,816	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	1350 mm diameter	1989	\$27,582	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	1800 mm diameter	1989	\$13,571	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$2,232	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$1,359	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$2,642	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$27,173	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$5,540	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$23,176	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$12,099	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$10,510	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$8,339	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$13,742	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$2,037	100.0%	36.8%	\$0	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	450 mm diameter	1989	\$10,338	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$2,987	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$63,819	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$6,436	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$22,276	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$4,227	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$23,547	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1989	\$24,505	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1989	\$229	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1989	\$36,144	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1989	\$36,144	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1989	\$24,551	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1989	\$5,266	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1989	\$4,999	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1989	\$18,943	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1989	\$18,130	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1989	\$1,249	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1989	\$17,010	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1989	\$4,244	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1989	\$31,030	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1989	\$64,771	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1989	\$32,077	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1989	\$11,566	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1989	\$7,284	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1989	\$26,834	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1989	\$4,740	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1989	\$5,459	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	1989	\$329	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	1989	\$329	100.0%	36.8%	\$0	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	Pipe Culvert Headwall	600 mm diameter	1989	\$329	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1989	\$37,838	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1989	\$41,191	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1989	\$42,373	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1989	\$34,135	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1989	\$26,265	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1990	\$99,435	100.0%	36.8%	\$36,567	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1990	\$42,433	100.0%	36.8%	\$15,604	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1990	\$52,219	100.0%	36.8%	\$19,203	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1990	\$27,388	100.0%	36.8%	\$10,072	Asset less than 30 years old
City Wide	PIPE	1800 mm diameter	1990	\$16,285	100.0%	36.8%	\$5,989	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$2,718	100.0%	36.8%	\$1,000	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$5,514	100.0%	36.8%	\$2,028	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$4,912	100.0%	36.8%	\$1,807	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$12,616	100.0%	36.8%	\$4,640	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$12,566	100.0%	36.8%	\$4,621	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$13,822	100.0%	36.8%	\$5,083	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$8,990	100.0%	36.8%	\$3,306	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$4,667	100.0%	36.8%	\$1,716	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$11,915	100.0%	36.8%	\$4,382	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$4,181	100.0%	36.8%	\$1,538	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$17,230	100.0%	36.8%	\$6,336	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$3,507	100.0%	36.8%	\$1,290	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$3,163	100.0%	36.8%	\$1,163	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$15,897	100.0%	36.8%	\$5,846	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$39,893	100.0%	36.8%	\$14,670	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$1,911	100.0%	36.8%	\$703	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$2,412	100.0%	36.8%	\$887	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$3,446	100.0%	36.8%	\$1,267	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	450 mm diameter	1990	\$4,403	100.0%	36.8%	\$1,619	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1990	\$2,045	100.0%	36.8%	\$752	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1990	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1990	\$33,229	100.0%	36.8%	\$12,220	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1990	\$11,824	100.0%	36.8%	\$4,348	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1990	\$45,858	100.0%	36.8%	\$16,864	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1990	\$5,826	100.0%	36.8%	\$2,142	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1990	\$7,088	100.0%	36.8%	\$2,606	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1990	\$4,466	100.0%	36.8%	\$1,642	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1990	\$7,554	100.0%	36.8%	\$2,778	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	1990	\$6,812	100.0%	36.8%	\$2,505	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	1990	\$37,081	100.0%	36.8%	\$13,636	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	1990	\$3,813	100.0%	36.8%	\$1,402	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	1990	\$37,149	100.0%	36.8%	\$13,661	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	1990	\$42,116	100.0%	36.8%	\$15,488	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	1990	\$8,622	100.0%	36.8%	\$3,171	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	1990	\$41,970	100.0%	36.8%	\$15,434	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	1990	\$20,009	100.0%	36.8%	\$7,358	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	1990	\$44,862	100.0%	36.8%	\$16,498	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	750 mm diameter	1990	\$456	100.0%	36.8%	\$168	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	750 mm diameter	1990	\$456	100.0%	36.8%	\$168	Asset less than 30 years old
City Wide	PIPE	850 mm diameter	1990	\$28,985	100.0%	36.8%	\$10,659	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1990	\$45,969	100.0%	36.8%	\$16,905	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1991	\$45,804	100.0%	36.8%	\$16,844	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1991	\$15,994	100.0%	36.8%	\$5,882	Asset less than 30 years old
City Wide	PIPE	1350 mm diameter	1991	\$169,276	100.0%	36.8%	\$62,251	Asset less than 30 years old
City Wide	PIPE	1400 mm diameter	1991	\$14,849	100.0%	36.8%	\$5,461	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	2400 mm diameter	1991	\$2,767	100.0%	36.8%	\$1,018	Asset less than 30 years old





Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	Box Culvert Headwall	2400 mm x 1200 mm	1991	\$4,128	100.0%	36.8%	\$1,518	Asset less than 30 years old
City Wide	Box Culvert Headwall	2400 mm x 1200 mm	1991	\$4,128	100.0%	36.8%	\$1,518	Asset less than 30 years old
City Wide	Box Culvert Headwall	2400 mm x 1200 mm	1991	\$4,128	100.0%	36.8%	\$1,518	Asset less than 30 years old
City Wide	Box Culvert Headwall	2400 mm x 1200 mm	1991	\$4,128	100.0%	36.8%	\$1,518	Asset less than 30 years old
City Wide	Box Culvert Headwall	2400 mm x 1800 mm	1991	\$6,519	100.0%	36.8%	\$2,397	Asset less than 30 years old
City Wide	Box Culvert Headwall	2400 mm x 1800 mm	1991	\$6,519	100.0%	36.8%	\$2,397	Asset less than 30 years old
City Wide	Box Culvert Headwall	2400 mm x 1800 mm	1991	\$6,519	100.0%	36.8%	\$2,397	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$1,769	100.0%	36.8%	\$651	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$1,107	100.0%	36.8%	\$407	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$4,097	100.0%	36.8%	\$1,507	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$4,671	100.0%	36.8%	\$1,718	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$4,135	100.0%	36.8%	\$1,521	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$4,863	100.0%	36.8%	\$1,788	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$4,212	100.0%	36.8%	\$1,549	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$6,509	100.0%	36.8%	\$2,394	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$3,752	100.0%	36.8%	\$1,380	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$3,829	100.0%	36.8%	\$1,408	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$4,709	100.0%	36.8%	\$1,732	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$4,671	100.0%	36.8%	\$1,718	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$4,824	100.0%	36.8%	\$1,774	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$4,709	100.0%	36.8%	\$1,732	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$4,327	100.0%	36.8%	\$1,591	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$5,667	100.0%	36.8%	\$2,084	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$13,707	100.0%	36.8%	\$5,041	Asset less than 30 years old



Development Service Plan  
Goulburn Stormwater

Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	450 mm diameter	1991	\$24,516	100.0%	36.8%	\$9,016	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$28,774	100.0%	36.8%	\$10,581	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$4,507	100.0%	36.8%	\$1,657	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$11,130	100.0%	36.8%	\$4,093	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$8,163	100.0%	36.8%	\$3,002	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$15,706	100.0%	36.8%	\$5,776	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$5,081	100.0%	36.8%	\$1,868	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$3,178	100.0%	36.8%	\$1,169	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$4,935	100.0%	36.8%	\$1,815	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$15,128	100.0%	36.8%	\$5,563	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$11,100	100.0%	36.8%	\$4,082	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$17,019	100.0%	36.8%	\$6,259	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$19,642	100.0%	36.8%	\$7,223	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$2,906	100.0%	36.8%	\$1,069	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$13,604	100.0%	36.8%	\$5,003	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$1,631	100.0%	36.8%	\$600	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$5,100	100.0%	36.8%	\$1,876	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$39,728	100.0%	36.8%	\$14,610	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1991	\$18,187	100.0%	36.8%	\$6,688	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1991	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1991	\$24,161	100.0%	36.8%	\$8,885	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1991	\$8,533	100.0%	36.8%	\$3,138	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1991	\$19,637	100.0%	36.8%	\$7,221	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1991	\$8,996	100.0%	36.8%	\$3,308	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1991	\$16,943	100.0%	36.8%	\$6,231	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1991	\$17,560	100.0%	36.8%	\$6,458	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1991	\$12,903	100.0%	36.8%	\$4,745	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1991	\$12,641	100.0%	36.8%	\$4,649	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	1991	\$329	100.0%	36.8%	\$121	Asset less than 30 years old



Asset Area(s)	Service	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide		Pipe Culvert Headwall	600 mm diameter	1991	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide		Pipe Culvert Headwall	600 mm diameter	1991	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide		PIPE	750 mm diameter	1991	\$36,301	100.0%	36.8%	\$13,350	Asset less than 30 years old
City Wide		PIPE	750 mm diameter	1991	\$48,141	100.0%	36.8%	\$17,704	Asset less than 30 years old
City Wide		PIPE	750 mm diameter	1991	\$72,263	100.0%	36.8%	\$26,574	Asset less than 30 years old
City Wide		PIPE	750 mm diameter	1991	\$15,029	100.0%	36.8%	\$5,527	Asset less than 30 years old
City Wide		PIPE	750 mm diameter	1991	\$4,644	100.0%	36.8%	\$1,708	Asset less than 30 years old
City Wide		PIPE	750 mm diameter	1991	\$9,680	100.0%	36.8%	\$3,560	Asset less than 30 years old
City Wide		PIPE	750 mm diameter	1991	\$5,223	100.0%	36.8%	\$1,921	Asset less than 30 years old
City Wide		PIPE	750 mm diameter	1991	\$17,126	100.0%	36.8%	\$6,298	Asset less than 30 years old
City Wide		Pipe Culvert Headwall	750 mm diameter	1991	\$456	100.0%	36.8%	\$168	Asset less than 30 years old
City Wide		Pipe Culvert Headwall	750 mm diameter	1991	\$456	100.0%	36.8%	\$168	Asset less than 30 years old
City Wide		PIPE	900 mm diameter	1991	\$12,512	100.0%	36.8%	\$4,601	Asset less than 30 years old
City Wide		PIPE	1050 mm diameter	1992	\$18,173	100.0%	36.8%	\$6,683	Asset less than 30 years old
City Wide		PIPE	1050 mm diameter	1992	\$21,971	100.0%	36.8%	\$8,080	Asset less than 30 years old
City Wide		PIPE	1200 mm diameter	1992	\$22,771	100.0%	36.8%	\$8,374	Asset less than 30 years old
City Wide		PIPE	1200 mm diameter	1992	\$9,746	100.0%	36.8%	\$3,584	Asset less than 30 years old
City Wide		PIPE	1350 mm diameter	1992	\$20,579	100.0%	36.8%	\$7,568	Asset less than 30 years old
City Wide		Box Culvert Headwall	1500 mm x 750 mm	1992	\$3,775	100.0%	36.8%	\$1,388	Asset less than 30 years old
City Wide		PIPE	450 mm diameter	1992	\$4,978	100.0%	36.8%	\$1,830	Asset less than 30 years old
City Wide		PIPE	450 mm diameter	1992	\$17,548	100.0%	36.8%	\$6,453	Asset less than 30 years old
City Wide		PIPE	525 mm diameter	1992	\$5,408	100.0%	36.8%	\$1,989	Asset less than 30 years old
City Wide		PIPE	525 mm diameter	1992	\$44,969	100.0%	36.8%	\$16,537	Asset less than 30 years old
City Wide		PIPE	600 mm diameter	1992	\$30,088	100.0%	36.8%	\$11,065	Asset less than 30 years old
City Wide		PIPE	600 mm diameter	1992	\$17,992	100.0%	36.8%	\$6,616	Asset less than 30 years old
City Wide		PIPE	600 mm diameter	1992	\$6,945	100.0%	36.8%	\$2,554	Asset less than 30 years old
City Wide		PIPE	750 mm diameter	1992	\$16,081	100.0%	36.8%	\$5,914	Asset less than 30 years old
City Wide		PIPE	750 mm diameter	1992	\$63,361	100.0%	36.8%	\$23,301	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	750 mm diameter	1992	\$57,675	100.0%	36.8%	\$21,210	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	1992	\$40,908	100.0%	36.8%	\$15,044	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	1992	\$26,490	100.0%	36.8%	\$9,741	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	1992	\$7,212	100.0%	36.8%	\$2,652	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1992	\$62,630	100.0%	36.8%	\$23,032	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1992	\$16,389	100.0%	36.8%	\$6,027	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1992	\$48,150	100.0%	36.8%	\$17,707	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1992	\$5,486	100.0%	36.8%	\$2,017	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1992	\$7,095	100.0%	36.8%	\$2,609	Asset less than 30 years old
City Wide	Box Culvert Headwall	1200 mm diameter	1993	\$1,848	100.0%	36.8%	\$680	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1993	\$5,269	100.0%	36.8%	\$1,937	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1993	\$1,256	100.0%	36.8%	\$462	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1993	\$11,609	100.0%	36.8%	\$4,269	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1993	\$33,043	100.0%	36.8%	\$12,151	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1993	\$9,105	100.0%	36.8%	\$3,348	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1993	\$96,741	100.0%	36.8%	\$35,576	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1993	\$3,855	100.0%	36.8%	\$1,418	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	1993	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	PIPE	825 mm diameter	1993	\$18,085	100.0%	36.8%	\$6,651	Asset less than 30 years old
City Wide	PIPE	825 mm diameter	1993	\$4,855	100.0%	36.8%	\$1,785	Asset less than 30 years old
City Wide	PIPE	825 mm diameter	1993	\$27,512	100.0%	36.8%	\$10,118	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	825 mm diameter	1993	\$522	100.0%	36.8%	\$192	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	1050 mm diameter	1994	\$951	100.0%	36.8%	\$350	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$29,011	100.0%	36.8%	\$10,669	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$3,676	100.0%	36.8%	\$1,352	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$22,135	100.0%	36.8%	\$8,140	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$31,236	100.0%	36.8%	\$11,487	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$1,911	100.0%	36.8%	\$703	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$20,906	100.0%	36.8%	\$7,688	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	450 mm diameter	1994	\$5,590	100.0%	36.8%	\$2,056	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$2,527	100.0%	36.8%	\$929	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$3,867	100.0%	36.8%	\$1,422	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$9,170	100.0%	36.8%	\$3,372	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$6,141	100.0%	36.8%	\$2,259	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$7,462	100.0%	36.8%	\$2,744	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$15,086	100.0%	36.8%	\$5,548	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$5,169	100.0%	36.8%	\$1,901	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$20,255	100.0%	36.8%	\$7,449	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$20,729	100.0%	36.8%	\$7,623	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$25,270	100.0%	36.8%	\$9,293	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1994	\$20,393	100.0%	36.8%	\$7,499	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1994	\$17,216	100.0%	36.8%	\$6,331	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1994	\$7,094	100.0%	36.8%	\$2,609	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1994	\$10,667	100.0%	36.8%	\$3,923	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1994	\$6,888	100.0%	36.8%	\$2,533	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1994	\$5,398	100.0%	36.8%	\$1,985	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1994	\$4,848	100.0%	36.8%	\$1,783	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	1994	\$24,630	100.0%	36.8%	\$9,058	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	1994	\$26,598	100.0%	36.8%	\$9,781	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	1050 mm diameter	1995	\$951	100.0%	36.8%	\$350	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1995	\$708	100.0%	36.8%	\$260	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1995	\$42,742	100.0%	36.8%	\$15,718	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1995	\$26,071	100.0%	36.8%	\$9,587	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1995	\$3,817	100.0%	36.8%	\$1,404	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1995	\$4,507	100.0%	36.8%	\$1,657	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1995	\$0	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1995	\$16,437	100.0%	36.8%	\$6,045	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1995	\$34,171	100.0%	36.8%	\$12,566	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	525 mm diameter	1995	\$11,642	100.0%	36.8%	\$4,281	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1995	\$15,019	100.0%	36.8%	\$5,523	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	1995	\$18,796	100.0%	36.8%	\$6,912	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1995	\$21,200	100.0%	36.8%	\$7,796	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1995	\$12,337	100.0%	36.8%	\$4,537	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1995	\$7,762	100.0%	36.8%	\$2,855	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1995	\$29,168	100.0%	36.8%	\$10,726	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1995	\$9,901	100.0%	36.8%	\$3,641	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1995	\$7,402	100.0%	36.8%	\$2,722	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1995	\$7,094	100.0%	36.8%	\$2,609	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1995	\$27,965	100.0%	36.8%	\$10,284	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1995	\$7,557	100.0%	36.8%	\$2,779	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1995	\$21,333	100.0%	36.8%	\$7,845	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	1995	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	1995	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1996	\$17,528	100.0%	36.8%	\$6,446	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1996	\$10,468	100.0%	36.8%	\$3,850	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1996	\$22,397	100.0%	36.8%	\$8,236	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1996	\$3,725	100.0%	36.8%	\$1,370	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1996	\$8,764	100.0%	36.8%	\$3,223	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1996	\$3,997	100.0%	36.8%	\$1,470	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1996	\$17,724	100.0%	36.8%	\$6,518	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1996	\$2,983	100.0%	36.8%	\$1,097	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1996	\$13,194	100.0%	36.8%	\$4,852	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1996	\$2,470	100.0%	36.8%	\$908	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1996	\$15,710	100.0%	36.8%	\$5,777	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1996	\$23,777	100.0%	36.8%	\$8,744	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1996	\$28,096	100.0%	36.8%	\$10,332	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1996	\$53,380	100.0%	36.8%	\$19,630	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	600 mm diameter	1996	\$8,739	100.0%	36.8%	\$3,214	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1996	\$36,200	100.0%	36.8%	\$13,312	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	1996	\$48,321	100.0%	36.8%	\$17,770	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	1996	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1996	\$47,975	100.0%	36.8%	\$17,643	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1996	\$6,523	100.0%	36.8%	\$2,399	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1996	\$56,601	100.0%	36.8%	\$20,815	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1997	\$6,318	100.0%	36.8%	\$2,323	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1997	\$21,671	100.0%	36.8%	\$7,970	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1997	\$4,978	100.0%	36.8%	\$1,830	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1997	\$2,314	100.0%	36.8%	\$851	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1997	\$11,718	100.0%	36.8%	\$4,309	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1997	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1998	\$1,800	100.0%	36.8%	\$662	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1998	\$1,811	100.0%	36.8%	\$666	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1998	\$5,238	100.0%	36.8%	\$1,926	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1998	\$4,709	100.0%	36.8%	\$1,732	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1998	\$4,729	100.0%	36.8%	\$1,739	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1998	\$4,709	100.0%	36.8%	\$1,732	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1998	\$4,671	100.0%	36.8%	\$1,718	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1998	\$4,709	100.0%	36.8%	\$1,732	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old





Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	1998	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	1998	\$62,426	100.0%	36.8%	\$22,957	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1999	\$32,646	100.0%	36.8%	\$12,005	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1999	\$46,656	100.0%	36.8%	\$17,158	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	1999	\$12,635	100.0%	36.8%	\$4,646	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1999	\$9,702	100.0%	36.8%	\$3,568	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1999	\$4,441	100.0%	36.8%	\$1,633	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1999	\$8,558	100.0%	36.8%	\$3,147	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1999	\$2,083	100.0%	36.8%	\$766	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1999	\$5,475	100.0%	36.8%	\$2,014	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	1999	\$2,508	100.0%	36.8%	\$922	Asset less than 30 years old
City Wide	Box Culvert Headwall	1500 mm x 450 mm	2000	\$2,851	100.0%	36.8%	\$1,048	Asset less than 30 years old
City Wide	Box Culvert Headwall	1500 mm x 450 mm	2000	\$2,851	100.0%	36.8%	\$1,048	Asset less than 30 years old
City Wide	Box Culvert Headwall	1800 mm x 450 mm	2000	\$1,331	100.0%	36.8%	\$490	Asset less than 30 years old
City Wide	Box Culvert Headwall	1800 mm x 450 mm	2000	\$1,331	100.0%	36.8%	\$490	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2000	\$5,514	100.0%	36.8%	\$2,028	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2000	\$79,564	100.0%	36.8%	\$29,259	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2000	\$22,667	100.0%	36.8%	\$8,336	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2000	\$14,550	100.0%	36.8%	\$5,351	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	450 mm diameter	2000	\$15,400	100.0%	36.8%	\$5,663	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2000	\$45,908	100.0%	36.8%	\$16,882	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2000	\$29,195	100.0%	36.8%	\$10,736	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2000	\$2,222	100.0%	36.8%	\$817	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2000	\$23,289	100.0%	36.8%	\$8,564	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2000	\$6,385	100.0%	36.8%	\$2,348	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2000	\$10,207	100.0%	36.8%	\$3,754	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2000	\$3,555	100.0%	36.8%	\$1,307	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2000	\$36,473	100.0%	36.8%	\$13,413	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2000	\$3,959	100.0%	36.8%	\$1,456	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2000	\$2,080	100.0%	36.8%	\$765	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2000	\$15,806	100.0%	36.8%	\$5,813	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2000	\$40,921	100.0%	36.8%	\$15,049	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2000	\$29,044	100.0%	36.8%	\$10,681	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2000	\$169,022	100.0%	36.8%	\$62,157	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2000	\$11,078	100.0%	36.8%	\$4,074	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2000	\$6,657	100.0%	36.8%	\$2,448	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2000	\$2,061	100.0%	36.8%	\$758	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2000	\$3,794	100.0%	36.8%	\$1,395	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2000	\$3,650	100.0%	36.8%	\$1,342	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2000	\$5,506	100.0%	36.8%	\$2,025	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2000	\$23,575	100.0%	36.8%	\$8,669	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2000	\$2,072	100.0%	36.8%	\$762	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	2000	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	2000	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	2000	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	2000	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	2000	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	2000	\$329	100.0%	36.8%	\$121	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	Pipe Culvert Headwall	600 mm diameter	2000	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	2000	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	PIPE	675 mm diameter	2000	\$28,247	100.0%	36.8%	\$10,388	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	2000	\$9,692	100.0%	36.8%	\$3,564	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	2000	\$22,292	100.0%	36.8%	\$8,198	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	2000	\$32,623	100.0%	36.8%	\$11,997	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	900 mm diameter	2000	\$527	100.0%	36.8%	\$194	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	900 mm diameter	2000	\$527	100.0%	36.8%	\$194	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2001	\$1,551	100.0%	36.8%	\$570	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2001	\$7,505	100.0%	36.8%	\$2,760	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	525 mm diameter	2001	\$234	100.0%	36.8%	\$86	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2002	\$1,612	100.0%	36.8%	\$593	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2002	\$29,291	100.0%	36.8%	\$10,772	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2002	\$1,914	100.0%	36.8%	\$704	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2002	\$4,671	100.0%	36.8%	\$1,718	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2002	\$4,208	100.0%	36.8%	\$1,547	Asset less than 30 years old
City Wide	PIPE	675 mm diameter	2002	\$22,895	100.0%	36.8%	\$8,420	Asset less than 30 years old
City Wide	PIPE	675 mm diameter	2002	\$19,844	100.0%	36.8%	\$7,298	Asset less than 30 years old
City Wide	PIPE	675 mm diameter	2002	\$10,294	100.0%	36.8%	\$3,786	Asset less than 30 years old
City Wide	PIPE	675 mm diameter	2002	\$16,371	100.0%	36.8%	\$6,021	Asset less than 30 years old
City Wide	PIPE	675 mm diameter	2002	\$4,734	100.0%	36.8%	\$1,741	Asset less than 30 years old
City Wide	PIPE	675 mm diameter	2002	\$18,655	100.0%	36.8%	\$6,860	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	2002	\$9,364	100.0%	36.8%	\$3,443	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	2002	\$16,760	100.0%	36.8%	\$6,163	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	2002	\$5,502	100.0%	36.8%	\$2,023	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	2002	\$4,831	100.0%	36.8%	\$1,777	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	2002	\$8,485	100.0%	36.8%	\$3,120	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	750 mm diameter	2002	\$456	100.0%	36.8%	\$168	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	2002	\$11,437	100.0%	36.8%	\$4,206	Asset less than 30 years old



Development Service Plan  
Goulburn Stormwater

Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	1050 mm diameter	2003	\$18,258	100.0%	36.8%	\$6,714	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	1050 mm diameter	2003	\$951	100.0%	36.8%	\$350	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	1050 mm diameter	2003	\$951	100.0%	36.8%	\$350	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2003	\$18,493	100.0%	36.8%	\$6,801	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2003	\$23,023	100.0%	36.8%	\$8,467	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2003	\$5,628	100.0%	36.8%	\$2,070	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2003	\$5,743	100.0%	36.8%	\$2,112	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2003	\$4,748	100.0%	36.8%	\$1,746	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2003	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2003	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2003	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2003	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2003	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2003	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2003	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2003	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2003	\$13,353	100.0%	36.8%	\$4,910	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2003	\$13,313	100.0%	36.8%	\$4,896	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2003	\$7,110	100.0%	36.8%	\$2,615	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2003	\$15,026	100.0%	36.8%	\$5,526	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2003	\$5,346	100.0%	36.8%	\$1,966	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2003	\$25,641	100.0%	36.8%	\$9,429	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2003	\$24,736	100.0%	36.8%	\$9,097	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2003	\$6,426	100.0%	36.8%	\$2,363	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	2003	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	2003	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	Box Culvert Headwall	750 mm diameter	2003	\$647	100.0%	36.8%	\$238	Asset less than 30 years old
City Wide	Box Culvert Headwall	750 mm diameter	2003	\$647	100.0%	36.8%	\$238	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	2003	\$17,203	100.0%	36.8%	\$6,326	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	2003	\$0	100.0%	36.8%	\$0	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	Pipe Culvert Headwall	750 mm diameter	2003	\$456	100.0%	36.8%	\$168	Asset less than 30 years old
City Wide	PIPE	825 mm diameter	2003	\$3,949	100.0%	36.8%	\$1,452	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	825 mm diameter	2003	\$522	100.0%	36.8%	\$192	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	2003	\$62,213	100.0%	36.8%	\$22,879	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	2003	\$62,213	100.0%	36.8%	\$22,879	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	2003	\$40,270	100.0%	36.8%	\$14,809	Asset less than 30 years old
City Wide	Box Culvert Headwall	2100 mm x 75 mm	2004	\$243	100.0%	36.8%	\$89	Asset less than 30 years old
City Wide	Box Culvert Headwall	2100 mm x 75 mm	2004	\$243	100.0%	36.8%	\$89	Asset less than 30 years old
City Wide	Box Culvert Headwall	2100 mm x 75 mm	2004	\$243	100.0%	36.8%	\$89	Asset less than 30 years old
City Wide	Box Culvert Headwall	2100 mm x 75 mm	2004	\$243	100.0%	36.8%	\$89	Asset less than 30 years old
City Wide	Box Culvert Headwall	2100 mm x 75 mm	2004	\$243	100.0%	36.8%	\$89	Asset less than 30 years old
City Wide	Box Culvert Headwall	2100 mm x 75 mm	2004	\$243	100.0%	36.8%	\$89	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2004	\$3,427	100.0%	36.8%	\$1,260	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2004	\$6,892	100.0%	36.8%	\$2,534	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2004	\$18,402	100.0%	36.8%	\$6,767	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2004	\$2,822	100.0%	36.8%	\$1,038	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2004	\$2,014	100.0%	36.8%	\$741	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2004	\$4,464	100.0%	36.8%	\$1,642	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2004	\$2,198	100.0%	36.8%	\$808	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2004	\$8,423	100.0%	36.8%	\$3,098	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2004	\$9,074	100.0%	36.8%	\$3,337	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2004	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2004	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2004	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	525 mm diameter	2004	\$234	100.0%	36.8%	\$86	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	2004	\$104,092	100.0%	36.8%	\$38,279	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2005	\$4,445	100.0%	36.8%	\$1,635	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2005	\$1,168	100.0%	36.8%	\$429	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2005	\$229	100.0%	36.8%	\$84	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	600 mm diameter	2005	\$2,622	100.0%	36.8%	\$964	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2005	\$30,278	100.0%	36.8%	\$11,135	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2005	\$10,754	100.0%	36.8%	\$3,955	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	2005	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	2005	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	PIPE	1050 mm diameter	2006	\$64,172	100.0%	36.8%	\$23,599	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2006	\$8,339	100.0%	36.8%	\$3,067	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2006	\$28,311	100.0%	36.8%	\$10,411	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2006	\$2,473	100.0%	36.8%	\$910	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2006	\$19,749	100.0%	36.8%	\$7,263	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2006	\$31,236	100.0%	36.8%	\$11,487	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2006	\$27,453	100.0%	36.8%	\$10,096	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2006	\$9,572	100.0%	36.8%	\$3,520	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2006	\$0	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2006	\$20,446	100.0%	36.8%	\$7,519	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2006	\$25,151	100.0%	36.8%	\$9,249	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2006	\$33,709	100.0%	36.8%	\$12,396	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2006	\$29,128	100.0%	36.8%	\$10,712	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2006	\$8,225	100.0%	36.8%	\$3,025	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2006	\$5,732	100.0%	36.8%	\$2,108	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2006	\$2,831	100.0%	36.8%	\$1,041	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2006	\$37,184	100.0%	36.8%	\$13,674	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2006	\$38,268	100.0%	36.8%	\$14,073	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2006	\$8,096	100.0%	36.8%	\$2,977	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2006	\$25,151	100.0%	36.8%	\$9,249	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2006	\$41,228	100.0%	36.8%	\$15,161	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2006	\$2,857	100.0%	36.8%	\$1,051	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2006	\$43,309	100.0%	36.8%	\$15,927	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	2006	\$329	100.0%	36.8%	\$121	Asset less than 30 years old



Asset Area(s)	Service	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	PIPE	900 mm diameter	2006	\$42,974	100.0%	36.8%	\$15,804	Asset less than 30 years old
City Wide	PIPE	PIPE	900 mm diameter	2006	\$38,332	100.0%	36.8%	\$14,096	Asset less than 30 years old
City Wide	PIPE	PIPE	900 mm diameter	2006	\$49,042	100.0%	36.8%	\$18,035	Asset less than 30 years old
City Wide	PIPE	PIPE	900 mm diameter	2006	\$48,576	100.0%	36.8%	\$17,864	Asset less than 30 years old
City Wide	PIPE	PIPE	900 mm diameter	2006	\$119,987	100.0%	36.8%	\$44,125	Asset less than 30 years old
City Wide	PIPE	PIPE	900 mm diameter	2006	\$121,829	100.0%	36.8%	\$44,802	Asset less than 30 years old
City Wide	PIPE	PIPE	900 mm diameter	2006	\$33,195	100.0%	36.8%	\$12,207	Asset less than 30 years old
City Wide	PIPE	PIPE	1050 mm diameter	2007	\$40,716	100.0%	36.8%	\$14,973	Asset less than 30 years old
City Wide	PIPE	PIPE	1050 mm diameter	2007	\$39,694	100.0%	36.8%	\$14,597	Asset less than 30 years old
City Wide	PIPE	PIPE	1050 mm diameter	2007	\$47,143	100.0%	36.8%	\$17,337	Asset less than 30 years old
City Wide	PIPE	PIPE	1050 mm diameter	2007	\$32,914	100.0%	36.8%	\$12,104	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	Pipe Culvert Headwall	1050 mm diameter	2007	\$951	100.0%	36.8%	\$350	Asset less than 30 years old
City Wide	PIPE	PIPE	1200 mm diameter	2007	\$65,035	100.0%	36.8%	\$23,916	Asset less than 30 years old
City Wide	PIPE	PIPE	1200 mm diameter	2007	\$31,513	100.0%	36.8%	\$11,589	Asset less than 30 years old
City Wide	PIPE	PIPE	1350 mm diameter	2007	\$74,033	100.0%	36.8%	\$27,225	Asset less than 30 years old
City Wide	PIPE	PIPE	1350 mm diameter	2007	\$145,810	100.0%	36.8%	\$53,621	Asset less than 30 years old
City Wide	PIPE	PIPE	1350 mm diameter	2007	\$129,745	100.0%	36.8%	\$47,713	Asset less than 30 years old
City Wide	PIPE	PIPE	1350 mm diameter	2007	\$77,071	100.0%	36.8%	\$28,342	Asset less than 30 years old
City Wide	PIPE	PIPE	1350 mm diameter	2007	\$36,411	100.0%	36.8%	\$13,390	Asset less than 30 years old
City Wide	PIPE	PIPE	1350 mm diameter	2007	\$63,429	100.0%	36.8%	\$23,326	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	Pipe Culvert Headwall	1350 mm diameter	2007	\$1,175	100.0%	36.8%	\$432	Asset less than 30 years old
City Wide	Box Culvert Headwall	Box Culvert Headwall	2400 mm x 750 mm	2007	\$2,777	100.0%	36.8%	\$1,021	Asset less than 30 years old
City Wide	Box Culvert Headwall	Box Culvert Headwall	2400 mm x 750 mm	2007	\$2,777	100.0%	36.8%	\$1,021	Asset less than 30 years old
City Wide	PIPE	PIPE	450 mm diameter	2007	\$3,840	100.0%	36.8%	\$1,412	Asset less than 30 years old
City Wide	PIPE	PIPE	450 mm diameter	2007	\$26,389	100.0%	36.8%	\$9,704	Asset less than 30 years old
City Wide	PIPE	PIPE	450 mm diameter	2007	\$10,200	100.0%	36.8%	\$3,751	Asset less than 30 years old
City Wide	PIPE	PIPE	450 mm diameter	2007	\$3,408	100.0%	36.8%	\$1,253	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	450 mm diameter	2007	\$29,260	100.0%	36.8%	\$10,760	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2007	\$11,869	100.0%	36.8%	\$4,365	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2007	\$1,149	100.0%	36.8%	\$422	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2007	\$3,925	100.0%	36.8%	\$1,443	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2007	\$4,066	100.0%	36.8%	\$1,495	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2007	\$10,265	100.0%	36.8%	\$3,775	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2007	\$3,829	100.0%	36.8%	\$1,408	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2007	\$3,040	100.0%	36.8%	\$1,118	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2007	\$38,250	100.0%	36.8%	\$14,066	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2007	\$35,264	100.0%	36.8%	\$12,968	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2007	\$3,867	100.0%	36.8%	\$1,422	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2007	\$6,164	100.0%	36.8%	\$2,267	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2007	\$6,892	100.0%	36.8%	\$2,534	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2007	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2007	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2007	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2007	\$7,390	100.0%	36.8%	\$2,718	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2007	\$9,496	100.0%	36.8%	\$3,492	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2007	\$7,082	100.0%	36.8%	\$2,604	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2007	\$31,607	100.0%	36.8%	\$11,623	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2007	\$6,661	100.0%	36.8%	\$2,450	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2007	\$2,222	100.0%	36.8%	\$817	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2007	\$28,306	100.0%	36.8%	\$10,409	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2007	\$29,317	100.0%	36.8%	\$10,781	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2007	\$8,184	100.0%	36.8%	\$3,010	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2007	\$6,678	100.0%	36.8%	\$2,456	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2007	\$7,706	100.0%	36.8%	\$2,834	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2007	\$4,920	100.0%	36.8%	\$1,809	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	600 mm diameter	2007	\$329	100.0%	36.8%	\$121	Asset less than 30 years old





Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	PIPE	675 mm diameter	2007	\$28,798	100.0%	36.8%	\$10,590	Asset less than 30 years old
City Wide	PIPE	675 mm diameter	2007	\$30,527	100.0%	36.8%	\$11,226	Asset less than 30 years old
City Wide	PIPE	675 mm diameter	2007	\$6,831	100.0%	36.8%	\$2,512	Asset less than 30 years old
City Wide	PIPE	675 mm diameter	2007	\$15,134	100.0%	36.8%	\$5,566	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	2007	\$18,020	100.0%	36.8%	\$6,627	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	2007	\$22,582	100.0%	36.8%	\$8,304	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	2007	\$52,462	100.0%	36.8%	\$19,293	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	2007	\$10,721	100.0%	36.8%	\$3,942	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	2007	\$10,721	100.0%	36.8%	\$3,942	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	2007	\$14,822	100.0%	36.8%	\$5,451	Asset less than 30 years old
City Wide	PIPE	750 mm diameter	2007	\$9,211	100.0%	36.8%	\$3,387	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	750 mm diameter	2007	\$456	100.0%	36.8%	\$168	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	750 mm diameter	2007	\$456	100.0%	36.8%	\$168	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	750 mm diameter	2007	\$456	100.0%	36.8%	\$168	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	750 mm diameter	2007	\$456	100.0%	36.8%	\$168	Asset less than 30 years old
City Wide	PIPE	825 mm diameter	2007	\$8,092	100.0%	36.8%	\$2,976	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	2007	\$22,844	100.0%	36.8%	\$8,401	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	2007	\$44,961	100.0%	36.8%	\$16,534	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	2007	\$22,844	100.0%	36.8%	\$8,401	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	2007	\$96,290	100.0%	36.8%	\$35,410	Asset less than 30 years old
City Wide	PIPE	900 mm diameter	2007	\$0	100.0%	36.8%	\$0	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	900 mm diameter	2007	\$527	100.0%	36.8%	\$194	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	525 mm diameter	2008	\$234	100.0%	36.8%	\$86	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	525 mm diameter	2008	\$234	100.0%	36.8%	\$86	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2009	\$6,892	100.0%	36.8%	\$2,534	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2009	\$4,848	100.0%	36.8%	\$1,783	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2009	\$25,035	100.0%	36.8%	\$9,206	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2009	\$9,191	100.0%	36.8%	\$3,380	Asset less than 30 years old
City Wide	PIPE	600 mm diameter	2009	\$16,512	100.0%	36.8%	\$6,072	Asset less than 30 years old



Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	Pipe Culvert Headwall	600 mm diameter	2009	\$329	100.0%	36.8%	\$121	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2010	\$4,258	100.0%	36.8%	\$1,566	Asset less than 30 years old
City Wide	Pipe Culvert Headwall	450 mm diameter	2010	\$229	100.0%	36.8%	\$84	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2011	\$5,651	100.0%	36.8%	\$2,078	Asset less than 30 years old
City Wide	PIPE	450 mm diameter	2011	\$5,820	100.0%	36.8%	\$2,140	Asset less than 30 years old
City Wide	PIPE	525 mm diameter	2011	\$5,736	100.0%	36.8%	\$2,110	Asset less than 30 years old
City Wide	Drainage	Drainage Upgrade	2017	\$333,825	100.0%	36.8%	\$122,763	Asset less than 30 years old
City Wide	Drainage	Drainage Upgrade	2018	\$333,825	100.0%	36.8%	\$122,763	Asset less than 30 years old
City Wide	Drainage	Headwall Renewal	2017	\$2,214	100.0%	36.8%	\$814	Asset less than 30 years old
City Wide	Drainage	Headwall Renewal	2018	\$2,214	100.0%	36.8%	\$814	Asset less than 30 years old
City Wide	Drainage	GPT Renewal	2017	\$11,626	100.0%	36.8%	\$4,275	Asset less than 30 years old
City Wide	Drainage	GPT Renewal	2018	\$11,626	100.0%	36.8%	\$4,275	Asset less than 30 years old
City Wide	Drainage	Pipe Renewal	2017	\$13,392	100.0%	36.8%	\$4,925	Asset less than 30 years old
City Wide	Drainage	Pipe Renewal	2018	\$13,392	100.0%	36.8%	\$4,925	Asset less than 30 years old
City Wide	Stormwater Improvements	Stormwater Improvements	2010	\$12,305	100.0%	36.8%	\$4,525	Asset less than 30 years old
City Wide	Stormwater Improvements	Stormwater Improvements	2011	\$38,035	100.0%	36.8%	\$13,987	Asset less than 30 years old
City Wide	Stormwater Improvements	Stormwater Improvements	2012	\$89,364	100.0%	36.8%	\$32,863	Asset less than 30 years old
City Wide	Stormwater Improvements	Stormwater Improvements	2013	\$83,684	100.0%	36.8%	\$30,775	Asset less than 30 years old
City Wide	Stormwater Improvements	Stormwater Improvements	2014	\$89,444	100.0%	36.8%	\$32,892	Asset less than 30 years old
City Wide	Stormwater Improvements	Stormwater Improvements	2015	\$120,714	100.0%	36.8%	\$44,392	Asset less than 30 years old
City Wide	Stormwater Improvements	Stormwater Improvements	2016	\$115,777	100.0%	36.8%	\$42,577	Asset less than 30 years old
City Wide	Stormwater Improvements	Stormwater Improvements	2017	\$235,157	100.0%	36.8%	\$86,478	Asset less than 30 years old
City Wide	Stormwater Improvements	Stormwater Improvements	2018	\$60,877	100.0%	36.8%	\$22,387	Asset less than 30 years old



Development Service Plan  
Goulburn Stormwater

Asset Service Area(s)	Asset Purpose	Asset Detail	Commissioning Year	MEERA (2020)	Shared Proportion	Growth Proportion	Recoverable DSP Value	Justification
City Wide	Stormwater Improvements	Stormwater Improvements	2019	\$232,463	100.0%	36.8%	\$85,487	Asset less than 30 years old
Clyde St	Creek Remediation	Revegetation	2007	\$448,686	100.0%	100.0%	\$448,686	Asset less than 30 years old
Clyde St	Creek Remediation	Revegetation	2009	\$121,690	100.0%	100.0%	\$121,690	Asset less than 30 years old
Clyde St	Creek Remediation	Revegetation	2016	\$1,716,184	100.0%	100.0%	\$1,716,184	Asset less than 30 years old
Clyde St	Creek Remediation	Revegetation	2017	\$310,020	100.0%	100.0%	\$310,020	Asset less than 30 years old
Clyde St	Creek Remediation	Revegetation	2018	\$364,635	100.0%	100.0%	\$364,635	Asset less than 30 years old

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### About Cardno

Cardno is a professional infrastructure and environmental services company, with expertise in the development and improvement of physical and social infrastructure for communities around the world. Cardno's team includes leading professionals who plan, design, manage and deliver sustainable projects and community programs. Cardno is an international company listed on the Australian Securities Exchange [ASX:CDD].

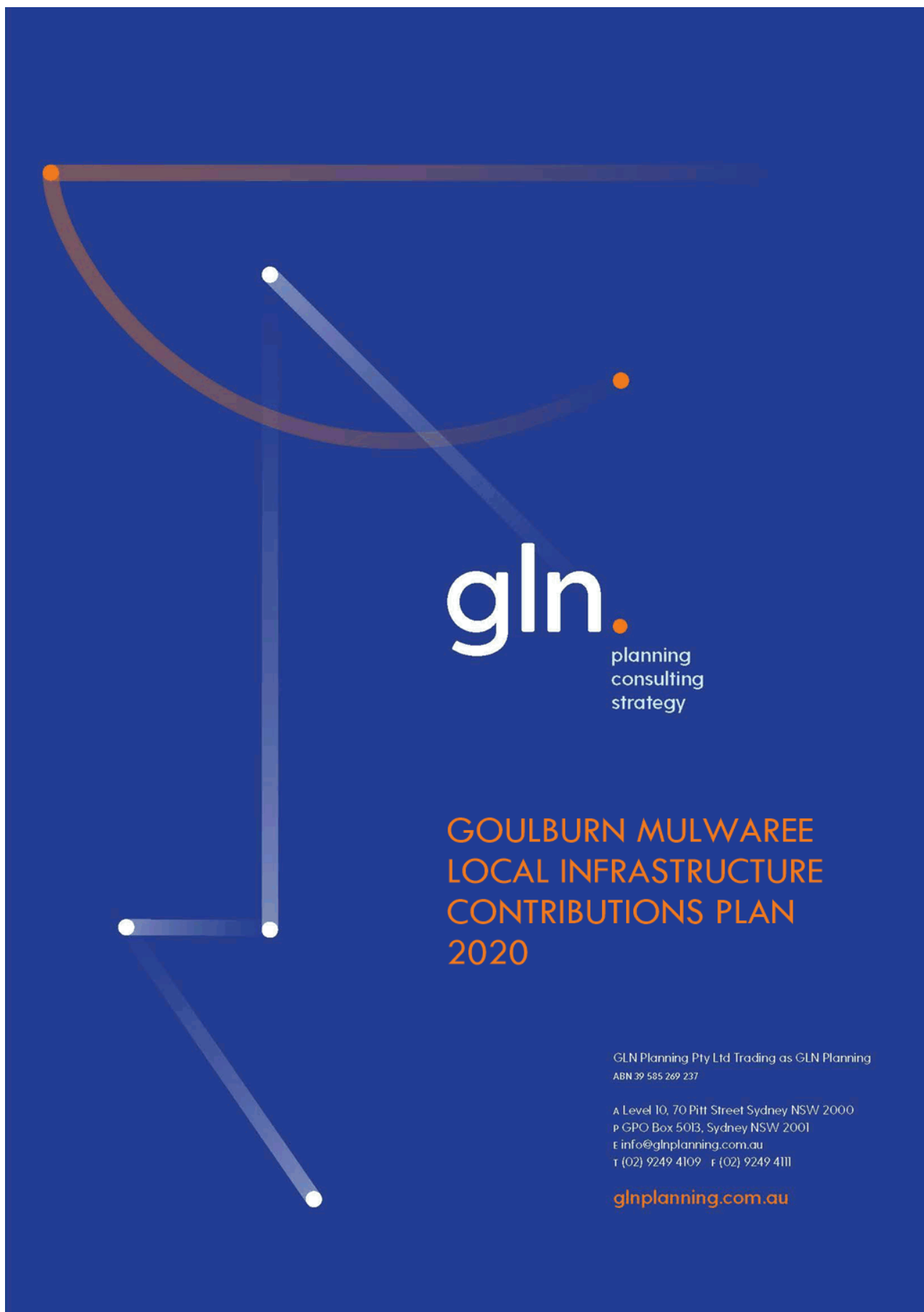
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**GOULBURN MULWAREE  
LOCAL INFRASTRUCTURE  
CONTRIBUTIONS PLAN  
2020**

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Goulburn Mulwaree Local Infrastructure  
Contributions Plan 2020



# Goulburn Mulwaree Local Infrastructure Contributions Plan 2020

**Prepared for**  
Goulburn Mulwaree Council



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ii

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**Table of Contents**

<b>Glossary of terms and abbreviations</b>	<b>v</b>
<b>Plan summary</b>	<b>1</b>
Summary of contribution rates	1
Summary of proposed infrastructure	2
Plan overview	3
Plan structure	3
<b>1 Is a contribution required and how is it calculated?</b>	<b>5</b>
1.1 Name and purposes of the plan	5
1.2 What land and development does this plan apply to?	5
1.2.1 Land	5
1.2.2 Developments affected by the plan	8
1.2.3 What development is exempted from contributions or levies?	8
1.3 Which type of contribution applies?	9
1.4 What are the contribution rates?	11
1.4.1 Section 7.11 contribution rates for residential development	11
1.4.2 Section 7.12 fixed development consent levy rates	12
1.5 How to calculate a contribution amount	12
1.5.1 Calculating a section 7.11 contribution for a Type (a) development	12
1.5.2 Calculating a section 7.12 levy for a Type (b) development	13
1.5.3 Calculating a section 7.11 contribution for a Type (c) development	13
1.5.4 Worked examples	13
<b>2 How is a contribution imposed on a development?</b>	<b>16</b>
2.1 Monetary contributions	16
2.2 Section 7.11 contributions	16
2.2.1 Land contributions	16
2.2.2 Cap on monetary section 7.11 contributions for residential development	16
2.2.3 Adjustment to contribution rates	17
2.2.4 Latest rates to be used	17
2.3 Section 7.12 fixed development consent levies	18
2.3.1 Determining the proposed cost of carrying out a development	18
2.3.2 Cost Summary Report must accompany development application	18
2.3.3 Who may provide a Cost Summary Report?	18



Goulburn Mulwaree Local Infrastructure Contributions Plan 2020

2.4	Obligations of accredited certifiers	19
2.4.1	Complying development certificates	19
2.4.2	Construction certificates	21
<b>3</b>	<b>How and when can a contribution requirement be settled?</b>	<b>23</b>
3.1	Timing of payments	23
3.2	Indexing of contribution and levy amounts in consents	23
3.3	Deferred or periodic payments	23
3.4	Can the contribution be settled by dedicating land or undertaking works?	24
<b>4</b>	<b>Other administration matters</b>	<b>26</b>
4.1	Relationship of this plan to other contributions plans	26
4.2	Transitional arrangements	26
4.3	Pooling of contributions funds	26
4.4	Accountability and access to information	26

**Tables**

Table 1	Section 7.11 contribution rates for Type (a) developments	11
Table 2	Section 7.11 contribution rates for Type (c) developments	12
Table 3	Section 7.12 levy rates for Type (b) developments	12
Table 4	Assumed occupancy rates for calculating contributions and demand credits	13

**Figures**

Figure 1	Goulburn Mulwaree Local Government Area	6
Figure 2	Goulburn catchment enlargement	7
Figure 3	Process to identify when a contribution is levied under this plan	10

**Appendices**

Appendix A:	Infrastructure demand and the calculation of the contribution rates
Appendix B:	Infrastructure schedule and location maps
Appendix C:	Cost summary reports



## Glossary of terms and abbreviations

Words and phrases used in this plan have the same meaning as the terms defined in the Goulburn Mulwaree Local Environmental Plan 2009, or the Environmental Planning and Assessment Act 1979, except as provided for below.

In this plan, the following words and phrases have the following meanings:

**Applicant** means the person, company or organisation submitting a development application.

**CDC** means complying development certificate.

**Consent authority** has the same meaning as in the EP&A Act but also includes an accredited certifier responsible for issuing a complying development certificate.

**Council** means Goulburn Mulwaree Council.

**EP&A Act** means the NSW Environmental Planning and Assessment Act 1979.

**EP&A Regulation** means the NSW Environmental Planning and Assessment Regulation 2000.

**ESA** means equivalent standard axles

**GFA** means 'gross floor area' and has the same meaning as the term contained in the Dictionary of Goulburn Mulwaree Local Environmental Plan 2009.

**LGA** means local government area

**Local infrastructure** means public amenities and public services that are traditionally the responsibility of local government, excluding water supply or sewerage services.

**Material public benefit** means something provided by an applicant, other than the dedication of land or the payment of a monetary contribution, which does not relate to an item appearing in the works schedule of a contributions plan.

**Serviced land** means land that is either currently serviced with Council reticulated water and sewerage services or proposed to be serviced with the infrastructure because it is contained within an urban release area.

**Works in kind** means the undertaking of a work or provision of a facility by an applicant which is already nominated in the works schedule of a contributions plan.



## Plan summary

### Summary of contribution rates

The contribution rates that apply to developments are as shown below.

#### Section 7.11 contribution rates for residential developments

	Per resident in a group home or hostel	Per secondary dwelling, 1 bedroom dwelling, boarding house room, or self-contained seniors housing dwelling	Per 2 bedroom dwelling	Per 3 or more bedroom dwelling, dwelling house, or lot with a dwelling entitlement
<b>Goulburn Catchment</b>				
Community facilities	\$707	\$919	\$1,131	\$1,696
Open space and recreation facilities	\$1,786	\$2,322	\$2,857	\$4,286
Roads and active transport facilities	\$5,045	\$6,558	\$8,072	\$12,108
Plan administration and management	\$113	\$147	\$181	\$271
<b>Total</b>	<b>\$7,651</b>	<b>\$9,946</b>	<b>\$12,241</b>	<b>\$18,361</b>
<b>Rural Catchment</b>				
Community facilities	\$707	\$919	\$1,131	\$1,696
Open space and recreation facilities	\$1,786	\$2,322	\$2,857	\$4,286
Roads and active transport facilities	\$2,260	\$2,938	\$3,616	\$5,424
Plan administration and management	\$71	\$93	\$114	\$171
<b>Total</b>	<b>\$4,824</b>	<b>\$6,272</b>	<b>\$7,718</b>	<b>\$11,577</b>



**Section 7.11 contribution rate for extractive industries, mines and other heavy vehicle haulage uses**

Basis of levying*	Contribution rates
Amount of material hauled	4.92 cents per tonne of material over the total length of road
Length of haul road used	\$0.246 per ESA per kilometre of haul road used

\* Either method may be applied to a development consent

**Section 7.12 levy rates**

Development type	Levy rate
Development that has a proposed cost of carrying out the development:	
<ul style="list-style-type: none"> <li>up to and including \$100,000</li> </ul>	Nil
<ul style="list-style-type: none"> <li>more than \$100,000 and up to and including \$200,000</li> </ul>	0.5% of that cost
<ul style="list-style-type: none"> <li>more than \$200,000</li> </ul>	1% of that cost

**Summary of proposed infrastructure**

The contributions that are made by developers will be applied by the Council to deliver the schedule of infrastructure works shown in **Appendix B** to this plan. A summary of the infrastructure types and costs are shown below:

- Regional and local community facilities including an Arts Centre and Community Centre
- Open space and recreation works including the redevelopment of the Goulburn Aquatic Centre and a regional hockey facility, upgrades to playing fields, amenities buildings, fencing and lighting
- Roads upgrades, traffic facilities, share paths and cycleways

Contributions anticipated to be made under this plan will fund only a portion of these costs, as shown in the table below, with the balance coming from other sources (such as grants).

**Summary of proposed infrastructure costs**

Type of local infrastructure	Total cost of works	Cost attributable to new development*
Community facilities	\$27,958,480	\$5,292,301
Open space and recreation facilities	\$75,090,00	\$13,372,192
Roads and active transport facilities	\$100,498,000	\$33,833,255
Plan administration and management	\$787,466	\$787,466
<b>Total</b>	<b>\$204,333,946</b>	<b>\$53,285,213</b>

Goulburn Mulwaree Local Infrastructure  
Contributions Plan 2020



\*These are the contributions anticipated from development under section 7.11 of this Plan. Contributions levied and received under section 7.12 will be used to co-fund the works contained in the works schedule of this Plan.

More details on the demand for local infrastructure, the relationship of the local infrastructure with the expected development, and specific facilities to be provided are included in the **Appendices** to this plan.

**Plan overview**

The Goulburn Mulwaree LGA currently has a population of approximately 31,100 people<sup>1</sup>. Future residential development in the area over the next 16 years is expected to accommodate between 5,000 – 7,000 additional residents<sup>2</sup>.

The development that will accommodate the extra residents will likely be spread throughout the LGA but most is expected to be concentrated in and around the city of Goulburn. This population growth will create additional demands for new and upgraded local infrastructure, including open space and recreation facilities, community facilities and roads.

Contributions of land, works and money from the developers of land in the Goulburn Mulwaree LGA will be a key source funding for infrastructure.

Sections 7.11 and 7.12 of the Environmental Planning and Assessment Act 1979 (**EP&A Act**) authorises a council (if it has adopted a contributions plan) and other consent authorities to require contributions of land or money from developments toward the provision, extension or augmentation of local infrastructure, if the development is likely to require the provision of or increase the demand for that infrastructure.

This plan's primary purpose is to authorise Goulburn Mulwaree Council (**Council**), a planning panel or an accredited certifier to impose conditions on development consents or complying development certificates (**CDCs**) requiring section 7.11 contributions or section 7.12 fixed rate levies from development to which the plan applies.

This plan has been prepared in accordance with the EP&A Act and Environmental Planning and Assessment Regulation 2000 (**EP&A Regulation**); and having regard to the latest practice notes issued by the Secretary of the Department of Planning, Industry and Environment.

**Plan structure**

This plan has been broken up into the following sections to allow easy navigation by Council staff, developers and private certifiers. A brief description of each section is provided below:

**Section 1 – Is a contribution required and how is it calculated?**

This section describes the types of developments required to make contributions, developments that are exempt from making contributions and a flow chart to determine if a development will be

<sup>1</sup> Community profile – profile.i.d the population experts based on ABS census data.

<sup>2</sup> Urban and Fringe Housing Strategy 2019, Elton Consulting





required to make contributions and what type of contribution that will be. To aid understanding, the section also provides worked examples on the calculation of contribution amounts for a selection of developments.

**Section 2 – How is a contribution imposed on a development?**

This section explains how conditions of consent will be used to require contributions and levies, and the way in which contribution rates will be adjusted over time to reflect changes in infrastructure costs. It also describes accredited certifiers’ obligations to address the requirements of this plan in the issuing of construction certificates and CDCs.

**Section 3 – How and when can a contribution requirement be settled?**

This section explains how contribution amounts are adjusted over time, how consent conditions requiring the payment of contributions can be settled, typically by cash payment. It also provides Council’s requirements for considering alternative means to satisfy contribution requirements under this plan, such as using works-in-kind agreements.

**Section 4 – Other administration matters**

This section outlines other administrative arrangements applying to the operation of this plan.

**Appendices**

The appendices include:

**Appendix A:** a discussion on the anticipated infrastructure demand and how the section 7.11 contribution rates in the plan have been determined

**Appendix B:** the schedule and location maps of the local infrastructure that is to be delivered under the plan

**Appendix C:** a cost summary report to be used for section 7.12 development cost assessments.



## 1 Is a contribution required and how is it calculated?

### 1.1 Name and purposes of the plan

This plan is called Goulburn Mulwaree Local Infrastructure Contributions Plan 2020.

The main purpose of this plan is to authorise:

- the consent authority, when granting consent to an application to carry out development to which this plan applies; or
- the Council or an accredited certifier, when issuing a CDC for development to which this plan applies,

to require **either** a contribution (under section 7.11 of the EP&A Act) or a fixed development levy (under section 7.12 of the EP&A Act) to be made towards the provision, extension or augmentation of:

- (a) future local infrastructure required as a consequence of future development in the Goulburn Mulwaree LGA, or
- (b) existing infrastructure that has been provided in anticipation of, or to facilitate, future development.

Section 1.2 of this plan describes the developments that are subject to section 7.11 contributions or section 7.12 levies under this plan.

Other purposes of this plan are as follows:

- To provide the framework for the efficient and equitable determination, collection and management of development contributions in Goulburn Mulwaree LGA.
- To establish the relationship between the expected development and proposed local infrastructure to demonstrate that the section 7.11 contributions required under this plan are reasonable.
- To ensure that the broader Goulburn Mulwaree community is not unreasonably burdened by the provision of local infrastructure that is required as a result of development in the Goulburn Mulwaree LGA.

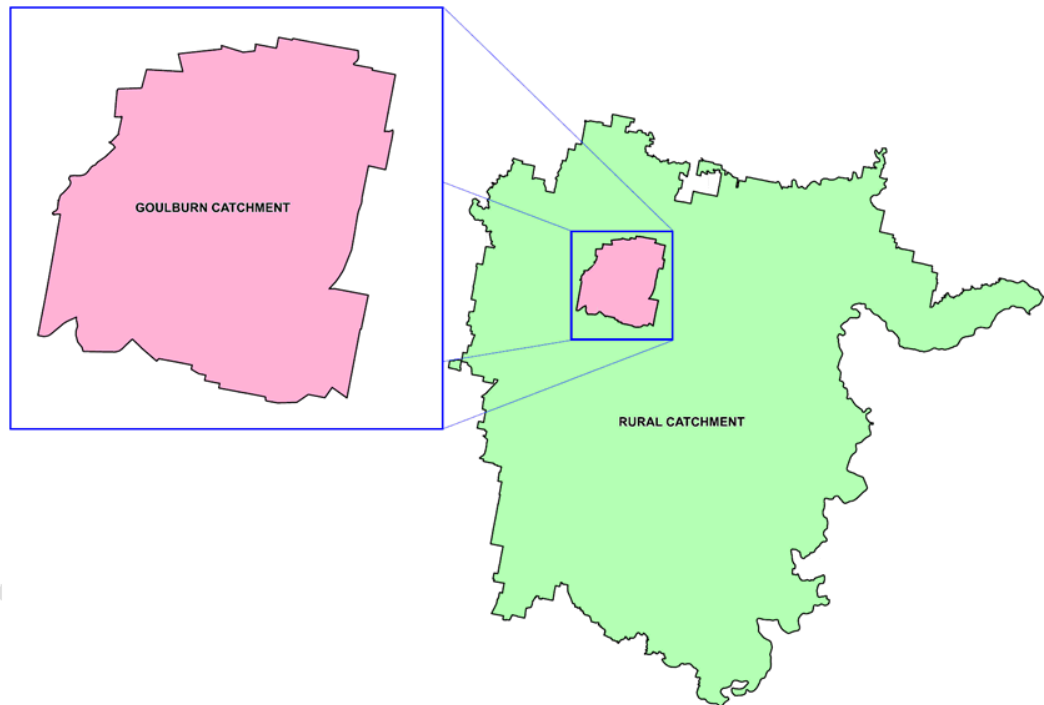
### 1.2 What land and development does this plan apply to?

#### 1.2.1 Land

This plan applies to the Goulburn-Mulwaree Local Government Area. Refer to **Figure 1**.

So that the section 7.11 contributions are reasonable, the LGA has been divided into the two catchments shown in Figure 1, namely 'Goulburn' and 'Rural'. The inset of 'Goulburn' catchment is enlarged and shown in **Figure 2**.

Goulburn Mulwaree Local Infrastructure  
Contributions Plan 2020



**Figure 1** Goulburn Mulwaree Local Government Area

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Goulburn Mulwaree Local Infrastructure  
Contributions Plan 2020

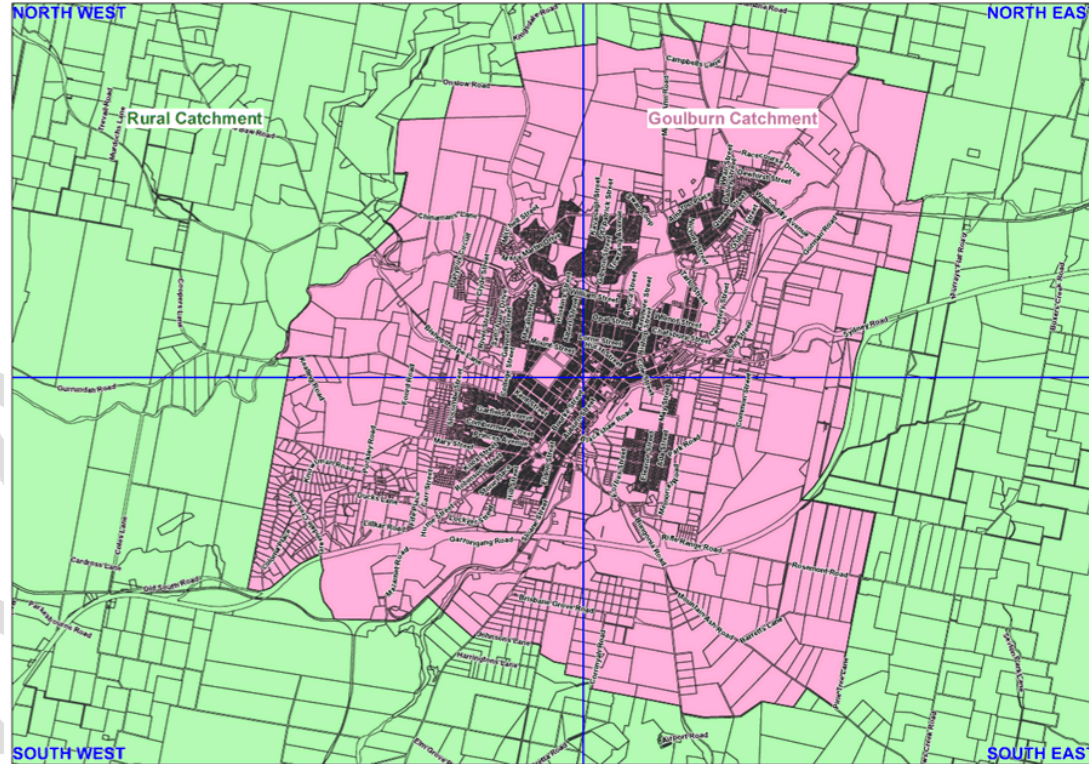


Figure 2 Goulburn catchment enlargement

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GM LICP 2020 V7  
September 2020





**1.2.2 Developments affected by the plan**

Subject to the exemptions listed in Section 1.2.3, this plan applies to the following development types:

Type (a) development: Residential accommodation development (including the subdivision of land) that would result in a net increase in residents on the land, except:

- i. seniors housing development that includes a hostel or a residential care facility as part of the development.
- ii. the construction of a dwelling house on an allotment that was the subject of a s7.12 levy imposed at the time of initial subdivision of the allotment.

Type (b) development:

- iii. Development other than Type (a) development and Type (c) development, and where the proposed cost of that development is more than \$100,000.
- iv. Seniors housing development that includes a hostel or a residential care facility as part of the development, where the proposed cost of development is more than \$100,000.
- v. The construction of a dwelling house on an allotment that was the subject of a s7.12 levy imposed at the time of initial subdivision of the allotment, where the cost of development is more than \$100,000.

Type (c) development: Development involving increased heavy vehicle movements on local and regional roads.

**1.2.3 What development is exempted from contributions or levies?**

This plan DOES NOT apply to the following types of developments:

- Development for the purpose of the adaptive re-use of an item of environmental heritage contained in Council’s Heritage Schedule in the LEP. The exemption does not apply to new structures on the same site.
- Development for the sole purpose of providing affordable housing when the development is carried out by a registered community housing provider or social housing provider as defined in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.
- Dwelling houses that replace an existing dwelling house, or a dwelling house that existed on the land at the date this plan commenced.
- Dwelling houses (including alterations and additions) on land that was the subject of a section 7.11 contribution on the initial subdivision of that land.
- Development proposed to be carried out by a social housing provider for the purposes of seniors housing as defined in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.



- Alterations and additions to a residential dwelling where the cost of works is less than \$200,000.
- Development exempted from section 7.11 contributions or section 7.12 levies<sup>3</sup> by way of a direction made by the Minister for Planning. Copies of the current directions are available to download from the Department of Planning, Industry and Environment website.
- Public amenities, services and facilities provided by the Council, including any works contained in the works schedule of this Plan.
- Development that involves rebuilding or repair of damage resulting from declared natural disasters (such as flooding or bushfires) by the NSW State Government.

**Application for exemptions**

Registered charities, not-for-profit organisations or social housing providers seeking exemptions for seniors housing, must provide appropriate documentation from the Australian Taxation Office or other government body for confirmation of their charity, not-for-profit or social housing provider status with the Development Application

**1.3 Which type of contribution applies?**

Development that is subject to this plan will be levied either a section 7.11 contribution or a section 7.12 levy.

The type of contribution that applies to the development will be determined as follows:

- Type (a) developments will be subject to a condition requiring a section 7.11 contribution.
- Type (b) developments will be subject to a condition requiring the payment of a section 7.12 levy
- Type (c) developments will be subject to a condition requiring the payment of a section 7.11 contribution.

Where a single development application comprises a mix of type (a) and (b) developments, either a section 7.11 contribution or a section 7.12 levy will be imposed. The following procedure will be followed to determine the type of contribution and the amount of the contributions:

- if application of a section 7.12 levy to the whole development yields a higher contribution amount than application of a section 7.11 contribution to the whole development, then a section 7.12 levy calculated on the whole development shall be imposed; or
- if application of a section 7.12 levy to the whole development yields a lower contribution amount than application of a section 7.11 contribution on the whole development, then a section 7.11 contribution shall be imposed.

<sup>3</sup> or the corresponding sections 94 and 94A of the EP&A Act that existed immediately before the commencement of the Environmental Planning and Assessment Amendment Act 2017



Figure 2 shows the process to identify whether a development is to be levied contributions under this plan.

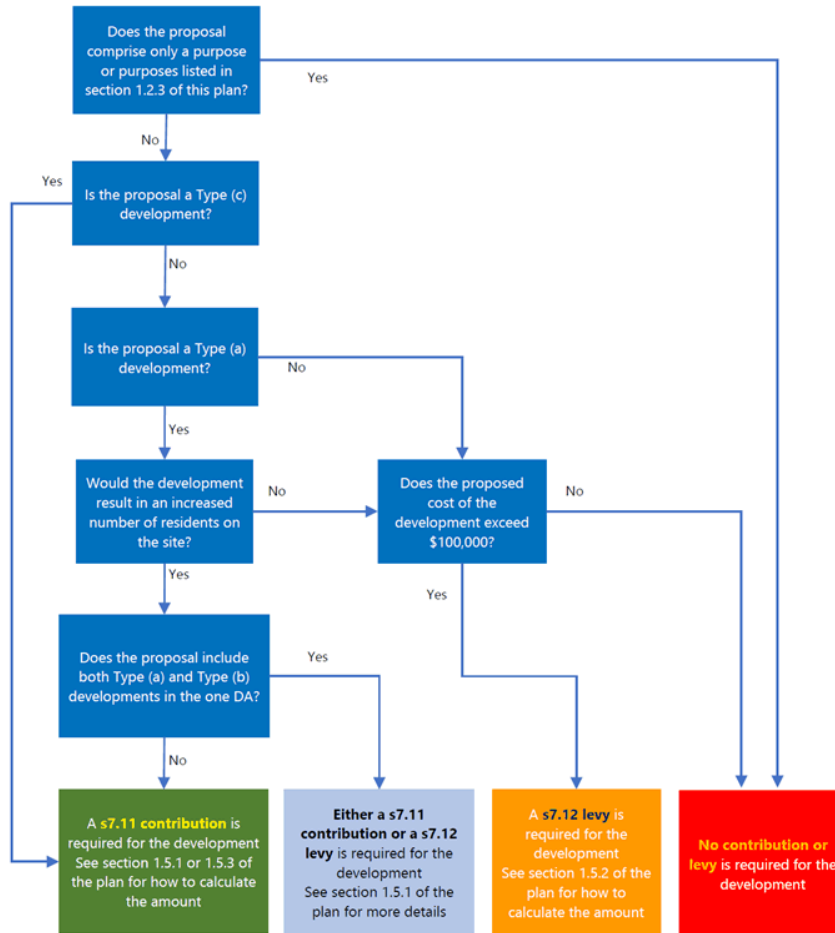


Figure 3 Process to identify when a contribution is levied under this plan



## 1.4 What are the contribution rates?

### 1.4.1 Section 7.11 contribution rates for residential development

**Table 1** and **Table 2** contain the rates for developments that are subject to a section 7.11 contribution under this plan. A detailed description of the demand for infrastructure and calculation of the rates is contained in **Appendix A**.

Table 1 Section 7.11 contribution rates for Type (a) developments

	Per resident in a group home or hostel	Per secondary dwelling, 1 bedroom dwelling, boarding house room, or self-contained seniors housing dwelling	Per 2 bedroom dwelling	Per 3 or more bedroom dwelling, dwelling house, or lot with a dwelling entitlement
<b>Goulburn Catchment</b>				
Community facilities	\$707	\$919	\$1,131	\$1,696
Open space and recreation facilities	\$1,786	\$2,322	\$2,857	\$4,286
Roads and active transport facilities	\$5,045	\$6,558	\$8,072	\$12,108
Plan administration and management	\$113	\$147	\$181	\$271
<b>Total</b>	<b>\$7,651</b>	<b>\$9,946</b>	<b>\$12,241</b>	<b>\$18,361</b>
<b>Rural Catchment</b>				
Community facilities	\$707	\$919	\$1,131	\$1,696
Open space and recreation facilities	\$1,786	\$2,322	\$2,857	\$4,286
Roads and active transport facilities	\$2,260	\$2,938	\$3,616	\$5,424
Plan administration and management	\$71	\$93	\$114	\$171
<b>Total</b>	<b>\$4,824</b>	<b>\$6,272</b>	<b>\$7,718</b>	<b>\$11,577</b>



Table 2 Section 7.11 contribution rates for Type (c) developments

Basis of levying*	Contribution rates
Amount of material hauled	4.92 cents per tonne of material over the total length of road
Length of haul road used	\$0.246 per ESA per kilometre of haul road used

Notes:

Either method may be applied to a development consent

The rates are indexed to March 2020 Quarter PPI (Roads and Bridges Construction)

### 1.4.2 Section 7.12 fixed development consent levy rates

Table 3 contains the rates for developments that are subject to a section 7.12 fixed development consent levy under this plan.

Table 3 Section 7.12 levy rates for Type (b) developments

Development type*	Levy rate
Development that has a proposed cost of carrying out the development:	
• up to and including \$100,000	Nil
• more than \$100,000 and up to and including \$200,000	0.5% of that cost
• more than \$200,000	1% of that cost

\* Note exempt developments in Section 1.2.3

## 1.5 How to calculate a contribution amount

A single development can only be the subject of either a section 7.11 contribution or a section 7.12 levy, not both.

### 1.5.1 Calculating a section 7.11 contribution for a Type (a) development

Section 7.11 contributions will be calculated according to the estimated net increase in infrastructure demand that a development is deemed to generate.

The contribution that applies to Type (a) development is calculated using the rates shown in **Table 1**, less any allowances for assumed infrastructure demand arising from existing developments, if applicable.

#### Contribution demand credits for existing residential developments

For development sites that contain existing residential development or that have been subdivided for residential development, a credit for the existing infrastructure demand (based on the assumed existing population) relating to the development or site will be applied for the purpose of determining the net increase in population. The credit applied will be based on the occupancy rates cited in Table 4.



Table 4 Assumed occupancy rates for calculating contributions and demand credits

Development type	Assumed occupancy rate
<b>Residential accommodation</b>	
Detached dwelling houses, dwellings with 3 or more bedrooms, or vacant allotments that have a dwelling entitlement	2.4 persons per dwelling
2 bedroom dwellings and secondary dwellings	1.6 persons per dwelling
1 bedroom dwellings and secondary dwellings, bed-sitters or self-contained seniors housing dwellings	1.3 persons per dwelling
Boarding house rooms	1.3 persons per room
Group homes and hostels	1 person per bed

### 1.5.2 Calculating a section 7.12 levy for a Type (b) development

The total levy amount that is imposed on any individual development is calculated by multiplying the applicable contribution rate in **Table 3** by the proposed cost of the development.

There is no allowance for assumed existing infrastructure demand in the calculation of any section 7.12 levy.

### 1.5.3 Calculating a section 7.11 contribution for a Type (c) development

The levy amount will be calculated incrementally over the life of the development based on the amount of material that is hauled on local council roads. The developer will need to provide Council with either weigh bridge receipts or the results of regular traffic counter information. The levy will amount will be calculated using the amount of total material hauled multiplied by the length of road multiplied by the applicable contribution rate in **Table 2**. Further information on developments of this type is provided in **Appendix A**.

### 1.5.4 Worked examples

#### Worked example 1:

A proposed development in Goulburn involves the demolition of an existing 3 bedroom house and construction of a mixed-use development containing 4 x 2-bedroom apartments and 300 square metres of ground floor retail GFA. The proposed cost of development is \$2 million.

4 x 2 bedroom dwellings	=	4 x \$12,241 (refer to Table 2 Goulburn) = \$48,964
Plus 300m <sup>2</sup> ground floor retail	=	\$0 (no s7.11 contribution applies to non-residential development)
less 1 dwelling house	=	\$18,361 (refer to Table 2)
Total contribution	=	\$30,603*

\* in this case the contribution of the 4 residential dwellings is greater than a 1% levy of the proposed cost of development (\$20,000)



**Worked example 2:**

A proposed development in Marulan comprises a shop with a GFA of 250m<sup>2</sup> and a dwelling with 3 bedrooms and GFA of 200m<sup>2</sup>. Council will determine the contribution required for the single dwelling (residential component) and the alternate section 7.12 levy for the proposed cost of development to determine which contribution will apply. The cost of the whole development is proposed as \$600,000.

The section 7.11 contribution for 1 dwelling (refer to **Table 2 Rural**) is \$11,577. No section 7.11 contribution applies to the non-residential development.

The section 7.12 levy for the development is \$600,000 x 1% = \$6,000

The contribution for this development application would therefore be: \$11,577

**Worked example 3:**

A proposed subdivision of land in Run-O-Waters involves the creation of 15 Torrens title allotments on a single parent lot that is vacant.

15 lots	=	15 x \$18,361 (refer to Table 2 Goulburn) = \$273,945
Less 1 existing vacant lot credit	=	1 x \$18,361 (refer to Table 5)
Total contribution	=	\$257,054

**Worked example 4:**

A proposed warehouse development in Ducks Lane, Goulburn involves the construction of a warehouse, car parking and landscaping with a cost of construction of \$2 million.

\$2 million X 1%	=	\$20,000
Total contribution	=	\$20,000

**Worked example 5:**

A proposed development in Goulburn involves the renovation/repurposing of a heritage-listed former masonic hall into a boutique brewery. The land adjacent to the heritage item will be developed into an event venue for 150 people and restaurant. The total cost of the development is estimated at \$4.2 million. The estimate of cost to renovate the heritage item is \$1.3 million.

The cost of the development excluding the heritage item is \$2.9 million.

\$2.9 million X 1%	=	\$29,000
Total contribution	=	\$29,000





**Worked example 6:**

A dwelling house is proposed on a vacant allotment at Josephs Gate. The proposed cost of the dwelling is \$350,000. The allotment was previously the subject of a s7.12 contribution at the time of initial subdivision. Section 1.2.2 (ii) provides an exception to this dwelling for s7.11. The dwelling house will be subject to a s7.12 levy as provided in section 1.2.2 (v).

The cost of the development is \$350,000

\$350,000 X 1%	=	\$3,500
Total contribution	=	\$3,500

The application is subsequently surrendered to council and another development is proposed on the land. This time, the applicant proposes to subdivide the allotment into 2 and build a dual occupancy. Each dwelling will contain 3 bedrooms. The proposed development is now subject to a s7.11 contribution for the additional lot. The exception in section 1.2.2 (ii) no longer applies because the lot is to be subdivided further.

The contribution for the development is:

2 lots	=	2 x \$18,361 (refer to Table 2 Goulburn) = \$36,722
Less 1 existing vacant lot credit	=	1 x \$18,361 (refer to Table 5)
Total contribution	=	\$18,361

**Worked example 7:**

A sand quarry is proposed just outside Marulan. The quarry is expected to extract up to 40,000 tonnes of sand per year for 20 years. The haul route from the quarry to the Hume Hwy is made up of several local roads with a total length of 3.4km. The development approval contains a condition of consent for the quarry to be levied a contribution of 4.92 cents per tonne per kilometre of route.

The developer provides Council with the first quarterly return of weighbridge dockets showing a total of 1,200 tonnes of sand has been transported in that time.

The contribution for this billing period is:

4.92 cents x 1200 tonnes x 3.4 km = \$201



## 2 How is a contribution imposed on a development?

### 2.1 Monetary contributions

This plan authorises the Council or an accredited certifier, when determining an application for development or an application for a CDC, and subject to other provisions of this plan, to impose a condition requiring either a contribution under section 7.11 or a levy under 7.12 of the EP&A Act on that approval for:

- the provision, extension or augmentation of local infrastructure to be provided by Council; and
- the recoupment of the previous costs incurred by Council in providing existing local infrastructure.

A section 7.12 levy cannot be required in relation to development if a section 7.11 contribution is required in relation to that development.

The types of development subject to either a contribution or levy, and the contribution or levy rates applying to different development types, are identified in **section 1.2** and **1.3** and **Tables 1, 2** and **3** of this plan.

Accredited certifiers should also refer to **section 2.4** of this plan as to their obligations in assessing and determining applications.

### 2.2 Section 7.11 contributions

This section of the plan applies only in respect to the calculation of section 7.11 contributions for individual developments.

#### 2.2.1 Land contributions

This plan authorises the consent authority, other than an accredited certifier<sup>4</sup>, when granting consent to an application to carry out development to which this plan applies, to impose a condition under section 7.11(1) of the EP&A Act requiring the dedication of land free of cost to Council for the provision, extension or augmentation of local infrastructure to be provided by Council.

Wherever land required under this plan is situated within a development site, the consent authority will generally require the developer of that land to dedicate the land required under this plan free of cost.

#### 2.2.2 Cap on monetary section 7.11 contributions for residential development

The Minister for Planning has issued a Direction to Council that caps section 7.11 contributions (or s94 as it was formerly known) for residential development in the Goulburn Mulwaree LGA.

<sup>4</sup> Note: the EP&A Act does not allow an accredited certifier other than a Council to impose a condition requiring the dedication of land free of cost.



The Direction requires that:

*A council (or planning panel) must not grant development consent ... subject to a condition under section 94 (1) or (3) of the Environmental Planning and Assessment Act 1979 requiring the payment of a monetary contribution that:*

*(a) in the case of a development consent that authorises one or more dwellings, exceeds \$20,000 for each dwelling authorised by the consent, or*

*(b) in the case of a development consent that authorises subdivision into residential lots, exceeds \$20,000 for each residential lot authorised to be created by the development consent.*

Consistent with the Direction, consent authorities (including accredited certifiers) shall not issue a DA consent or a CDC that requires the applicant to pay a total monetary contribution amount that exceeds \$20,000 for each dwelling or lot.

**2.2.3 Adjustment to contribution rates**

To ensure that the value of contributions for the construction and delivery of infrastructure is not eroded over time by inflation or significant changes in land values, this plan authorises that contribution rates will be adjusted over time.

Council will, without the necessity of preparing a new or amending contributions plan, make changes to the section 7.11 contribution rates set out in this plan to reflect:

- In the case of Type (a) development contribution rates - annual movements in the Consumer Price Index (All Groups Index) for Sydney, and
- In the case of Type (c) development contribution rates – annual movements in the Producer Price Index – Road and Bridges Construction,

as published by the Australian Bureau of Statistics.

The rates will be adjusted at the date of publication of the indices for the March Quarter of each respective year.

At the time this plan was adopted the respective indices were CPI = 117.4 and PPI = 118.0 (March 2020).

**2.2.4 Latest rates to be used**

The section 7.11 contribution imposed on a development will reflect the latest, indexed contributions rates authorised by this plan. The latest contribution rates will be published in the Fees and Charges list on the Council's website.

The monetary section 7.11 contribution rates shown in **Tables 1 and 2** reflect the contribution rates at the date that this plan commenced.

Regardless of the above, the maximum contribution for residential development shall not exceed \$20,000 per lot or dwelling, as per the Minister's direction.



**2.3 Section 7.12 fixed development consent levies**

This section of the plan applies only in respect to the calculation of section 7.12 levies for individual developments.

**2.3.1 Determining the proposed cost of carrying out a development**

Section 7.12 levies are calculated as a percentage of the cost of development.

[Clause 25J](#) of the EP&A Regulation sets out how the proposed cost of carrying out development is determined.

**2.3.2 Cost Summary Report must accompany development application**

Where a section 7.12 levy is required under this plan in relation to a DA or application for a CDC, the application is to be accompanied by a Cost Summary Report prepared at the applicant’s cost, setting out an estimate of the proposed cost of carrying out the development.

Sample cost summary reports are provided in **Appendix C**.

Council will validate all Cost Summary Reports before they are accepted using a standard costing guide or other generally accepted costing method. Should the costing as assessed by Council be considered inaccurate, Council may, at its sole discretion and at the applicant’s cost, engage a person referred to in **section 2.3.3** to review a Cost Summary Report submitted by an applicant.

**2.3.3 Who may provide a Cost Summary Report?**

The persons approved by the Council to provide an estimate of the proposed cost of carrying out development:

- where the applicant’s estimate of the proposed cost of carrying out the development is less than \$1,000,000 – any building industry professional; or
- where the proposed cost of carrying out the development is \$1,000,000 or more – a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors.



**2.4 Obligations of accredited certifiers**

**2.4.1 Complying development certificates**

This plan requires that, in relation to an application made to an accredited certifier for a CDC:

- the accredited certifier must, if a CDC is issued, impose a condition requiring a monetary contribution, if such a contribution is authorised by this plan
- the amount of the monetary contribution that the accredited certifier must so impose is the amount determined in accordance with this section
- the terms of the condition be in accordance with this section.

**Procedure for determining a section 7.11 contribution amount for a Type (a) development**

The procedure for an accredited certifier to determine the amount of the section 7.11 monetary contribution for complying development is as follows:

1. If, and only if specified in writing in the application for a CDC, the applicant has requested a credit under section 7.11(6) of the EP&A Act such as that envisaged in **section 1.5.1** of this plan, or an exemption or part or the whole of the development under **section 1.2.3** of this plan, the accredited certifier must:
  - (a) make a request in writing to the Council for the Council’s advice on whether the request is granted, or the extent to which it is granted; and
  - (b) in calculating the monetary contribution, comply with the Council’s written advice or if no such advice has been received prior to the granting of the CDC refuse the applicant’s request.
2. Determine the unadjusted contributions in accordance with the rates included in **Table 1** of this plan taking into account any exempted development specified in **Section 1.2.2** and any advice issued by the Council under paragraph 1(b) above.
3. Adjust the calculated contribution in accordance with **Section 2.2.3** to reflect the indexed cost of the provision of infrastructure.
4. Subtract any infrastructure demand credit advised by the Council under paragraph 1(b) for any assumed local infrastructure demand relating to existing development.

**Terms of a section 7.11 condition for a Type (a) development**

The terms of the condition requiring a section 7.11 contribution are as follows:

Contribution

*The developer must make a monetary contribution to Goulburn Mulwaree Council in the amount of \$[insert amount] for the purposes of the local infrastructure identified in the Goulburn Mulwaree Local Infrastructure Contributions Plan 2020.*

Goulburn Mulwaree Local Infrastructure  
Contributions Plan 2020



<i>Community facilities</i>	\$ [insert amount]
<i>Open space and recreation</i>	\$ [insert amount]
<i>Roads and active transport</i>	\$ [insert amount]
<i>Plan administration</i>	\$ [insert amount]
<i>Total</i>	\$ [insert amount]

Indexation

The monetary contribution must be indexed between the date of this certificate and the date of payment in accordance with the following formula:

$$\frac{\$C_c \times CPI_p}{CPI_c}$$

Where:

$\$C_c$  is the contribution amount shown in this certificate expressed in dollars

$CPI_p$  is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the time of the payment of the contribution

$CPI_c$  is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician which applied at the time of the issue of this certificate

Note: The contribution payable will not be less than the contribution specified in this certificate.

Time for payment

The contribution must be paid prior to any work authorised by this complying development certificate commences, as required by section 136L of the Environmental Planning and Assessment Regulation 2000.

Deferred payments of contributions will not be accepted.

Works in kind agreement

This condition does not need to be complied with to the extent specified in any planning agreement of works in kind agreement entered into between the developer and the Council.

**Procedure for determining the section 7.12 levy amount for a Type (b) development**

1. Ensure that the development is not subject to a section 7.11 contribution under this plan or any other contributions plan adopted by the Council and that remains in force.



2. Determine the section 7.12 levy in accordance with the Cost Summary Report prepared by or on behalf of the applicant under **Section 2.3.3** of this plan using the rates included in **Table 4** of this plan and taking into account any exempt development specified in **Section 1.2.2**.

**Terms of a section 7.12 condition**

The terms of the condition requiring a section 7.12 levy are as follows:

Contribution

*The developer must make a monetary contribution to Goulburn Mulwaree Council in the amount of \$ [insert amount] for the purposes of the local infrastructure identified in the Goulburn Mulwaree Local Infrastructure Contributions Plan 2020.*

Indexation

*The monetary contribution is based on a proposed cost of carrying out the development of \$ [insert amount]. This cost (and consequently the monetary contribution) must be indexed between the date of this certificate and the date of payment in accordance with the following formula:*

$$\text{Indexed development cost (\$)} = \frac{\$Co \times \text{Current CPI}}{\text{Base CPI}}$$

*Where:*

*\$Co is the original development cost estimate assessed at the time of the issue of the complying development certificate*

*Current CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the quarter immediately prior to the date of payment*

*Base CPI is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics at the quarter ending immediately prior to the date of imposition of the condition requiring payment of a contribution*

Time for payment

*The contribution must be paid prior to any work authorised by this complying development certificate commences, as required by clause 136L of the Environmental Planning and Assessment Regulation 2000. Deferred payments of contributions will not be accepted.*

**2.4.2 Construction certificates**

It is the responsibility of an accredited certifier issuing a construction certificate for building work or subdivision work to ensure that each condition requiring the payment of a monetary contribution before work is carried out has been complied with in accordance with the CDC or development consent.

Goulburn Mulwaree Local Infrastructure  
Contributions Plan 2020



The accredited certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with [clause 142\(2\)](#) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where a work in kind, material public benefit, dedication of land and / or deferred payment arrangement has been agreed by the Council. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

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### 3 How and when can a contribution requirement be settled?

#### 3.1 Timing of payments

A monetary contribution required to be paid by a condition imposed on the development consent in accordance with this plan is to be paid at the time specified in the condition.

Generally, the condition will provide for payment as follows:

##### Type (a) and Type (b) developments

- For development involving construction – the contribution must be paid prior to the release of a construction certificate
- For a development involving construction and subdivision (e.g. dual occupancy) – the contribution must be paid prior to the construction certificate
- For development involving subdivision – the contribution must be paid prior to the release of the subdivision certificate (linen plan).
- For development not involving subdivision, but where a construction certificate is required, the contribution must be paid prior to the release of the construction certificate for any works authorising construction above the floor level of the ground floor.
- For works authorised under a CDC, the contributions are to be paid prior to any work authorised by the certificate commences, as required by [clause 136L](#) of the EP&A Regulation.

##### Type (c) development

- For heavy haulage developments – the contribution must be paid by the date specified in the quarterly tax invoice.

#### 3.2 Indexing of contribution and levy amounts in consents

A section 7.11 monetary contribution amount required by a condition of development consent imposed in accordance with this plan will be indexed between the date of the grant of the consent and the date on which the contribution is paid in accordance with annual movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

Similarly, the proposed cost of carrying out development the subject of a section 7.12 levy is to be indexed between the date of the grant of the consent and the date on which the contribution is paid in accordance with annual movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

#### 3.3 Deferred or periodic payments

Council will not accept the deferred or periodic payment of a monetary contribution or levy imposed under this plan.



### 3.4 Can the contribution be settled by dedicating land or undertaking works?

A person may make an offer to the Council to carry out works or provide another kind of material public benefit or dedicate land, in part or full satisfaction of a monetary contribution required by a condition of consent imposed under this plan.

If a developer wishes to deliver infrastructure that is included in this plan on the Council's behalf delivering that infrastructure, then the developer can approach this either one of two ways:

- (a) The developer may offer to enter into a planning agreement to undertake works, make monetary contributions, dedicate land, or provide some other material public benefit. Voluntary planning agreements are the most appropriate mechanism for offers made prior to the issue of a development consent for the development.
- (b) If the developer has already received a development consent containing a condition requiring a monetary contribution, the developer may offer to undertake works in kind through a works in kind agreement, or offer to dedicate land through a land dedication agreement.

**The decision to accept settlement of a contribution by way of works in kind or the dedication of land is at the sole discretion of Council.**

Any offer for works in kind or other material public benefit shall be made in writing to the Council and shall be made prior to the commencement of any works proposed as part of that offer. Retrospective works in kind agreements will not be accepted.

Works in kind or the dedication of land may be accepted by the Council under the following circumstances:

- Council will generally only accept offers of works or land that are items included in the schedule of local infrastructure in this plan, and
- Council determines that the works in kind are, or the land to be dedicated is, appropriate and meets a broad community need and benefit.

In assessing the request, Council will consider the following:

- The design of the facilities, and whether the design will result in facilities that are fit for purpose.
- The proposed works or land dedication will not constrain the future provision of facilities identified in the works schedule, or conflict with what Council has prioritised in this plan.

Plans and cost estimates of the proposed works are to be prepared by suitably qualified professionals and submitted by the applicant.

Should an offer of works in kind or land dedication be accepted, Council will negotiate with the applicant, as relevant, the following:

- an acceptable standard for workmanship and materials

Goulburn Mulwaree Local Infrastructure  
Contributions Plan 2020



- frequency of progress works inspections
- the program for completion of the works or the dedication of the land
- an appropriate defects liability period.

If Council accepts offers for works-in-kind or planning agreements, a suitable security will be required. The security will be in the form of a bank guarantee from an Australian Bank, for the full amount of the contribution or the outstanding balance with the following requirements:

- a. The bank guarantee is provided by a bank in the amount of the total contribution plus an amount equal to 13 months interest,
- b. The bank guarantee is made in favour of the Council,
- c. The bank is to pay the guaranteed sum if requested without regard to any dispute, issue or other matter relating to the development consent, and
- d. The banks obligations are discharged when payment when payment is made to the Council or when council notifies the bank in writing that the guarantee is no longer required.

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## 4 Other administration matters

### 4.1 Relationship of this plan to other contributions plans

The following contributions plans are repealed by this plan:

- Goulburn Mulwaree Section 94 Development Contributions Plan 2009 (Revised June 2016).
- Section 94A Levy Development Contributions Plan 2009

This plan however does not affect development consents applying to land in the Goulburn Mulwaree LGA containing conditions requiring contributions or levies under the above plans.

### 4.2 Transitional arrangements

This plan applies to a development application or application for a CDC that was submitted but not yet determined on the date on which this plan took effect.

### 4.3 Pooling of contributions funds

This plan authorises monetary contributions paid for different purposes in accordance with development consent conditions authorised by this plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary contributions under this plan are the priorities for works as set out in the works schedule of this plan.

### 4.4 Accountability and access to information

In accordance with the EP&A Act and EP&A Regulation a contributions register will be maintained by Council and may be inspected upon request.

The register will be maintained at regular intervals and will include the following:

- Particulars sufficient to identify each development consent for which contributions have been sought
- Nature and extent of the contribution required by the relevant condition of consent
- Name of the contributions plan under which the condition of consent was imposed
- Date the contribution was received, for what purpose and the amount.

Separate accounting records will be maintained for each contribution type in this plan and published every year in Council's financial accounts. They will contain details concerning contributions received and expended, including interest for each service or amenity to be provided. The records are held at Council's administration office and may be inspected upon request.

Goulburn Mulwaree Local Infrastructure  
Contributions Plan 2020



**APPENDIX A: INFRASTRUCTURE  
DEMAND AND THE CALCULATION  
OF THE CONTRIBUTION RATES**

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GM LICP 2020 V7  
September 2020



## Infrastructure Demand and the Calculation of the Contribution Rates

### 1. Introduction

This plan authorises contributions to be imposed on developments under both section 7.11 and section 7.12 of the EP&A Act.

There are particular requirements that must be met in order for a consent authority to impose section 7.11 contributions on developments. These include the following:

- Contributions can only be imposed if the consent authority considers that the development *'will or is likely to require the provision of or increase the demand for public amenities and public services within the area'* (s7.11(1)).
- Contributions toward recoupment of facilities can only be imposed if the facilities were provided in preparation for or to facilitate the carrying out of development in the area and the development will benefit from the provision of those public amenities or public services (s7.11(3)).
- Contributions that are imposed must be reasonable (s7.11(2) and (4)), and a developer may appeal to the Land and Environment Court on the grounds that contributions imposed on a development are unreasonable in the particular circumstances of the case (s7.13(3)).

These requirements mean that any section 7.11 contributions plan should show that the contribution rates are reasonable by explaining the relationship between the anticipated developments and the infrastructure included in the plan that is needed to meet the demands of those developments.

So that the contributions that are imposed are reasonable, the section 7.11 contribution rates in this plan have been calculated having regard to the principles of nexus and fair cost apportionment. This has included consideration of whether the infrastructure serves existing or new populations or both.

This section explains the expected development in the Goulburn Mulwaree area, the infrastructure necessary to support this development, and the way in which the section 7.11 contribution rates have been calculated.

## Infrastructure Demand and the Calculation of the Contribution Rates

### 2. Development and population context

#### 2.1 Area context

Goulburn Mulwaree is in the Southern Tablelands of New South Wales between Sydney and Canberra. It shares local government boundaries with Upper Lachlan Shire (north and west), Wingecarribee Shire and Shoalhaven City (east) and the Queanbeyan-Palerang Regional Council (south). The Goulburn Mulwaree LGA has an area of approximately 3,220 square kilometres.

The area's economy has traditionally been based on agriculture and pastoral industries.

#### 2.2 Population and employment characteristics

Prevailing population characteristics also help inform the need for local infrastructure, particularly social infrastructure such as parks and community facilities.

##### Age structure

A summary of the most recent census age profile of the Goulburn Mulwaree population is shown in **Table 1** and compared to the ages profile of regional NSW.

Table 1 Age profile for Goulburn Mulwaree 2016

Age group (years)	2016 Goulburn Mulwaree %	2016 Regional NSW %
0 - 4	5.9	5.8
5 - 14	12.3	12.5
15 - 24	11.5	11.6
25 - 34	12.1	11.0
35 - 44	11.9	11.5
45 - 54	13.7	13.2
55 - 64	13.3	13.8
65 - 74	11.0	11.4
75 - 84	5.9	6.3
85+	2.5	2.7
<b>Total population</b>	<b>100</b>	<b>100</b>

Source: ABS Census of population and housing 2016.

The data show that the LGA's population age structure is similar to that of regional NSW for all age groups.

##### Household type

Goulburn Mulwaree LGA's household type and family structure are outlined in Table 2 below.

## Infrastructure Demand and the Calculation of the Contribution Rates

Table 2 Household type for Goulburn Mulwaree LGA

Household type	No.	%
Couples with children	2,948	25.4
Couples without children	3,065	26.4
One parent families	1,340	11.5
Other families	110	0.9
Group household	273	2.3
Lone person	3,206	27.6
Other not classifiable	528	4.5
Visitor only	159	1.4
<b>Total households</b>	<b>11,629</b>	<b>100</b>

Source: Australian Bureau of Statistics, Quickstats 2016 Census of Population and Housing

The dominant household type in Goulburn Mulwaree in 2016 was lone persons, accounting for 27.6% of households followed closely by couples without children at 26.4%.

### Occupancy rates

The occupancy rates vary depending on the location within the LGA. The 2016 Census provides the average occupancy rate in Goulburn Mulwaree LGA as 2.4 persons per dwelling.

### Language and cultural diversity

The population of Goulburn Mulwaree LGA is predominantly Australian born.

In 2016, only 9.9% of people were born overseas. The most common countries of birth were United Kingdom (2.8%) and New Zealand (1.1%). Other overseas born included people from Philippines, India, Germany, and The Netherlands.

In Goulburn Mulwaree only 4.7% of people spoke a language other than English.

### Labour force and education

At the time of the 2016 census, 93.7% of Goulburn Mulwaree LGA's population aged 15 years or more were employed, similar to the proportion for Regional NSW as a whole (i.e. 93.4%). Of those employed, 57.9% worked fulltime and 34% worked part-time. The unemployment rate was 6.3%, which is slightly lower than the 6.6% recorded throughout Regional NSW.

Goulburn Mulwaree LGA has a relatively skilled workforce. It has similar proportions of people holding formal qualifications that may include a Bachelor or higher degree, Advance Diploma or Diploma, or vocational qualifications. Overall, 44% of the employed population aged over 15 held educational qualifications.

The most common occupations were community and personal service workers (15.3%), technicians and trades workers (14.5%) and professionals (14.5%). In combination, these occupations account for 44.3% of the employed resident population.



## Infrastructure Demand and the Calculation of the Contribution Rates

### Income

In 2016, compared to Regional NSW, in Goulburn Mulwaree LGA there was a lower proportion of people earning a high income (more than \$1,750 per week) and a similar proportion of people of low income (less than \$500 per week). Overall, 14.4% of the population earned a high income, and 18.2% earned a low income compared with 20.6% and 17.1% respectively for Regional NSW.

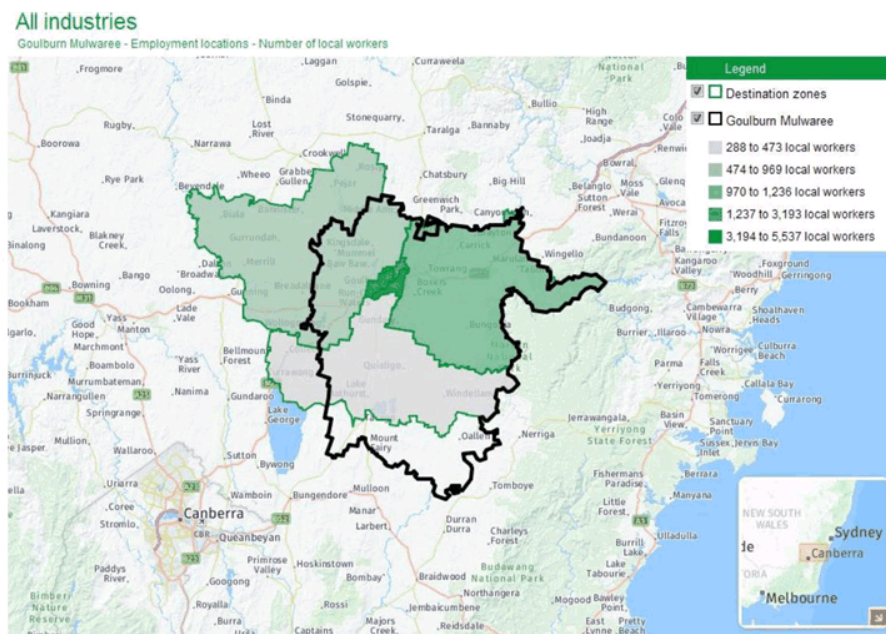
The median weekly household income is \$1,196.

### Employment

In June 2019 there were approximately 13,536 jobs located in the Goulburn Mulwaree LGA<sup>1</sup>.

The most common industries of employment include health care and social assistance (16.1%), retail trade (11.2%) and construction (11.1%).

Unsurprisingly, most jobs are located in the town of Goulburn and in the eastern part of the LGA (where there are a number of rural and extractive industries).



Source: Australian Bureau of Statistics, Census of Population and Housing 2016. Compiled and presented in economy.id by .id, the population experts.

Figure 1 Goulburn Mulwaree employment locations

<sup>1</sup> Source: National Institute of Economic and Industry Research (NIEIR) ©2019. Compiled and presented in economy.id by .id the population experts

## Infrastructure Demand and the Calculation of the Contribution Rates

### 3. Expected development and population

#### Recent housing supply

Local economic circumstances, as well as prevailing and recent residential development trends are a useful tool in understanding the likely future development of an area.

The Urban Fringe and Housing Strategy<sup>2</sup> shows most of the recent growth in housing has been delivered through residential subdivision. The subdivisions are typically R2 Low Density zoned land with a minimum lot size of 700 m<sup>2</sup> and limited medium density dwellings are also being developed mainly in Goulburn. There is also ongoing demand for large lot residential blocks (2ha) on the fringes of Goulburn and Marulan.

This development is likely to continue as people seek lifestyle housing opportunities in a rural area that is within commuting distance of Canberra.

**Table 3** below shows trends of growth in the number of private dwellings and residential lots in Goulburn Mulwaree LGA for a period of 10 years to 2019. This data was derived by Council from development approvals.<sup>3</sup>

Table 3 Growth in dwellings and lots 2007-2018

Dwelling type	Goulburn	Marulan	Total
Detached dwelling*	715	105	820
Dual occupancy	90	0	90
Secondary dwelling	24	8	32
Multi-dwelling housing	474	0	474
Subdivision	1279	82	1361

Source: Compiled by Goulburn Mulwaree Council  
\*includes large lot residential approvals

The data show that the average number of private dwellings constructed has remained consistent over the long term. There is a marginally higher construction of dwellings per year compared to the subdivision of residential lots (141 dwellings vs 136 lots). This is not unusual as there is a lag between when the lot is subdivided/sold and the time when a dwelling is constructed on that lot. Development contributions are traditionally levied on the creation of the new lot, rather than on the new dwelling on that lot.

#### Forecast population growth and housing demand

**Table 4** below provides the forecast population for Goulburn Mulwaree LGA. The LGA has been split into the ABS (SA1) statistical divisions.

<sup>2</sup> Urban and Fringe Housing Strategy, Elton Consulting adopted July 2020

<sup>3</sup> Urban and Fringe Housing Strategy, Elton Consulting 2020

## Infrastructure Demand and the Calculation of the Contribution Rates

Table 4 Forecast population growth 2020-2036

Goulburn Mulwaree area	2020	2036	Change	
	No.	No.	No.	%
Goulburn (Central-CBD)	2,533	2,611	+77	+3.1
Goulburn (Central-North)	4,803	5,066	+263	+5.5
Goulburn (Central-South)	2,594	2,911	+317	+12.2
Goulburn (North)	7,372	10,437	+3,065	+41.6
Goulburn (South East)	3,357	3,776	+419	+12.5
Goulburn (West)	3,707	4,137	+431	+11.6
Rural North	4,911	5,442	+531	+10.8
Rural South	2,540	2,821	+281	+11.1
<b>Total</b>	<b>31,817</b>	<b>37,202</b>	<b>+5,385</b>	<b>+16.9</b>

Source: Compiled from ABS Census data of Population and Housing, i.d.

Goulburn and Marulan have residential zoned land available for immediate needs. However, the supply of greenfield residential land in Goulburn will be exhausted within the next 2-5 years if current development trends continue<sup>4</sup>.

Most subdivision and development for housing in Goulburn is on existing zoned land at Marys Mount. The area comprises R2 zoned land with a 700 m<sup>2</sup> minimum lot size. Much of this land has already been approved for development.

Table 5 shows the assumption of where dwellings are likely to be provided.

Table 5 Dwelling assumptions 2018-2036

Area	No. Dwellings	% of total	Minimum lot size	Yield dwellings/ha	Land required (ha)
Goulburn Infill	250	7	-	12-20	-
Goulburn Serviced Residential	2,435	70	700 m <sup>2</sup>	8.5	276
Goulburn Urban Fringe (large lot)	360	10	1-2 ha	0.35	1,029
Marulan*	355	10	700 m <sup>2</sup>	8.5	53
Other Rural#	100	3	-	-	-
<b>Total</b>	<b>3,500</b>	<b>100</b>	<b>-</b>	<b>-</b>	<b>1,358</b>

\*Marulan has experienced strong growth. There are approvals in place that will yield up to 130 residential lots which is up to 6.5 years supply based on current trends.

#assumption based on change over time.

<sup>4</sup> Urban and Fringe Housing Strategy, Elton Consulting 2020

## Infrastructure Demand and the Calculation of the Contribution Rates

With a conservative approach using historic approvals data, and the projected change in population, the LGA will generate the demand for an extra 170-195 dwellings per year, which translates to an additional 2,720 to 3,120 dwellings to meet demand to 2036.

For the purposes of this plan, it is assumed that an additional 195 lots (or dwellings) will be required per year over the life of this plan, resulting in an additional 3,120 lots / dwellings across the LGA.

The Urban Fringe and Housing Strategy anticipates that Goulburn is expected to provide a significant (70%) portion of these lots/dwellings, with the balance being provided in Marulan and limited amounts elsewhere in the LGA. An additional 250 dwellings could also be provided through urban infill and intensification. It is also possible that Goulburn could provide between 360-700 dwellings as multi-dwelling housing in both greenfield and infill areas.

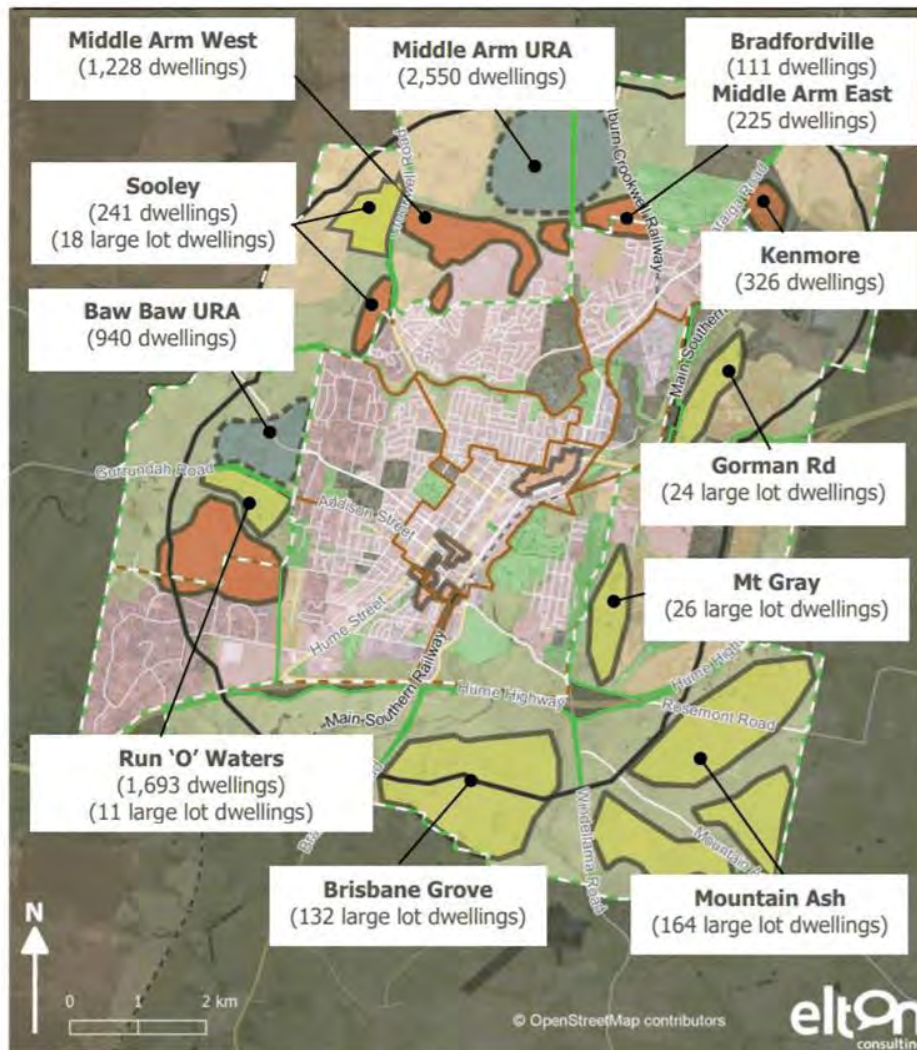
Marulan is expected to continue to grow and an extra 355 dwellings would be required to meet the demand.

### Opportunities for development

The areas in Goulburn identified for growth in the Urban Fringe and Housing Strategy are shown in the map in **Figure 2**. Lot/dwelling capacity for each area is also shown.

**Tables 6 and 7** provide a break-up the proposed lots/dwellings for Goulburn and Marulan. They show that there is sufficient capacity to provide additional housing well beyond 2036.

### Infrastructure Demand and the Calculation of the Contribution Rates



Source: Urban and Fringe Housing Strategy, Elton Consulting 2020

Figure 2 Precincts and opportunities for residential development in Goulburn

### Infrastructure Demand and the Calculation of the Contribution Rates

Table 6 Additional Residential Land Opportunities - Goulburn

Precinct	Number of dwellings/lots
<b>Serviced Residential Land</b>	
Run 'O' Waters	1,693
Sooley	241
Middle Arm West	1,228
Middle Arm East	225
Bradfordville	111
Kenmore	326
Sub-total	3,824
<b>Urban Release Areas Long Term (beyond 2036)</b>	
Baw Baw	940
Middle Arm	2,550
Sub-total	3,490
<b>Large Lot Residential</b>	
Run 'O' Waters	11
Sooley*	18
Gorman Road	30
Mt Gray	26
Mountain Ash	164
Brisbane Grove	132
Sub-total	381
<b>Total Goulburn</b>	<b>7,677</b>

Source: Urban and Fringe Housing Strategy, Elton Consulting 2020

\*for consideration of 2ha lots as per Council Resolution 2020/261, 21 July 2020.

Table 7 Additional Residential Land Marulan

Precinct	Number of dwellings/lots
<b>Serviced Residential</b>	
Marulan North	694
<b>Large Lot Residential</b>	
Marulan South	30
<b>Urban Release Long Term (beyond 2036)</b>	

**Infrastructure Demand and the Calculation of the Contribution Rates**

Precinct	Number of dwellings/lots
Marulan North	631
Total Marulan	1,355

Source: Urban and Fringe Housing Strategy, Elton Consulting 2020

## Infrastructure Demand and the Calculation of the Contribution Rates

### 4. Infrastructure strategies, schedules and nexus

#### Background

New and augmented local infrastructure will be required to support the further development of Goulburn Mulwaree and the consistent population increase in the area. Development is expected mainly in the form of additional dwelling houses on new residential lots mainly in Goulburn and Marulan.

In response, Council has identified a schedule of local infrastructure to meet the needs of the current and future (2036) population. The proposed timeframe for the delivery of the infrastructure is 20 years. This plan will levy contributions on new development that will provide, in most cases, part funding for the total works required.

The works schedule provides a proposed staging and priority for the delivery of the infrastructure works. The need for Council to secure the balance of the funds from alternate sources such as grants, means that the infrastructure items will be delivered as co-funding allows. It means they may be delivered in a different sequence from that shown in the schedule (as the outcomes of grant applications are not possible to predict).

Additionally, a review of the priorities may be required if future development is concentrated in a specific location of the LGA.

Further detail on specific items, their estimated costs and staging, and location maps are included in **Appendix B**.

#### Open space and recreation infrastructure

##### Objectives

Upgrade a range of open space and recreation facilities that will meet the demand of future residents.

##### Infrastructure Strategy

Council currently manages a range of open space and sports facilities. Most of the open space comprises natural areas including bushland, creeks and structured recreation areas.

The recreation facilities provided by Council include:

- district and local parks and playgrounds
- sporting fields and courts
- tracks, paths and skateparks
- a central swimming centre in Goulburn

Council intends to provide additional facilities to increase the availability of organised sport and recreation opportunities.

The works include:



**Infrastructure Demand and the Calculation of the Contribution Rates**

- a district level hockey facility at a location to be decided in Goulburn
- the redevelopment of the Goulburn Aquatic Centre
- upgrade to Victoria Park, Goulburn
- upgrades to existing public amenities
- the recoupment of funds previously spent by Council to upgrade Wollondilly River Walkway and Riverside Park

The NSW Office of Sport has committed to provide Council with \$10 million toward the redevelopment of the Goulburn Aquatic Centre. This funding will be used to complete the first stage of the proposed project. The complete redevelopment is divided into two stages. The proposed total cost of the facility is \$44.5 million.

**Nexus and apportionment**

The facilities proposed to be upgraded are to accommodate the demand for existing and future residents of Goulburn Mulwaree LGA. It is reasonable that for the purposes of determining the contribution rate, the costs of the infrastructure works are apportioned to both the existing and future development. For the purposes of this plan the expected total private dwellings or lots in 2036 is 17,520.

**Section 7.11 contribution rates calculation for residential development**

The contribution formula for open space and recreation infrastructure can be expressed as follows:

$$\text{Contribution per standard dwelling or lot ($) = } \sum \left( \frac{\$INF}{D} \right)$$

Where:

- \$INF = the apportioned estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the open space and recreation infrastructure items required to meet the development of the Goulburn Mulwaree LGA (refer works schedule in Appendix B).
- D = The expected residential development at the end of this plan (i.e. 17,520 dwellings / lots).

To determine the contribution rate per person, divide the contribution rate by the relevant assumed occupancy rate shown in Table 4 of the plan.

Contribution calculations should also account for any residential demand credits pertaining to the existing development on the site. Refer to section 1.5.1 for more details.

## Infrastructure Demand and the Calculation of the Contribution Rates

### Community infrastructure

#### Objectives

Provide new and upgraded community infrastructure to meet the demands of the future resident population.

#### Infrastructure strategy

Council currently manages a range of community facilities. The types of facilities include:

- Local community halls and meeting rooms
- Goulburn Mulwaree Library
- Workspace Goulburn
- Museums
- Regional Art Gallery
- Youth services

With State and Federal government assistance, Council will deliver the Goulburn Regional Performing Arts Centre. The former McDermott Centre in Auburn Street will be readapted for use as a 400-seat performance venue. The cost of the project is estimated to be \$20.5 million. Grant funding of \$4.8 million from the NSW Government and \$1.0 million from the Australian Government has been received and allocated to the project.

Council has completed an application for grant assistance from the NSW Government for the redevelopment of former Bourke Street Depot into a new Goulburn Community Centre. The new centre will continue to provide community and youth services. The proposed cost of the project is \$4 million.

Council will also provide an upgrade to the Goulburn Waste Management Facility. The proposed cost of the upgrade is \$9 million.

This plan will also levy contributions for additional items for the Goulburn Mulwaree Library.

#### Nexus and apportionment

The works are in response to the demands of both the existing and new population in the Goulburn Mulwaree LGA.

It is reasonable that for the purpose of determining the contribution rate for the Goulburn Performing Arts Centre, Goulburn Community Centre and Waste Management Facility the costs are apportioned to both the existing and future development. For the purposes of this plan the expected total private dwellings or lots in 2036 is 17,520.

In the case of additional library items, it is reasonable that the costs of new items are apportioned only to the future development. The expected total new private dwellings or lots in 2036 is 3,120.

## Infrastructure Demand and the Calculation of the Contribution Rates

### Contribution rates calculation

The contribution formula for community facilities can be expressed as follows:

$$\text{Contribution per standard dwelling or lot (\$)} = \sum \left( \frac{\$INF}{D} \right)$$

Where:

**\$INF** = the apportioned estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the open space and recreation infrastructure items required to meet the development of the Goulburn Mulwaree LGA (refer works schedule in Appendix B).

**D** = The expected residential development at the end of this plan for each appropriate catchment (i.e. 17,520 or 3,120 dwellings / lots).

To determine the contribution rate per person, divide the contribution rate by the relevant assumed occupancy rate shown in Table 4 in section 1.5.1.

Contribution calculations should also account for any residential demand credits pertaining to the existing development on the site. Refer to section 1.5.1 for more details.

### Roads and active transport infrastructure

#### Objectives

Provide upgrades to roads and active transport facilities to meet the demands of the future resident population.

#### Infrastructure strategy

There has been a significant increase in the amount of traffic using the Council's road network in the Goulburn Mulwaree LGA. The increase is mainly the result of continued growth in the resident population over the last 5 to 10 years. As the local roads are the primary access network in the LGA, Council has and will continue to upgrade the roads and replace bridges.

#### Roads and bridges

The works to upgrade roads and bridges have been separated into two (2) catchments. The catchments comprise Goulburn and its immediate surrounds, and the remainder of the LGA known as Rural North and South. The works differ in each location.

In the Goulburn catchment, Council will reconstruct the pavements of the roads contained in the works schedule to increase the capacity and improve the quality of the network. Intersection upgrades will also be provided at the locations identified in the works schedule to improve the safety and efficiency of traffic. Road and traffic treatments may include the provision of:

- turning lanes, roundabouts and intersection improvements,

## Infrastructure Demand and the Calculation of the Contribution Rates

- bus stops,
- new kerb and gutter and footpaths

Council will also provide new road links to the proposed urban release areas to connect the areas to each other and the Goulburn town centre.

In the Rural North and South catchment Council will provide road resealing, widening and upgrades to rural roads.

### Cycleways, trails and shared paths

Council is also committed to the provision of an active transport network to allow for increased walking and cycling opportunities. Cycleways, walking trails and share paths are identified in Bicycle Strategy 2020. Council will continue to deliver the network in accordance with these strategies.

### Nexus and apportionment

The works are in response to demands of both the existing and new population in the Goulburn Mulwaree LGA.

It is reasonable that, for the purpose of determining the contribution rate:

- the costs of the new road links to the proposed release areas are fully apportioned to the expected future growth in the Goulburn Central catchment to 2036 (2,530 lots/dwellings)
- the costs of the infrastructure works to be provided in Goulburn Central are apportioned to both the existing and future residential development for that catchment to 2036 (13,096 lots/dwellings)
- the costs of the infrastructure works to rural roads are apportioned to the existing and future growth of the Rural North and South catchment to 2036 (4,424 lots/dwellings)
- the costs of the replacements and upgrades to bridges are apportioned to the existing and future growth in the Goulburn Mulwaree LGA to 2036 (17,520 lots/dwellings)
- the cost of the shared paths, cycleways and trails are apportioned to the existing and future growth in the Goulburn Mulwaree LGA to 2036 (17,520 lots/dwellings).

### Contribution rates calculation

The contribution formula for roads and traffic facilities can be expressed as follows:

$$\text{Contribution per standard dwelling or lot (\$)} = \sum \left( \frac{\$INF}{D} \right)$$

Where:

\$INF = the apportioned estimated cost, or if the facility has been completed, the indexed actual cost, of providing each of the open space and recreation infrastructure items

## Infrastructure Demand and the Calculation of the Contribution Rates

required to meet the development of the Goulburn Mulwaree LGA (refer works schedule in Appendix B).

- D = The expected residential development at the end of this plan for each appropriate catchment (i.e. dwellings / lots).

To determine the contribution rate per person, divide the contribution rate by the relevant assumed occupancy rate shown in Table 4 in section 1.5.1.

Contribution calculations should also account for any residential demand credits pertaining to the existing development on the site. Refer to section 1.5.1 for more details.

### Plan administration

#### Objectives

Implement and manage this plan so that the contributions remain reasonable over the life of the plan, and that the infrastructure is provided in a reasonable time.

#### Strategy

This plan has been prepared in order to allow contributions to be levied on development so that infrastructure demands can be satisfied. The costs that Council has incurred in this regard include the commissioning of external experts to prepare the plan text and works schedules.

Additionally, Council is required to manage, monitor and maintain the contributions plan. The effective coordination and administration of the plan will involve many tasks, some of which include the following:

- Monitoring the receipt of contributions.
- Recommending to Council the appropriate management and expenditure of funds in accordance with the adopted works schedules.
- Monitoring and programming works identified in the works schedules.
- Determining the appropriate time for provision of public facilities having regard to the works schedule, the availability of funds, demand generated by development, the time funds have been held, expected additional funds, alternative and supplementary funding sources and maintenance implications.
- Assessing whether a credit or reassessment of the contribution may be appropriate and how that may be determined.
- Reviewing and determining the suitability of any works in kind and material public benefits proposed by a developer.
- Preparing and making available the accountability information as required by the EP&A Regulation.
- Providing advice to applicants and the general public regarding the operation of the plan.

## Infrastructure Demand and the Calculation of the Contribution Rates

- Commissioning of consultant studies and advice in relation to the efficacy of the development and demand assumptions of the contributions plan.

### **Nexus, apportionment and contribution rates calculation**

As plan administration costs arise directly as a result of the future development, it is reasonable that the costs associated with preparing and administering this plan be recouped through contributions from development in the area. Costs associated with the ongoing administration and management of the contributions plan will be levied on all applications that are required to make a contribution under this plan.

Costs included in this plan for management and administration are determined based on the IPART benchmark<sup>5</sup> of an allowance equivalent to 1.5% of the cost of construction works that are to be met by development approved under this plan.

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<sup>5</sup> Independent Pricing and Regulatory Tribunal of New South Wales (2014), *Local Infrastructure Benchmark Costs*, pg. 63

## **Infrastructure Demand and the Calculation of the Contribution Rates**

### **5. Development involving heavy vehicle movements likely to cause road pavement damage**

#### **Background**

For all road pavements, performance is influenced only by the heavy end of the traffic spectrum. Any significant increase in the heavy vehicle load on a road, therefore, has a marked impact on the life of the road pavement.

The passage of heavy vehicles causes and exacerbates the deterioration of road pavements which then require expenditure for their maintenance and rehabilitation. Such road maintenance can be funded via Section 7.11 contributions.

The load imposed by heavy vehicles is measured by the equivalent standard axles (ESAs). The use of the ESA allows the total number of heavy vehicles which are predicted to use a road to be converted into an "equivalent" number of the standard axle repetitions for design and evaluation purposes.

Some types of development involve heavy vehicle movements that are likely to cause road pavement damage. Mines and extractive industries are well known examples but are not the only ones. Other development, such as landfill operations, can also involve heavy vehicle movements that are likely to cause road pavement damage.

Where the carrying out of development involves heavy vehicle movements that are likely to cause road pavement damage, it is reasonable for a Section 7.11 contribution to be required to cover the increased level of road damage. Such a contribution is appropriate for maintenance and rehabilitation of any road that is used by the development's heavy vehicle traffic. It is the transportation of material to and from the site that triggers the contribution regardless of whether it is being extracted or deposited.

#### **Roadworks may be required to be undertaken in addition to contributions required under this plan**

The Goulburn Mulwaree road network has been constructed and is maintained by Council as necessary to ensure an acceptable standard of service. These roads may or may not be able to accommodate additional heavy vehicle loading generated by heavy haulage development at their current standard. New roads, or upgrades to sections of the existing road network may be required to accommodate the additional heavy vehicle loading from developments (including expansions to existing developments).

Section 7.11 contributions will not be used to fund direct works to comply with the DCP or development consent conditions that are required to bring roads up to a suitable standard to commence operations, such as:

- a. road widening
- b. pavement upgrading (a pavement shall have a minimum remaining life of 10 years)
- c. geometric improvements
- d. drainage works

## Infrastructure Demand and the Calculation of the Contribution Rates

e. intersection improvements

Where any development requires capital works to the road network to be undertaken, the requirements will be met by the developer / proponent undertaking the works by way of a condition imposed on the development consent under section 4.17 (1)(f) of the EP&A Act. The condition will be in addition to any Section 7.11 contribution imposed under this plan to meet the cost of accelerated pavement deterioration.

### Nexus and apportionment

Development that involves significant heavy vehicle movements will generate the need for additional maintenance and earlier rehabilitation on local roads affected by the haulage routes. It is considered reasonable that the development meets the cost of these additional works.

A contribution will only be levied for the use of local and regional roads from the development site along the nominated principal haulage route to the nearest State / National road. Figure 2 shows the State and National Roads in the Goulburn Mulwaree Local Government Area.

Road maintenance and rehabilitation costs only are levied for the increased level of road damage caused by the heavy vehicle haulage.

### Calculation of road maintenance and rehabilitation costs

Section 7.11 contributions are intended to recover the additional costs incurred by the Council in carrying out road maintenance and rehabilitation resulting from the carrying out of development that involves heavy vehicle movements that are likely to cause road pavement damage. These costs are of two kinds:

#### Routine maintenance

Potholes, edge breaks and the like. This is typically an amount of some 10c per m<sup>2</sup>, per year for a normal rural road.

For a haulage route, given the extra volume of heavy vehicles, the expenditure required on routine maintenance would be substantially higher than otherwise. Additional expenditure would be required on such work as patching, edge break repairs, crack sealing, rutting repairs, shoving repairs, guidepost replacement and sign replacement. This may amount to some \$1 per m<sup>2</sup>/year. For a carriageway of 9m wide, this equates to \$9,000/km/year.

#### Rehabilitation

The volume of heavy vehicles will bring forward the need for rehabilitation of the road. Moreover, the cost of this treatment will be higher than normal since the loads to be placed on the road will be higher as a direct result of the carrying out of the development.

The analysis below provides a typical example. While this is based on a quarry, the same analysis is valid for any development that involves heavy vehicle movements that are likely to cause road pavement damage since contributions relate to the amount of product transported.

Typically, a quarry imposes a load on a road pavement that will cut short the road's existing working life by some 80%. This means whereas the working life of the road pavement may have been 20 years, a quarry will shorten this life to only 4 years.



### Infrastructure Demand and the Calculation of the Contribution Rates

STATE AND NATIONAL ROADS - GOULBURN MULWAREE COUNCIL

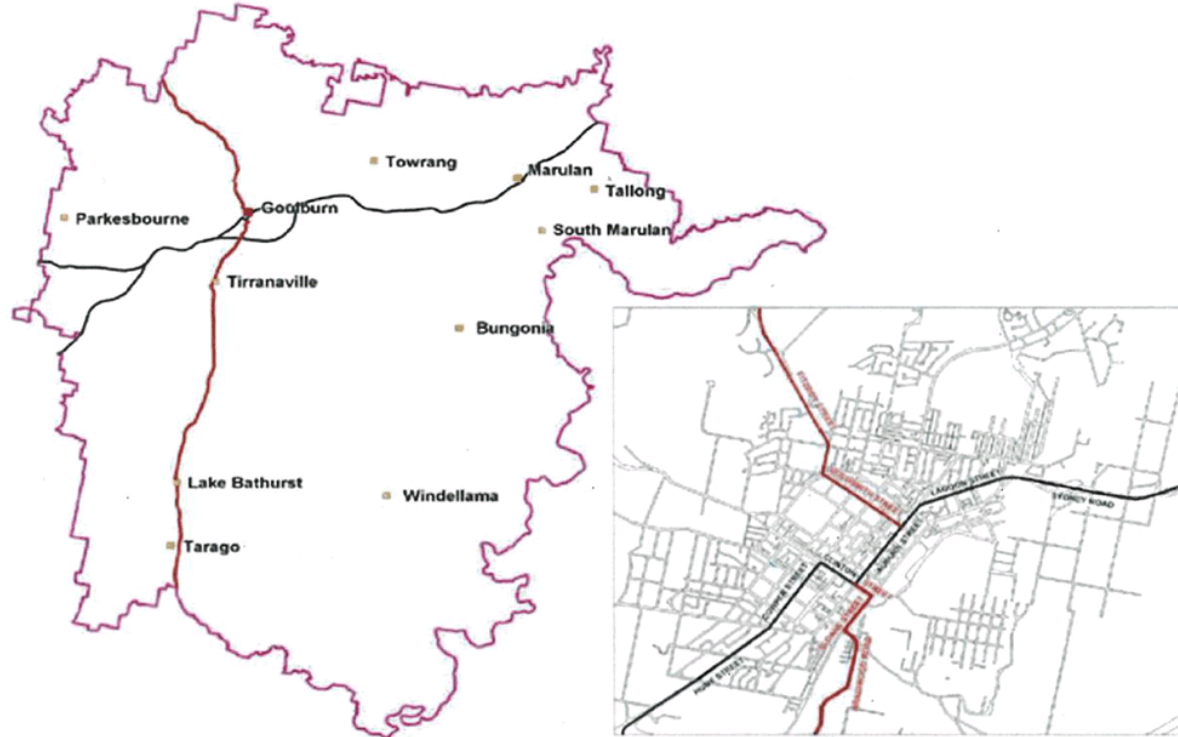


Figure 2 Goulburn Mulwaree State and National Roads

A-20

### Infrastructure Demand and the Calculation of the Contribution Rates

Therefore, the cost attributable to the quarry is the Present Worth of Cost (**PWOC**) of the difference between the treatment required in four years' time as opposed to the treatment required in twenty years' time. The earlier treatment will be more expensive than the later treatment since it will need to have a more durable pavement for the higher traffic volumes.

The PWOC is given in the formula stated in s11.2 of Austroads *A Guide to the Structural Design of Road Pavements, 1992*.

$$PWOC = M - M (1 + r)^{-x}$$

Where:

- M is the treatment cost
- r is the discounted rate, taken as 5%
- x is the number of years in the delay (4 years and 20 years)

Applying this formula to the two treatments (one at 4 years, the other at 20 years) gives:

- For the earlier, more durable treatment, the estimated cost is \$260,000/km giving a PWOC of \$214,000/km
- For the later treatment, the estimated cost is \$200,000/km giving a PWOC of \$76,000/km
- Therefore the difference is \$138,000/km

Since the levy is collected progressively throughout the life of the development, the difference in PWOC needs to be annualised, which results in an amount of \$11,000/km per year.

This rehabilitation may not take place at the one time but rather in a piecemeal fashion as dictated by road condition and available funds. Additionally, rehabilitation will not be the only method of repair of the road, with other methods such as patching, heavy patching, overlays and stabilisation being used as appropriate.

#### Contribution rate - Cost per tonne and cost per ESA

Combining the routine maintenance and the rehabilitation costs amounts to \$20,000/km per year.

A newly reconstructed pavement is assumed to have a design life of 2 Million ESA over a twenty year period, the additional costs equate to a rate of \$0.20/km per ESA.

Dependent upon the type of vehicle used, the number of tonnes of product transported corresponding to the load on the road is approximately:

$$5 \text{ tonnes of product} = 1 \text{ ESA, or } 1 \text{ tonne of product} = 0.2 \text{ ESA.}$$

Therefore the cost per tonne is \$0.0462/km, or when expressed on an ESA basis the rate is

$$\$0.231 \text{ per ESA per kilometre of haul road.}$$

## Infrastructure Demand and the Calculation of the Contribution Rates

### Calculation of the contribution for developments

The contribution for vehicles will be collected over the life of the development consent. A developer will be required to provide with the development application details of the proposed haul route to be used by heavy vehicles to the nearest State or National road and an estimate of the amount of extracted material or other product to be hauled per year.

The contribution will be calculated based on either:

- the actual amount of material or product hauled
- truck movements into and out of the development.

The developer will need to either submit weigh bridge tonnage docketts or install a road classifier at the entry to the development site. The contribution will be calculated using one of the following two formulas:

Mass of haulage material (in tonnes) where verifiable tonnage receipts are provided by the developer

$$\text{Contribution per tonne (cents)} = 4.62 \times (L1 \times P1 + L2 \times P2 \dots \dots Ln \times Pn)$$

Where:

- L1 Length of road route 1 used by the extractive industry, mine or other heavy vehicle haulages use
- P1 Estimated percentage of material trucked along route 1
- 4.62 Is 4.62 cents per tonne as the contribution towards pavement maintenance and rehabilitation costs. (Refer to rationale below).
- L2 Length of road route 2 by the extractive industry, mine or other heavy vehicle haulages use
- P2 Estimated percentage of material trucked along route 2

Where there are loaded journeys in both directions it is recognised that this can lead to a reduction in the number of truck movements on the road network. In these circumstances a 25% reduction in the contribution rate of one journey will be permitted. The 25% reduction will apply to the lesser loaded journey.

Number of laden ESA (based on traffic classifier data)

$$\text{Contribution (\$)} = 0.231 \times (\text{total number of ESAs generated*}) \times \text{kilometres of haul road}$$

\*total number of ESAs generated = is the standard ESA for each vehicle class multiplied by the number of trips by that vehicle class summed for all relevant classes.

The contribution calculation above assumes one haul route for the development. Where there are multiple haul routes the calculation will need to be adjusted according to the proportional allocation of ESAs for each approved haulage route for the development and summed to calculate the total contribution for the relevant period (i.e. quarter).

For example if there are two haul routes with a predicted traffic movement allocation of 75% (haul route 1) and 25% (haul route 2) respectively then the calculation for haul route 1 uses 75%

**Infrastructure Demand and the Calculation of the Contribution Rates**

of the total ESAs for the period multiplied by the kilometres of that haul road multiplied by 0.231.  
To calculate the contribution for haul route 2, 25% of the total ESAs for the period is multiplied by the kilometres of haul road multiplied by 0.231.

Goulburn Mulwaree Local Infrastructure  
Contributions Plan 2020



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## APPENDIX B: INFRASTRUCTURE SCHEDULE AND LOCATION MAPS

GM LICP 2020 V7  
September 2020



**Goulburn Mulwaree Local Infrastructure Contributions Plan**  
Roads and Active Transport

Map Ref	Item description 1	Item description 2	Project reference	Total works cost	Nexus	Demand in lots/dwelling	\$ rate per person Goulburn	\$ rate per lot/dwelling Goulburn	\$ rate per person Rural	\$ rate per lot/dwelling Rural	Timing
<b>Traffic facilities</b>											
R1	Roundabouts - new	Victoria Street/Citizen Street/Bourke Street	Capital works	\$ 700,000	Existing and future GB	13096	\$ 22	\$ 53	\$ -	\$ -	2021
R2		Montague Street/Bourke Street	Capital works	\$ 500,000	Existing and future GB	13096	\$ 16	\$ 38	\$ -	\$ -	2023
R3		Clinton Street/Deccan Street	Capital works	\$ 600,000	Existing and future GB	13096	\$ 19	\$ 46	\$ -	\$ -	2025
R4		Addison Street/Bourke Street	Capital works	\$ 500,000	Existing and future GB	13096	\$ 16	\$ 38	\$ -	\$ -	2027
R5		Combemere Street/Faithful Street	Capital works	\$ 500,000	Existing and future GB	13096	\$ 16	\$ 38	\$ -	\$ -	2029
R6	Street lighting -new	Program- allow \$50K per year	Capital works	\$ 800,000	Existing and future GB	13096	\$ 25	\$ 61	\$ -	\$ -	2021-2036
R7	Intersection upgrades	Program - allow \$500K per year	Capital works	\$ 8,000,000	Existing and future GB	13096	\$ 255	\$ 611	\$ -	\$ -	2021-2036
R8	Traffic improvements	Program to upgrade existing locations - allow \$100K pe year	Capital works	\$ 1,600,000	Existing and future GB	13096	\$ 51	\$ 122	\$ -	\$ -	2021-2036
R9	Road upgrades	Rural roads -program to provide road rehabilitation, resealing and widening allow \$1.2million per year	Capital works	\$ 19,200,000	Existing and future Rural	4424	\$ -	\$ -	\$ 1,808	\$ 4,340	2021-2036
		Urban roads - program to provide road rehabilitation allow \$800K per year	Capital works	\$ 12,800,000	Existing and future GB	13096	\$ 407	\$ 977	\$ -	\$ -	2021-2036
<b>Road links and upgrades</b>											
R10	Goulburn	Pockley Road/Mary Link Road		\$ 800,000	Future GB	2530	\$ 132	\$ 316	\$ -	\$ -	2022
		Carr Street connection to Ducks Lane	Former contributions plan	\$ 1,200,000	Existing and future GB	13096	\$ 38	\$ 92	\$ -	\$ -	2021-2036
R11		Remainder Ducks Lane reconstruction (Car - Coles Myer) 650m	Former contributions plan	\$ 1,063,000	Existing and future GB	13096	\$ 34	\$ 81	\$ -	\$ -	2021-2036
R12		Link road between Sloane Street and Lockyer Street	Former contributions plan	\$ 2,000,000	Existing and future GB	13096	\$ 64	\$ 153	\$ -	\$ -	2021-2036
R13		Middle Arm Road upgrade	Former contributions plan	\$ 1,600,000	Existing and future GB	13096	\$ 51	\$ 122	\$ -	\$ -	2021-2036
R14		Chinamans Lane upgrade		\$ 3,400,000	Future GB	2530	\$ 560	\$ 1,344	\$ -	\$ -	2022
R15		Forbes Street upgrade		\$ 450,000	Existing and future GB	13096	\$ 14	\$ 34	\$ -	\$ -	2024
R16		Chiswick Street/Long Street upgrade		\$ 1,260,000	Future GB	2530	\$ 208	\$ 498	\$ -	\$ -	2030
R17		Hetherington Street upgrade		\$ 900,000	Future GB	2530	\$ 148	\$ 356	\$ -	\$ -	2029
R18		Bungonia Road (Hume Highway overpass to Lansdowne Bridge)		\$ 540,000	Existing and future GB	13096	\$ 17	\$ 41	\$ -	\$ -	2020
R19		Link road between Middle Arm Road and Dalley Street		\$ 650,000	Future GB	2530	\$ 107	\$ 257	\$ -	\$ -	2021-2036
R20		Rossville Road/Ridge Street upgrade		\$ 765,000	Future GB	2530	\$ 126	\$ 302	\$ -	\$ -	2021-2036
R21	Brisbane Grove	Brisbane Grove upgrade		\$ 1,300,000	Future GB	2530	\$ 214	\$ 514	\$ -	\$ -	2026
R22		Rifle Range Road		\$ 660,000	Future GB	2530	\$ 109	\$ 261	\$ -	\$ -	2021-2036
R23	Run-O-Waters	Pockley Road/Gurrundah Link Road		\$ 3,750,000	Future GB	2530	\$ 618	\$ 1,482	\$ -	\$ -	2028
R24	Boxers Creek	Rosemont Road		\$ 1,350,000	Future GB	2530	\$ 222	\$ 534	\$ -	\$ -	2021-2036
R25		Barrett's Lane		\$ 765,000	Future GB	2530	\$ 126	\$ 302	\$ -	\$ -	2021-2036
R26	Gundry	Mountain Ash Road		\$ 675,000	Existing and future GB	13096	\$ 21	\$ 52	\$ -	\$ -	2021-2036
R27		Link road between Middle Arm Road and Crookwell Road		\$ 4,050,000	Future GB	2530	\$ 667	\$ 1,601	\$ -	\$ -	2021-2036
<b>Other</b>											
R28	Bus Stops - new	Program ongoing assume \$20K per year	Capital works	\$ 320,000	Existing and future GB	13096	\$ 10	\$ 24	\$ -	\$ -	2021-2036
R29	Footpaths - new	Program to extend networks by 1km per year, assume \$250K per year	Capital works	\$ 4,000,000	Existing and future GB	13096	\$ 127	\$ 305	\$ -	\$ -	2021-2036
R30	Kerb and gutter - new	Program to extend networks by 1km per year, assume \$300K per year	Capital works	\$ 4,800,000	Existing and future GB	13096	\$ 153	\$ 367	\$ -	\$ -	2021-2036
R31	Bridges	Replacements and upgrades allowance \$1.0 million per year	Capital works	\$ 16,000,000	Existing and future LGA	17520	\$ 381	\$ 913	\$ 361	\$ 913	2021-2036

**Goulburn Mulwaree Local Infrastructure Contributions Plan**  
Roads and Active Transport

Map Ref	Item description 1	Item description 2	Project reference	Total works cost	Nexus	Demand in lots/dwelling	\$ rate per person Goulburn	\$ rate per lot/dwelling Goulburn	\$ rate per person Rural	\$ rate per lot/dwelling Rural	Timing
	Cycleways										
R32	Shared paths, tracks and walking trails	Line marking, sign posting and minor kerb/pavement adjustments	Bicycle Strategy 2020	\$ 3,000,000	Future LGA	17520	\$ 71	\$ 171	\$ 71	\$ 171	2021-2036
	<b>Totals</b>			\$ 100,498,000			\$ 5,045	\$ 12,108	\$ 2,260	\$ 5,424	

**Goulburn Mulwaree Local Infrastructure Contributions Plan**  
Open Space and Recreation

Map Ref	Item description 1	Item description 2	Project reference	Total works cost	Nexus	Demand in lots/dwellings	\$ rate per person Goulburn	\$ rate per lot/dwelling Goulburn	\$ rate per person Rural	\$ rate per lot/dwelling Rural	Timing
<b>New regional facilities</b>											
O51	Goulburn Hockey Facility	Purchase and upgrade of existing at Finlay Road - 2 water based synthetic turf fields and two multi-use grass fields	Draft Recreation Needs Strategy	\$ 10,000,000	Existing and future LGA	17520	\$ 238	\$ 571	\$ 238	\$ 571	#
O52	Goulburn Aquatic Centre	Redevelopment - Stage 1 Indoor facilities including 3 pools, amenities and administration spaces, food and drink spaces. Redevelopment Stage 2 Outdoor pool, splash pad, plant and amenities	Council resolution 16/582 dated 20 Dec 2016	\$ 20,000,000	Existing and future LGA	17520	\$ 476	\$ 1,142	\$ 476	\$ 1,142	#
O53	Victoria Park, Goulburn	Upgrade in accordance with Masterplan includes: Japanese Gardens, New Guid Hall, relocation of tennis courts, entrance gates and public amenities	Draft Recreation Needs Strategy	\$ 15,000,000	Existing and future LGA	17520	\$ 357	\$ 856	\$ 357	\$ 856	#
O54	Wollondilly River Walkway, Goulburn	Cemetery Street to Wollondilly Avenue	Draft Recreation Needs Strategy	\$ 8,000,000	Existing and future LGA	17520	\$ 190	\$ 457	\$ 190	\$ 457	#
O55	Riverside Park	Upgrade works include: Senior and junior play equipment with softfall Shade structures, seating and picnic and BBQ areas Toilets and parenting rooms Boardwalk Recoupment of council funded portion of \$1,690,000	Draft Recreation Needs Strategy	\$ 1,690,000	Existing and future LGA	17520	\$ 40	\$ 96	\$ 40	\$ 96	#
O56	New public amenities	Provide upgrades and new assume \$150K per year	Capex	\$ 2,400,000	Existing and future LGA	17520	\$ 57	\$ 137	\$ 57	\$ 137	#
O57	Street tree planting	Auburn Street trees	Master plan	\$ 3,000,000	Existing and future LGA	17520	\$ 71	\$ 171	\$ 71	\$ 171	#
<b>Total</b>				<b>\$ 75,090,000</b>			<b>\$ 1,786</b>	<b>\$ 4,286</b>	<b>\$ 1,786</b>	<b>\$ 4,286</b>	



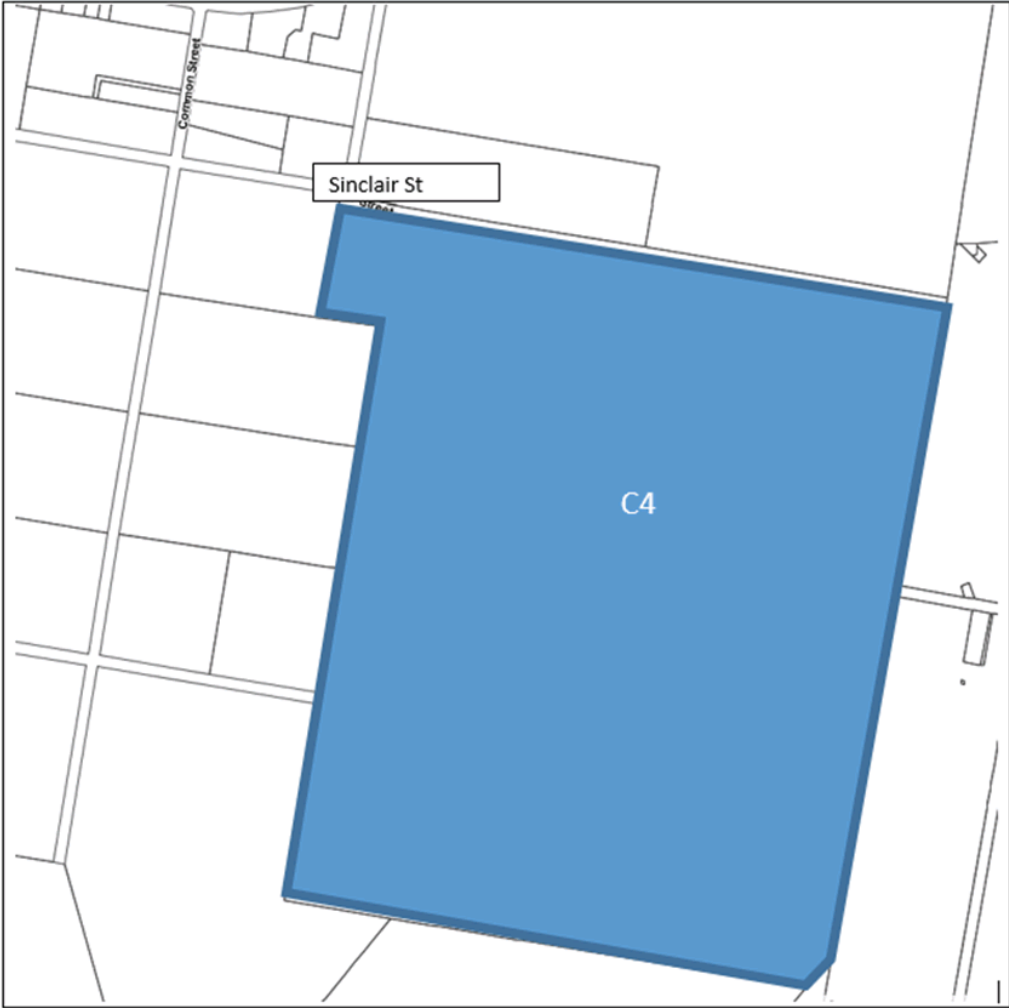
**Goulburn Mulwaree Local Infrastructure Contributions Plan**  
Community Facilities

Map Ref	Item description 1	Item description 2	Project reference	Total works cost	Nexus	Demand in lots/dwellings	\$ rate per person Goulburn	\$ rate per lot/dwelling Goulburn	\$ rate per person Rural	\$ rate per lot/dwelling Rural	Timing
C1	Goulburn Performing Arts Centre	Conversion of the existing Goulburn Community Hall to a performance venue with 400 seats	Council resolution 16/467 dated 18 Oct 2016	\$ 14,700,000	Existing and future LGA	17520	\$ 350	\$ 839	\$ 350	\$ 839	2020-2025
C2	Goulburn Community Centre	Redevelopment of former Bourke Street Depot into a new community centre with youth services	Capex	\$ 4,000,000	Existing and future LGA	17520	\$ 95	\$ 228	\$ 95	\$ 228	2023-2030
C3	Library	Provision of additional book stock per person	Existing benchmark of 1.6 items per person at \$30 per item	\$ 258,480	Future LGA	3120	\$ 48	\$ 115	\$ 48	\$ 115	2020-2036
C4	Waste Management Centre	Increase the capacity of the existing centre	Capex	\$ 9,000,000	Existing and future LGA	17520	\$ 214	\$ 514	\$ 214	\$ 514	
<b>Total</b>				<b>\$ 27,958,480</b>			<b>\$ 707</b>	<b>\$ 1,696</b>	<b>\$ 707</b>	<b>\$ 1,696</b>	

# Community Facilities



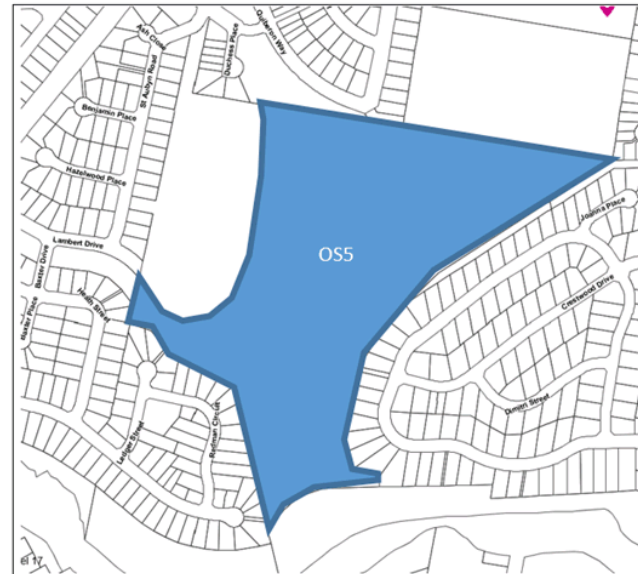
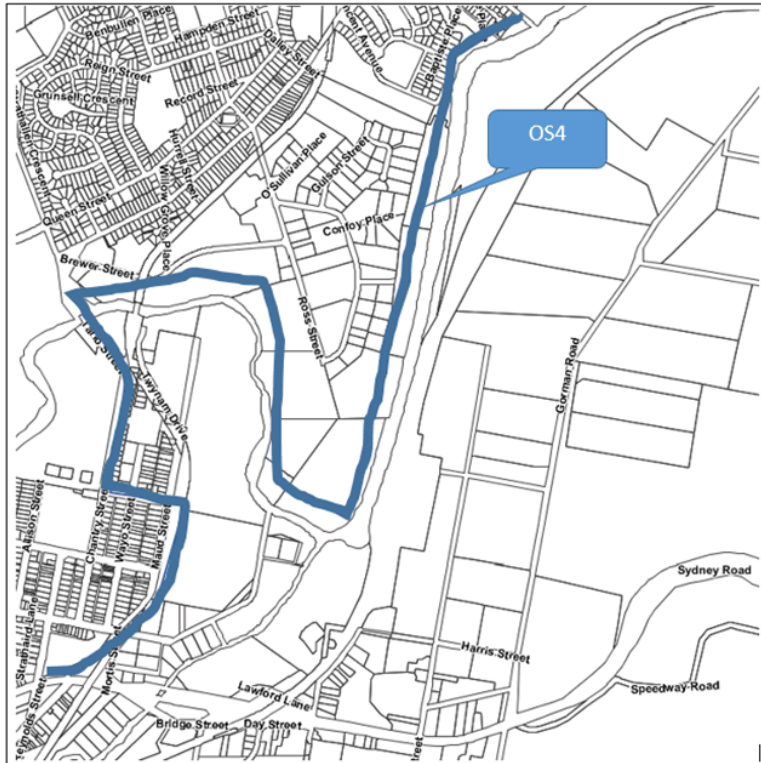




# Open Space and Recreation



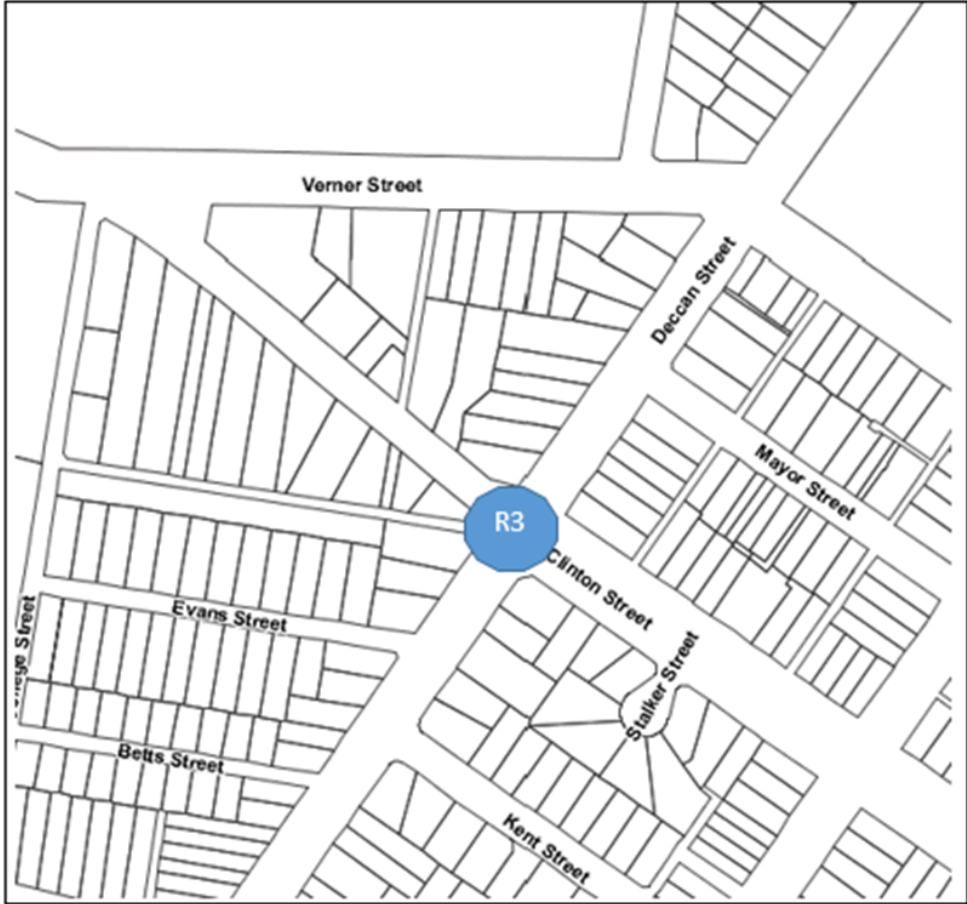




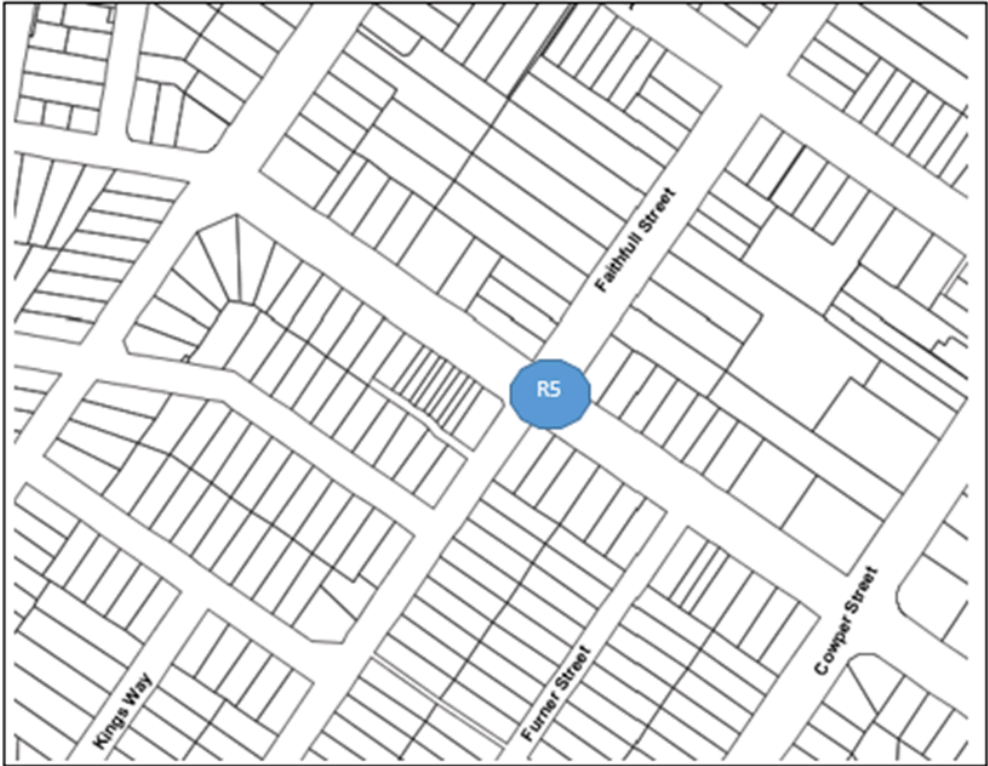
## Traffic Facilities



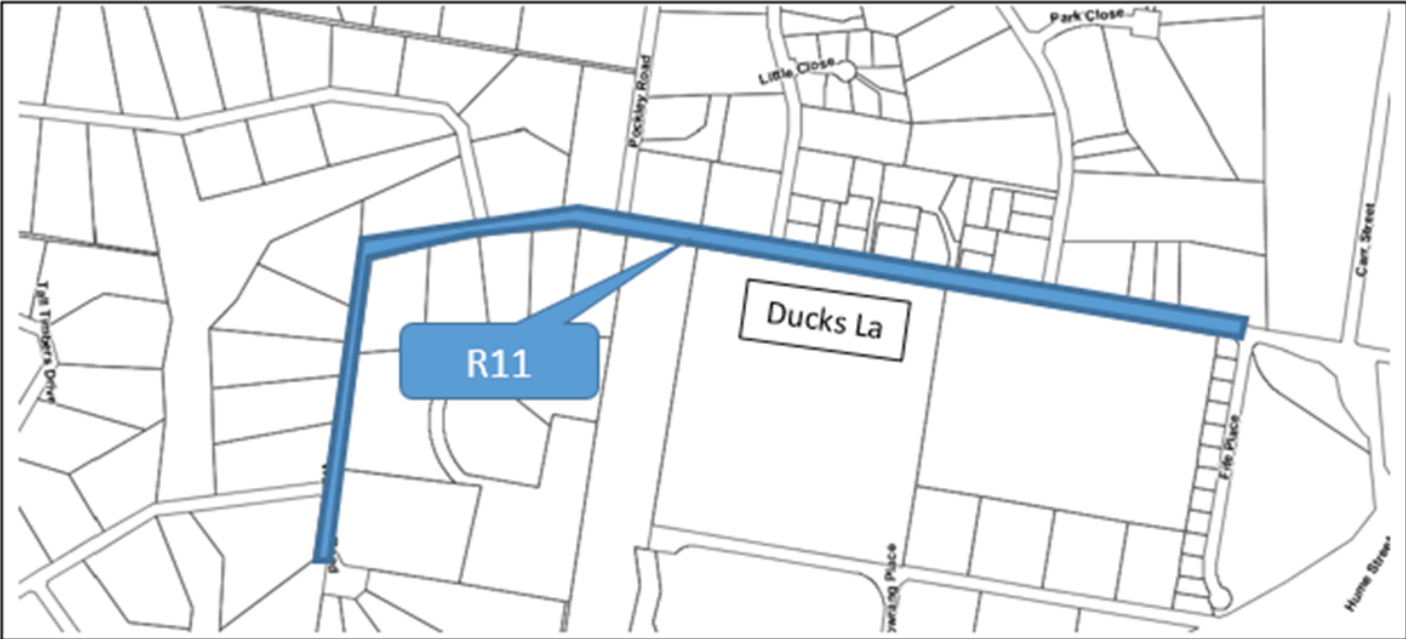


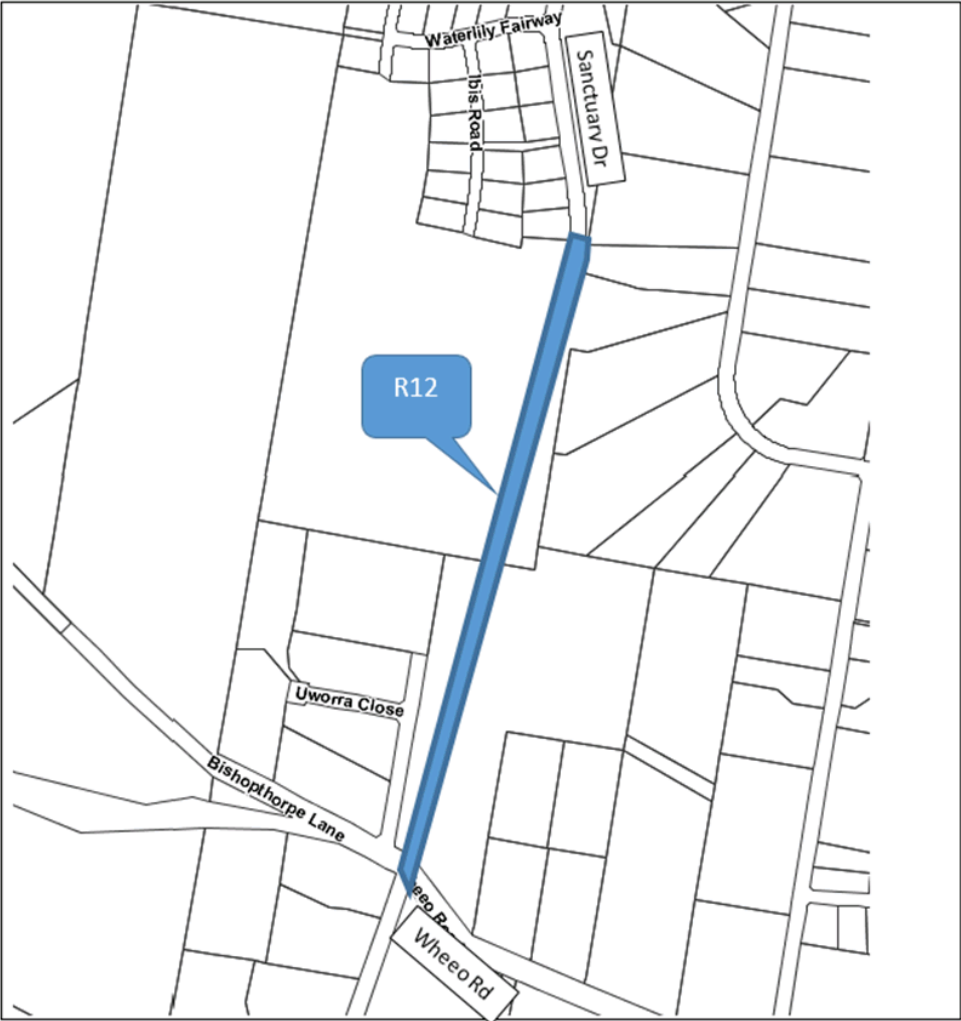


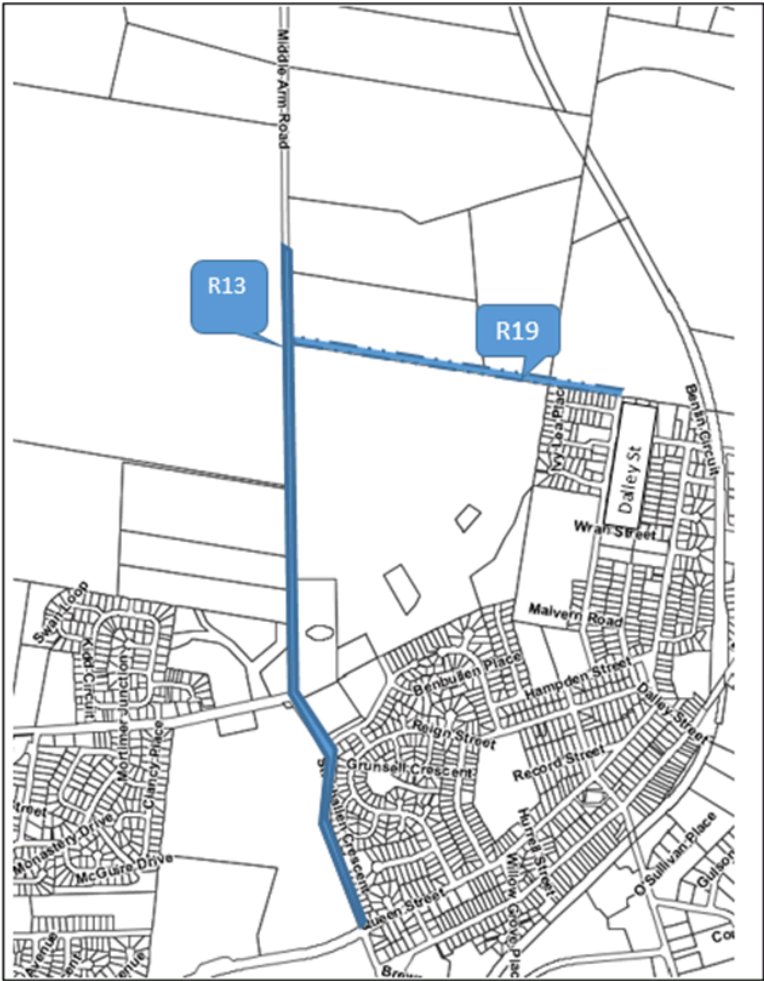








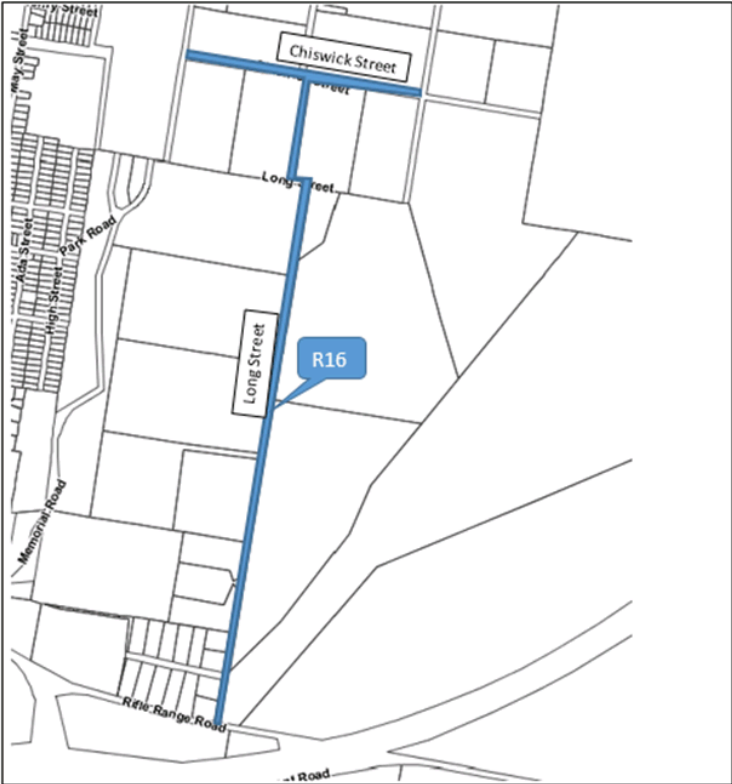


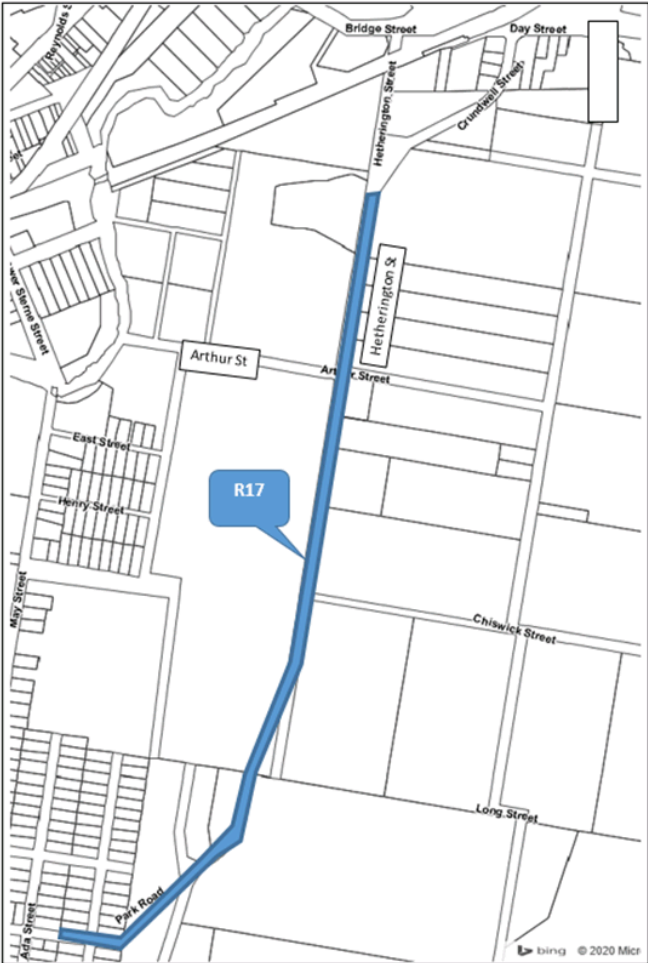


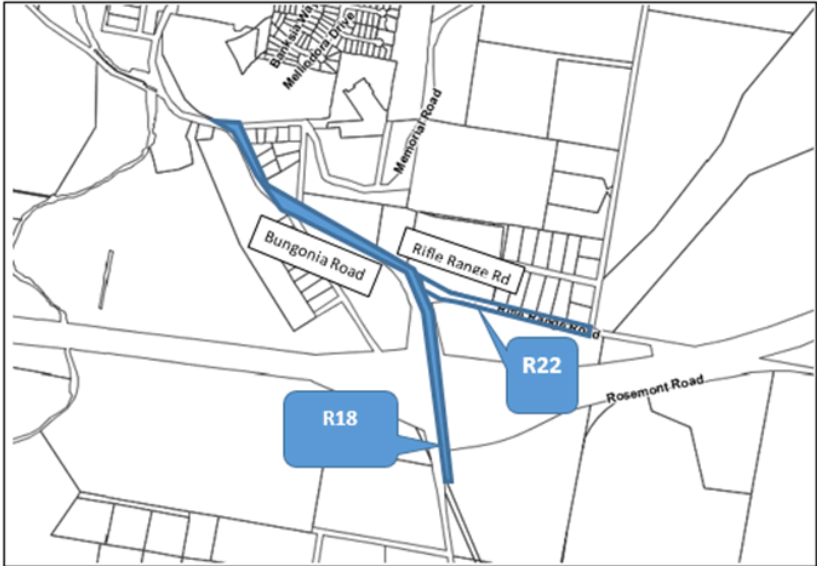






















Goulburn Mulwaree Local Infrastructure  
Contributions Plan 2020



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## APPENDIX C: COST SUMMARY REPORTS

GM LICP 2020 V7  
September 2020



**COST SUMMARY REPORT**

Development Cost no greater than \$1,000,000

DEVELOPMENT APPLICATION No: \_\_\_\_\_ Reference: \_\_\_\_\_

COMPLYING DEVELOPMENT CERTIFICATE APPLICATION No: \_\_\_\_\_

CONSTRUCTION CERTIFICATE No: \_\_\_\_\_ Date: \_\_\_\_\_

APPLICANTS NAME: \_\_\_\_\_

APPLICANTS ADDRESS: \_\_\_\_\_

DEVELOPMENT NAME: \_\_\_\_\_

DEVELOPMENT ADDRESS: \_\_\_\_\_

**ANALYSIS OF DEVELOPMENT COSTS:**

Demolition and alterations	
Hydraulic services	
Structure	
Mechanical services \$	
External walls, windows and doors	
Fire services \$	
Internal walls, screens and doors	
Demolition and alterations	
Lift services	
Wall finishes	
External works	
Floor finishes	
External services	
Ceiling finishes	
Other related work	
Fittings and equipment	
Preliminaries and margin	
<b>Subtotal</b>	
Consultant fees	
Other related development costs	
Goods and services Tax	
<b>TOTAL DEVELOPMENT COST</b>	

I certify that I have:

- Inspected the plans the subject of the application for development consent or construction certificate.
- Calculated the development costs in accordance with the definition of development costs in clause 25J of the Environmental Planning and Assessment Regulation 2000 at current prices.
- Included GST in the calculation of development costs.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

Position and Qualifications: \_\_\_\_\_

**DETAILED COST SUMMARY REPORT**

**REGISTERED\* QUANTITY SURVEYOR'S DETAILED COST REPORT**

Development Cost in excess of \$1,000,000

\*A member of the Australian Institute of Quantity Surveyors

DEVELOPMENT APPLICATION No: \_\_\_\_\_ Reference: \_\_\_\_\_

COMPLYING DEVELOPMENT CERTIFICATE APPLICATION No: \_\_\_\_\_

CONSTRUCTION CERTIFICATE No: \_\_\_\_\_ Date: \_\_\_\_\_

APPLICANTS NAME: \_\_\_\_\_

APPLICANTS ADDRESS: \_\_\_\_\_

DEVELOPMENT NAME: \_\_\_\_\_

DEVELOPMENT ADDRESS: \_\_\_\_\_

**DEVELOPMENT DETAILS:**

Gross Floor Area – commercial	m <sup>2</sup>	Gross Floor Area – other	m <sup>2</sup>
Gross Floor Area – residential	m <sup>2</sup>	Total Gross Floor Area	m <sup>2</sup>
Gross Floor Area – retail	m <sup>2</sup>	Total site area	m <sup>2</sup>
Gross Floor Area – car parking	m <sup>2</sup>	Total car parking spaces	
<b>Total development cost</b>	\$		
<b>Total construction cost</b>	\$		
<b>Total GST</b>	\$		

**ESTIMATE DETAILS:**

<b>Professional Fees</b>	\$	<b>Excavation</b>	\$
% of development cost		Cost per m <sup>2</sup> of site area	
% of construction cost		<b>Car Park</b>	
<b>Demolition and Site Preparation</b>		Cost per m <sup>2</sup> of site are	
Cost per m <sup>2</sup> of site area		Cost per space	
<b>Construction Commercial</b>		<b>Fit out – Commercial</b>	
Cost per m <sup>2</sup> commercial area		Cost per m <sup>2</sup> of commercial area	
<b>Construction Residential</b>		<b>Fit-out - Residential</b>	
Cost per m <sup>2</sup> of residential area		Cost per m <sup>2</sup> of residential area	
<b>Construction Retail</b>		Fit out - Retail	
Cost per m <sup>2</sup> of retail area		Cost per m <sup>2</sup> of retail area	

I certify that I have:

- Inspected the plans the subject of the application for development consent or construction certificate.
- Prepared and attached an elemental estimate generally prepared in accordance with the Australian Cost Management Manuals from the Australian Institute of Quantity Surveyors.
- Calculated the development costs in accordance with the definition of development costs in the Development Contributions Plan of the Goulburn Mulwaree Council at current prices.
- Included GST in the calculation of development costs.
- Measured gross floor areas in accordance with the Method of Measurement of Building Area in the AIQS Cost Management Manual Volume 1, Appendix A2.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

Position and Qualifications: \_\_\_\_\_



# **Goulburn Recreation Area Crown Reserve Plan of Management**

**FINAL DRAFT 26/08/2020**

**Revisions**

Date	Minutes	Purpose	Crown Date



**CONTENTS PAGE**

<b>1. Key information</b> .....	1
<b>2. Introduction</b> .....	1
<b>2.1. Corporate objectives</b> .....	2
<b>2.2. Land to which this plan applies</b> .....	5
<b>2.3. Owner of the land</b> .....	9
<b>2.4. Categorisation of the reserve</b> .....	10
<b>3. Relevant legislation, policies and procedures</b> .....	12
<b>3.1. Local Government Act 1993</b> .....	12
<b>3.2. Crown Land Management Act 2016</b> .....	13
<b>3.3. Other relevant legislation and statutory controls</b> .....	13
<b>3.4. Process of preparing this plan of management</b> .....	18
<b>3.5. Plan of Management administration and management</b> .....	19
<b>3.6. Community consultation</b> .....	19
<b>4. Development and Use</b> .....	20
<b>4.1. Overview</b> .....	20
<b>4.2. Condition of the land and structures on adoption of the plan</b> .....	20
<b>4.3. Use of the land and structures at the date of adoption of the plan</b> .....	21
<b>5. Basis for Management</b> .....	23
<b>5.1. Values</b> .....	23
<b>6. Categories of land</b> .....	25
<b>6.1. Introduction</b> .....	25
<b>6.2. Core objectives</b> .....	25
<b>6.3. Permitted use and future use</b> .....	26
<b>6.4. Leases and licences and other estates</b> .....	29
<b>7. Management framework for categories of Park, Sportsground and General Community Use</b> .....	35
<b>7.1. Introduction</b> .....	35
<b>7.2 Performance targets, means and manner</b> .....	35
<b>8. Natural Area - Watercourse</b> .....	51
<b>8.1. Introduction</b> .....	51
<b>8.2. Core objectives</b> .....	51
<b>8.3. Development and use</b> .....	55
<b>8.4. Management framework for natural areas categorised as Watercourse</b> .....	55
Appendices .....	58



## Goulburn Recreation Area Crown Reserve Plan of Management

### 1. Key information

This plan of management is prepared by Goulburn Mulwaree Council for the Goulburn Recreation Area.

The plan of management was adopted by Council at its meeting of <insert date>, under Minute <insert>.

### 2. Introduction

The City of Goulburn and the Local Government Area (LGA) villages of Marulan, Tallong, Tarago and Bungonia provide a diverse range of open space land with facilities and indoor recreational facilities.

Sporting grounds and facilities are available at Regional, District and Local levels across Goulburn City and the Local Government Area (LGA) villages, with a similar suite of parks and playgrounds at regional, district and local level provision.

Specific natural areas include Goulburn River Corridor Reserves and Wollondilly River Walkway with an extensive distribution of State Forests and National Parks within the LGA and in driving distance of the community. Public forests in or near Goulburn Mulwaree LGA include Bungonia State Recreation Area, part of Bungonia National Park, part of Morton National Park and Wingello State Forest, as well as a number of nature reserves and conservation areas. The area is part of the Hawkesbury Nepean water catchment.

Goulburn Mulwaree Council's history, availability of land and climatic environment has resulted in a number of specialised and indoor facilities used by the community, including community halls and schools throughout Goulburn City and the LGA villages. The Wakefield Park motor racing circuit and Mount Gray Speedway (Governor's Hill) are regional and district facilities, whilst the Goulburn and Tully Golf Courses provide for district and local uses.

One of Goulburn's most unique multi-use facilities is the Goulburn Recreation Area (GRA). The GRA provides for sporting, leisure, tourism, agricultural goods and services, community and cultural events and uses. The GRA is a Crown reserve. A Crown reserve is land owned by the Crown (State of NSW) that has been reserved from sale for purposes that define its use, management and development.

Goulburn Mulwaree Council is responsible for the management of 58 Crown reserves, both as a Crown land manager (33) and 'devolved' management (25) under the *Local Government Act 1993* (LG Act). The reserves are for a range of purposes, including

- botanic gardens;
- bush fire brigade purposes;
- cemetery uses;
- local government and municipal purposes;
- preservation of fauna and native flora;
- park, public recreation and public hall purposes; and
- rubbish depot, sanitary purposes, gravel pits.

The GRA is unique in Goulburn Mulwaree for the mixture of purposes: Athletic Sports; Public Recreation; Racecourse; Showground. Less than 20 reserves in the Crown reserve system (over 8,000 reserves) have four purposes, with the most comparable being showgrounds at Nowra, Cooma and Broken Hill.

## 2.1. Corporate objectives

Goulburn Mulwaree Council in conjunction with Upper Lachlan Shire Council and Yass Valley Council prepared The *Tablelands Regional Community Strategic Plan 2016-2036* (CSP).

### Community Strategic Plan - Vision

**To build and maintain sustainable communities while retaining the region's natural beauty.**

The CSP identifies the aspirations of the community through a clear set of strategic priorities that achieve the region's vision for the future.

### Strategic Pillars

Environment	We appreciate our range of rural landscapes and habitats, and act as custodians of the natural environment for future generations.
Economy	We have a strong regional economy experiencing sustainable growth, which provides for a diverse range of employment opportunities.
Community	We are a network of vibrant, inclusive and diverse communities that value our cooperative spirit, self-sufficiency, and rural lifestyle.
Infrastructure	Our community is well serviced and connected to built, social and communications infrastructure.
Civic Leadership	Our leaders operate ethically and implement good governance. We empower our residents with the tools to participate actively in the development of our communities.

It is these desired community goals which set the overarching strategic framework for this plan of management.

Since the CSP was prepared a range of state and local strategic documents have been produced. These are:

- South East Tablelands Regional Plan 2036;
- Tablelands Regional Economic Development Strategy 2018-2022;
- Draft State Strategic Plan – A Vision for Crown Land 2020 (on exhibition);
- Draft Local Strategic Planning Statement June 2020 (on exhibition);
- Climate Change Assessment and Adaptation Report March 2020; and
- Draft Social Sustainability Strategy and Action Plan 2019.

Each of these documents have a bearing on environmental, economic, social or cultural outcomes for the Region and the LGA in particular.

For the Goulburn Recreation Area (GRA), Council's *Climate Change Assessment and Adaptation Report, March 2020* identifies plans of management for review and update in response to potential climate change impacts associated with temperature, hot days, rain fall and fire weather.

As a multi-use community asset managed by Council, future planning for the GRA, must consider the impact of climate change. A range of strategic initiatives were identified in the Climate Change Assessment and Adaptation Report and are considered in this plan.

Some of the initiatives include the use of solar panels, investigating alternative renewable energy supplies, using passive building design for future building structures, planting more trees for shade, improving lighting and security in facilities suitable for night use, retro-fit buildings to cope with high temperatures (insulation/ventilation etc.); and preparation of an Evacuation/Emergency Centre plan.

As part of the Increasing Resilience to Climate Change partnership program between Local Government NSW (LGNSW) and the Department of Planning, Industry and Environment (DPIE), Goulburn Mulwaree Council secured grant funding to undertake a Heat Smart Showgrounds study. This draft document titled *Heat Smart Showgrounds, Goulburn Recreation Area Climate Change Resilience Study August 2020* identified a suite of priority actions to improve the resilience of the GRA, using grant funding.

Identified short term to medium term opportunities include:

- Increased shade via landscaping, portable tree planter boxes and shade structures;
- Increased levels of water access for drinking and watering of plants and trees;
- Improved building ventilation and air circulation to specific buildings;
- Water sprays and portable misting systems.

Longer term and procedural opportunities are:

- Resealing the main car park using material to minimise radiant heat;
- Improved building insulation and fixed evaporative cooling systems;
- Hot weather plan of management;
- Trialling night time events;
- Heat related signage.

These proposed climate change actions directly support and provide additional detail to the recommended actions in this draft PoM making their attainment a real possibility in the near term

Council's *Draft Social Sustainability Strategy and Action Plan 2019* seeks to build a socially just and resilient community:

*Being a socially sustainable Goulburn can provide a framework through which the community and place can thrive, taking into account the unique social, cultural, economic and environmental spheres that influence quality of life.*

Planning for social sustainability outcomes at the local government level is about identifying and leveraging the local social and community assets and resources, strengthening the management of those assets and resources, and integrating them with the rest of Council's planning activity.<sup>1</sup>

Council intends to build social sustainability alongside service providers, community groups and members of the wider community.

It has three strategies supported by clear objectives and actions for implementation:

1. We will continue to build the skills and capacity of our community;
2. We will strengthen bonds between community members and community groups;
3. We will improve health and wellbeing for all in our community.

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<sup>1</sup> Draft Social Sustainability Strategy and Action Plan 2019



The GRA as a multi-use community resource with over 24 regular user groups; delivers social sustainability outcomes that are broad and inclusive and can be further extended under this plan of management.

Council placed on exhibition a draft *Local Strategic Planning Statement 2020* (LSPS) in June/July 2020. This document sets out the 20-year vision for land-use in the local area with visions, objectives and planning priorities providing the rationale for how land-use decisions will be made to achieve the community's broader goals.

Clear planning principals and actions are identified to achieve specific visions. Of these the GRA fits most suitably within the Community Facilities, Open Space and Recreation 2040 vision: Physical, social and cultural activity is supported by a range of facilities and shared spaces.

Planning Principles applicable to the GRA are:

- 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;
- Identify, plan and embellish multi-purpose regional parks and sporting facilities within Goulburn.

On a State level, a draft *State Strategic Plan – A Vision for Crown Land 2020* taking into account environmental, social, cultural heritage and economic considerations for the management of Crown land was recently placed on public exhibited.



The vision embodied in this plan is for:

**Crown land to support resilient, sustainable and prosperous communities across NSW.**

The proposed priorities for Crown land over the next 10 years are to:

- Enable jobs growth, commercial opportunities and sustainable economic progress in regional and rural NSW;
- Expand green space, sustainable quality of life and climate change resilience;
- Strengthen and support evolving community connections; and
- Work with Aboriginal communities to realise the potential of their land rights.

These priorities are supported by a set of outcomes to be achieved over the early, middle and full decade of the plan. The identified outcomes give weight to several of the desired future outcomes articulated for the GRA in this plan of management.

In this regard, the plan explicitly proposes that support be provided to showgrounds to expand and sustain their operations. In line with the plan, GRA should focus on the following initiatives:

- seek commercial opportunities;
- support tourism activities at the showground;
- increase investment by promoting the GRA as a regional sporting, recreational and community centre;
- increase security of tenure for leaseholders to promote investment;
- strengthen and support community and environmental resilience and develop the GRA as a place of emergency refuge for the community;
- investigate and develop ways to reduce utility costs;
- sustain the GRA as a community hub and promote multi-use; and
- work with DPIE to access opportunities, resources and funding for the GRA.

More detailed timelines and implementation plans will be developed following consultation/public exhibition of the plan and subsequent refinement and implementation of the plan itself.

In keeping with the draft State Strategic Plan this PoM proposes the following vision:

*The Goulburn Recreation Area will provide a wide and evolving range of activities that generate economic, social, cultural, and environmental benefits for current and future generations.*

This will be done with a proactive and dynamic approach, that is inclusive of all members of the community, so the facility continues to grow, is productive, and sustainable.

## 2.2. Land to which this plan applies

The GRA is located at 47 Braidwood Road, Goulburn, NSW. It is situated at the south-east side of Goulburn, is bordered by Braidwood and Bungonia Roads and the Mulwaree River. See **Figure 1** Locality Map.

The land to which this plan of management (PoM) applies is the Goulburn Showground and Recreation Area (GRA) shown in **Figure 2** Site Map. It is a Crown reserve number: R72794, reserved for the purposes of 'Athletic Sports; Public Recreation; Racecourse; Showground', created and notified by NSW Gazette notice dated 30 July 1948. See **Appendix A** for Gazette Notices for the GRA.

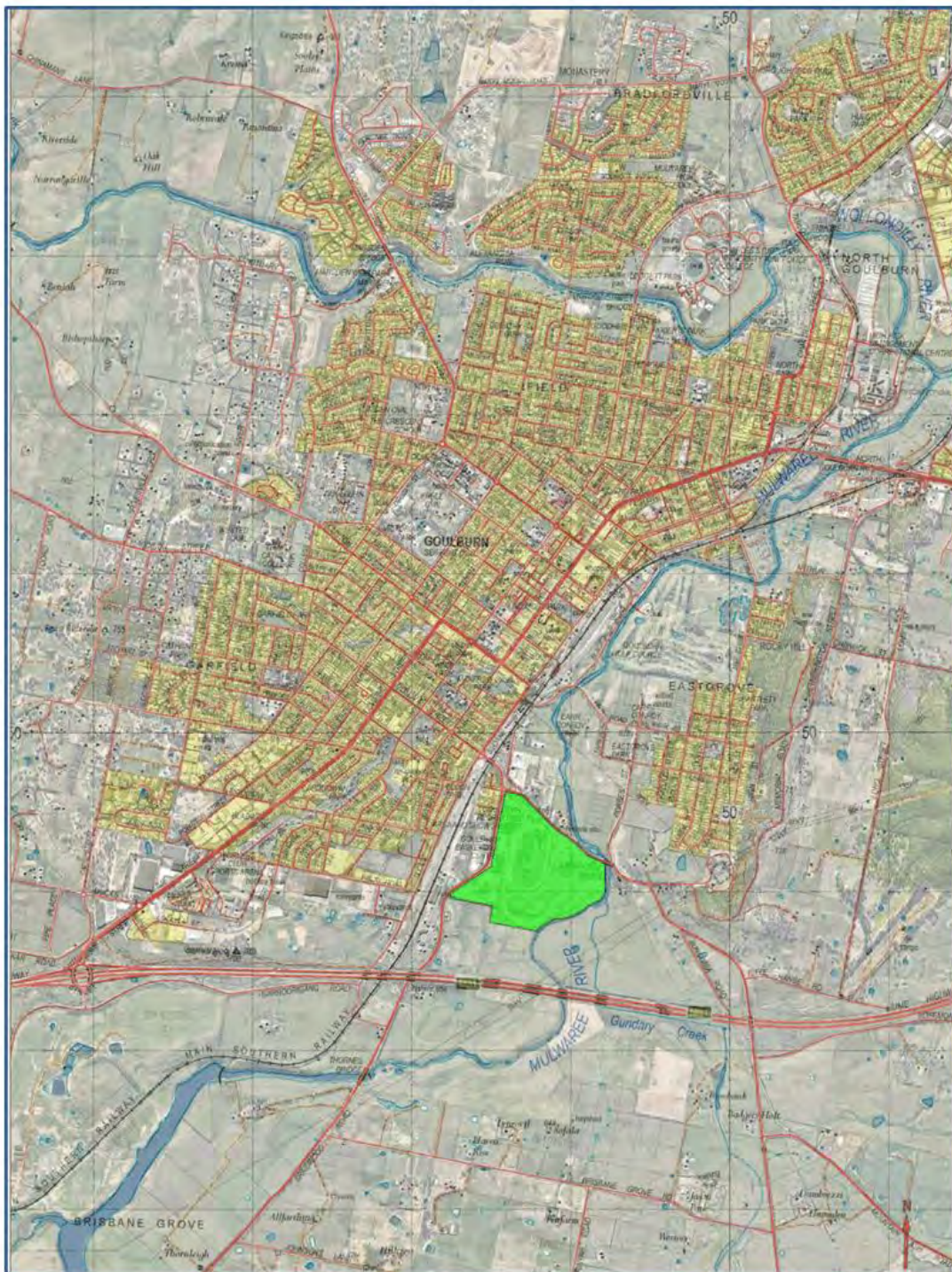


Figure 1: Locality Map – GRA coloured green



**Figure 2: Site map**

The reserve is approximately 44.192 hectares and is comprised of the whole of Lot 7049 DP 1005051, and Lot 7302 DP 1151976, and part of Lot 370 DP 750015, in the Parish of Goulburn, County of Argyle, Goulburn Mulwaree local government area.

The part Lot 370 is separated from the adjacent Lot 7302 by strip of land in Lot 461 DP 1162598 (2209 m<sup>2</sup>), which is a remnant of former land holdings, and remains in the estate of the original owner.

**Figure 3** shows the layout of GRA assets and facilities.



Figure 3: Asset Map



### 2.3. Owner of the land

The Crown land is owned by the Crown (State of NSW) and is managed by Goulburn Mulwaree Council as Crown Land Manager under the *Crown Land Management Act 2016* (CLM Act).

Council's appointment as a Crown land manager (CLM) was an automatic result of the commencement of the CLM Act on 1 July 2018 as Council had been the corporate manager of the Goulburn Recreation Area Reserve Trust at commencement of the Act.

The reserve trust was dissolved on 30 June 2019 through transitional provisions in the Act and its accompanying Regulation and Council became CLM, as defined by Parts 2 and 3 of the CLM Act.

The Minister administering the CLM Act (the Minister) retains oversight of Crown reserves under Crown land management. The Minister may appoint or remove CLMs, revoke or make new reserves, amend reserve purposes and grant leases, licence and other estates. The Minister can make conditions to attach to CLM appointment instruments and make land management rules that direct CLMs in care and control of the reserves.

There are no CLM Act appointment conditions, or Crown land management rules that apply to the land or reserve. The land is not subject to any other condition by the NSW Government, as Crown reserve landowner.

Title search extracts for Crown land within the GRA are at **Appendix B**.

There is no restriction, covenant, trust, etc., applying to the reserved land comprised of:

- whole of Lot 7049 DP 1005051;
- whole of Lot 7302 DP 1151976; and
- part of Lot 370 DP 750015;
- in the Parish of Goulburn, County of Argyle, Goulburn Mulwaree local government area.

There is a portion of land (Lot 461, DP 1162598), within the GRA reserves and between Lot 370, DP 750015 and Lot 7302, DP 1151976 that is not Crown land, nor legally part of the GRA reserves. This allotment is in the ownership of a deceased estate and the title indicates the whole of the land is affected by a drainage easement.

## 2.4. Categorisation of the reserve

Management of the Crown reserve under the CLM Act authorises Council as CLM to manage the land as if it is 'community land' under the LG Act.

The CLM is required to submit a written notice to the Minister administering the CLM Act (Crown Land Minister) and assign the land to one or more categories of community land referred to in section 36 of LG Act.

Council submitted the notice in accordance with NSW Government guidelines on 1 July 2019 was advised that the Minister has accepted the assignment and no direction to assign another category has been made in Crown Lands response 17 February 2020.

### Applying multiple categories to one reserve

Clause 113 of the *Local Government (General) Regulation 2005* requires that a draft plan of management that categorises an area of community land, or parts of an area of community land, in more than one category must clearly identify the land or parts of the land and the separate categories.

The categories originally assigned by Council were: Park, Sportsground and General Community Use. A fourth category Natural Area – Watercourse has been added to address the Mulwaree River which borders the GRA to the south east. See **Figure 4** Community Land Categories for the Goulburn Recreation Area.

The LG Act provides categories with core objectives for use and management. Plans of management set out the permissible uses, tenures, management and development of the land in accordance with the category objectives and the Crown reserve purposes.

The reserve has four community land categories that define core objectives, uses, development and management:

- Sportsground;
- General Community Use;
- Park; and
- Natural Area Watercourse



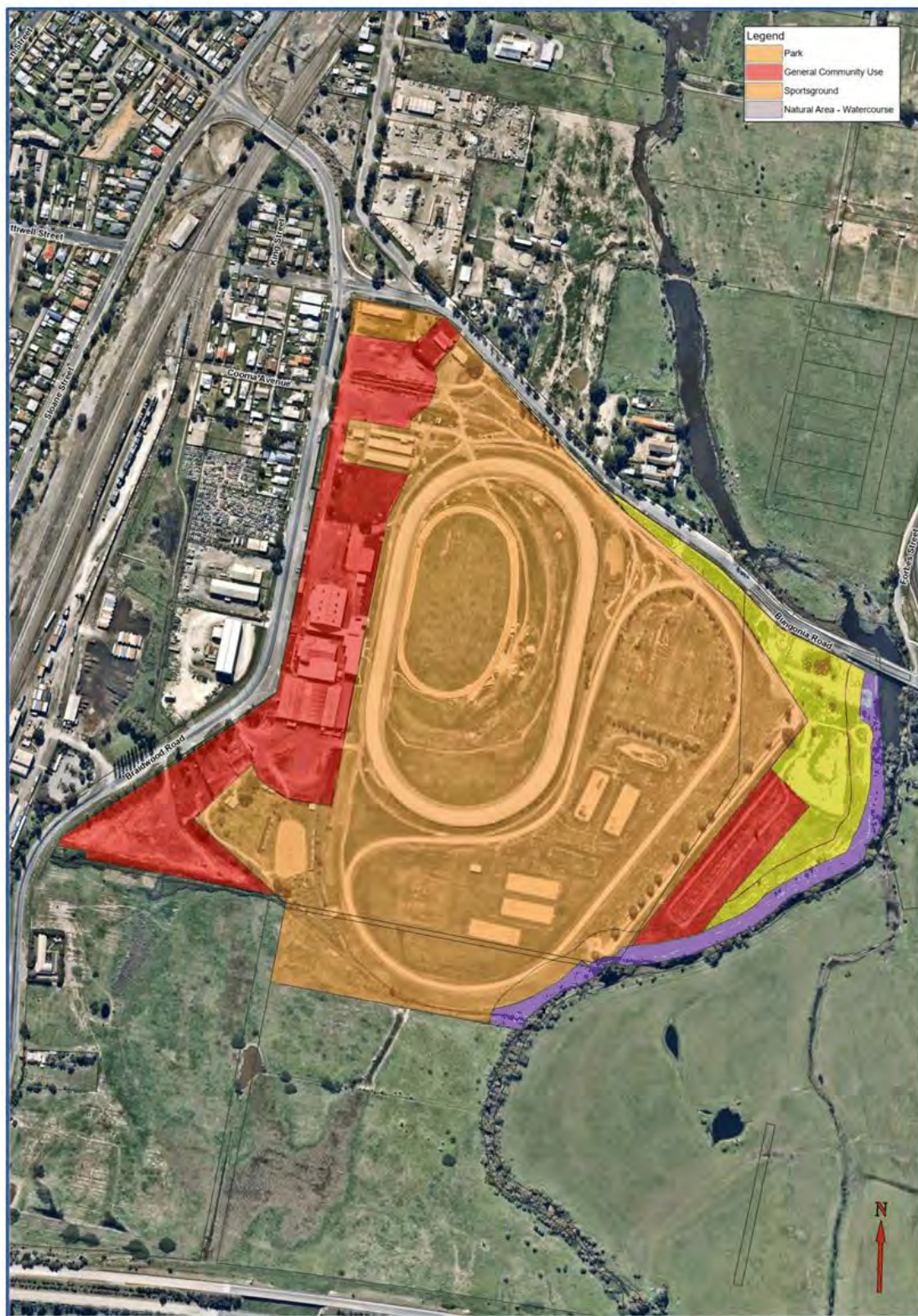


Figure 4: Community land categories for the Goulburn Recreation Area

### 3. Relevant legislation, policies and procedures

#### 3.1. Local Government Act 1993

Section 35 of the LG Act provides that community land can only be used in accordance with:

- the plan of management applying to that area of community land;
- any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land; and
- the provisions of Division 2 of Chapter 6 of the Act.

Section 36 of the Act provides that a plan of management for community land must identify the following:

- a) the category of the land;
- b) the objectives and performance targets of the plan with respect to the land;
- c) the means by which the council proposes to achieve the plan's objectives and performance targets; and
- d) the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets;

and may require the prior approval of the council to the carrying out of any specified activity on the land.

A plan of management that applies to just one area of community land:

- a) must include a description of:
  - (i) the condition of the land, and of any buildings or other improvements on the land, as at the date of adoption of the plan of management;
  - (ii) the use of the land and any such buildings or improvements as at that date; and
- b) must:
  - (i) specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used;
  - (ii) specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise; and
  - (iii) describe the scale and intensity of any such permitted use or development.

Land is to be categorised as one or more of the following:

- a) a natural area;
- b) a sportsground;
- c) a park;
- d) an area of cultural significance; or
- e) general community use.

Land that is categorised as a natural area is to be further categorised as one or more of the following:

- a) bushland;
- b) wetland;
- c) escarpment;
- d) watercourse;
- e) foreshore; or
- f) a category prescribed by the regulations.

### **3.2. Crown Land Management Act 2016**

Crown land is governed by the *Crown Land Management Act 2016* (CLM Act), which provides a framework for the state government, local councils and members of the community to work together to provide care, control and management of Crown reserves.

Under the CLM Act, councils manage Crown land as if it were public land under the LG Act. However, it must still be managed in accordance with the purpose of the land, and cannot be used for an activity incompatible with its purpose—for example, Crown land assigned the purpose of ‘environmental protection’ cannot be used in a way that compromises its environmental integrity.

Councils must also manage Crown land in accordance with the principles of Crown land management outlined in the CLM Act. The principles are the key values that guide Crown land management to benefit the community and to ensure that Crown land is managed for sustainable, multiple uses.

#### **Principles of Crown land management**

- Environmental protection principles are to be observed in the management and administration of Crown land.
- The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) will be conserved wherever possible.
- Public use and enjoyment of appropriate Crown land are to be encouraged.
- Where appropriate, multiple uses of Crown land should be encouraged.
- Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained.
- Crown land is to be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the state of NSW, consistent with the above principles.

### **3.3. Other relevant legislation and statutory controls**

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

The *Environmental Planning and Assessment Act 1979* (EP&A Act) provides the framework for planning and development across NSW and guides environmental planning instruments that provide a basis for development control.

The EP&A Act ensures that effects on the natural environment, along with social and economic factors, are considered by the council when granting approval for or undertaking works, developments or activities.

This Act is also the enabling legislation for planning policies that may have a direct influence on open space management. On a state-wide level there are State Environmental Planning Policies (SEPPs). On a regional level there are Regional Environmental Plans (REPs). On a local level there are Local Environmental Plans (LEPs), as well as Development Control Plans (DCPs).

#### **Goulburn Mulwaree Local Environmental Plan 2009 (LEP)**

The GRA is zoned RE1 Public Recreation under the Goulburn Mulwaree Local Environmental Plan (LEP) 2009 (Map sheets 001D and 001E).

The RE 1 zone objectives and permissible uses under the LEP are:

The zoning of the land fits the current uses of the land for showground, racecourse, recreation,

<p><b>Objectives of zone</b></p> <ul style="list-style-type: none"> <li>• To enable land to be used for public open space or recreational purposes.</li> <li>• To provide a range of recreational settings and activities and compatible land uses.</li> <li>• To protect and enhance the natural environment for recreational purposes.</li> </ul>
<p><b>Permitted without consent</b></p> <p>Environmental facilities; Environmental protection works; Roads.</p>
<p><b>Permitted with consent</b></p> <p>Aquaculture; Building identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Emergency services facilities; Entertainment facilities; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Water recreation structures.</p>
<p><b>Prohibited</b></p> <p>Any development not specified in item 2 or 3.</p>

entertainment, sports, camping/caravan and community uses. Future development will need to fall into one of the listed - Permitted with consent - uses set out in the LEP.

In the GRA, development is also subject to the heritage and flooding controls of the LEP.

### Heritage

There are no heritage items nor a heritage conservation area on the land. However, development within the vicinity of a heritage item or a heritage conservation area must take into consideration its potential impact on the significance of the item or conservation area.

There are three heritage items and the Goulburn City Heritage Conservation Area (General) located opposite the GRA on Bungonia Road (See map sheet 001DF).

The heritage items are listed as:

Item	Address	RP Identifier	Status
Lansdowne Bridge, Timber Truss Bridge	Bungonia Road	Mulwaree River	Local Item
Dwelling, "Broughton", Goulburn Brewery	3-21 and 23 Bungonia Road	Lot 4, DP 717606; Lots 3-8, Sec 1, DP 979593; Lots 1-2, DP 770671; Lots 2-3, DP 67346	Local; State Item
"Lansdowne" (c 1830)	33 Bungonia Road	Lot 1, DP 598475	State Item

Of the 3 heritage items future development on the GRA will need to consider only 2 of these as the Lansdowne timber truss bridge was replaced with a new concrete bridge in 2019 and will eventually be removed from the LEP heritage schedule as it has been demolished.

**Flooding**

The GRA is bounded by the Mulwaree River to the south east and the whole site is mapped as a flood planning area in the LEP.

Development consent is required for development on the land and must consider Clause 7.1 Flood planning of the LEP.

<p><b>Clause 7.1 Flood planning</b></p> <p>The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> <li>• to maintain the existing flood regime and flow conveyance capacity,</li> <li>• to enable safe occupation and evacuation of land subject to flooding,</li> <li>• to avoid significant adverse impacts on flood behaviour,</li> <li>• to avoid significant effects on the environment that would cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses,</li> <li>• to limit uses to those compatible with flow conveyance function and flood hazard.</li> </ul>
<p>This clause applies to land identified as “Flood Planning Area” on the Flood Planning Map.</p>
<p>Development consent is required for any development on land to which this clause applies.</p>
<p>Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development will not—</p> <ul style="list-style-type: none"> <li>• adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, or</li> <li>• significantly alter flow distributions and velocities to the detriment of other properties or the environment of the floodplain, or</li> <li>• affect the safe occupation or evacuation of the land, or</li> <li>• significantly detrimentally affect the floodplain environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses, or</li> <li>• be likely to result in unsustainable social and economic costs to the community as a consequence of flooding, or</li> <li>• if located in a floodway—             <ul style="list-style-type: none"> <li>○ be incompatible with the flow conveyance function of the floodway, or</li> <li>○ cause or increase a flood hazard in the floodway.</li> </ul> </li> </ul>

At this time, there are no other development restrictions or consideration imposed on the land under the Goulburn Mulwaree LEP 2009.

Future development will need to also consider the specific provisions of the Goulburn Mulwaree DCP 2009 which is a detailed guiding document.

This Plan of Management is to be used in conjunction with the relevant Council plans, policies and procedures that govern the use and management of community land and any facilities located on the land.

Additional Council policies, plans and strategies adopted after the date of this plan that have relevance to the planning, use and management of community land will apply as though they were in force at the date of adoption of the Plan of Management.

***Aboriginal Land Rights Act 1983***

The *Aboriginal Land Rights Act 1983* (ALR Act) is important legislation that recognises the rights of Aboriginal people in NSW. It recognises the need of Aboriginal people for land and acknowledges that land for Aboriginal people in the past was progressively reduced without compensation. Crown land meeting certain criteria may be granted to an Aboriginal Land Council. This Act may affect dealings with Crown land that is potentially claimable.

***National Parks and Wildlife Act 1974***

Statutory responsibilities on the council arising from this Act specifically relate to the protection of sites of pre- and post-European contact archaeological significance and the protection of native flora and fauna. This Act may affect community land categorised as of cultural significance, as a natural area or park.

***Biodiversity Conservation Act 2016***

This Act covers conservation of threatened species, populations and ecological communities, and relates to community land categorised as natural area.

***Noxious Weeds Act 1993***

Certain weeds are declared noxious under the *Noxious Weeds Act 1993*. The Act prescribes categories to which the weeds are assigned, and these control categories identify the course of action that needs to be carried out on the weeds. A weed may be declared noxious in part or all of the state.

***Rural Fires Act 1997***

This Act contains provisions for bushfire risk management and the establishment of a Bushfire Management Committee. It also includes direction on development in bushfire- prone lands.

***Water Management Act 2000***

This Act is based on the concept of ecologically sustainable development, and its objective is to provide for the sustainable and integrated management of the water sources of the state for the benefit of both present and future generations. The Act recognises:

- the fundamental health of our rivers and groundwater systems and associated wetlands, floodplains, estuaries has to be protected;
- the management of water must be integrated with other natural resources such as vegetation, native fauna, soils and land;
- to be properly effective, water management must be a shared responsibility between the government and the community;
- water management decisions must involve consideration of environmental, social, economic, cultural and heritage aspects;
- social and economic benefits to the state will result from the sustainable and efficient use of water.

***Heritage Act 1977***

This Act contains provisions for the conservation of items of heritage and may relate to community land categorised as cultural significance or natural area.



***Telecommunications Act 1997 (Commonwealth)***

This Act provides for telecommunication facilities being permitted on community land without authorisation in a PoM.

***State Environmental Planning Policy (Infrastructure) 2007***

This planning policy lists development allowed with consent or without consent on community land.

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

This aims to protect quality of surface water and the ecosystems that depend on it and requires that any development would have a neutral or beneficial effect on water quality.

***State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017***

This policy deals with clearing of native vegetation in urban areas and on land zoned for a specific use including public recreation (RE1) which applies to the GRA.

***Other relevant legislation, policies and plans***

*Biosecurity Act 2015*

*Catchment Management Authorities Act 2003*

*Companion Animals Act 1998*

*Disability Discrimination Act 1992*

*Environmental Protection and Biodiversity Conservation Management Act 1999 (Cwlth)*

*Fisheries Management Act 1994*

*Local Land Services Act 2013*

*Operations Act 1997*

*Pesticides Act 1999*

*Protection of the Environment Operations Act 1997*

*Retail Leases Act 1994*

*Waste Minimisation Act 1995*

NSW Invasive Species Plan 2008–2015

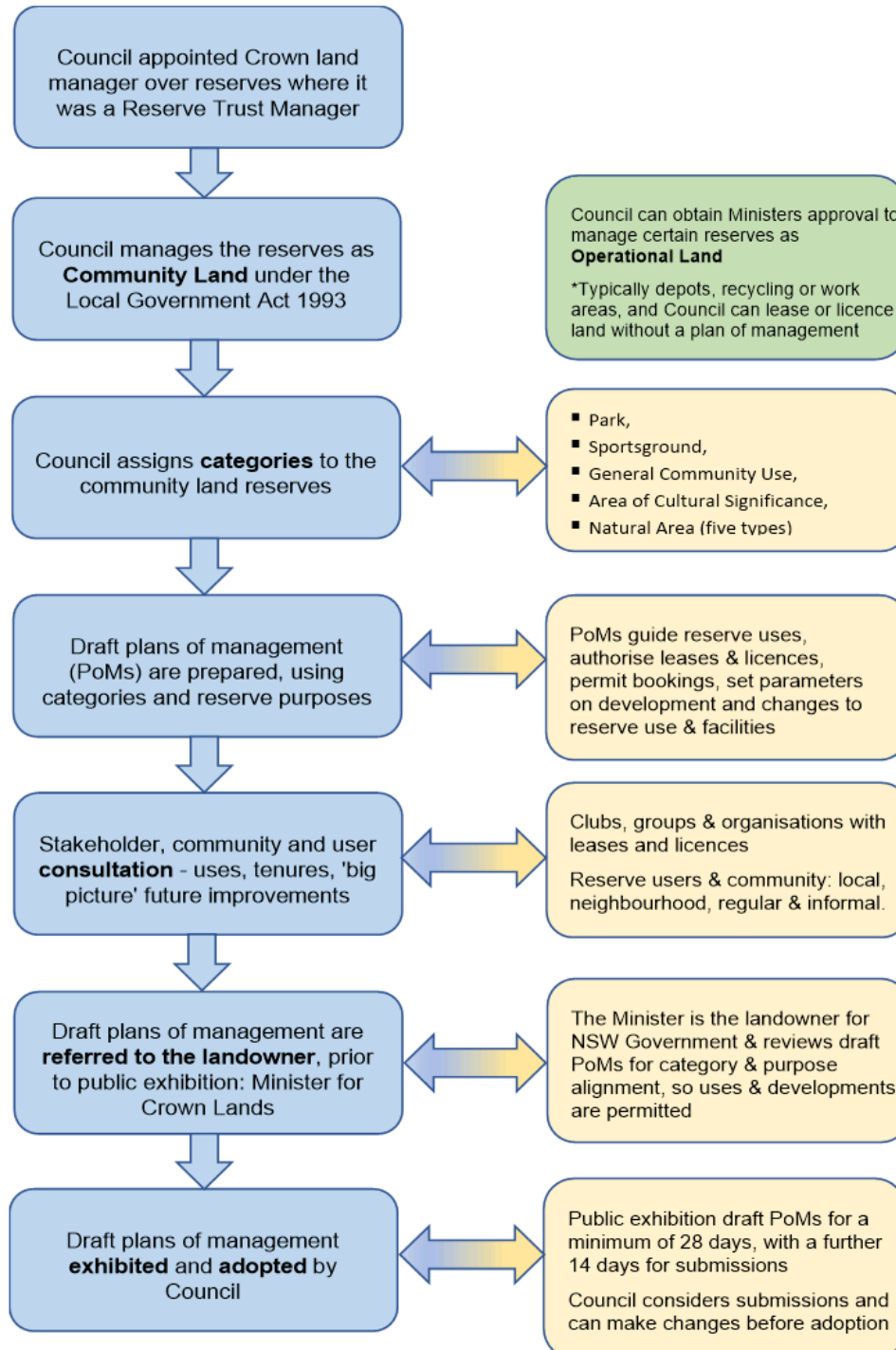
National Local Government Biodiversity Strategy

NSW Biodiversity Strategy

The NSW State Government's Flood Prone Land Policy

### 3.4. Process of preparing this plan of management

Figure 4 below illustrates the process of preparing this PoM.



### 3.5. Plan of Management administration and management

This PoM will require regular review in order to align with community values and changing community needs, and to reflect changes in council priorities. Typically, PoMs are updated every five years, with a more comprehensive re-write after ten years.

The performance of this PoM will be reviewed on a regular basis to ensure that community land is well maintained and provides a safe environment for public enjoyment.

Council should regularly monitor and evaluate the progress of the implementation and review the performance targets, means of achievement and method of assessment annually. The appendices to this PoM may be updated from time to time, reflecting significant changes to the condition of the land, uses or facility provision.

### 3.6. Community consultation

Community consultation and input is important to ensure a PoM meets the needs of the local community and takes place after input from the minister as landowner for the Crown. It also encourages an appreciation of the council's aims for management of public land.

Before a PoM can be adopted by the council, it must be placed on public exhibition for at least 28 days. The period in which written submissions can be received must be at least 42 days from the first day of public exhibition.

A draft PoM must also refer to any landowner, other than council, prior to public exhibition. Council must include in the draft plan any provisions that may properly be required by the person who owns or controls the land. In the case of Crown reserves managed by council, the owner is the state of NSW, which is represented by the minister administering the CLM Act. The minister's portfolio department will review the draft PoM to ensure that the document meets the guidelines and requirements as set out by government.

In addition, a public hearing must be held, in accordance with the requirements of Sections 40(A) and 47(G) of the LG Act, if community land is intended to be either categorised or re-categorised.

The Goulburn Recreation Area is a significant open space, recreation, cultural and social resource catering to a wide range of local, regional and state activities. These uses include harness racing, greyhound racing, showground and Show Society groups, indoor netball and basketball stadiums, rodeo and other equestrian or animal training activities.

On 8 July 2020, stakeholder engagement was held with 14 key user and representative groups of the GRA, including members of Council's Committee of Management, to inform the preparation of the draft PoM. These focus group sessions were limited in number and duration to comply with (then) COVID 19 restrictions.

Each session explored the importance and value of the reserve, what improvements (big picture) could be made, what issues exist and potential solutions, to confirm existing and future uses and document desired future outcomes. The outcomes of this early engagement have been incorporated into this draft PoM.

A list of the stakeholder consultation attendees is at **Appendix C**.

## 4. Development and Use

### 4.1. Overview

Council is responsible for the management of the GRA and resources this management through:

- administration and bookings staff based at the GRA (Veolia Arena) offices;
- dedicated maintenance and operations staff including parks and reserves operational teams;
- licensee maintenance responsibilities set out in licence user agreements; and
- advice to Council on management, operations, and maintenance through a LG Act Section 355 Committee of Management.

Council provides funding for the upkeep and development of the GRA through consolidated revenue allocations in Council's Operational Plan and associated budgets, use of GRA revenues, grant funding and capital developments using sponsorship and partner funding.

Council has specifically allocated a total of \$212,000 funds, sourced through revenue, through its Operational and Delivery Plan – Four Year Capital Works Program 2020/21-2023/24 for capital works. 2020/21 includes \$12,000 to reseal Veolia Arena floors, and there is a \$50,000 allocation for each of the four years in the plan to undertake GRA improvements.

Licensees and user groups allocate volunteer and organisational resources and funds to develop and maintenance their lease/license areas and structures.

### 4.2. Condition of the land and structures on adoption of the plan

The LG Act S3A states that a plan of management that applies to just one area of community land must include a description of the condition of the land, and of any buildings or other improvements on the land, as at the date of adoption of the plan of management, and the use of the land and any such buildings or improvements as at that date

The land in the General Community Use and Sportsground category areas has been built upon with fixed assets or levelled for use as a race and training tracks, showground and recreation area with the south-western portion being built up above flood lines. The land around built assets is generally hard surface, e.g: roads, car parking with a network of bitumen and packed gravel roads.

Open space land predominately in the Park category areas is grass that is routinely slashed and maintained. The Natural Area – Watercourse category land is a riverine corridor to the Mulwaree River with a slope to the river, fencing, is generally unmanaged with a mix of exotic and original/remnant vegetation.

In general, the showground fixed assets are in good condition and comprise new (Veolia & Grace Millsom) and older pavilion & brick buildings. There is a range of building construction types, with both timber and steel frames being commonly used with concrete flooring in the pavilions and timber or sprung floors in the sports arenas. Due to the range of ages of the buildings and infrastructure, surface corrosion of steel surfaces and minor damage to steel structures and sheeting is present.

Minor degradation of timber structures and exterior surfaces due to weathering/age has occurred. A range of other minor defects were observed including concrete cracking, cracked masonry and missing mortar, and cracked tiling.

A detailed Condition and Use description table is in **Appendix D**.

### 4.3. Use of the land and structures at the date of adoption of the plan

The GRA land and facilities provide a diverse range of sporting, social, cultural, industry, community and private uses and benefits. The range of user groups or activity types in 2019 is extensive:

- Greyhound Racing -meets, races, training, kennelling, etc;
- Harness Racing – meets, races, training, stabling, etc;
- Hockey – Festival, Indoor Hockey - Masters, State championships, regular competition, training;
- Basketball – State League, summer competitions, PSSA/SESA, training, camps;
- Netball – Regional & regular competition, training, camps, coaching;
- Rodeo;
- Goulburn Show;
- Equine sport – dressage, rodeo;
- Dog training and shows;
- Animal and bird interests: poultry/fowl exhibitions & sales, pigeon exhibitions and racing;
- Trade and goods shows, Markets, swap meet, sales, fundraising;
- Minor sports – badminton, wheelchairs basketball.
- Breast screen van and health;
- Birthdays, club dinners, family events, private functions, Christmas parties;
- Concerts and festivals;
- Events and festivals: formal dinners, examples: Rose Festival, Lilac Ball, ComicCon, Pictures & Popcorn, Steampunk Festival.



### 2019 Events and Attendances

Events and attendances have grown over the immediate past with increasing uses and activities coupled with improved facilities with opportunity for larger and more diverse events and uses.

See **Appendix E** for 2018-2019 attendance/use that shows total attendances at the grounds in 2019, compared to 2018. Total attendances for 2019 were significantly higher than 2018 with 144,107 attendees in 2019.

There were 252 major and irregular events that required Council resources, with total facility bookings for 2019 being 1,425.

The hours of use of the entire, or areas within the GRA is collated into activity hours in Figure in **Appendix E**, showing four main sporting uses dominant: greyhound and harness racing, basketball and indoor hockey.

The GRA received extensive use for the Goulburn Agricultural Show, events, festivals, community and private celebrations, concerts and conventions, trade or special interest shows, other agricultural and sporting activities, society and sales uses.

The 12 most frequently used areas (by hours booked) are, in decreasing order of use:

- Veolia Arena and Courts;
- Goulburn Basketball Stadium;
- Peden Pavilion and Skillion;
- Greyhound Track;
- Dog Obedience Area;
- Grace Millsom Centre - function & meeting rooms;
- Showman's Guild Parking;
- Sideshow Alley and Car Park;
- Jockeys Room Meetings;
- Harness Track;
- Day Stables;
- Area H and J;
- Poultry Pavilion.



## 5. Basis for Management

### 5.1. Values

The four pillars of the Regional Community Strategy provide the framework for the management of the GRA and its future direction as a community resource contributing to building and maintaining sustainable communities.

Strategic Pillar	How
<p><b>Environment</b> - We appreciate our range of rural landscapes and habitats, and act as custodians of the natural environment for future generations.</p>	<p>The area along the Mulwaree River is identified as Natural Area – Watercourse.</p> <p>The open rural landscape character of the grounds is maintained.</p>
<p><b>Economy</b> - We have a strong regional economy experiencing sustainable growth, which provides for a diverse range of employment opportunities.</p>	<p>The activities and events at the GRA promote visitation and bring business into the City and region.</p>
<p><b>Community</b> - We are a network of vibrant, inclusive and diverse communities that value our cooperative spirit, self-sufficiency, and rural lifestyle.</p>	<p>The interest groups and users of the GRA are diverse, invested in the GRA and cooperative. Volunteerism is strong.</p>
<p><b>Infrastructure</b> - Our community is well serviced and connected to built, social and communications infrastructure.</p>	<p>The facilities are of high quality, support multiple uses and are located close to the town. The efficient and effective use of the land will support its sustainable use.</p>
<p><b>Civic Leadership</b> - Our leaders operate ethically and implement good governance. We empower our residents with the tools to participate actively in the development of our communities.</p>	<p>Council actively supports the GRA through resourcing and funding.</p>

Early consultation with user groups helped to identify the **Value of the Goulburn Recreation Area** to the community.

The Goulburn Recreation Area is valued:

- as a multi-use facility providing benefits to the local community, sporting industry groups, cultural event attendees and recreational users;
- for the quality and distinctive dedicated-use facilities and supporting infrastructure enabling sports, racing, cultural events, community, family gatherings and private or formal city functions;
- for its large size, flexible open spaces, its accessible City location with high quality facilities and capacity for greater use;
- as a meeting place, bringing people and groups together, to share, learn and support each other through fund-raising, shared events and experiences, and organised sports and recreation;

- for the significant economic, social and health benefits it brings to the City and region through its local, district, regional and State activity and event opportunities;
- because its key assets are generally only available at the GRA;
- the comparative quality, distribution and longevity of assets is valued by user groups for the security of tenure, e.g. licensing, and the support of infrastructure such as car parking;
- for its availability to provide safe and reliable emergency services and refuge, as well as being an important central services distribution and welfare point; and
- due to the ease of dealing with Council through the dedicated staff resources and centralised booking and administration systems in place.





## 6. Categories of land

### 6.1. Introduction

The GRA is assigned four community land categories: Park, Sportsground, General Community Use and Natural Area – Watercourse (See **Figure 4**).

This section deals specifically with the categories of Park, Sportsground and General Community Use. The Natural Area – Watercourse is a narrow strip of land along the Mulwaree River, distinctive in its boundary location, uses and future developments and is separately addressed in Section 8.

### 6.2. Core objectives

The management of community land is governed by the categorisation of the land, its purpose, and the core objectives of the category.

Park, Sportsgrounds and General Community use are defined in LG Regulation 103 as:

Category	Core Objectives
<p><b>Park</b> <u>LG Regulation 102</u> Land which is improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that do not intrude on the peaceful enjoyment of the land by others.</p>	<p><u>LG Act Section 36G</u> Encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities Provide for passive recreational activities or pastimes and for the casual playing of games Improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.</p>
<p><b>Sportsground</b> <u>LG Regulation 103</u> Land used primarily for active recreation involving organised sports or playing outdoor games.</p>	<p><u>LG Act Section 36F</u> Encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games Ensure that such activities are managed having regard to any adverse impact on nearby residences.</p>
<p><b>General Community Use</b> <u>LG Regulation 106</u> Land that may be made available for use for any purpose for which community land may be used, and does not satisfy the definition of natural area,</p>	<p><u>LG Act Section 36I</u> Promote, encourage and provide for the use of the land Provide facilities on the land, to meet the current and future needs of the local community and of the wider public:</p> <ul style="list-style-type: none"> <li>• in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and</li> </ul>

Category	Core Objectives
sportsground, park or area of cultural significance.	<ul style="list-style-type: none"> <li>in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).</li> </ul>

### 6.3. Permitted use and future use

Section 36(3A) (b) requires that a site-specific PoM must:

- specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used
- specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise
- describe the scale and intensity of any such permitted use or development.

Section 68, Part D, of the LG Act requires council to issue approvals for certain activities on community land. Authorised permissible uses and permitted developments are required to be consistent with the Crown reserve purposes and the core objectives of the categories assigned to the land.

The use and development of community land should be compatible with the legislated purpose of the land and the wider community context.

Council encourages a wide range of uses of community land and intends to facilitate uses and encourage a broad range of activities that increase the access and improvement of opportunities on the land.

The use of community land is often supported by appropriate ancillary development such as playground equipment, amenity blocks or food kiosks. The general types of uses that may occur on community land and the forms of development generally associated with those uses, are set out in **Table 1** below. The facilities on community land may change over time, reflecting the needs of the community.

The anticipated uses and associated development identified in the table are intended to provide a general guide. The terminology used is not intended to impose an exact meaning. For example, a reference to 'football' includes any variations of that game.

It is anticipated that demand for activities and uses may develop, and others increase or decrease in popularity. If this occurs, then some community land may be modified to facilitate the changing forms of 'active recreation', sports or community uses enjoyed by the community.

**Table 1** specifies the authorised permissible uses and activities, as well as developments for which the land, and any such buildings or improvements, that may be undertaken in the Park, Sportsground and General Community Use category areas, by Council, or lessees or licensees consistent with their user agreements, following Council assessment, approvals and any booking or hire arrangements established by, or with the agreement of Council.

The scale and intensity of these permissible uses and developments will be determined in context with this plan of management, Council assessment and development approvals, leasing and licensing that are consistent with the reserve purposes, category core objectives and any identified carrying capacity of the proposed site or locations.

**Table 1 - Permissible Uses and Developments across category areas: subject to Council assessment, approvals and booking/hire systems.**

**General – for all three category areas, Park, Sportsground and General Community Use:**

Uses and Activities	Developments
<ul style="list-style-type: none"> <li>• Organised and unstructured recreation and sporting activities</li> <li>• Community events and gatherings</li> <li>• Group recreational use, such as picnics and private celebrations</li> <li>• Festivals, parades, markets, fairs, exhibitions and similar events and gatherings</li> <li>• Filming and photographic projects</li> <li>• Providing a location for, and supporting, the gathering of groups for a range of social, cultural or recreational purposes.</li> <li>• Casual or informal recreation</li> <li>• Meetings (including for social, recreational, educational or cultural purposes)</li> <li>• Concerts, including all musical genres</li> <li>• Performances (including film and stage)</li> <li>• Exhibitions</li> <li>• Fairs and parades</li> <li>• Leisure or training classes</li> <li>• Entertainment facilities</li> </ul>	<ul style="list-style-type: none"> <li>• Development of outdoor and indoor facilities to facilitate the permissible uses and activities.</li> <li>• Development for the purposes of improving access, amenity and the visual character of the land, for example paths, public art, pergolas</li> <li>• Change room/locker areas</li> <li>• Shower/toilet facilities</li> <li>• Kiosk/café facilities and uses</li> <li>• Car parking and loading areas</li> <li>• Ancillary areas (staff rooms, meeting rooms, recording rooms, equipment storage areas)</li> <li>• Shade structures</li> <li>• Storage ancillary to sporting and recreational uses, community events or gatherings, and public meetings</li> <li>• Provision of amenities to facilitate use and enjoyment of the community land including seating, change rooms, toilets, storage, first aid areas</li> <li>• Heritage and cultural interpretation, e.g. signs</li> <li>• Equipment sales/hire areas</li> <li>• Meeting rooms/staff areas</li> <li>• Amenities to facilitate the safe use and enjoyment of the park, for example picnic tables, BBQs, sheltered seating areas</li> <li>• Café or refreshment areas (kiosks/restaurants) including external seating</li> <li>• Lighting, paved areas, hard and soft landscaped areas</li> <li>• Advertising structures and signage (such as A-frames and banners) that:                         <ul style="list-style-type: none"> <li>○ relate to approved uses/activities</li> <li>○ are discreet and temporary</li> <li>○ are approved by the council</li> </ul> </li> <li>• Water-saving initiatives such as stormwater harvesting, rain gardens and swales</li> <li>• Energy-saving initiatives such as solar lights and solar panels</li> <li>• Locational, directional and regulatory signage</li> </ul>

**Additional Specific Category Permissible Purposes, Uses and Developments - Sportsground**

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> <li>• Active and passive recreational and sporting activities compatible with the nature of the land and any relevant facilities</li> <li>• Commercial uses associated with sports facilities</li> </ul>	<ul style="list-style-type: none"> <li>• Development for the purpose of conducting and facilitating organised sport (both amateur and professional), for example:                             <ul style="list-style-type: none"> <li>▪ Sports field (cricket, football, track and field athletics, baseball, softball)</li> <li>▪ Marked court (basketball, volleyball, badminton, tennis, hockey, netball etc.)</li> </ul> </li> <li>• Development for the purpose of racecourses e.g Harness and Greyhound</li> <li>• Professional rooms associated with the reserve purposes for hire</li> <li>• Facilities for sports training</li> <li>• Stabling for animals</li> <li>• Compatible, small scale commercial uses, e.g. sports tuition, animal welfare and health</li> </ul>

**Additional Specific Category Permissible Purposes, Uses and Developments - Park**

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> <li>• Active and passive recreation including children’s play and cycling</li> <li>• Eating and drinking in a relaxed setting</li> <li>• Publicly accessible ancillary areas, such as toilets</li> <li>• Low-intensity commercial activities (for example recreational equipment hire)</li> <li>• Busking</li> <li>• Public address (speeches)</li> <li>• Community gardening</li> </ul>	<ul style="list-style-type: none"> <li>• Development for the purposes of active recreation such as play equipment, exercise equipment, bike racks, half-court basketball courts, bocce courts</li> <li>• Commercial development that is sympathetic to and supports use in the area, for example hire of recreation equipment</li> </ul>

**Additional Specific Category Permissible Purposes, Uses and Developments - General Community Use**

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> <li>• Providing multi-purpose buildings for a range of mixed use options including indoor sports and community use venues.</li> <li>• Commercial uses associated with reserve purposes, community or agricultural services.</li> </ul>	<ul style="list-style-type: none"> <li>• Development for the purposes of social, community, cultural and recreational activities, such as mixed use indoor sports and community use venues, show facilities, community use facilities, men’s sheds.</li> <li>• Small scale commercial uses compatible with reserve purposes, community or agricultural services.</li> <li>• Development includes:</li> </ul>

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> <li>• Specialised community uses such as:                             <ul style="list-style-type: none"> <li>○ functions</li> <li>○ workshops</li> <li>○ childcare (for example, before and after school care, vacation care)</li> <li>○ designated group use (e.g. scout and girl guide use)</li> </ul> </li> <li>• Educational centres, including information and resource centres.</li> <li>• Caravan parks and camping grounds.</li> </ul>	<ul style="list-style-type: none"> <li>○ provision of buildings or other amenity areas to facilitate use and enjoyment by the community</li> <li>○ development (particularly within buildings) for the purposes of addressing the needs of a particular group (for example, a stage)</li> <li>○ provision of buildings for animal welfare and health</li> </ul>

### 6.4. Leases and licences and other estates

The LG Act requires that any lease, licence or other estates over community land must be expressly authorised by a PoM.

The term ‘other estates’ includes other interests, charges, rights or titles in relation to the land (an example is easements). The CLM Act therefore requires that where a council is performing ongoing works on Crown land it must ask the minister responsible for the CLM Act to create an easement for access. The minister must grant the easement if satisfied that it is appropriate to do so.

The lease or licence must be for uses consistent with the reserve purpose(s), the assigned categorisation and zoning of the land, be in the best interests of the community as a whole, and enable, wherever possible, shared use of community land. Express authorisation is provided for the purposes listed in the tables under each category. Note, they are examples only, and are not exhaustive.

The council may grant a lease, licence or other estate over community land to organisations and persons, community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities.

Any lease or licence proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM and the capacity of the community land itself and the local area to support the activity.

#### Leases

A lease is a contract between a landowner, and another entity, granting that entity a right to occupy an area for a specified period of time. For example, a childcare operator may need exclusive occupation and control of a childcare centre.

Subleases are only allowable for the same purpose as the original lease, except for a handful of exceptions listed in cl.26, *Local Government (General) Regulation 2005*.

#### Licences

A licence provides a clear way of identifying a permitted activity on community land.

Licences may be granted to formally recognise and endorse shared use—for example, an outdoor seating area adjoining a café may be used by the café at some periods, but not all the time. Licences are commonly used for sports facilities such as club houses.

### **What is the difference between a lease and a licence?**

The main difference between a lease and licence is that a licence does not permit the sole, or exclusive, use of the area.

Leases and licences also vary widely in scope and duration. For example, a sporting club may have a licence over a clubhouse for a season (a few months), while a lease over a showground may be for a duration of 21 years. However, under section 47(5) of the LG Act, a council may make an application for consent from the Minister for Local Government for a lease up to a maximum period of 30 years.

### **Short-term licences**

There are specific limitations on short-term licensing under Clause 116 of the *Local Government (General) Regulation 2005*.

Short-term licences and bookings may be used to allow the council to program different uses of community land at different times, allowing the best overall use.

Fees for short-term casual bookings will be charged in accordance with the council's adopted fees and charges at the time.

### **Native Title and Aboriginal Land Rights**

When planning to grant a lease or licence, the council must comply with the requirements of the Commonwealth *Native Title Act 1993* (NT Act) and have regard for any existing claims made on the land under the NSW *Aboriginal Land Rights Act 1983*.

The CLM Act requires native title managers to provide written advice to the Council Crown land manager when the Council Manager intends to perform one of the following functions in relation to the Crown land it manages or owns:

- grant leases, licences, permits, forestry rights, easements or rights of way;
- mortgage the land or allow it to be mortgaged;
- impose, require or agree to (or remove or release, or agree to remove or release) covenants, conditions or other restrictions on use in connection with dealings involving the land, or
- approve (or submit for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to above.

Native Title rights must be assumed to remain in existence if the relevant land is not 'excluded land' under the *Crown Land Management Act 2016*, because native title rights have not been:

- extinguished by Native Title Tribunal Determination under the *Native Title Act 1993* (Cwlth); or
- surrendered through an Indigenous Land Use Agreement (ILUA); or
- protected under section 24FA of the *Native Title Act 1993* (Cwlth); or
- compulsorily acquired; and
- a native title certificate has not been issued under the *Crown Land Management Act 2016*.

### Future acts

Dealings in land or water that affect (impair or extinguish) native title are referred to as 'future acts' and these acts must be done in compliance with the NT Act. Granting a lease or licence over Crown land may be a future act.

Certain types of future acts can be validated under the NT Act. Where future acts are undertaken, native title claimants and holders are entitled to specific procedural and substantive rights. As such, the written advice of a native title manager is required. The advice must state that the act complies with the NT Act, and any necessary procedural requirements must be fulfilled prior to the act taking place.

### Current Occupancy Agreements

The current licences and user agreements are listed in **Appendix F**, and where renewal is required shall be considered by Council pending authorisation in the PoM and subject to *Local Government Act 1993* provisions for the granting of leases, licences and other estates, including time periods for agreements, tendering and not for profit groups and organisations.

Leases, Licences and other estates formalise the use of community land by groups; such as sporting clubs and non-profit organisations, or by commercial organisations and individuals providing facilities and services for public use. Activities should be compatible with the zoning and reservation purpose of the land and provide benefits and services for facilities to the users of the land.

Occupation of the land other than by lease, licence or other estate or for a permitted purpose listed in the *Local Government Regulation 2005* is prohibited.

The terms of the authorisation for a lease licence or other estate should include Native Title assessment and validation under the *Native Title Act 1993* and should include advice that the land is not subject to a claim under the *Aboriginal Land Rights Act 1983*.

The authorisation should ensure the proper management and maintenance of the land and the interests of Council and the public are protected. A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence or short term licence or hire agreement will be issued.

This PoM **expressly authorises** the issue of Leases, Licences and other Estates over the GRA, provided that:

- the purpose is consistent with the core objectives for the category of the land;
- the lease, licence or other estate is for a permitted purpose listed in the *Local Government Act 1993* or the *Local Government Regulation 2005*;
- the issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the *Native Title Act 1993*;
- the land is not subject to a claim under the *Aboriginal Land Rights Act 1983*;
- the lease, licence or other estate is granted and notified in accordance with the provisions of the *Local Government Act 1993* or the *Local Government Regulation 2005*;
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved;

Areas held under lease, licence or regular occupancy shall be maintained by the user.

The user will be responsible for maintenance and outgoings as defined in the lease or licence or agreement for use.

**Specific Category Authorised Leases, licences and other estates**

<b>Sportsground</b>	
<b>Type of tenure</b>	<b>Purpose for which tenure may be granted</b>
<ul style="list-style-type: none"> <li>Lease</li> </ul>	<ul style="list-style-type: none"> <li>kiosk, café, restaurant and refreshment purposes including seating and tables</li> <li>management of tracks and training areas, court or field and other facilities associated with the reserve purposes</li> <li>sporting uses developed/operated by a private operator</li> <li>commercial retail uses associated with the facility (e.g. sale or hire of sports goods)</li> <li>hire or sale of recreational equipment</li> </ul>
<ul style="list-style-type: none"> <li>Licence</li> </ul>	<ul style="list-style-type: none"> <li>Indoor and outdoor kiosk, café, restaurant and refreshment purposes including seating and tables</li> <li>management of tracks and training areas, court or field and other facilities associated with the reserve purposes</li> <li>hire or sale of recreational equipment</li> </ul>
<ul style="list-style-type: none"> <li>Short-term licence</li> </ul>	<ul style="list-style-type: none"> <li>sporting fixtures and events</li> <li>sports and fitness training and classes</li> <li>broadcasting or filming of sporting fixtures</li> <li>ancillary ceremonies (for example, rehearsal of opening and closing ceremonies, cheer squads, etc.)</li> <li>uses reasonably associated with the promotion or enhancement of sporting groups, fixtures and events (for example, "guest" events for juniors; gala days; club meetings)</li> <li>Shows and exhibitions</li> </ul>
Other estates	<p>This PoM allows the council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the LG Act.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on community land.</p>

<b>Park</b>	
<b>Type of tenure</b>	<b>Purpose for which tenure may be granted</b>
<ul style="list-style-type: none"> <li>Lease</li> </ul>	<ul style="list-style-type: none"> <li>café/kiosk areas, including seating and tables</li> <li>hire or sale of recreational equipment</li> </ul>
<ul style="list-style-type: none"> <li>Licence</li> </ul>	<ul style="list-style-type: none"> <li>outdoor café/kiosk seating and tables</li> <li>hire or sale of recreational equipment</li> </ul>
<ul style="list-style-type: none"> <li>Short-term licence</li> </ul>	<ul style="list-style-type: none"> <li>community events and festivals</li> <li>playing a musical instrument, or singing for fee or reward</li> <li>picnics and private celebrations such as weddings and family gatherings</li> <li>filming, including for cinema/television</li> </ul>



<b>Park</b>	
<b>Type of tenure</b>	<b>Purpose for which tenure may be granted</b>
	<ul style="list-style-type: none"> <li>• conducting a commercial photography session</li> <li>• public performances</li> <li>• engaging in an appropriate trade or business</li> <li>• delivering a public address</li> <li>• community events</li> <li>• fairs, markets, auctions and similar activities</li> </ul>
Other estates	<p>This PoM allows the council to grant ‘an estate’ over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the LG Act.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on community land.</p>

<b>General Community Use</b>	
<b>Type of tenure</b>	<b>Purpose for which tenure may be granted</b>
Lease	<ul style="list-style-type: none"> <li>• childcare or vacation care</li> <li>• health or medical practitioners associated with the relevant facility (for example, nutrition, physiotherapy)</li> <li>• educational purposes, including education classes, workshops</li> <li>• cultural purposes, including concerts, dramatic productions and galleries</li> <li>• recreational purposes, including fitness classes, dance classes and games</li> <li>• sporting uses developed/operated by a private operator</li> <li>• kiosk, café, restaurant and refreshment purposes including seating and tables</li> <li>• commercial retail uses associated with the facility</li> <li>• caravan parks and camping grounds</li> <li>• animal welfare and health</li> </ul>
Licence	<ul style="list-style-type: none"> <li>• social purposes (including childcare, vacation care)</li> <li>• educational purposes, including education classes, workshops</li> <li>• recreational purposes, including fitness classes, dance classes</li> <li>• café/kiosk areas and refreshment purposes including seating and tables</li> <li>• sale of goods or services that are ancillary to community land use and reserve purpose</li> <li>• animal welfare and health</li> </ul>
Short-term licence	<ul style="list-style-type: none"> <li>• public speeches, meetings, seminars and presentations, including educational programs</li> </ul>

<b>General Community Use</b>	
<b>Type of tenure</b>	<b>Purpose for which tenure may be granted</b>
	<ul style="list-style-type: none"> <li>• functions (including commemorative functions, book launches, film releases, balls, and similar activities)</li> <li>• displays, exhibitions, fairs, fashion parades and shows</li> <li>• events (including weddings, corporate functions, and community gatherings)</li> <li>• concerts and other performances, including both live performances and film (cinema and TV)</li> <li>• broadcasts associated with any event, concert, or public speech</li> <li>• engaging in an appropriate trade or business delivering a public address, community events; auctions, markets and similar activities</li> </ul>
Other estates	<p>This PoM allows the council to grant ‘an estate’ over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the LG Act.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on community land.</p>

## 7. Management framework for categories of Park, Sportsground and General Community Use

### 7.1. Introduction

The management of the GRA areas of Park, Sportsground and General Community Use is important to be undertaken in an integrated manner because of the distribution of the category areas and the interrelationships between use and development, as well as tenure agreements. This reliance on an integrated management directs the management framework to recognise the core objectives, permissible uses and development, and to ensure that the performance targets, means of achievement and method of assessment cover all three category areas.

The core objectives for each category (Park, Sportsground and General Community Use) are listed in section 6.

The permissible uses, developments and authorised lease and licences for each category (Park, Sportsground and General Community Use) are listed in section 6.

All works within the areas must consider Council's LEP, DCP and policies.

**Section 36 of the LG Act requires that a Plan of Management for community land details:**

- objectives and performance targets for the land
- the means by which the council proposes to achieve these objectives and performance targets
- the manner in which the council proposes to assess its performance in achieving the objectives and performance targets.

### 7.2 Performance targets, means and manner

Table 2 lists the key issues in the areas of:

- economy, development and growth;
- ownership and tenure;
- improved animal management;
- infrastructure and maintenance needs;
- improve facilities and amenities;
- safety and efficiency;
- environment and sustainable practices;
- access and circulation; and
- operational conflicts.

Objectives, performance targets, means of achievement and method of assessment for the land in categories of Park, Sportsground, and General Community use are detailed in **Table 2** in relation to the key issue areas.

Several overarching actions emerged from this process.

- Preparation of a land use/master plan to consolidate similar uses, guide investment and make efficient use of the land to support its effective functioning, appeal and growth.
- Improved connectivity and access around the grounds.
- Upgrade and retrofit of existing buildings to adapt to climate change risks, improve animal welfare and provide opportunity for wider uses.
- Additional indoor sporting arenas to respond to increasing demand.
- Lighting upgrade to enable night-time activities for both racecourses and other events.
- Need for new power source for the grounds as the current one is at capacity.

- Larger consolidated grants programs are coordinated and sought to implement asset improvements.

Underpinning these actions is the acknowledgement that the GRA is highly valued by the community and user groups as a multi-use flexible resource with capacity for growth.

**Table 2. Objectives and performance targets, means of achieving them and assessing achievement for the community land categories: Park, Sportsground and General Community Use**

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives and performance targets	s.36(3)(d) Manner of assessment of performance
<b>ECONOMY</b>			
<b>OUR COMMUNITY Strategy CO2</b> Encourage and facilitate active and creative participation in community life.			
Cater for growing event demand and provide high level of service to ensure repeat trade and event visitor growth.	Capitalise on the region's close proximity to Canberra and the convenient location of the GRA to host regional sporting, recreation and leisure events.	Provide high quality sporting facilities and event management.  Build another pavilion or extend the existing one.  Provide more indoor sports courts.  Attract and retain significant calendar events.	Forward plan for infrastructure, to cater for growing events and users, is prepared.  Bookings records analysis to demonstrate increased use of the indoor sports facilities, such as local and regional netball facilities and carnivals.  Annual user surveys to identify positive response from users.  Bookings records analysis to demonstrate the popularity of swap meets, boot sales and events and growth.  Annual tracking and analysis of amounts of money raised for charity.
Provide range of agricultural and animal services and activities.	Increase uses and grow equine and animal services.	Consolidate and improve the stables, stockyards and operational depot, including machinery shed.	A master plan is developed for the whole of the GRA to guide infrastructure funding and grants programs, as a priority action.  Consolidated resources and facilities to support an increase in equine and animal services.
Limited use of the centre ring and restricted access to it (across the	Provide suitable multi-use activity opportunities on less-	Investigate access and use options for the inner ring across the racing tracks at the same time as the proposed	A land use/master plan is developed for GRA to ensure the land is used in the most efficient and effective way to benefit a wide range of users.

<b>Management Issues</b>	s.36(3)(b) <b>Objectives and Performance Targets</b>	s.36(3)(c) <b>Means of achievement of objectives and performance targets</b>	s.36(3)(d) <b>Manner of assessment of performance</b>
Harness and Greyhound tracks).	used or under-utilised land areas.	demolition and upgrade to the greyhound tracks.	
Increased use of racetracks for evening or night meetings – harness and greyhounds.	Support night harness racing and greyhound racing as a viable future development with funding and industry support.	Implement greyhound racing club night lighting system with extended services for harness racing and increased grounds lighting.	Implement grant given for new lighting of tracks for greyhounds to benefit wider users of the grounds.  Develop a lighting plan for the harness racing track.  An integrated lighting plan is prepared for the grounds, in conjunction with electricity upgrade and alternative energy sources.
Site is under used.	Increase suitable multi-use activities across the grounds and particularly on less-used or under-utilised land areas.	Actively search for new events and users to bring to the facility.  Marketing campaign to bring bigger events to the GRA.  Improve signage identifying the grounds, its buildings and vehicular access points.  Improve aesthetic appeal and branding of the grounds and structures.  Develop a 'building design policy' to ensure the design and finish of buildings harmonise to create a pleasant and desirable place.	Development of marketing plan that considers existing distribution and location of buildings and facilities to consolidate activities in the most efficient manner to increase uses across the grounds.  Improved signage and way finding to increase the appeal and amenity of the grounds and its branding.  Prepare a 'design policy' along with the master plan to inform not only the location of buildings but the aesthetic appeal, visual effect and presentation of buildings and the site (including fencing & signage).

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives and performance targets	s.36(3)(d) Manner of assessment of performance
<b>OWNERSHIP AND TENURE</b>			
To ensure security of tenure for the users of the grounds	To ensure that ownership, tenure and permitted uses allow wide community access to the grounds and are mutually compatible.	All future leases and licenses comply with the requirements of the Local Government, Crown Land Management and Native Title Acts.	The number and type of leases or licenses issued for the grounds reviewed to ensure compliance.
Clarity needed between user rights and agreements so they can be implemented or enforced with confidence. Clearer licensing conditions needed.	Security of tenure and compliance with terms of use and occupancy.	Create summary documentation including maps and times for licensee information and booking systems. Establish transparent complaints and conflict resolution policy and procedures for licensees and booking systems.	Licence holder conditions and locations summary document prepared, distributed and used for information and signage. Development and implementation of policies and procedures for visitor complaints, user and occupant conflict resolution. Implement revised bookings system and administration to incorporate policies and procedures.
<b>IMPROVED ANIMAL MANAGEMENT</b>			
Race day stables cannot provide for all horses during the meet.	Adequate operational facilities for major race events. Protection of animals from natural elements at events.	Prepare a land use plan for relocation and improved stabling across the GRA.	Preparation and implementation of master plan for relocation, consolidation and improved stabling.
Horses are exposed to wind and sun at rodeo and during meets.	Adequate operational facilities for major race events.	Short-term improvement to shelter for animals. Prepare a land use plan for relocation and improved stabling across the GRA.	Short-term construction of shelter over stockyards and associated rodeo event animal holding. Preparation and implementation of master plan for relocation, consolidation and improved

<b>Management Issues</b>	s.36(3)(b) <b>Objectives and Performance Targets</b>	s.36(3)(c) <b>Means of achievement of objectives and performance targets</b>	s.36(3)(d) <b>Manner of assessment of performance</b>
	Protection of animals from natural elements at events.		stabling to include stockyards redevelopment with expansion and overhead cover, in conjunction with consolidated stabling and care facilities.
Cover the cattle yards to reduce heat impacts on animals.	Provide a high-quality multipurpose stock stabling facility and use for yearling sales (with improved grounds and stables).	Redevelop the stockyards to provide improved shelter for a range of animals.	Inclusion of stockyards in master plan for relocation, consolidation and improved stabling. Investigation of stockyards redevelopment with expansion and overhead cover, in conjunction with consolidated stabling and care facilities.
Temperature (heat in particular) within pavilions and impact on animals.	Adequate operational facilities for animals at show and sales events in pavilions.	Provide for heat extraction and increased flow through or flow out ventilation.	Design and installation of heat extraction or airflow movement to limit heat stress.
Need for a straight-line track for greyhound racing.	Provide straight track for greyhound racing to enable extra meetings and manage animal welfare.	Consider the Greyhound racing club proposal for straight line racetrack in light of potential adjacent land use and facility impacts.	Improvements are made to the greyhound competition track.
<p><b>INFRASTRUCTURE AND MAINTENANCE NEEDS</b>  <b>OUR INFRASTRUCTURE Strategy IN4</b>                      Maintain and update existing community facilities, and support the development of new community infrastructure as needed</p>			
Management of intense rainfall events.	Drainage infrastructure able to cope with wet weather.	Prepare and implement a drainage plan to reduce damage to Race Day grounds during periods of wet weather.	Interim and long term drainage options considered as part of the overall master plan for the grounds particularly where key assets are relocated and consolidated.



<b>Management Issues</b>	s.36(3)(b) <b>Objectives and Performance Targets</b>	s.36(3)(c) <b>Means of achievement of objectives and performance targets</b>	s.36(3)(d) <b>Manner of assessment of performance</b>
Flooding and drainage across the site.	Limits of environmental constraints incorporated into development opportunities and assessment.	Development assessment to incorporate flooding constraints into site controls.	Finalisation of flood management plan(s). Incorporation into localised or site-based assessment of project proposals at initial stages to reduce flooding impacts on assets.
The electricity supply to the GRA has reached its maximum capacity.	Adequate power infrastructure at GRA for multi-use and events operations.	Investigate power needs for current and future developments, review existing supply and liaise with energy providers for options and solutions. Investigate alternate renewable energy supplies, e.g: use of solar panels, natural gas and/biogas, or mix of solar and natural gas.	Power system upgrade to serve current and future needs is investigated and options provided to Council for budget consideration.
Lack of power to camping area.	Adequate power infrastructure at GRA for multi-use and events operations.	Investigate options for power installation and delivery to users that can withstand regular flood events.	Camping area and amenities block- construct as per Development Application and per relevant legislation.
Lack of electricity for East side users.	Adequate power infrastructure at GRA for multi-use and events operations.	Investigate options for power installation and delivery to users that can withstand regular flood events.	Power provided to east-side areas users as warranted.
Lack of storage for machinery for upkeep of grounds and track.	Adequate operational facilities for maintenance of GRA.	Short-term: renovate or extend existing machinery shed. Determine best location for machinery and investigate funding options	Short-term measures implemented. A land use/master plan is developed for the whole GRA to ensure the land is used in the most efficient and effective way to benefit a wide range of users.

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)(c) Means of achievement of objectives and performance targets</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
Limited spectator seating options in Veolia Arena.	Facility upgrades, retrofits or improvements.	Retractable seating installed to Veolia Arena.	Develop priority listing of future facility needs.
Location of toilets in Veolia is not ideal as limited access when courts/fields in use.	Facility upgrades, retrofits or improvements.	Investigate options for minor extensions at northern end of Arena to provide increased wet area and change room facilities.	Develop priority listing of future facility needs.
Table tennis competition uses restricted by level of natural light in Arena.	Facility upgrades, retrofits or improvements.	Investigate remote control screening for use in required events.	Develop priority listing of future facility needs.
The old grandstand seating and viewing area is unsafe and is an WH&S issue as well as a risk for public users.	Facility upgrades, retrofits or improvements.	Upgrade the old grandstand seating and viewing area or demolish and replace.	Develop priority listing of future facility needs.
Birds roosting in the roof to the poultry shed is becoming a WH&S issue.	Safe and aesthetic operational environments in pavilions for show and sales events	Renovate poultry pavilion to fix WH&S and public liability issues, as well as increase potential for multiple uses.	New measures implemented to stop birds roosting in the roof to the poultry shed.
Unsafe floor surfaces in Pavilions and skillion.	Safe operational environment is maintained.	Replace cracking and uneven floor surfaces, particularly where identified in the Crown Lands Showground Asset Integrity Report 2019	Replace slab floors in Peden Pavilion.
The horse parade ring is located away from the main spectator and betting areas.	Facility upgrades, retrofits or improvements.	Investigate relocation of horse parade ring and re-use of current site.	A land use/master plan is developed for the whole GRA to ensure the land is used in the most efficient and effective way to benefit a wide range of users.

<b>Management Issues</b>	s.36(3)(b) <b>Objectives and Performance Targets</b>	s.36(3)(c) <b>Means of achievement of objectives and performance targets</b>	s.36(3)(d) <b>Manner of assessment of performance</b>
Delay to building the dressage shed housing equipment.	Adequate operational facilities for maintenance of GRA.	Funding is found to finish building the extension to the dressage shed housing equipment.	Dressage shed built and grounds protected.
Lack of coordinated and strategic funding options for capital development.	Funding sources and opportunities are maximised through coordination and monitoring.	Consolidate the works needed across the site to apply for and win larger grants.	Larger consolidated grants programs are coordinated and sought to implement asset improvements. Develop and maintain schedule of major and minor grants and loans funding sources.
<b>IMPROVE FACILITIES AND AMENITIES</b>			
More toilets and shower facilities needed at strategic locations across the GRA.	Adequate user and visitor facilities and infrastructure.	Investigate needs and potential locations and either develop more toilets and showers or fill delivery gaps through use of portable/demountable facilities as required, e.g: events.	Development and analysis of options. Delivery and implementation plan prepared.
Lack of toilet facilities for East side users.	Adequate user and visitor facilities and infrastructure.	Use of portable/demountable facilities as required, e.g: events.	Development and analysis of options. Delivery and implementation plan prepared.
Heat and or inclement weather covering for events.	Investigate user needs, e.g: meets and events, and develop shade plan including fixed and temporary shade solutions.	Provide a large undercover area, e.g: extended skillion. Plant shade trees for spectators. Preparation of shade plan to address user and visitor needs.	Install extended cover to existing facilities. Planting of shade trees. Shade plan developed and implemented in conjunction with a landscape plan.
Wind breaks required.	Reduction in environmental	More wind protection needed particularly around perimeter.	Perimeter tree planting plan for windbreak and landscape improvement developed and implemented.

<b>Management Issues</b>	s.36(3)(b) <b>Objectives and Performance Targets</b>	s.36(3)(c) <b>Means of achievement of objectives and performance targets</b>	s.36(3)(d) <b>Manner of assessment of performance</b>
	constraints to use and events.		
Landscaping of the grounds to improve overall amenity and use.	Develop landscape plan with planting guides.	Prepare a landscape plan considering safety, heritage, biodiversity & endemic species and general landscape considerations.	Budget allocated to prepare and implement a landscape plan for the grounds. Landscape plan prepared to complement the overall master plan for the site. Yearly budget identified to maintain the grounds and landscaping.
<b>SAFETY AND EFFICIENCY</b> <b>OUR COMMUNITY Strategy CO3 Foster and encourage positive social behaviours to maintain our safe, healthy, and connected community</b>			
Provision of inclusive and required access for all users of the grounds.	To provide all members of the community with the opportunity to visit, use and enjoy the facilities and events at the GRA.	Upgrade accessibility requirements across the grounds to comply with the Building Code of Australia (BCA)	Budget allocated to upgrade accessible facilities to meet BCA standard.
Capacity to respond quickly to risk or management issues is restricted due to limited mobile phone access across the grounds.	Occupant, user, visitor, WH&S, public liability and operational management.	Investigate mobile phone range or boosting systems.	Report on mobile signal booster or extension systems in conjunction with lighting upgrade.
Need for Wi-Fi across the grounds.	Occupant, user, visitor, WH&S, public liability and operational management.	Investigate Wi-Fi system booster or range extension for whole of grounds.	Report on Wi-Fi booster or extension systems in conjunction with lighting upgrade.

<b>Management Issues</b>	s.36(3)(b) <b>Objectives and Performance Targets</b>	s.36(3)(c) <b>Means of achievement of objectives and performance targets</b>	s.36(3)(d) <b>Manner of assessment of performance</b>
Lack of a Public Address (P.A.) system for whole of grounds.	Occupant, user, visitor, WH&S, public liability and operational management.	Public Address (P.A) system needed for the whole grounds.	A GRA wide public address system is installed as a priority.
External lighting needed for car parking areas during the darker hours (both AM & PM) along the Braidwood side of the grounds.	Occupant, user, visitor, WH&S, public liability and operational management.	Security and safety at night is improved with installation of extra or upgraded lighting, and night-time events development and uses are further supported.	Lighting along the Braidwood Road side of the GRA is upgraded for increased personal and vehicular safety, user convenience, and night time events, development and uses.
<b>ENVIRONMENT AND SUSTAINABLE PRACTICES</b> <b>OUR ENVIRONMENT Strategy EN2</b> Adopt environmental sustainability practices.			
Improved shelter, and heating and cooling of buildings across the grounds.	Retro-fit buildings to cope with high temperatures (insulation/ventilation etc.).	Condition reports incorporate measures to improve heating and cooling of buildings that are energy efficient and cost effective.	Work with State government to access funding to install roof-top solar panels to lower electricity bills and assist with cooling and/or heating of facilities.
Missed opportunity in the design of the Grace Millsom Centre to achieve wider use and appeal.	To achieve greater use of future buildings to accommodate a wide range of uses.	New buildings incorporate wider user appeal and functionality. Passive building design is incorporated for future building structures.	Collaborate user/interest group consultation ensures diverse interests can be accommodated (within reason) for upgrade or redevelopment opportunities.
Use of the grounds as an Evacuation/Emergency Centre.	Provide a safe refuge for the community and animals during periods of natural disaster.	Prepare an Evacuation/Emergency Centre plan.	Evacuation/Emergency Centre plan developed and agreed.

<b>Management Issues</b>	s.36(3)(b) <b>Objectives and Performance Targets</b>	s.36(3)(c) <b>Means of achievement of objectives and performance targets</b>	s.36(3)(d) <b>Manner of assessment of performance</b>
Acoustic problem in Veolia.	Facility upgrades, retrofits or improvements.	Investigate use of sound-proofing, e.g roof or side wall baffles.	Develop priority listing of future facility needs.
Greater flexibility in uses for Grace Millsom Centre, e.g: conferences, meeting rooms.	Increase diversity and expand existing uses in Grace Millsom Centre.	Review design and uses for Grace Millsom to identify design options and solutions to achieve optimal building design and layout for wider and diverse uses.	Design options developed and implemented.
<b>ACCESS AND CIRCULATION</b>			
General lack of connectivity between buildings to help people get around.	To provide safe and improved pedestrian, all access movement, including wheelchair connectivity around the grounds	Review all access pathways, entry/exits and access movement to improve access across community. Improve signage and directional information for all GRA users and visitors.	Review and report improvements to GRA for all access connectivity. Signage and directional marking systems installed.
Access needed to additional Harness Racing NSW land adjoining the GRA.	To increase the range of uses across the site.	Retain land use options and connectivity at interface between GRA and Harness racing NSW-owned land.	Prepare a land use/master plan to increase the range and flexibility of uses across the site.
Traffic management.	Safe and effective traffic movement and parking management for every day, event and race meetings uses.	Develop access, movement and traffic management plan with clear directional signage and information. Coordinate traffic management system with events management plans.	A GRA site specific and events-based traffic management plans is prepared. Directional, nomenclature and safety information signage and road markings, including pedestrian and cycling are installed.

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives and performance targets	s.36(3)(d) Manner of assessment of performance
<b>OPERATIONAL CONFLICTS</b>			
Conflict with running events and activities while horses are on track and moving around site.	Use conflict management between regular main users, events and occasional users.	Harness only use the tracks for training 6AM to 12noon daily with provision for priority listing events that require larger areas of use. Develop horse movement policies and procedures to limit conflict and user interference. More/improved screen fencing to track to stop horses being spooked when other users are on the grounds.	Regular and priority events listing and bookings management criteria and management plans developed. Tenure summary documentation prepared, distributed and used for information and signage. Development and implementation of policies and procedures for visitor complaints, user and occupant conflict resolution. Implement revised bookings system and administration to incorporate policies and procedures.
Restricted use due to booking clashes.	Use conflict management between regular main users, events and occasional users	Develop clear use and booking policies with priority criteria.	Tenure summary documentation prepared, distributed and used for information and signage. Development and implementation of policies and procedures for visitor complaints, user and occupant conflict resolution. Implement revised bookings system and administration to incorporate policies and procedures.
Outsiders and unauthorised people using the dressage area. Gates are locked at night but problem is occurring during daylight hours.	Use conflict management between regular main users, events and occasional users.	Lock gates during daytime. Council notices (S632 LG Act). Authorised officers/rangers to issue infringement notices.	Council declaration of uses and activities supported by LG Act S632 Notices. Authorised officers or ranger regulation and infringement notices.

<b>Management Issues</b>	s.36(3)(b) <b>Objectives and Performance Targets</b>	s.36(3)(c) <b>Means of achievement of objectives and performance targets</b>	s.36(3)(d) <b>Manner of assessment of performance</b>
Use of grounds as an off-leash area for dogs by the general public clashes with existing users of the grounds.	Use conflict management between regular main users, events and occasional users.	Signage to direct to nearby off-leash areas. Council notices (S632 LG Act). Authorised officers/rangers to issue infringement notices	Council declaration of uses and activities supported by LG Act S632 Notices. Authorised officers or ranger regulation and infringement notices.
Unauthorised camping on the grounds.	Use conflict management between regular main users, events and occasional users.	Use the existing camping area to provide low cost or free camping.	Council to determine options. Development of camping area for temporary and event-based camping; or Council declaration of uses and activities supported by LG Act S632 Notices. Authorised officers or ranger regulation and infringement notices
<p><b>DEVELOPMENT AND GROWTH</b>  <b>OUR COMMUNITY Strategy CO4</b>                      Recognise and celebrate our diverse cultural identities and protect and maintain our community’s natural and built cultural heritage.</p>			
More diverse activities can be held at the rodeo area.	Growth and multi-use activity opportunities encouraged.	Greater use of existing facilities is examined.	Options identified for marketing or site development.
Development of rodeo arena facilities.	Improve club facilities to increase amenity and event management	Rodeo club to replace existing club house with new facilities including permanent canteen, lighting to arena and investigate costs to cover arena and construct grandstand.	Inclusion of Rodeo arena facilities to be considered within the overall master plan for the GRA.
More diverse equine sporting activities.	Increase in use, and visitation to the grounds compatible existing uses.	Investigate proposals for development of a campdraft/polocrosse facility on the lower open fields including	Consider the viability of a campdraft/polocrosse facility as part of the overall master plan for the GRA.



<b>Management Issues</b>	s.36(3)(b) <b>Objectives and Performance Targets</b>	s.36(3)(c) <b>Means of achievement of objectives and performance targets</b>	s.36(3)(d) <b>Manner of assessment of performance</b>
		powered campsites, toilet block, storage and stockyards.	
Incremental development of the grounds without a clear plan to guide optimal development.	Coordination of growth and multi-use of the grounds.	Investigate outdoor poultry area, undercover sale yard, pre-training greyhound kennels, machinery exhibition shed including antique machinery display as part of a consolidated review of the land/buildings and uses.	Consider improved and new facilities as part of the overall master plan for the GRA.
Growing popularity of sports within the community is putting pressure on the resource.	Growth and multi-use activity opportunities encouraged.	Develop needs and resourcing strategy for growth sports and competition standards.	Needs and resources strategy developed with options identified for marketing or site development.
Conflict between hockey and basketball users in Veolia Arena.	Growth and multi-use activity opportunities encouraged.	Identification of new options for surface management and use flexibility at Arena.	Options identified and new floor and surface management implemented.
Lack of facilities for netball - a minimum of 3 netball courts is needed for regional carnivals.	Growth and multi-use activity opportunities encouraged.	Provide six (6) additional indoor netball courts to cater for the growing interest in the sport.	Renovate, extend or build new courts.
Hire of ground is more expensive than surrounding grounds.	Growth and multi-use activity opportunities encouraged.	Develop hire and booking policies for GRA that include existing Council policies to balance revenues from site use with licensee management of facilities and economic benefits into and for City and community.	Development and implementation of revised bookings system and administration to incorporate policies and procedures. Regular and priority events listing and bookings management criteria and management plans developed.

<b>Management Issues</b>	s.36(3)(b) <b>Objectives and Performance Targets</b>	s.36(3)(c) <b>Means of achievement of objectives and performance targets</b>	s.36(3)(d) <b>Manner of assessment of performance</b>
Vehicular parking for events – swap meets results in 200-250 stall owners staying o/night.	Growth and multi-use activity opportunities encouraged.	Establish clear parking and access system to provide for self-contained camping with facilities for events.	A GRA site specific and events-based traffic management plans is prepared. Directional, nomenclature and safety information signage and road markings, including pedestrian and cycling are installed. Council to review and report on GRA site options for development of camping area for temporary and event-based camping.
Lack of camping for event users and participants.	Growth and multi-use activity opportunities encouraged.	Short term camping is provided for events participants.	Council to review and report on GRA site options for development of camping area for temporary and event-based camping.

## 8. Natural Area - Watercourse

### 8.1. Introduction

Watercourses are defined in LG Regulation 110 as:

Any stream of water, perennial or intermittent, in a natural or artificial channel, and associated riparian land or vegetation.



### 8.2. Core objectives

The core objectives for watercourses, as outlined in Section 36M of the LG Act, are to:

- manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows
- manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability
- restore degraded watercourses
- promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.

Council's vision for Goulburn Mulwaree's waterways is:

*To have healthy, attractive, sustainably-managed waterways, which provide an important habitat for native flora and fauna, enhance the rural landscape and urban amenity, and benefit the lives of all in the community through improved recreational, leisure and economic opportunities and greater engagement with the natural environment.<sup>2</sup>*

The key values of the Goulburn Mulwaree waterways are:

- Riparian Zones
- Water Quality
- Biodiversity
- Flood mitigation
- Community Engagement and Enjoyment
- Economic Opportunities
- Physical environment

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<sup>2</sup> Goulburn Mulwaree Waterways Plan 2014

The waterways within the Goulburn Mulwaree Local Government Area (LGA) are dominated by two rivers – the Wollondilly River and the Shoalhaven River. The Wollondilly River forms part of the Hawkesbury- Nepean Catchment which flows to the north. The Shoalhaven River defines the LGA boundary to the east. Nearly half of the LGA waterways flow east to the Shoalhaven River. Both the Wollondilly and Shoalhaven River Catchments form part of the Sydney Drinking Water Catchment.<sup>3</sup>

A high percentage of the LGA falls within the Sydney Drinking Water Catchment.

The Mulwaree River is a major tributary of the Wollondilly Catchment. The Mulwaree River starts just east of the Lake George escarpment below Mount Fairy and flows 66km to Goulburn, where it joins the Wollondilly River.

Goulburn Mulwaree LGA is covered by landscapes such as tablelands and associated grassy woodlands, alluvial flats, dissected plateaus and escarpment country.<sup>4</sup>

The category of Natural Area – Watercourse has been applied to a small area of the Mulwaree River which forms the south eastern boundary of the GRA. Access to the river is restricted and the condition of the riparian vegetation along the corridor has not been surveyed. The land on either side of the river has been cleared and there is little bank vegetation. The area is largely characterised as a flat, treeless floodplain settled in the early 1800s and in use as a sportsground and racecourse since its opening as the Olympic Sports Ground in 1886.

The Mulwaree River is however a Category 1 Watercourse with a 40m core riparian zone to support ecological processes. The core riparian zone is marked as a hatched overlay on **Figure 4** on page 51.



This riparian zone to the Mulwaree River provides a number of important environmental services and other values including:

- a diversity of habitat for terrestrial, riparian and aquatic species;
- food for aquatic and terrestrial fauna;
- movement and recolonisation of plant and animal species and populations;
- shading and temperature regulation;
- conveyance of flood flows;
- settlement of high debris loads;
- reduction of bank and channel erosion through root systems binding the soil;

<sup>3</sup> Goulburn Mulwaree Waterways Plan 2014

<sup>4</sup> Goulburn Mulwaree Biodiversity Strategy 2006

- water quality maintenance through the trapping of sediment, nutrients and other contaminants;
- an interface between development and waterways;
- visual amenity; and
- a sense of place with green belts naturally dividing localities and suburbs.<sup>5</sup>

The GRA itself has been labelled an area of High Conservation Value (HVC) through the Goulburn Mulwaree Biodiversity Strategy 2006.

Specific environmental variables were identified as conferring high conservation value on a mapped polygon of native vegetation. The presence of one or more of these variables resulted in that polygon of vegetation being labelled HVC.

While the vegetation mapping provides a comprehensive and valuable resource to assist decision makers in identifying ecological values in the LGA it was not ground-truthed and therefore was limited to broad-scale analysis. At site-level, the community classification and extent should be verified on-ground.<sup>6</sup>

While the GRA is labelled as HCV it is not mapped as an area of Natural Resources Sensitivity - Biodiversity under the Goulburn Mulwaree LEP 2009 confirming that Council has considered the information at a site level and applied the most suitable planning controls.

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<sup>5</sup> ibid

<sup>6</sup> Ibid

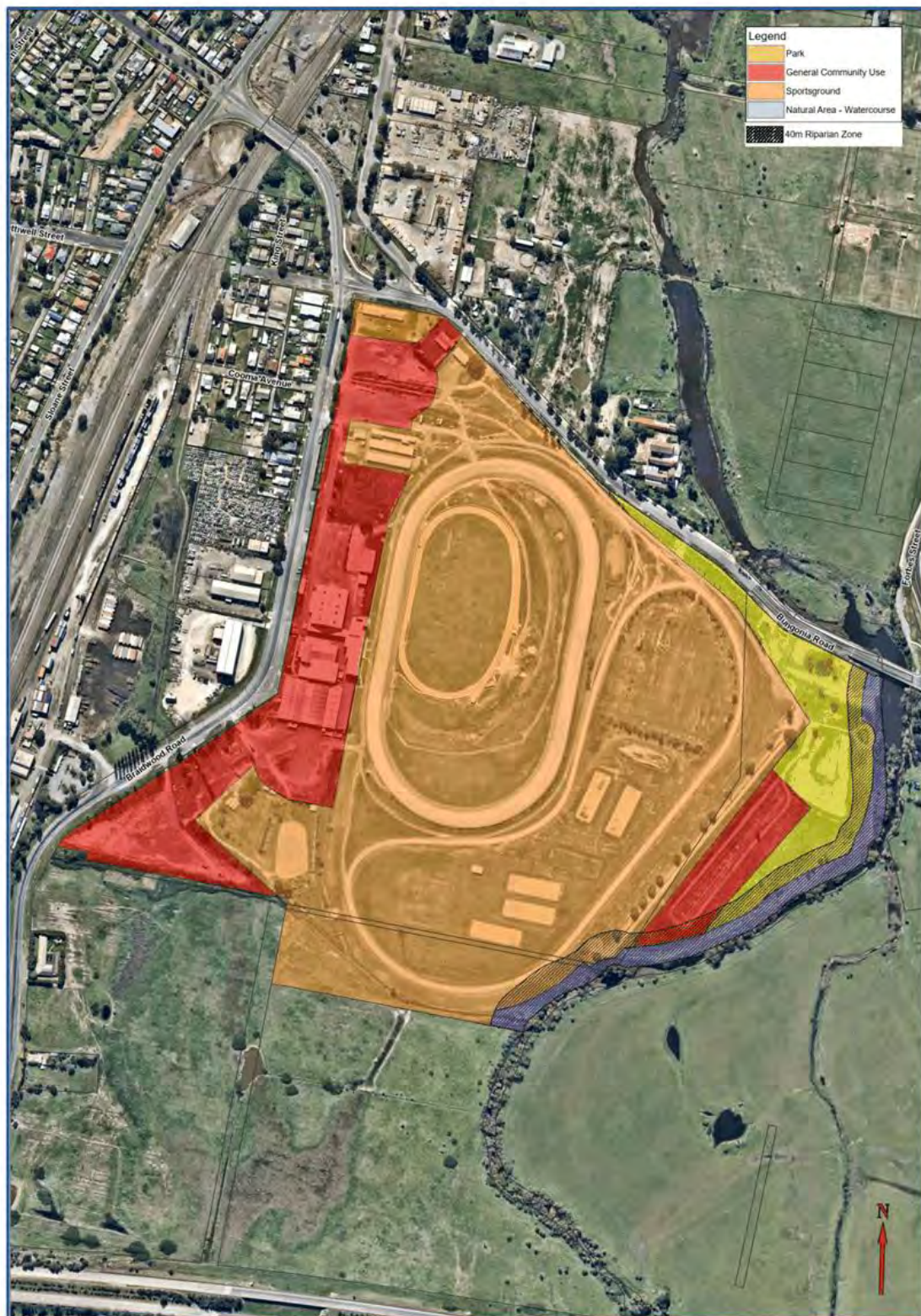


Figure 4 Core Riparian zone to Mulwaree River

### 8.3. Development and use

Table 3 sets out the uses and development consistent with the purpose of the reserve for the land categorised at Natural Area – Watercourse.

**Table 3 Permissible use and development of community land categorised as watercourse.**

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> <li>• Preservation of biological diversity and habitat</li> <li>• Providing a location for relaxation and passive, informal, water-based recreation, unless prohibited.</li> <li>• Approved bush care projects requiring ecological restoration activities associated with the protection and conservation of flora and fauna</li> <li>• Restoration works associated with the protection of the biodiversity and ecological values of the in-stream environment.</li> <li>• The use of the area as an off-leash dog park is prohibited.</li> </ul>	<ul style="list-style-type: none"> <li>• Visitor facilities: toilets, picnic tables, BBQs, sheltered seating areas, lighting, low-impact carparks, refreshment kiosks (but not restaurants)</li> <li>• Low-impact walking trails</li> <li>• Interpretive signage, information kiosks</li> <li>• Water-saving initiatives such as rain gardens, swales and sediment traps</li> <li>• Bridges, observation platforms</li> <li>• Work sheds or storage sheds required in connection with the maintenance of the land</li> <li>• Bicycle/boat hire or similar</li> <li>• Temporary erection or use of any building or structure necessary to enable a filming project to be carried out</li> <li>• Locational, directional and regulatory signage</li> <li>• Flood mitigation works, such as detention basins, realignment of water flows and banks, installation of pipes, culverts and other structures to assist in control of flood waters.</li> </ul>

### 8.4. Management framework for natural areas categorised as Watercourse

The restoration of riparian zones has been nominated as a priority by Council in the overall management of the LGA’s waterways.<sup>7</sup>

Council will restore and rehabilitate the riparian zone to the river to help protect the values of the watercourse including fish habitat. This will be undertaken progressively as funding becomes available through catchment management initiatives or Council’s operational budget.

The area of Natural Area – Waterway of the GRA forms part of the floodplain and is small, degraded and has fencing running through it. However, the Waterway Plan and this PoM identifies actions which will benefit the riparian zone and watercourse.

All works within the area must consider Council’s LEP, DCP and policies.

**Section 36 of the LG Act requires that a PoM for community land details:**

- objectives and performance targets for the land
- the means by which the council proposes to achieve these objectives and performance targets
- the manner in which the council proposes to assess its performance in achieving the objectives and performance targets.

<sup>7</sup> Goulburn Mulwaree Waterways Plan 2014

**Table 4 Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Natural Area – Watercourse**

<b>Management Issues</b>	s.36(3)(b) <b>Objectives and Performance Targets</b>	s.36(3)(c) <b>Means of achievement of objectives</b>	s.36(3)(d) <b>Manner of assessment of performance</b>
<p>Loss of native vegetation along the Mulwaree River needed to protect in-stream habitat, water quality, stabilise banks and prevent soil erosion.</p> <p>Building encroachment within the 40m core riparian zone.</p>	<p>To protect and restore native vegetation in the riparian buffer to the Mulwaree River.</p> <p>To regenerate native vegetation in cleared areas along the riparian corridor.</p> <p>Manage weeds &amp; invasive species.</p> <p>To identify, protect and manage the aquatic ecological values including bed and bank stability, water quality and natural flow regimes.</p> <p>To have a neutral or beneficial effect on water quality.</p>	<p>Locally occurring native species are used to recreate the vegetation along the River within the riparian buffer.</p> <p>Areas of native vegetation are fenced to assist with regeneration.</p> <p>Invasive species to riparian corridors are identified and a program established for their removal.</p> <p>Management of animal manure across the GRA is consistent and to a high standard to prevent contamination of the watercourse and spread of weeds.</p> <p>Future grounds and building works are undertaken outside the 40m core riparian zone.</p>	<p>Number of local plants sourced and planted (ground, shrub and canopy).</p> <p>Areas of native vegetation identified and fenced off, where suitable.</p> <p>Removal of weeds and invasive species is commenced.</p> <p>Management practices for removal of animal waste across the GRA is reviewed for all user groups dealing with dogs, horses, cattle, llamas and birds etc.</p> <p>Water quality reporting at key nominated sites.</p>



**Leases, licences and other estates**

The LG Act requires that any lease, licence or other estates over community land must be expressly authorised by a PoM. **Table 5** below outlines purposes for which tenure may be granted on community land categorised as natural area.

**Table 5. Leases, licences and other estates and purposes for which they may be granted for community land categorised as Natural Area – Watercourse**

Type of tenure arrangement	Purpose for which tenure may be granted
Lease	<ul style="list-style-type: none"> <li>• walkways, pathways, bridges, causeways</li> <li>• observation platforms, signs</li> <li>• information kiosk</li> <li>• kiosk selling light refreshments (but not restaurants)</li> <li>• bicycle/boat hire or similar</li> <li>• work sheds or storage sheds required in connection with the maintenance of the land</li> <li>• toilets suitable to environment</li> <li>• temporary erection or use of any building or structure necessary to enable a filming project to be carried out</li> </ul>
Licence	<ul style="list-style-type: none"> <li>• walkways, pathways, bridges, causeways</li> <li>• observation platforms, signs</li> <li>• Information kiosk</li> <li>• Kiosk selling light refreshments (but not restaurants or cafes)</li> <li>• Bicycle/boat hire or similar</li> <li>• work sheds or storage sheds required in connection with the maintenance of the land</li> <li>• toilets suitable to environment</li> <li>• temporary erection or use of any building or structure necessary to enable a filming project to be carried out</li> </ul>
Short-term licence	<ul style="list-style-type: none"> <li>• scientific studies and surveys or similar</li> <li>• bicycle/boat hire or similar</li> <li>• temporary erection or use of any building or structure necessary to enable a filming project to be carried out</li> </ul>
Other estates	<p>This PoM allows the council to grant ‘an estate’ over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the LG Act.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on community land.</p>

## Appendices

Appendix A – Gazette Notices

Appendix B – Title search extracts

Appendix C – Attendee groups at focus group meeting held in July 2020

Appendix D – Condition and use description of existing buildings and structures

Appendix E – 2018-2019 GRA attendance figures for users & Analysis of hours of use by user groups

Appendix F – Current leases and licences for users of the GRA

Appendix G – 2010 Plan of Management carry over actions

**Appendix A – Gazette Notices****Initial Gazette Notice**

Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001), Friday 30 July 1948 (N

(2261)

Sydney, 30th July, 1948.

**RESERVES FROM SALE AND LEASE GENERALLY.**

IT is hereby notified that, in pursuance of the provisions of sections 28 and 29 of the Crown Lands Consolidation Act, 1912, the Crown lands hereunder described shall be temporarily reserved from sale for the public purposes hereinafter specified and temporarily reserved and exempted from lease generally, and they are hereby reserved and exempted accordingly.

W. F. SHEAHAN, Minister for Lands.

**FOR RACECOURSE, SHOWGROUND, PUBLIC RECREATION AND ATHLETIC SPORT.**

**LAND DISTRICT—GOULBURN; MUNICIPALITY—GOULBURN.**

No. 72,794 from sale (72,795 from lease generally). Parish Goulburn, county Argyle, about 108 acres 3 roods 27 perches, being portions 369, 370 and the land bounded by portion 369, the public road from Goulburn to Bungonia and Mulwarree Ponds. A. 27-642, A. 4,741 Roll, 4,745-2,121. P. 48-3,501.

## Initial Appointment of Trustees

Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001), Friday 17 September 1

### NOTICE APPOINTING TRUSTEES UNDER THE PUBLIC TRUSTS ACT, 1897.—PROCLAMATION.

IN accordance with the provisions of the Public Trusts Act, 1897, I, Lieutenant-General JOHN NORTHCOTT, Governor of the State of New South Wales, with the advice of the Executive Council, do by this notice appoint the undermentioned gentlemen and body as trustees respectively of the portions of land hereinafter particularised.

Signed and sealed at Sydney, this 16th day of September, 1948.

(L.S) J. NORTHCOTT, Governor.

By His Excellency's Command,

W. E. DICKSON, for Minister for Lands.

GOD SAVE THE KING!

Reserves Nos. 63,094 and 63,096 at Acacia Plateau, notified 11th December, 1931, for Public Recreation and Public Hall, respectively:—Messrs. William Henry Dennis, Richard James Tyler and Val. Frederick Clark (in the places of Messrs. R. A. Wallace, T. Egan and N. G. Claydon, resigned). P. 48-5,806.

Public Recreation Ground at Dural, area 15 acres 3 roods, dedicated 22nd May, 1897:—Additional trustees—Messrs. Ellis Lorenz Branz and Peter Harkess Wilson. P. 48-5,750.

Reserve No. 72,794 at Goulburn, notified 30th July, 1948, for Racecourse, Showground, Public Recreation and Athletic Sport:—*The Council of the City of Goulburn.* P. 48-3,501.

Reserve No. 65,963 at Scott's Head, notified 8th May, 1936, for Public Recreation and Resting-place:—Vivian Bentley Ivers, Esq. (in the place of Mr. L. E. Snape, resigned). P. 48-5,156.

Reserve No. 39,624 at Stockinbingal, notified 9th September, 1905, for Racecourse:—Joseph Kenneth Curr, Esq. (in the place of Mr. A. E. Leslie, deceased). P. 48-5,807. (2667)

### Reserve Trust Established

Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001), Friday 13 August 1993

<b>ESTABLISHMENT OF RESERVE TRUST</b>	
<p><b>PURSUANT</b> to section 92 (1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder is established under the name stated in that column and is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.</p> <p style="text-align: center;"><b>GEORGE SOURIS, M.P.,</b> Minister for Land and Water Conservation.</p>	
<b>SCHEDULE</b>	
<b>COLUMN 1</b>	<b>COLUMN 2</b>
Goulburn Recreation Area Trust.	Reserve No. 72794 for the public purpose of showground, racecourse, public recreation and athletic sport, notified in the <i>Government Gazette</i> of 30 July 1948. File No.: GB83 R 30.JG.

### Trust Manager (Corporate) Appointed

Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001), Friday 13 August 1993

<b>APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST</b>		
<p><b>PURSUANT</b> to section 95 of the Crown Lands Act 1989, the corporation specified in Column 1 of the Schedule hereunder is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.</p> <p style="text-align: center;"><b>GEORGE SOURIS, M.P.,</b> Minister for Land and Water Conservation.</p>		
<b>SCHEDULE</b>		
<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Goulburn City Council.	Goulburn Recreation Area Trust.	Reserve 72794 for the public purpose of showground, racecourse, public recreation and athletic sport notified in the <i>Government Gazette</i> of 30 July 1948. File No.: GB83 R 30.JG.

**Alteration to Reserve Trust Name**

Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001), Friday 20 March 1998 (

<p><b>GOULBURN OFFICE</b>                  Department of Land and Water Conservation                  159 Auburn Street (P.O. Box 748), Goulburn, N.S.W. 2580                  Phone: (02) 4823 0665; Fax: (02) 4823 0675</p>
<p><b>ALTERATION OF CORPORATE NAME OF A RESERVE TRUST</b></p>
<p><b>PURSUANT</b> to section 92 (3) of the Crown Lands Act 1989, the corporate name of the reserve trust specified in Schedule 1 hereunder, which is trustee of the reserve referred to in Schedule 2, is altered to the corporate name specified in Schedule 3.</p>
<p><b>RICHARD AMERY, M.P.,</b>                  Minister for Agriculture                  and Minister for Land and Water Conservation.</p>
<p>—————</p> <p><b>Schedule 1</b></p> <p><b>Goulburn Recreation Area Trust.</b></p>
<p>—————</p> <p><b>Schedule 2</b></p> <p><b>Reserve No. 72794</b> for the public purpose of Showground, Racecourse, Public Recreation and Athletic Sport notified in the <i>Government Gazette</i> of 30th July 1948. File No. GB83R30.</p>
<p>—————</p> <p><b>Schedule 3</b></p> <p><b>Goulburn Recreation Area (R72794) Reserve Trust.</b></p> <p>—————</p>

**Appendix B – Title search extracts for all GRA land**



FOLIO: 7302/1151976  
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SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
4/8/2020	12:48 PM	-	-

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND  
-----

LOT 7302 IN DEPOSITED PLAN 1151976  
AT GOULBURN  
LOCAL GOVERNMENT AREA GOULBURN MULWAREE  
PARISH OF GOULBURN COUNTY OF ARGYLE  
TITLE DIAGRAM DP1151976

FIRST SCHEDULE  
-----

THE STATE OF NEW SOUTH WALES (CA153860)

SECOND SCHEDULE (2 NOTIFICATIONS)  
-----

- \* 1 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- \* 2 THE LAND IS A RESERVE WITHIN THE MEANING OF PART 5 OF THE CROWN LANDS ACT 1989 AND THERE ARE RESTRICTIONS ON TRANSFER AND OTHER DEALINGS IN THE LAND UNDER THAT ACT, WHICH MAY REQUIRE CONSENT OF THE MINISTER.

NOTATIONS  
-----

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

GRA PoM

PRINTED ON 4/8/2020

\* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

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Received: 04/08/2020 12:48:54



**LAND REGISTRY SERVICES Title Search**



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 7049/1005051

SEARCH DATE	TIME	EDITION NO	DATE
4/8/2020	12:48 PM	-	-

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 7049 IN DEPOSITED PLAN 1005051  
 AT GOULBURN  
 LOCAL GOVERNMENT AREA GOULBURN MULWAREE  
 PARISH OF GOULBURN COUNTY OF ARGYLE  
 TITLE DIAGRAM DP1005051

FIRST SCHEDULE

THE STATE OF NEW SOUTH WALES (CA104261)

SECOND SCHEDULE (3 NOTIFICATIONS)

- \* 1 THE LAND IS A RESERVE WITHIN THE MEANING OF PART 5 OF THE CROWN LANDS ACT 1989 AND THERE ARE RESTRICTIONS ON TRANSFER AND OTHER DEALINGS IN THE LAND UNDER THAT ACT, WHICH MAY REQUIRE CONSENT OF THE MINISTER.
- \* 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- \* 3 THE PLAN DEFINING THE LAND IN THIS FOLIO WHICH WAS PREPARED FOR IDENTIFICATION PURPOSES IS NOW SUITABLE FOR TITLE ISSUE. IT IS NOT A CURRENT PLAN IN TERMS OF SECTION 7A OF THE CONVEYANCING ACT 1919.

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

GRA PoM

PRINTED ON 4/8/2020

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**LAND REGISTRY SERVICES Title Search**



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 370/750015

SEARCH DATE	TIME	EDITION NO	DATE
4/8/2020	12:48 PM	-	-

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 370 IN DEPOSITED PLAN 750015  
 AT GOULBURN  
 LOCAL GOVERNMENT AREA GOULBURN MULWAREE  
 PARISH OF GOULBURN COUNTY OF ARGYLE  
 (FORMERLY KNOWN AS PORTION 370)  
 TITLE DIAGRAM CROWN PLAN 4745.2121

FIRST SCHEDULE

THE STATE OF NEW SOUTH WALES (CA104309)

SECOND SCHEDULE (2 NOTIFICATIONS)

- \* 1 THE LAND IS A RESERVE WITHIN THE MEANING OF PART 5 OF THE CROWN LANDS ACT 1989 AND THERE ARE RESTRICTIONS ON TRANSFER AND OTHER DEALINGS IN THE LAND UNDER THAT ACT, WHICH MAY REQUIRE CONSENT OF THE MINISTER.
- \* 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

GRA PQM



PRINTED ON 4/8/2020


\* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.



**Appendix C – Attendee groups at focus group meeting held 8 July 2020**



1. AP&H Society,  
Dog Training and Kennel Club,  
Poultry Fanciers Society.  
Absent Homing Pigeon Society.
2. Classic Riders Club,  
Rotary Club,  
Convoy 4 Kids,  
Goulburn Car & Motorcycle Club
3. Harness Club,  
Horse Trainers & Owners Association (represented by the Harness Club attendees),  
Goulburn Mulwaree Council.  
Absent Basketball Association
4. Greyhound Club,  
Netball Association,  
Dressage Club  
Rodeo Club
5. Telephone interview with GRA Committee of Management community representative.



**Appendix D - Condition and Use description**



Description	Use	Condition	Photo
<b>Grace Milson Centre</b>			
<p>The Grace Millsom Function Centre is a recently constructed and modern building with a mixture of steel and concrete slab construction. The Centre was opened in 2014 with high standard construction, design and is a simple maintenance asset.</p> <p>The Centre is a single-story building with upper level racing officials' viewing towers. The Centre features a full-length veranda and expansive windows overlooking the greyhound and harness tracks and finishing posts, as well as the centre show ring.</p>	<p>Multi-function event Centre building. Used for race, social and cultural events, conferences, meetings, formal and informal restaurant and function uses.</p> <p>The Function Centre can cater for small groups of 20 to larger groups of 1000 for events such as Board Meetings, Conferences, product launches, award dinners and corporate trade shows. The Centre has a multi-use main indoor area, with an outdoor area and commercial kitchen and bar facilities with Wi-fi and IT infrastructure and a communications room available.</p>	<p>Exceptionally good condition. Recently built.</p>	
<b>Veolia Arena</b>			
<p>The Veolia Arena is a recently constructed and modern building with a mixture of steel and concrete slab construction with an open plan and light-weight walling and roofing. The Arena was opened in 2014 with high standard construction, design and simple maintenance assets.</p>	<p>The Arena is a large multi-use stadium and community facility in the region; used by the community, for a range of sporting and other local activities, as well as hosting visiting artists and performances. The Arena provides a State and regional standard indoor sporting facility with seating for up to 500 people</p> <p>The facility provides a two court multi-use hall with Championship size Basketball Courts, or indoor international hockey field or two courts, and netball courts with timber sprung flooring and competition LUX lighting, which is suitable for most other indoor sports and events requiring a large open indoor area.</p>	<p>Exceptionally good condition. Recently built.</p>	

Description	Use	Condition	Photo
	<p>The sporting courts area are equipped with radiant heating and evaporative cooling that allow a comfortable environment for all events throughout the year.</p> <p>The Arena has provision for protection of the floor for those events requiring it such as functions, shows or exhibitions, and provides seating for all large events, with an 80 square metre portable stage.</p> <p>Canteen and toilet facilities, as well as participant change rooms are available.</p> <p>There is a Foyer and Service desk, that is also home to the Goulburn Sporting Hall of Fame</p> <p>There is disabled access and ramp, off and on street parking and rear loading access with two storage areas within stadium.</p>		
<b>Ross Whittaker Basketball Centre</b>			
<p>The Ross Whittaker Basketball Centre comprises two halls and associated team, administration and visitors' facilities.</p> <p>The building is a mixture of brick buildings at entrance and side rooms with the main building being metal truss and corrugated metal walls and roofing.</p> <p>Wood playing surface floors, seating, change rooms and referees' room.</p>	<p>The Basketball Stadium is home of the Goulburn Bears Basketball. Local competition as well as State League, Barrengarry, Southern Junior League representative basketball. The facility is also used for indoor hockey – local competition as well as NSW State and Hockey Australia national competitions. Other sports such as netball and karate also use the facility on a less regular basis. The facility is also used for the Goulburn show, being the main pavilion for produce displays and judging. Other major events use the facility including trade shows, the Multicultural festival etc.</p>	<p>The building is serviceable, lacking adequate facilities for ventilation or heating. External fixtures such as windows and lintels require investigation</p>	
<b>Peden Pavilion</b>			



Description	Use	Condition	Photo
<p>The Pavilion is a large open space wood frame with corrugated metal clad walls and roof building of approximately 1400 square metres.</p>	<p>The Pavilion is a multi-functional building used for a range of activities and events. Primarily built as a showground pavilion, it houses the participants in the Annual Agricultural Show as well as providing space for events including swap meets, animal shows and Octoberfest. Frequently used in conjunction with the Skillion. The Pavilion has been used as animal occupation for refuge in emergency.</p>	<p>Serviceable but aged facility. Flooring and wall strictures should be investigated.</p>	
<p><b>Skillion</b></p>			
<p>The Skillion is a metal truss and corrugated metal clad roof structure with covered area of approximately 1250 square metres between the Peden Pavilion and Poultry Pavilion.</p>	<p>The Skillion is used for a range of activities and events. Primarily built as an extension to the Peden Pavilion, it houses participants in the Annual Agricultural Show as well as providing space for events including swap meets, animal shows and Octoberfest. Frequently used in conjunction with the Peden Pavilion and the Poultry Pavilion, e.g: fowl sales and shows. The Skillion has also been used as animal occupation for refuge in emergencies.</p>	<p>Good condition as structure with a need to investigate flooring quality.</p>	
<p><b>Maurie Harris Poultry Pavilion</b></p>			



Description	Use	Condition	Photo
<p>The Poultry Pavilion is a metal truss with corrugated metal clad wall and roof building of approximately 830 square metres, purpose built with raised wooden poultry coops and tables.</p>	<p>The Poultry Pavilion is primarily used for poultry exhibits, Annual shows and sales. It is occasionally used in conjunction with the Skillion area.</p>	<p>Serviceable facility, purpose built but roof and access to roof by birds requires address.</p>	
<p><b>Peden Car Park</b></p>			
<p>This car park is adjacent to the Peden Pavilion and is a tarred asphalt car parking area. Car park has 5 power bollards.</p>	<p>The car park is used for car parking, access and parking to the Pavilions and Skillion, as well as a range of Annual Agricultural Show and display events, e.g: the New Age Caravan Club meeting.</p>	<p>Fair condition requiring some patching but serviceable.</p>	
<p><b>Jockey Changing Rooms/Bar/Pavilion</b></p>			



Description	Use	Condition	Photo
<p>The Jockey Pavilion is a brick building with Corrugated metal roofing. The eastern side includes a slanted skillion roof over a concrete stand area. The Pavilion comprises jockey change rooms, showers and toilets, office spaces for race administration and a bar area.</p> <p>The Pavilion is adjacent to a small sand and crushed gravel presentation arena.</p>	<p>Used for harness race meeting operations and leisure, administration and jockey preparation and change rooms.</p>	<p>Aged but functionally operational for existing purposes. Slanted roofing to the east in good condition but concrete seating and stand area requires railings and safety investigations.</p>	
<p><b>Rodeo Area, including Club BBQ and storage sheds</b></p>			
<p>Purpose built and managed rodeo area comprising main rodeo ring and associated stockade infrastructure, with two sheds built from metal frames and corrugated metal, with a set of toilets.</p> <p>The area contains permanent yards and loading ramps constructed at the southern end of the arena and spectator mounds around the perimeter.</p> <p>The main arena is flood lit. A grassed area adjacent to the rodeo ring, has been converted into a picnic area.</p>	<p>Used for 6-8 rodeo events each year, along with occasional associated rodeo-sport events.</p>	<p>Good condition with relatively recent facilities built for purpose construction.</p>	
<p><b>Circus Area</b></p>			



Description	Use	Condition	Photo
<p>Large built-up area of relatively flat land mostly asphalt with main Braidwood Rd access. It is approximately 11,000 square metres. The area is separated from the Rodeo Arena by a drainage channel; with access between the two areas by a footbridge</p>	<p>Generally used when a circus is visiting Goulburn. Also currently used as carparking for Rodeo events, the Goulburn Show, and for occasional overflow parking and temporary materials storage.</p> <p>Area could be used as an evacuation area if required.</p>	<p>Fair to poor condition of surface materials.</p>	
<p><b>Harness racing tracks and infrastructure</b></p>			
<p>There are two main facilities for harness racing and training at the GRA.</p> <p>The main racetrack is a 1050 metre crushed rock racing circuit with a straight of 196 metres.</p> <p>A longer variable kidney-shaped sand training track is east of the race circuit, surrounding the dressage arena and dog obedience area.</p> <p>Observation tower, mobile starting gates and finishing areas are all available.</p>	<p>The racing and circuit track are approved and sponsored by Harness Racing NSW.</p> <p>The Harness Racing Club holds daytime meets using the Racing Circuit 10 times a year with official trials on the 2nd and 4th Sunday of every month. The club's racing calendar is usually between December to June inclusive.</p> <p>The sand training track is in use each day, generally during the mornings.</p>	<p>Good condition with relatively new infrastructure (observation posts, finish lines, etc). Track maintained with regular surface treatments.</p>	
<p><b>Greyhound racing tracks and infrastructure</b></p>			







Description	Use	Condition	Photo
<p>The greyhound racetrack is an approximate 550 metre track generally capable of holding 350m and 450m events. 700m and 930m races events can be held.</p> <p>The track is a loam track over constructed base materials with a Bramich lure system.</p> <p>Observation tower, starting boxes and finishing areas are all available</p>	<p>The track and club host regular provincial daytime meetings approximately 42 times per year.</p>	<p>Good condition with relatively new infrastructure (observation posts, finish lines, etc). Track maintained with regular surface treatments.</p>	
<p><b>Greyhound race day kennels and administration</b></p>			
<p>The race day kennels is a newly purpose-built brick and Corrugated metal roofed facility including individual kennels air-conditioning and wash down areas.</p>	<p>The facility provides high quality greyhound race day housing, preparation and management of animals.</p>	<p>Modern facility in good condition.</p>	
<p><b>Dressage arena</b></p>			



Description	Use	Condition	Photo
<p>The dressage arena is situated south and south-east of the main race circuits. It comprises five sand and crushed gravel, wood bordered dressage areas and a metal framed and Corrugated metal building for event day management, shade and storage.</p>	<p>The Goulburn Dressage Club holds approximately 6 to 8 events each calendar year. The events are Official competitions or informal training days.</p>	<p>Well maintained area with good facilities.</p>	
<p><b>Dog obedience area</b></p>			
<p>The dog obedience area is a large grassed area within the sand harness training track.</p>	<p>The Goulburn Dog Training &amp; Kennel Club provides handler &amp; dog training in Obedience Rally O Flyball, Agility and Show Training</p>	<p>Grassed area in moderate condition sustained by lack of vehicle access and use.</p>	
<p><b>Annual Goulburn Show Society offices</b></p>			

Description	Use	Condition	Photo
<p>The Goulburn Show office is a medium sized fixed-demountable building comprising reception and office areas, small wet areas (toilets and kitchen)</p>	<p>The Goulburn Agricultural Pastoral &amp; Horticultural Society Incorporated organises the annual three-day annual show from the office. The office is used every day and serves as the main administrative point during the event and the two days preparation and close-down either side of the event.</p> <p>The show uses the full facilities of the GRA during the event and includes animal exhibits, animal nursery, horse events, show jumping, sporting, arena sorting, camel rides, a wine and brewery show, chain-saw sculpture, blacksmith display, sheep-wool display and wood chop.</p>	<p>Modern facility in good condition.</p>	
<p><b>Residence</b></p>			
<p>The former caretaker's house is a three-bedroom brick and tile roof building on infill built up for flood protection.</p>	<p>The building currently houses a resident in a short-term licence.</p>	<p>Fair condition due to simplicity of materials and construction.</p>	

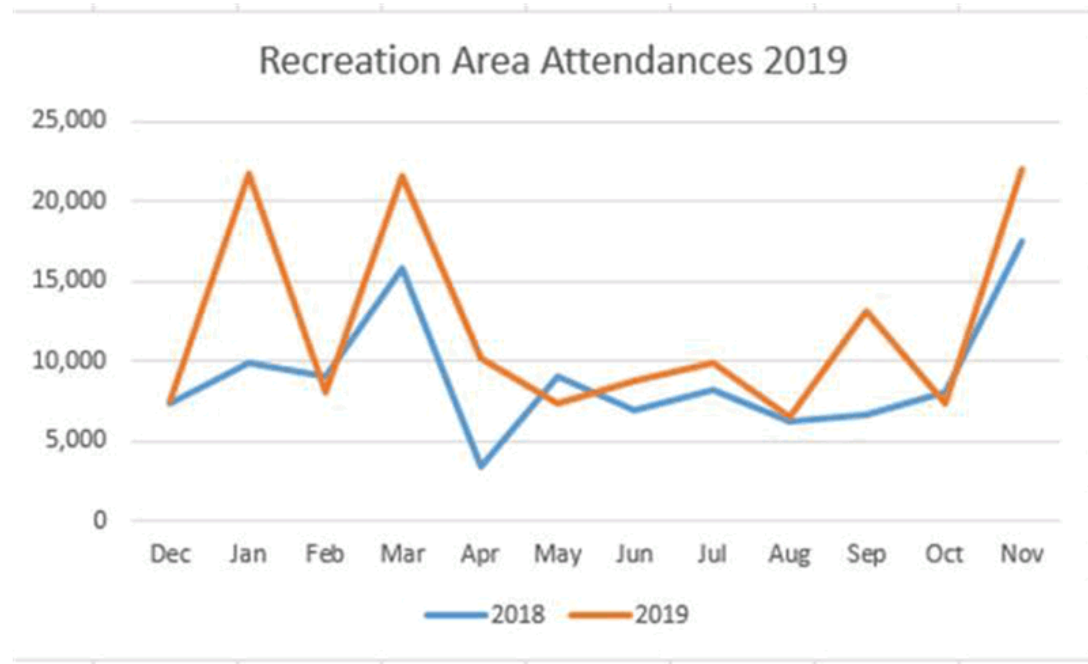
Description	Use	Condition	Photo
<b>Camping area</b>			
<p>This area is immediately adjacent to the Mulwaree River at the south eastern end of the GRA This is a relatively flat and level area of approximately 45,500 square metres.</p>	<p>The camping area is infrequently used due to a lack of power to potential sites, and wet (shower, toilets) facilities. Occasionally used for temporary uses by horse floats and limited event camping.</p>	<p>Flood prone land with grass cover.</p>	
<b>Machinery Shed</b>			
<p>This is a metal frame and Corrugated metal building built adjacent to the former caretaker's house (residence)</p>	<p>The shed is used for storage of Council and GRA management equipment.</p>	<p>Fair and serviceable condition due to simplicity of construction materials.</p>	

Description	Use	Condition	Photo
<b>Day Stalls / Stables</b>			
<p>The Day Stalls / Stables are a mixture of metal frame and Corrugated metal building with an equal sized brick and Corrugated metal roof. 80 stables are available.</p> <p>A small exercise yard and saddling enclosure is situated to the immediate south of the day stall complex</p>	<p>The day stalls provide short stay race day stabling and stalls uses during race meetings with direct access to the Harness Track.</p>	<p>Fair and serviceable condition due to simplicity of construction materials.</p>	
<b>Zantis Stables</b>			
<p>Theses stables are a wood frame, concrete block and plank building with corrugated iron roof. A small exercise/yard with metal fencing is adjacent.</p>	<p>The stables provide leased occupation for up to 15 harness racing horses and equipment.</p>	<p>Serviceable but aged condition.</p>	

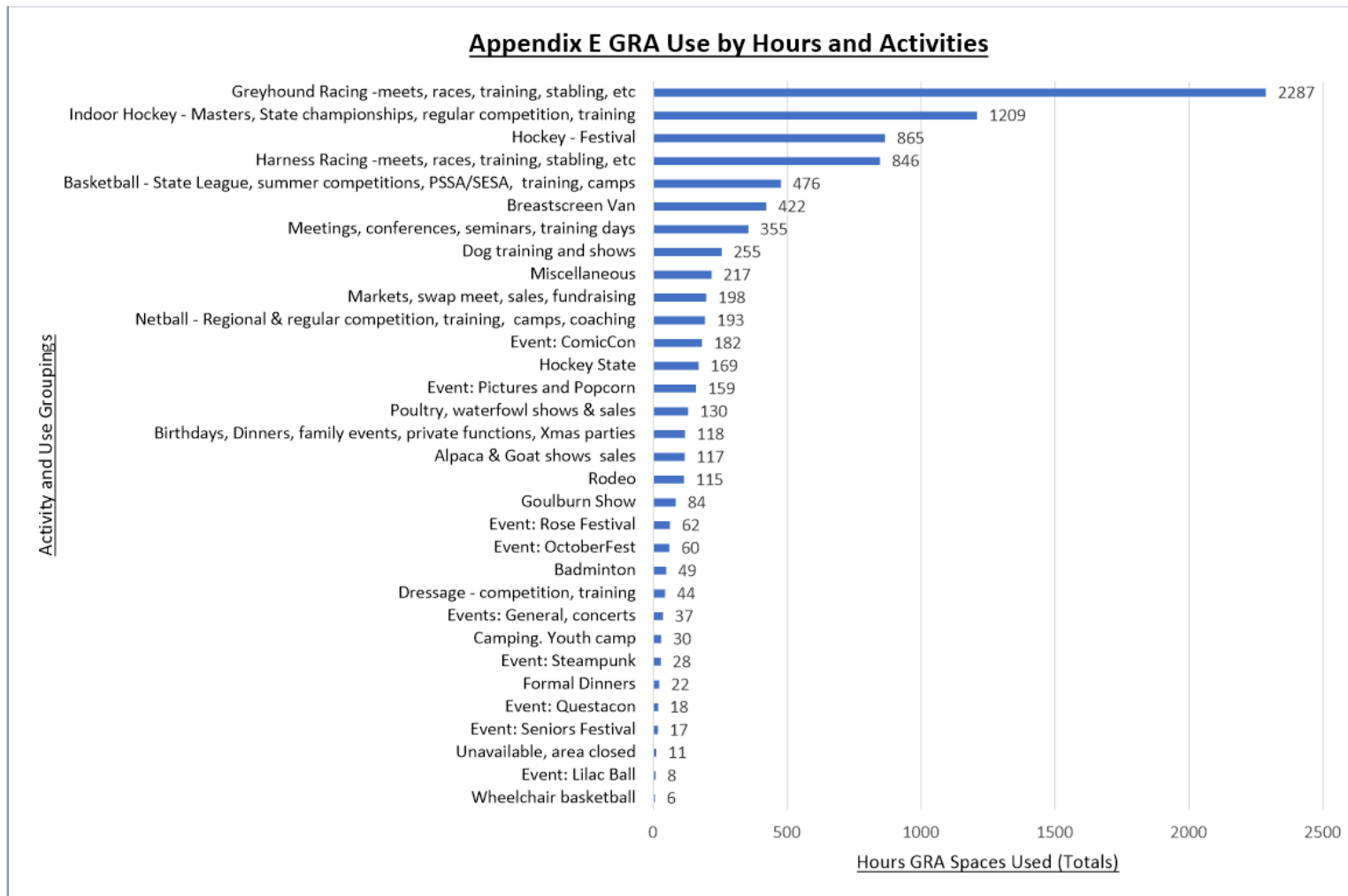
Description	Use	Condition	Photo
<b>Sideshow Alley, Car Park and picnic area</b>			
<p>The area consists of flat grass picnic area and asphalt surface carpark. Fencing around the grass area consists of recycled plastic bollards and coppers logs. The area has 12 power bollards and 6 light poles. Roll top fencing is located on the stable and track side.</p>	<p>This is a multifunction area used for multiple outdoor events, e.g: Goulburn Show and car parking.</p>	<p>Newly installed asphalt surfaces the car park, grass is reasonable condition.</p>	
<b>Showman's Guild Parking</b>			
<p>The area consists of 5 power bollards and 1 light on end of stables. The surface road base and a large open drain runs through the centre of the area.</p>	<p>The area is an overflow car park area for major events or if the main car park is being used. It also serves as a base for the showman's guild during the Goulburn Show.</p>	<p>Good condition.</p>	

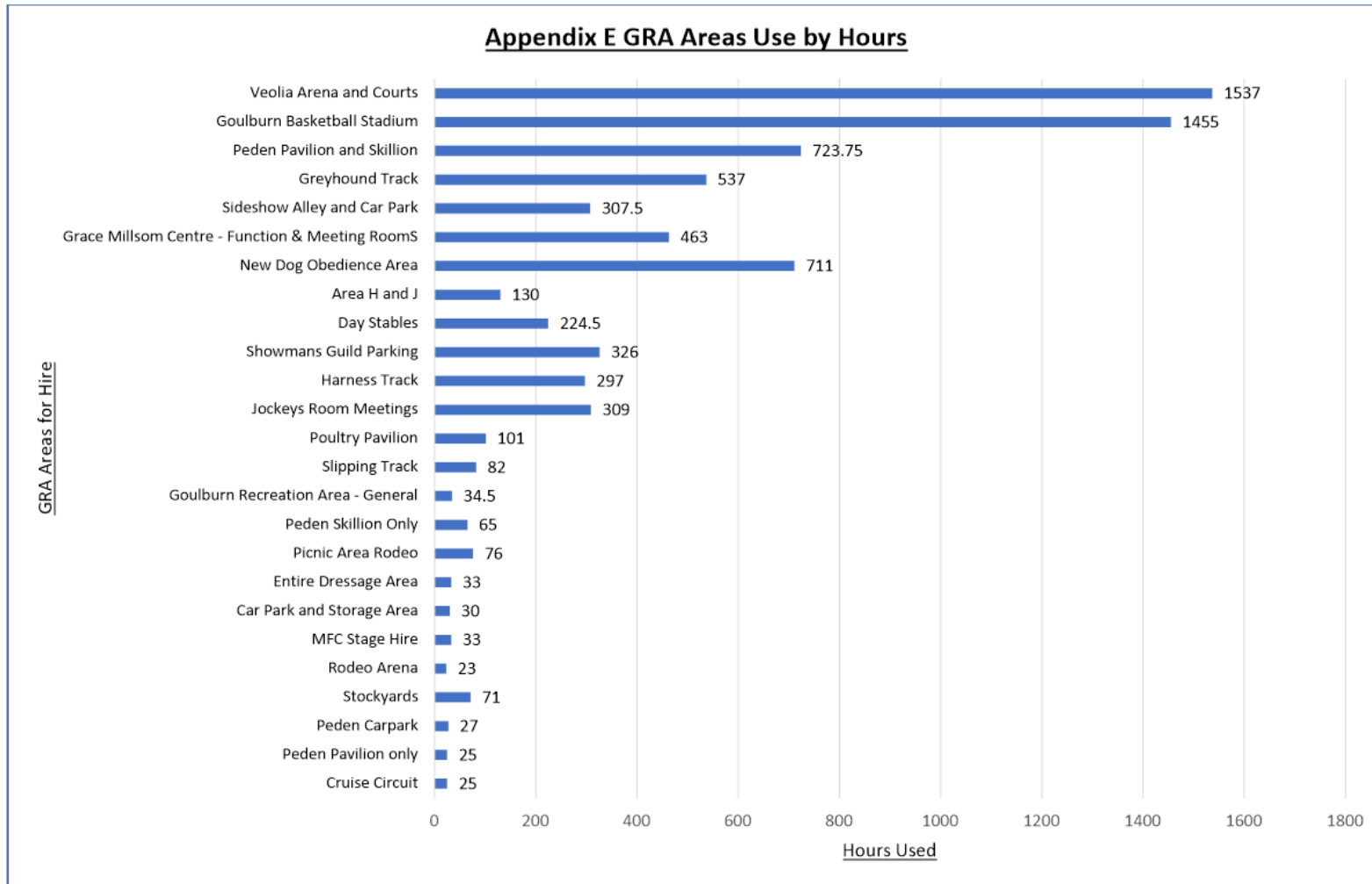
Description	Use	Condition	Photo
<b>Slipping Track</b>			
<p>The slipping track is a straight line fenced loam track between the eastern (river) paddock and the sand training track.</p>	<p>The track is used by Greyhound Club members for training.</p>	<p>Good condition.</p>	
<b>Stockyards</b>			
<p>The stockyards are an uncovered metal frame and panelled collection of stalls and runs for keeping of stock animals. The yards have two loading ramps, one fixed and one adjustable, and a stock wash down area.</p>	<p>The yards are used for the temporary holding of stock, for rodeo event use, and as a temporary animal holding use during emergency</p>	<p>Serviceable condition, lack of cover a limitation to uses.</p>	

**Appendix E 2018-2019 attendance use**









**Appendix F - Current licenses/leases for users of the reserve 2020**

Source: Goulburn Council

Site location	Tenant	Type	Start Date	End Date	Term (Yrs)	Authorised Use
Dog Obedience Area	Goulburn Dog Training and Kennel Club	Crown Licence	01.07.2020	30.06.2021	1	Dog Obedience
Former Caretaker's Cottage	Stapleton	Crown Licence	30.06.2020	30.06.2021	1	Residential
Maurie Harris Poultry Pavilion	Goulburn Homing Pigeon Society Inc.	Crown Licence	01.11.2019	31.10.2021	2	Meetings, shows and races
Ross Whittaker Basketball Centre	Goulburn Basketball Association Inc.	Crown Licence	01.07.2016	30.06.2021	5	Basketball
Maurie Harris Poultry Pavilion	Goulburn Poultry Fanciers Society Inc.	Crown Licence	01.08.2017	01.07.2022	5	Poultry Shows
Rodeo Area	Goulburn Rodeo Club Inc.	Crown Licence	01.07.2016	30.06.2021	5	Rodeo Club
Show Society Office and GRA during Annual Show	Goulburn A P & H Society Inc.	Crown Licence	01.07.2016	30.06.2021	5	Annual Goulburn Show Office
Dressage Arena	Goulburn Dressage Club Inc.	Crown Licence	01.07.2016	30.06.2021	5	Dressage
Race day stables and curtilage	Goulburn Harness Racing Club Inc.	Crown Licence	31.10.2018	30.09.2023	5	Horse Stables
Zantis Stables and curtilage	D & M Hewitt	Crown Licence	01/07/2012	30.06.2022	10	Day Stalls / Horse Stables
Racetrack, Training track	Goulburn Harness Racing Club Inc.	Crown Licence	01.10.2018	30.06.2029	20	Racing Club - Track
Racetrack, slipping track, race day kennels	Goulburn Greyhound Racing Club Inc.	Crown Licence	1.06.2020	30.05.2040	20	Greyhound Racing

**Appendix G – 2010 Plan of Management Actions to be carried over**

The following carry over actions from the Crown Land (NSW) approved 2010 Plan of Management are incorporated into Table 2. Objectives and performance targets, means of achieving them and assessing achievement for the community land categories: Park, Sportsground and General Community Use, of this PoM.

**Actions from 2010 Goulburn Recreation Area Plan of Management to be completed**

2010 PoM Actions – carried over	Budget forecast	Priority	Current status
<b>Strategic Planning</b>			
Commission development of a GRA Master Plan.	\$25,000	high	Currently in Table 2 of this draft PoM under Economy.
Commission development of a Marketing Plan.	\$15,000	high	Currently in Table 2 of draft PoM under Economy.
Investigate, review and design a power supply network to serve current and future needs.	\$6,000	high	Currently in Table 2 of draft PoM under Infrastructure & Maintenance Needs.
Develop a 'building design policy' to allow for appropriate design and finish of all buildings to ensure consistent approach to siting and construction of buildings. Themed design to harmonise visual impacts.	\$5,000	high	Currently in Table 2 of draft PoM under Economy.
Develop landscape plan with planting guides. This should consider safety, heritage, biodiversity & endemic species and general landscape considerations.	\$15,000	high	Currently in Table 2 of this draft PoM and supports actions on shade trees & perimeter trees.  See Improved Facilities and Amenities.
Develop signage plan/strategy for area that covers interpretive, directional, regulatory and advertising signage.	\$10,000	low	Currently in Table 2 of draft PoM under Economy.

2010 PoM Actions – carried over	Budget forecast	Priority	Current status
<b>Indoor Facilities</b>			
Upgrade accessible facilities to meet BCA standard.	\$30,000	high	Currently in Table 2 of this draft PoM see Safety and Efficiency.
Replace slab floors in Peden Pavilion.	\$100,000	low	Currently in Table 2 of this draft PoM see Infrastructure and Maintenance Needs.
<b>Outdoor Facilities</b>			
Allocate annual budget for implementation of the landscape plan.	\$5,000 re-vegetation and maintenance.	high	Currently in Table 2 of this draft PoM see Improve Facilities and Amenities.
Prepare and implement a drainage plan to reduce damage to Race Day grounds during periods of wet weather.	\$10,000 for design	high	Currently in Table 2 of this draft PoM see Infrastructure and Maintenance Needs.
Pipe and cover the drains surrounding the Rodeo Arena. This will improve safety, allow for stockyard expansion and facilitate car parking on the area to the south of the Arena.	\$35,000	med	Currently in Table 2 of this draft PoM see Development and Growth.
Rodeo Club to replace current Rodeo club house (include office, VIP lounge etc) and construct permanent canteen area.		med	Currently in Table 2 of this draft PoM see Development and Growth.
Rodeo Club to improve lighting to the Rodeo Arena.		med	Currently in Table 2 of this draft PoM see Development and Growth.

2010 PoM Actions – carried over	Budget forecast	Priority	Current status
Rodeo Club to investigate costs to cover the Rodeo arena and to construct grandstand with view to eventual implementation.		low	Currently in Table 2 of this draft PoM see Development and Growth.
Rodeo Club to expand stock yards.		low	Currently in Table 2 of this draft PoM see Development and Growth.
Investigate proposals for development of a camp draft/polocrosse facility on the lower open fields including powered campsites, toilet block, storage and stockyards.		low	Currently in Table 2 of this draft PoM see Development and Growth.
<b>Future Development</b>			
Camping area and amenities block- construct as per DA and per relevant legislation.		med	Currently in Table 2 of this draft PoM see Infrastructure and Maintenance Needs.
Investigate options for Poultry Club outdoor area.	\$2,000	med	Currently in Table 2 of this draft PoM see Development and Growth.
Goulburn Greyhound Club to investigate development of greyhound pre-training dog kennels.		med	Currently in Table 2 of this draft PoM see Development and Growth.
Develop a machinery exhibition area.	\$25,000	low	Currently in Table 2 of this draft PoM see Development and Growth.
Develop a sheltered display area for antique machinery.	Potential groups to use existing facilities	low	Currently in Table 2 of this draft PoM see

2010 PoM Actions – carried over	Budget forecast	Priority	Current status
			Development and Growth.
Goulburn Harness Racing Club, Inc - Investigate the feasibility of night time harness racing and the impact of visual intrusion on other users and reserve aesthetics.	Refer Goulburn Harness Racing Club	low	Currently in Table 2 of this draft PoM see Economy.
Goulburn Harness Racing Club, Inc to develop a lighting plan for the harness racing track.	Refer Goulburn Harness Racing Club	low	Currently in Table 2 of this draft PoM see Economy.
Investigate options for undercover show/sale area to south of existing cattle yards.	\$2,000	low	Currently in Table 2 of this draft PoM see Development and Growth.



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**NATIVE TITLE MANAGER ADVICE**  
**Draft Plan of Management**  
**Goulburn Recreation Area (R72794)**

Prepared for: Goulburn Mulwaree Council

Native Title Manager: Carl Malmberg

Accredited: February 2020

8 September 2020

CGM Planning & Development P/L



CONTENTS	PAGE
<b>Executive Summary</b>	1
<b>1. Introduction</b>	3
1.1 Crown Land Management Act 2018	3
1.2 Native Title and Goulburn Mulwaree Council	3
1.3 Written Native Title Manager advice	3
<b>2. The Land</b>	4
2.1 Identification of the Crown land (reserves) and purposes.	4
<b><i>Native Title Manager advice 1.</i></b>	7
2.2 Is the Land excluded land as defined by the CLM Act ?	7
i. Native Title Claims	8
ii. Native Title Determinations	8
iii. Register of Indigenous Land Use Agreements	8
iv. Native Title Future Act Applications and Determinations	8
v. Native Title Certificate	8
<b><i>Native Title Manager advice 2.</i></b>	9
<b>3. Valid creation of the Goulburn Recreation Area Crown Reserve</b>	9
3.1 Crown Reserve (R72794)	9
<b><i>Native Title Manager advice 3.</i></b>	13
<b>4. Previous Exclusionary Possession Acts</b>	13
4.1 Crown Grant to Freehold	14
<b><i>Native Title Manager advice 4.</i></b>	14
<b>5. The Plan of Management</b>	14
5.1 Future Acts Regime	14
<b><i>Native Title Manager Advice 5</i></b>	15
<b>6. Conclusion</b>	16
6.1 Native title and excluded land	16
6.2 Crown Reserve (R72794): Goulburn Recreation Area	16
6.3 Previous exclusionary possession acts	16
6.4 The Plan of Management	16
6.5 Outcome of advice	16
<b>Figures</b>	
Figure 1: Locality Map – Goulburn Recreation Area	4
Figure 2: Reserve map	6
Figure 3: Real Property Identification Plan	7
<b>Tables</b>	
Table 1: Goulburn Recreation Area – Reserve details	5
Table 2: Extinguishing effect of previous exclusive possession acts (PEPAs)	13
Table 3: Requirements for validity of future acts under Subdivision J	15
<b>Appendices</b>	17
Appendix A: Certificate of Titles (search result)	18
Appendix B: Gazette Notices	21
Appendix C: Previous Freehold Land	24
Appendix D: Native Title Manager letter of accreditation	34

### **Executive Summary**

Goulburn Mulwaree Council has sought advice from an accredited Native Title Manager for a draft plan of management prepared under the provisions of S.3.23 of the *Crown Land Management Act 2016* and Division 2 of the *Local Government Act 1993* for the Crown Reserve (R72794) – the Goulburn Recreation Area.

Goulburn Mulwaree Council is defined as a 'responsible person' under the *Crown Land Management Act 2016* and, as Council is a Crown land manager (Council Manager) of Crown land reserved for a purpose, must ensure its dealings and activities on Crown reserves that it manages comply with the native title legislation.

The land involved is 'relevant land' under the *Crown Land Management Act 2016* and is Crown land reserved for the purposes of Athletic Sport, Public Recreation, Racecourse; and Showground, comprised of the whole of Lot 7049 DP 1005051, the whole of Lot 7302 DP 1151976, and part of Lot 370 DP 750015 in the Parish of Goulburn, County Argyle, Goulburn Mulwaree Local Government Area.

This written native title manager report provides the following advice.

#### Native title and excluded land

There are no active Native Title Claims that include the Crown reserve land, nor have there been any Native Title Determinations, registered Indigenous Land Use Agreements, Native Title Future Act Applications and Determinations, or Native Title Certificates issued for:

- whole of Lot 7049 DP 1005051;
- whole of Lot 7302 DP 1151976; and
- part of Lot 370 DP 750015.

Native title rights must be assumed to remain in existence as the land is not 'excluded land' under the *Crown Land Management Act 2016*.

#### Crown Reserve (R72794): Goulburn Recreation Area

The Crown Reserve was validly created by the State of NSW (the Crown) and has undergone no amendments or changes after 1993.

#### Previous exclusionary possession acts

The land in Crown Reserve R72794 was previously freehold land as a result of Crown Grants in 1833 and 1857.

Council may have confidence that in the event of any native title claim over the Crown land in R72794 that the act of Crown Grant for freehold ownership will be regarded for the purposes of the *Native Title Act 1993* (Cwlth) and the *Native Title Act 1994* (NSW) as having extinguished native title rights over the land.

#### The plan of management

The adoption of the plan of management, following approval by the Minister administering the *Crown Land Management Act 2016*, will be a valid future act under the requirements of validation under the *Native Title Act 1993* (Cwlth) Subdivision J, Section 24JA, Section (1) (a-e).

Recommendation

Goulburn Mulwaree Council may endorse the draft plan of management as a draft for referral to the landowner: The Minister administering the *Crown Land Management Act 2016* as a representative of the State of NSW.

**Disclaimer:**

*The advice within this report is correct to the best of author's knowledge, as of 8 September 2020, and is opinion prepared in good faith and with all available knowledge provided by Council or sourced through Government records. The advice is based upon, and has referenced, the NSW Government: 'Native Title Managers Handbook' 2<sup>nd</sup> Edition 2019*

## 1. Introduction

### 1.1 Crown Land Management Act 2018

- a) Goulburn Mulwaree Council (the Council) is a Crown land manager (Council Manager) for the purposes of the *Crown Land Management Act 2018* (CLM Act).
- b) A Council Manager is responsible for the care, control and management of Crown reserves where the Council was previously appointed as Crown reserve trust manager under the former Crown Lands Act 1989.
- c) Crown reserves under the management of a Council Manager are enabled by the CLM Act to manage the reserves as public land under the *Local Government Act 1993* (LG Act). Most of this public land is managed by Council as if it is community land under the LG Act.
- d) Community land is required to have a Council-adopted plan of management to authorise tenures (lease, licences and other estates) and to guide the use, management and development of the community land. The CLM Act requires Council Managers to have adopted plans of management for Crown reserve community land in place by 30 June 2021.

### 1.2 Native Title and Goulburn Mulwaree Council

- a) The CLM Act requires the Council Manager (as a 'responsible person') to ensure Council's dealings and activities on Crown reserves that it manages comply with the native title legislation.
- b) Council managers need to employ or engage native title managers to ensure compliance with native title legislation. Goulburn Mulwaree Council has engaged an accredited Native Title Manager: Carl Malmberg, Director, CGM Planning & Development P/L. See **Appendix D** for letter of accreditation.
- c) The relevant legislation is the *Crown Land Management Act 2016*, the *Native Title Act 1993* [NT Act (Cwlth)] and the *Native Title Act 1994* [NT Act (NSW)].
- d) The CLM Act requires native title managers to provide written advice to the Council Manager when the Council Manager intends to perform one of the following functions in relation to the land it manages or own:
  - i. grant leases, licences, permits, forestry rights, easements or rights of way;
  - ii. mortgage the land or allow it to be mortgaged;
  - iii. impose, require or agree to (or remove or release, or agree to remove or release) covenants, conditions or other restrictions on use in connection with dealings involving the land, or
  - iv. approve (or submit for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in i to iii above.

### 1.3 Written Native Title Manager advice

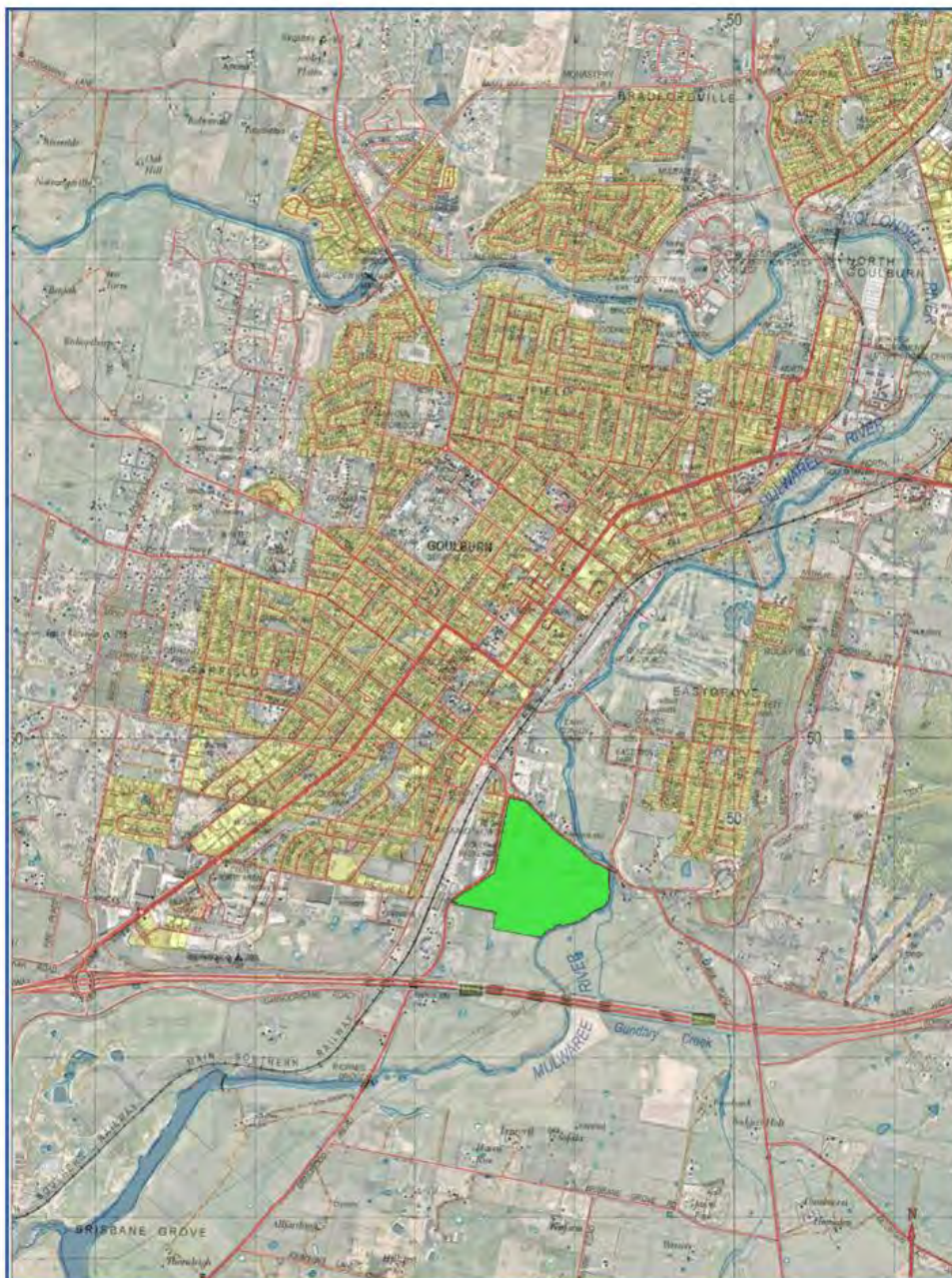
Council is the Council Manager of Crown Reserve (R72794): the Goulburn Recreation Area. Council has prepared a plan of management in accordance with the CLM Act and the LG Act.

This report meets Council's requirement under the CLM Act to obtain written Native Title Manager's advice as Council is considering submission of the draft Goulburn Recreation Area plan of management for approval to the Hon. Melinda Jane Pavey, MP, Minister for Water, Property and Housing, representing the Crown as landowner of the reserved Crown land.

**2. The Land**

**2.1 Identification of the Crown land (reserves) and purposes.**

- a) The Goulburn Recreation Area is located at 47 Braidwood Road, Goulburn, NSW. It is situated at the south-east side of Goulburn, is bordered by Braidwood and Bungonia Roads and the Mulwaree River. **See Figure 1 Locality Map.**



**Figure 1: Locality Map – Goulburn Recreation Area coloured green**  
**Source: Goulburn Recreation Area draft plan of management**

b) The land to which this plan of management applies is the Goulburn Recreation Area. It is a Crown Reserve number: R72794, created and notified by NSW Gazette notice dated 30 July 1948, and reserved for the purposes of:

- Athletic Sport;
- Public Recreation;
- Racecourse; and
- Showground.

**Table 1: Goulburn Recreation Area – reserve details**

Reserve No.	72794
Reserve Type	Reserve
Reserve Name	Goulburn Showground and Recreation Area
Gazetted Date	30/7/1948
Status	Current
Management	Council Crown Land Manager
Manager	Goulburn Mulwaree Council
Purpose	Athletic Sport; Public Recreation; Racecourse; Showground
Lots	Whole: Lot 7049 DP 1005051, Lot 7302 DP 1151976. Part: Lot 370 DP
Parish	Goulburn
County	Argyle
LGA	Goulburn Mulwaree
Council	Goulburn Mulwaree Council
Suburb	Goulburn
Area (Ha)	44.192025

**Source:** *DPIE – Crown Land Managers Reserves Portal*



**Figure 2: Reserve map**

**Source:** *DPIE – Crown Land Managers Reserves Portal*

- a) The reserve is approximately 44.192 hectares and is comprised of the following land parcels:
  - whole of Lot 7049 DP 1005051;
  - whole of Lot 7302 DP 1151976; and
  - part of Lot 370 DP 750015,
 in the Parish of Goulburn, County of Argyle, Goulburn Mulwaree local government area.
  
- b) The certificates of Title show the land is in the ownership of the State of NSW (First Schedule) and are Crown reserves within the meaning of the (now) CLM Act (Second Schedule). See **Appendix A** for Certificates of Titles (search results).

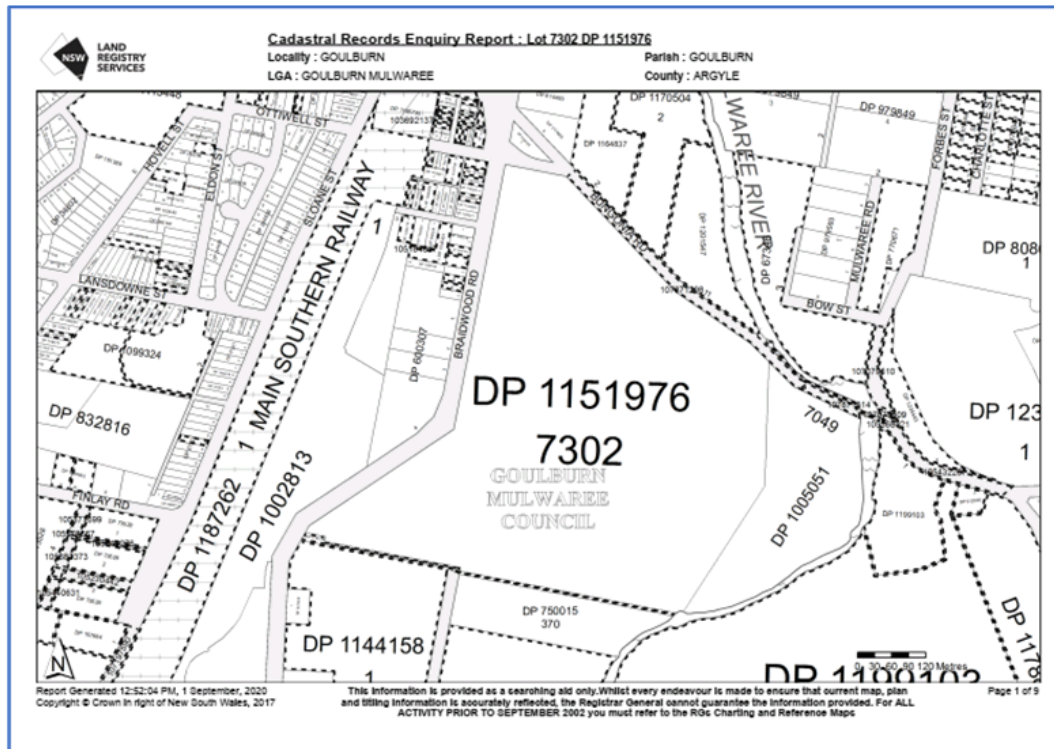


Figure 3: Real Property Identification Plan

Source: Land Registry Services

**Native Title Manager advice 1.**

The land covered by the plan of management is owned by the State of NSW and is Crown land reserved for purposes of:

- Athletic Sport;
- Public Recreation;
- Racecourse; and
- Showground.

2.2 Is the Land excluded land as defined by the CLM Act ?

- a) 'Excluded land under the CLM Act native title provisions is land where there is no native title, or native title has either been extinguished, surrendered, under protection, or acquired or where a native title certificate has been issued by the Minister responsible for the CLM Act.
- b) The CLM Act Section 8.1 defines 'Excluded land' means each of the following:
  - Land subject to an approved determination of native title (as defined in the NT Act (Cw/lt)) that has determined that:
    - all native title rights and interests in relation to the land have been extinguished, or
    - there are no native title rights and interests in relation to the land,
  - Land where all native title rights and interests in relation to the land have been surrendered under an indigenous land use agreement – an ILUA, (as defined in the *Native Title Act 1993* of the Commonwealth) registered under that Act,



- An area of land to which section 24FA protection applies, defined in the NT Act (Cwlth) where a non-claimant application under S.24FA, permits dealing with the land where native title may exist, even if the act affects native title,
- Land where all native title rights and interests in relation to the land have been compulsorily acquired,
- Land for which a native title certificate is in effect.

i. Native Title Claims

Application name	Date filed	Tribunal file	Federal Court file	Date claim entered on register
South Coast People	03/08/2017	NC2017/003	NSD1331/2017	31/01/2018

**Source:** *Native Title Tribunal Register*

This claim by the South Coast People is the only current claim before the Native Title Tribunal listed in the Tribunal's Register. All other claims that affect the Goulburn Mulwaree LGA have been either rejected, dismissed or discontinued.

The Claim does not include:

- whole of Lot 7049 DP 1005051;
- whole of Lot 7302 DP 1151976; and
- part of Lot 370 DP 750015.

ii. Native Title Determinations

There have been no Determinations that include:

- whole of Lot 7049 DP 1005051;
- whole of Lot 7302 DP 1151976; and
- part of Lot 370 DP 750015.

iii. Register of Indigenous Land Use Agreements

The Native Title Tribunal Register of Indigenous Land Use Agreements (ILUAs) does not include:

- whole of Lot 7049 DP 1005051;
- whole of Lot 7302 DP 1151976; and
- part of Lot 370 DP 750015.

iv. Native Title Future Act Applications and Determinations

There are no Future Act Applications and Determinations listed in the Native Title Tribunal Register that include:

- whole of Lot 7049 DP 1005051;
- whole of Lot 7302 DP 1151976; and
- part of Lot 370 DP 750015.

v. Native Title Certificate

Section 8.4 of the CLM Act provides for the Minister to issue native title certificates.

No Native Title Certificate has been requested or issued for:

- whole of Lot 7049 DP 1005051;
- whole of Lot 7302 DP 1151976; and
- part of Lot 370 DP 750015.

**Native Title Manager advice 2.**

The land in the Goulburn Recreation Area, comprised of:

- whole of Lot 7049 DP 1005051;
- whole of Lot 7302 DP 1151976; and
- part of Lot 370 DP 750015,

is not 'excluded land' under the provisions of the CLM Act S8.1.

**3. Valid creation of the Goulburn Recreation Area Crown Reserve**

**3.1 Crown Reserve (R72794)**

The land within R72749 was created as a Crown Reserve through notification of the reservation action in the NSW Government Gazette, 30 July 1948.

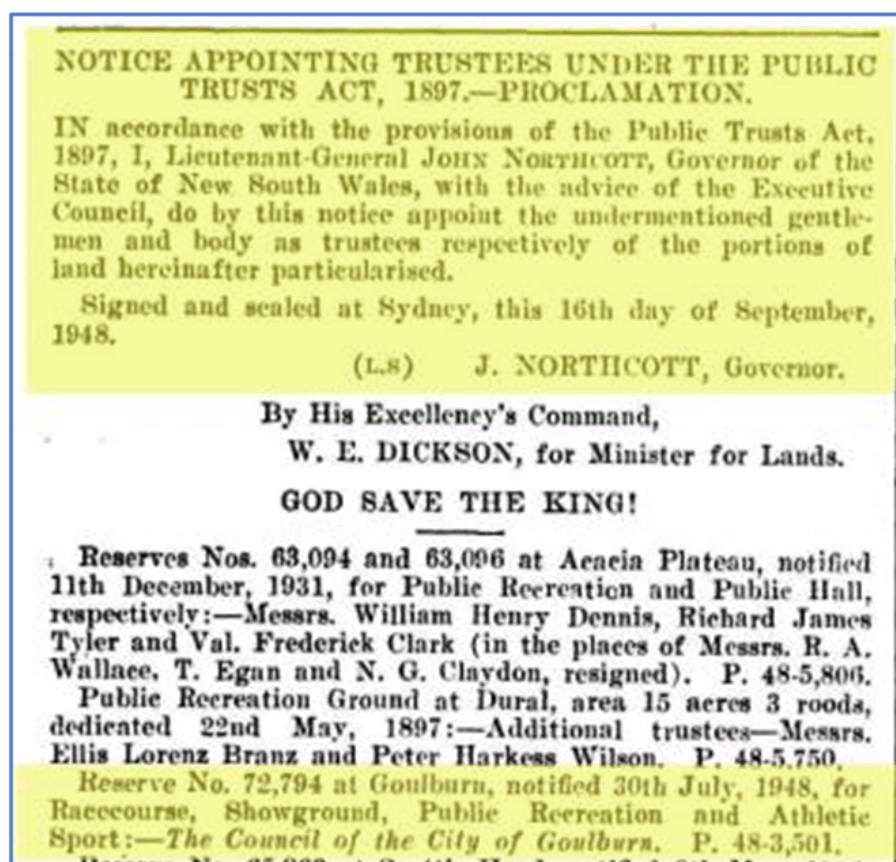
The land was reserved from sale and lease generally and for the purposes of Racecourse, Showground, Public Recreation, and Athletic Sport.

Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001), Friday 30 July 1948 (N

(2261) Sydney, 30th July, 1948.  
**RESERVES FROM SALE AND LEASE GENERALLY.**  
 IT is hereby notified that, in pursuance of the provisions of sections 28 and 29 of the Crown Lands Consolidation Act, 1913, the Crown lands hereunder described shall be temporarily reserved from sale for the public purposes hereinafter specified and temporarily reserved and exempted from lease generally, and they are hereby reserved and exempted accordingly.  
**W. F. SHEAHAN, Minister for Lands.**  
 ———  
**FOR RACECOURSE, SHOWGROUND, PUBLIC RECREATION AND ATHLETIC SPORT.**  
**LAND DISTRICT—GOULBURN; MUNICIPALITY—GOULBURN.**  
 No. 72,794 from sale (72,795 from lease generally). Parish Goulburn, county Argyle, about 108 acres 3 roods 27 perches, being portions 369, 370 and the land bounded by portion 369, the public road from Goulburn to Bungonia and Mulwarree Ponds. A. 27-642, A. 4,741 Roll, 4,745-2,121. P. 48-3,501.

Source: NSW Government Gazette – NLA Trove

Crown Reserve R72794 was subsequently placed in the trusteeship of The Council of the City of Goulburn City Council by NSW Government Gazette, 17 September 1948, under the Provisions of the *Public Trusts Act 1897*.



Source: NSW Government Gazette – NLA Trove

Crown Reserve R72794 was subsequently vested in (then) existing Trustees (The Council of the City of Goulburn) by NSW Government Gazette on 5 November 1971.

5 NOVEMBER, 1971] NEW SOUTH WALES GOVERNMENT GAZETTE No. 129 4307

**NOTICE VESTING LAND IN TRUSTEES IN ACCORDANCE WITH THE PROVISIONS OF PUBLIC TRUSTS ACT, 1897**

WHEREAS it is desired to vest the lands described in the schedule hereto in the present trustees in accordance with the provisions of section 3 of the Public Trusts Act, 1897, as hereinafter mentioned: Now, therefore, I, THOMAS LANCELOT LEWIS, Minister for Lands, do, by this notice, vest the said lands in the present trustees, and their successors as trustees, in accordance with the provisions of section 3 of the Public Trusts Act, 1897, to hold for the notified purpose, subject to the conditions and provisos and with the powers following: Provided that the said estate shall immediately cease and determine upon the revocation of the whole or any parts of the said notification so far as regards the land comprised in such revocation: Provided also that the said trustees shall not be capable of alienating, charging or in any way disposing of the said lands or any parts thereof except in the manner following, that is to say: The said trustees shall have power, subject to written consent of the Minister for Lands being first had and obtained to lease the whole or any parts of the said lands at such rent for such purposes during such terms and subject to such provisions and conditions as the said Minister in writing approves and subject to any statutes, ordinances, rules and regulations now or hereafter made and relating to the management and control of the said lands: Provided, lastly, that every lease shall contain a proviso that it shall cease and determine immediately upon revocation of the whole or any parts of the said notification so far as regards the land comprised in such revocation.

Signed and sealed at Sydney, this 22nd day of October, 1971.

T. L. LEWIS, Minister for Lands.

**SCHEDULE**

Reserve 86769 at Toukley, Parish Wallarah, County Northumberland, Land District Gosford, notified 14th June, 1968, for Public Recreation: *The Council of the Shire of Wyong*. Pks 65-2473.

Reserve 72486 at Gunnedah, Parish Cooridooon, County Buckland, Land District Gunnedah, notified 31st October, 1947, for Racecourse: *The Council of the Shire of Liverpool Plains*. Pks 71-1878.

Reserve 72794 at Goulburn, Parish Goulburn, County Argyle, Land District Goulburn, notified 30th July, 1948, for Showground, Racecourse, Public Recreation, and Athletic Sport: *The Council of the City of Goulburn*. Pks 63-2074. (1012)

(1528) Sydney, 5th November, 1971.

**ADDITIONS TO RESERVES FROM SALE**

IT is hereby notified that, in pursuance of the provisions of section 28 of the Crown Lands Consolidation Act, 1913, the Crown lands described hereunder shall be added to the existing reserves shown in parentheses, and are hereby added accordingly.

T. L. LEWIS, Minister for Lands.

**FOR HOMES FOR THE AGED**  
*Land District and Municipality—Moree*

Parish and Town Moree, County Courallie, about 3 roads 16j perches, parts sections 19 and 20 and closed road, and being the area shown by hatched edge on diagram hereunder (R. 80710 for Homes for the Aged notified 30th May, 1958).

**NOTE:** The affected part of R. 70811 for Future Public Requirements notified 29th January, 1943, is hereby revoked. Pks 71-1384.

**FOR PUBLIC RECREATION AND PRESERVATION OF NATIVE FLORA**

Source: NSW Government Gazette – NLA Trove

A Crown Reserve Trust was created and Council was appointed as the Corporate Trust Manager by NSW Government Gazette on 13 August 1993.

**Reserve Trust Established**

ernment Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001), Friday 13 August 1993

<b>ESTABLISHMENT OF RESERVE TRUST</b>	
<p>PURSUANT to section 92 (1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder is established under the name stated in that column and is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.</p> <p style="text-align: center;"><b>GEORGE SOURIS, M.P.,</b> Minister for Land and Water Conservation.</p>	
<b>SCHEDULE</b>	
<b>COLUMN 1</b>	<b>COLUMN 2</b>
Goulburn Recreation Area Trust.	Reserve No. 72794 for the public purpose of showground, racecourse, public recreation and athletic sport, notified in the <i>Government Gazette</i> of 30 July 1948. File No.: GB83 R 30.JG.

Source: NSW Government Gazette – NLA Trove

**Trust Manager (Corporate) Appointed**

ernment Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001), Friday 13 August 1993

<b>APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST</b>		
<p>PURSUANT to section 95 of the Crown Lands Act 1989, the corporation specified in Column 1 of the Schedule hereunder is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.</p> <p style="text-align: center;"><b>GEORGE SOURIS, M.P.,</b> Minister for Land and Water Conservation.</p>		
<b>SCHEDULE</b>		
<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
Goulburn City Council.	Goulburn Recreation Area Trust.	Reserve 72794 for the public purpose of showground, racecourse, public recreation and athletic sport notified in the <i>Government Gazette</i> of 30 July 1948. File No.: GB83 R 30.JG.

Source: NSW Government Gazette – NLA Trove

The commencement of the CLM Act on 1 July 2018 automatically amended Crown Reserve Trust managers to Council Managers (Crown Land Managers), with the residual reserve trust being abolished 1 July 2019. At this point, Goulburn Mulwaree Council became the Council Manager of Crown Reserve R72794: Goulburn Recreation Area.

**Native Title Manager advice 3.**  
 The Crown Reserve R72784 was validly created (a 'valid act') by the State of NSW (the Crown) and Goulburn Mulwaree Council validly appointed as Crown land manager for the reserve.

**4. Previous Exclusionary Possession Acts**

The NT Act (Cwlth) Division 2B provides for the confirmation of past extinguishment of native title by certain valid or validated acts. The NT Act (NSW) mirrors the provisions of the NT Act (Cwlth) as to the extinguishing effect of a previous exclusionary possession act (PEPA) where the act was done by the State of NSW.

The NT Act (Cwlth), Division 2B, Section 23A (2) states:

*If the acts were **previous exclusive possession acts** (involving the grant or vesting of things such as freehold estates or leases that conferred exclusive possession, or the construction or establishment of public works), the acts will have completely extinguished native title.*

To be a previous exclusive possession act, the act:

- must be valid (including because it is a past act or intermediate act);
- have taken place on or before 23 December 1996; and
- must consist of the grant or vesting of acts listed in s. 23B(2)(c); set out in the table below entitled 'Extinguishing effect of categories of previous acts – Div. 2B'.

The following table sets out the extinguishing effect of PEPAs:

**Table 2: Extinguishing effect of previous exclusive possession acts (PEPAs)**

Category	Acts in the category	Extinguishing effect
PEPAs	<ul style="list-style-type: none"> <li>• Freehold estates<sup>149</sup></li> <li>• Construction or establishment of public works</li> <li>• Acts set out in Schedule 1 of the NT Act (Cwlth)</li> <li>• Commercial leases (not being an agricultural or pastoral lease)</li> <li>• Exclusive agricultural leases</li> <li>• Residential leases</li> <li>• Community purposes leases</li> <li>• Separate leases</li> <li>• Any lease (other than a mining lease) that confers a right of exclusive possession<sup>150</sup></li> </ul>	The act extinguishes any native title in relation to the land or waters <sup>151</sup>

**Source:** NSW Government – Native title managers workbook

#### 4.1 Crown Grant to Freehold

An historical search of the land titles of the Crown land in R72749, being Lot 7049 D.P. 1005051, Lot 7302 D.P. 1151976 and Lot 370 D.P. 750015, (See **Appendix C**) demonstrate that all the land had been Crown land granted in freehold estate.

- **Crown Grants for Lot 7049 D.P. 1005051 and Lot 7302 D.P. 1151976**

These lands were found to form part of original Portion 45 – See Crown Plan 27-642. Portion 45 was granted to William Henry Broughton by Old System Crown Grant Serial 33 Folio 92 dated 3rd December 1833.

- **Crown Grant for Lot 370 D.P. 750015**

This land was found to form part of original Portion 46 – See Crown Plan 27-642. Portion 45 was granted to John Archer Broughton by Old System Crown Grant Serial 62 Folio 57/1 dated 29th May 1857

**Native Title Manager advice 4.**

The land in Crown Reserve R72794 was previously freehold land as a result of Crown Grants in 1833 and 1857. Council may have confidence that in the event of any native title claim over the Crown land in R72794 that the act of Crown Grant for freehold ownership will be regarded for the purposes of the NT Act (Cwlth) and the NT Act (NSW) as having extinguished native title rights over the land.

## 5. The plan of management

The NT Acts and the CLM Act are clear in that unless the land is defined as excluded land, then native title rights should be considered to be in existence.

Reserves where native title is not extinguished as a result of being excluded land require examination against the NT Act (Cwlth) 'future acts regime' to determine if dealings or developments on the land impact on presumed native title rights, or may 'valid acts'.

### 5.1 Future Acts Regime

The NT Act NSW does not validate future acts. The only way that future acts may be validated is through the future acts regime in Div. 3 of Pt. 2 of the NT Act (Cwlth).

The draft plan of management for the Goulburn Recreation Area (R72794), and the leases, licences and other estates authorised, and permissible uses and developments set out in the draft plan of management can be examined to identify any effect on assumed native title rights is a future act.

Subdivision J deals with future acts done in good faith under or in accordance with a reservation, dedication, condition, permission or authority made on or before 23 December 1996 which required the land to be used for a particular purpose, or the future act otherwise had no greater an impact on native title than any act that could have been done that was under or in accordance with the reservation.

The draft plan of management leases, licences and other estates are consistent with the reserve's purposes of Athletic Sport, Public Recreation, Racecourse and Showground.

The referral of the draft plan of management to the Minister administering the CLM Act representing the State of NSW as landowner, will result in approval of the amendment and alteration of the community land categories assigned to the reserve due to the locational mapping of the categories. This approval of the plan of management's assignment of the community categories will be as if an additional purpose(s) have been validly added to the reserve, e.g: General Community Use and Natural Area – Watercourse.

The draft plan of management leases, licences and other estates are consistent with the reserve's purposes of Athletic Sport, Public Recreation, Racecourse and Showground and the added purposes of General Community Use and Natural Area Watercourse.

**Table 3. Requirements for validity of future acts under Subdivision J - areas subject to a reservation**

Requirement	Section 24JA	Compliance
There is a valid earlier act that took place before the later act and on or before 23 December 1996	(1)(a)	Yes
The earlier act was valid (including because of Div. 2 or 2A)	(1)(b)	Yes
The earlier act was done by the Crown (the Commonwealth or State), or consisted of the making, amendment or repeal of legislation	(1)(c)	Yes
The earlier act contained, made or conferred a reservation, proclamation, dedication, condition, permission or authority (the reservation) under which the whole or part of any land or waters was to be used for a particular purpose	(1)(d)	Yes
The later act is done in good faith under: (i) under or in accordance with the reservation, or (ii) in the area covered by the reservation, so long as the act's impact on native title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had	(1)(e)	Yes

**Source:** NSW Government – Native title managers workbook2019

The adoption of the plan of management, following approval by the Minister administering the CLM Act, will be a future act that meets the requirements of validation under the *Native Title Act 1993* (Cwlth) Subdivision J, Section 24JA, Section (1) (a-e).

Procedural rights under the *Native Title Act 1993* (Cwlth) for potential native title claimants, such as notification or opportunity to comment, do not apply as acts validated under Subdivision J that are not public works do not require notification and do not confer other procedural rights.

**Native Title Manager Advice 5**

The adoption of the plan of management, following approval by the Minister administering the CLM Act, will be a valid future act under the requirements of validation under the *Native Title Act 1993* (Cwlth) Subdivision J, Section 24JA, Section (1) (a-e).



## 6. Conclusion

### 6.1 Native title and excluded land

There are no active Native Title Claims that include the Crown reserve land, nor have there been any Native Title Determinations, registered Indigenous Land Use Agreements, Native Title Future Act Applications and Determinations, or Native Title Certificates issued for:

- whole of Lot 7049 DP 1005051;
- whole of Lot 7302 DP 1151976; and
- part of Lot 370 DP 750015.

Native title rights must be assumed to remain in existence as the land is not 'excluded land' under the *Crown Land Management Act 2016*.

### 6.2 Crown Reserve (R72794: Goulburn Recreation Area)

The Crown Reserve was validly created by the State of NSW (the Crown) and has undergone no amendments or changes after 13 August 1993.

### 6.3 Previous exclusionary possession acts

The land in Crown Reserve R72794 was previously freehold land as a result of Crown Grants in 1833 and 1857.

Council may have confidence that in the event of any native title claim over the Crown land in R72794 that the act of Crown Grant for freehold ownership will be regarded for the purposes of the NT Act (Cwlth) and the NT Act (NSW) as having extinguished native title rights over the land.

### 6.4 The plan of management

The adoption of the plan of management, following approval by the Minister administering the CLM Act, will be a valid future act under the requirements of validation under the *Native Title Act 1993* (Cwlth) Subdivision J, Section 24JA, Section (1) (a-e).

### 6.5 Outcome of advice

Goulburn Mulwaree Council may endorse the draft plan of management as a draft for referral to the landowner: The Minister administering the *Crown Land Management Act 2016* as a representative of the State of NSW.

**APPENDICES**

- Appendix A: Certificate of Titles (search result)
- Appendix B: Gazette Notices
- Appendix C: Previous Freehold Land
- Appendix D: Native Title Manager letter of accreditation

Appendix A: Titles



FOLIO: 7302/1151976

SEARCH DATE	TIME	EDITION NO	DATE
4/8/2020	12:48 PM	-	-

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 7302 IN DEPOSITED PLAN 1151976  
 AT GOULBURN  
 LOCAL GOVERNMENT AREA GOULBURN MULWAREE  
 PARISH OF GOULBURN COUNTY OF ARGYLE  
 TITLE DIAGRAM DP1151976

FIRST SCHEDULE

THE STATE OF NEW SOUTH WALES (CA153860)

SECOND SCHEDULE (2 NOTIFICATIONS)

- \* 1 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- \* 2 THE LAND IS A RESERVE WITHIN THE MEANING OF PART 5 OF THE CROWN LANDS ACT 1989 AND THERE ARE RESTRICTIONS ON TRANSFER AND OTHER DEALINGS IN THE LAND UNDER THAT ACT, WHICH MAY REQUIRE CONSENT OF THE MINISTER.

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

GRA PoM

PRINTED ON 4/8/2020

\* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

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Received: 04/08/2020 12:48:54



FOLIO: 7049/1005051

SEARCH DATE	TIME	EDITION NO	DATE
4/8/2020	12:48 PM	-	-

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 7049 IN DEPOSITED PLAN 1005051  
 AT GOULBURN  
 LOCAL GOVERNMENT AREA GOULBURN MULWAREE  
 PARISH OF GOULBURN COUNTY OF ARGYLE  
 TITLE DIAGRAM DP1005051

FIRST SCHEDULE

THE STATE OF NEW SOUTH WALES (CA104261)

SECOND SCHEDULE (3 NOTIFICATIONS)

- \* 1 THE LAND IS A RESERVE WITHIN THE MEANING OF PART 5 OF THE CROWN LANDS ACT 1989 AND THERE ARE RESTRICTIONS ON TRANSFER AND OTHER DEALINGS IN THE LAND UNDER THAT ACT, WHICH MAY REQUIRE CONSENT OF THE MINISTER.
- \* 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- \* 3 THE PLAN DEFINING THE LAND IN THIS FOLIO WHICH WAS PREPARED FOR IDENTIFICATION PURPOSES IS NOW SUITABLE FOR TITLE ISSUE. IT IS NOT A CURRENT PLAN IN TERMS OF SECTION 7A OF THE CONVEYANCING ACT 1919.

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

GRA PoM

PRINTED ON 4/8/2020

\* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.



**LAND REGISTRY SERVICES Title Search**



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 370/750015

SEARCH DATE	TIME	EDITION NO	DATE
4/8/2020	12:48 PM	-	-

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 370 IN DEPOSITED PLAN 750015  
 AT GOULBURN  
 LOCAL GOVERNMENT AREA GOULBURN MULWAREE  
 PARISH OF GOULBURN COUNTY OF ARGYLE  
 (FORMERLY KNOWN AS PORTION 370)  
 TITLE DIAGRAM CROWN PLAN 4745.2121

FIRST SCHEDULE

THE STATE OF NEW SOUTH WALES (CA104309)

SECOND SCHEDULE (2 NOTIFICATIONS)

- \* 1 THE LAND IS A RESERVE WITHIN THE MEANING OF PART 5 OF THE CROWN LANDS ACT 1989 AND THERE ARE RESTRICTIONS ON TRANSFER AND OTHER DEALINGS IN THE LAND UNDER THAT ACT, WHICH MAY REQUIRE CONSENT OF THE MINISTER.
- \* 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

GRA PQM

PRINTED ON 4/8/2020

\* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 94B(2) of the Real Property Act 1900.

**Appendix B: Gazette Notices, etc for valid creation**

Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001), Friday 30 July 1948 (N

(2261) Sydney, 30th July, 1948.

**RESERVES FROM SALE AND LEASE GENERALLY.**

IT is hereby notified that, in pursuance of the provisions of sections 28 and 29 of the Crown Lands Consolidation Act, 1913, the Crown lands hereunder described shall be temporarily reserved from sale for the public purposes hereinafter specified and temporarily reserved and exempted from lease generally, and they are hereby reserved and exempted accordingly.

W. F. SHEAHAN, Minister for Lands.

FOR RACECOURSE, SHOWGROUND, PUBLIC RECREATION AND ATHLETIC SPORT.

LAND DISTRICT—GOULBURN; MUNICIPALITY—GOULBURN.

No. 72,794 from sale (72,795 from lease generally). Parish Goulburn, county Argyle, about 108 acres 3 roods 27 perches, being portions 369, 370 and the land bounded by portion 369, the public road from Goulburn to Bungonia and Mulwarree Ponds. A. 27-642, A. 4,741 Roll, 4,745-2,121. P. 48-3,501.

Source: NSW Government Gazette – NLA Trove

**NOTICE APPOINTING TRUSTEES UNDER THE PUBLIC TRUSTS ACT, 1897.—PROCLAMATION.**

IN accordance with the provisions of the Public Trusts Act, 1897, I, Lieutenant-General JOHN NORTHCOTT, Governor of the State of New South Wales, with the advice of the Executive Council, do by this notice appoint the undermentioned gentlemen and body as trustees respectively of the portions of land hereinafter particularised.

Signed and sealed at Sydney, this 16th day of September, 1948.

(L.S) J. NORTHCOTT, Governor.

By His Excellency's Command,  
W. E. DICKSON, for Minister for Lands.

**GOD SAVE THE KING!**

Reserves Nos. 63,094 and 63,096 at Acacia Plateau, notified 11th December, 1931, for Public Recreation and Public Hall, respectively:—Messrs. William Henry Dennis, Richard James Tyler and Val. Frederick Clark (in the places of Messrs. R. A. Wallace, T. Egan and N. G. Claydon, resigned). P. 48-5,806.

Public Recreation Ground at Dural, area 15 acres 3 roods, dedicated 22nd May, 1897:—Additional trustees—Messrs. Ellis Lorenz Branz and Peter Harkess Wilson. P. 48-5,750.

Reserve No. 72,794 at Goulburn, notified 30th July, 1948, for Racecourse, Showground, Public Recreation and Athletic Sport:—The Council of the City of Goulburn. P. 48-3,501.

Source: NSW Government Gazette – NLA Trove

5 NOVEMBER, 1971] NEW SOUTH WALES GOVERNMENT GAZETTE No. 129 4307

**NOTICE VESTING LAND IN TRUSTEES IN ACCORDANCE WITH THE PROVISIONS OF PUBLIC TRUSTS ACT, 1897**

WHEREAS it is desired to vest the lands described in the Schedule hereto in the present trustees in accordance with the provisions of section 3 of the Public Trusts Act, 1897, as hereinafter mentioned: Now, therefore, I, THOMAS LANCELOT LEWIS, Minister for Lands, do, by this notice, vest the said lands in the present trustees, and their successors as trustees, in accordance with the provisions of section 3 of the Public Trusts Act, 1897, to hold for the notified purpose, subject to the conditions and provisos and with the powers following: Provided that the said estate shall immediately cease and determine upon the revocation of the whole or any parts of the said notification so far as regards the land comprised in such revocation: Provided also that the said trustees shall not be capable of alienating, charging or in any way disposing of the said lands or any parts thereof except in the manner following, that is to say: The said trustees shall have power, subject to written consent of the Minister for Lands being first had and obtained to lease the whole or any parts of the said lands at such rent for such purposes during such terms and subject to such provisions and conditions as the said Minister in writing approves and subject to any statutes, ordinances, rules and regulations now or hereafter made and relating to the management and control of the said lands: Provided, lastly, that every lease shall contain a proviso that it shall cease and determine immediately upon revocation of the whole or any parts of the said notification so far as regards the land comprised in such revocation.

Signed and sealed at Sydney, this 22nd day of October, 1971.

T. L. LEWIS, Minister for Lands.

**SCHEDULE**

Reserve 86769 at Toukley, Parish Wallarah, County Northumberland, Land District Gosford, notified 14th June, 1968, for Public Recreation: *The Council of the Shire of Wyong*. Pks 63-2473.

Reserve 72486 at Gunnedah, Parish Cooridooon, County Buckland, Land District Gunnedah, notified 31st October, 1947, for Racecourse: *The Council of the Shire of Liverpool Plains*. Pks 71-1878.

Reserve 72794 at Goulburn, Parish Goulburn, County Argyle, Land District Goulburn, notified 30th July, 1948, for Showground, Racecourse, Public Recreation, and Athletic Sport: *The Council of the City of Goulburn*. Pks 63-2074. (1013)

(1528) Sydney, 5th November, 1971.

**ADDITIONS TO RESERVES FROM SALE**

IT is hereby notified that, in pursuance of the provisions of section 28 of the Crown Lands Consolidation Act, 1913, the Crown lands described hereunder shall be added to the existing reserves shown in parentheses, and are hereby added accordingly.

T. L. LEWIS, Minister for Lands.

**FOR HOMES FOR THE AGED**  
*Land District and Municipality—Moree*

Parish and Town Moree, County Courallie, about 3 roods 16j perches, parts sections 19 and 20 and closed road, and being the area shown by hatched edge on diagram hereunder (R. 80710 for Homes for the Aged notified 30th May, 1958).

NOTE: The affected part of R. 70811 for Future Public Requirements notified 29th January, 1943, is hereby revoked. Pks 71-1384.

**FOR PUBLIC RECREATION AND PRESERVATION OF NATIVE FLORA**

Source: NSW Government Gazette – NLA Trove

ernment Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001), Friday 13 August 1993

**ESTABLISHMENT OF RESERVE TRUST**

**PURSUANT to section 92 (1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder is established under the name stated in that column and is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.**

**GEORGE SOURIS, M.P.,**  
**Minister for Land and Water Conservation.**

---

**SCHEDULE**

<b>COLUMN 1</b>	<b>COLUMN 2</b>
<b>Goulburn Recreation Area Trust.</b>	<b>Reserve No. 72794 for the public purpose of showground, racecourse, public recreation and athletic sport, notified in the <i>Government Gazette</i> of 30 July 1948. File No.: GB83 R 30JG.</b>

Source: NSW Government Gazette – NLA Trove

Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001), Friday 13 August 1983

**APPOINTMENT OF CORPORATION TO  
MANAGE RESERVE TRUST**

**PURSUANT** to section 95 of the Crown Lands Act 1989, the corporation specified in Column 1 of the Schedule hereunder is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

**GEORGE SOURIS, M.P.,  
Minister for Land and Water Conservation.**

---

**SCHEDULE**

COLUMN 1	COLUMN 2	COLUMN 3
Goulburn City Council.	Goulburn Recreation Area Trust.	Reserve 72794 for the public purpose of showground, racecourse, public recreation and athletic sport notified in the <i>Government Gazette</i> of 30 July 1948. File No.: GB83 R 30.JG.

Source: NSW Government Gazette – NLA Trove



## Appendix C: Previous Freehold Land



ABN: 36 092 724 251  
Ph: 02 9099 7400  
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney  
Sydney 2000  
GPO Box 4103 Sydney NSW 2001  
DX 967 Sydney

Report

Re: - Goulburn Recreation Grounds

Description: - Lot 370 D.P. 750015, Lot 7049 D.P. 1005051 and Lot 7302 D.P. 1151976

An investigation of the various records available for our inspection disclosed the following information: -

Crown Grants for Lot 7049 D.P. 1005051 and Lot 7302 D.P. 1151976

These lands were found to form part of original Portion 45 – See Crown Plan 27-642.

Portion 45 was granted to William Henry Broughton by Old System Crown Grant Serial 33 Folio 92 dated 3<sup>rd</sup> December 1833.

Crown Grant for Lot 370 D.P. 750015

This land was found to form part of original Portion 46 – See Crown Plan 27-642.

Portion 45 was granted to John Archer Broughton by Old System Crown Grant Serial 62 Folio 57/1 dated 29<sup>th</sup> May 1857

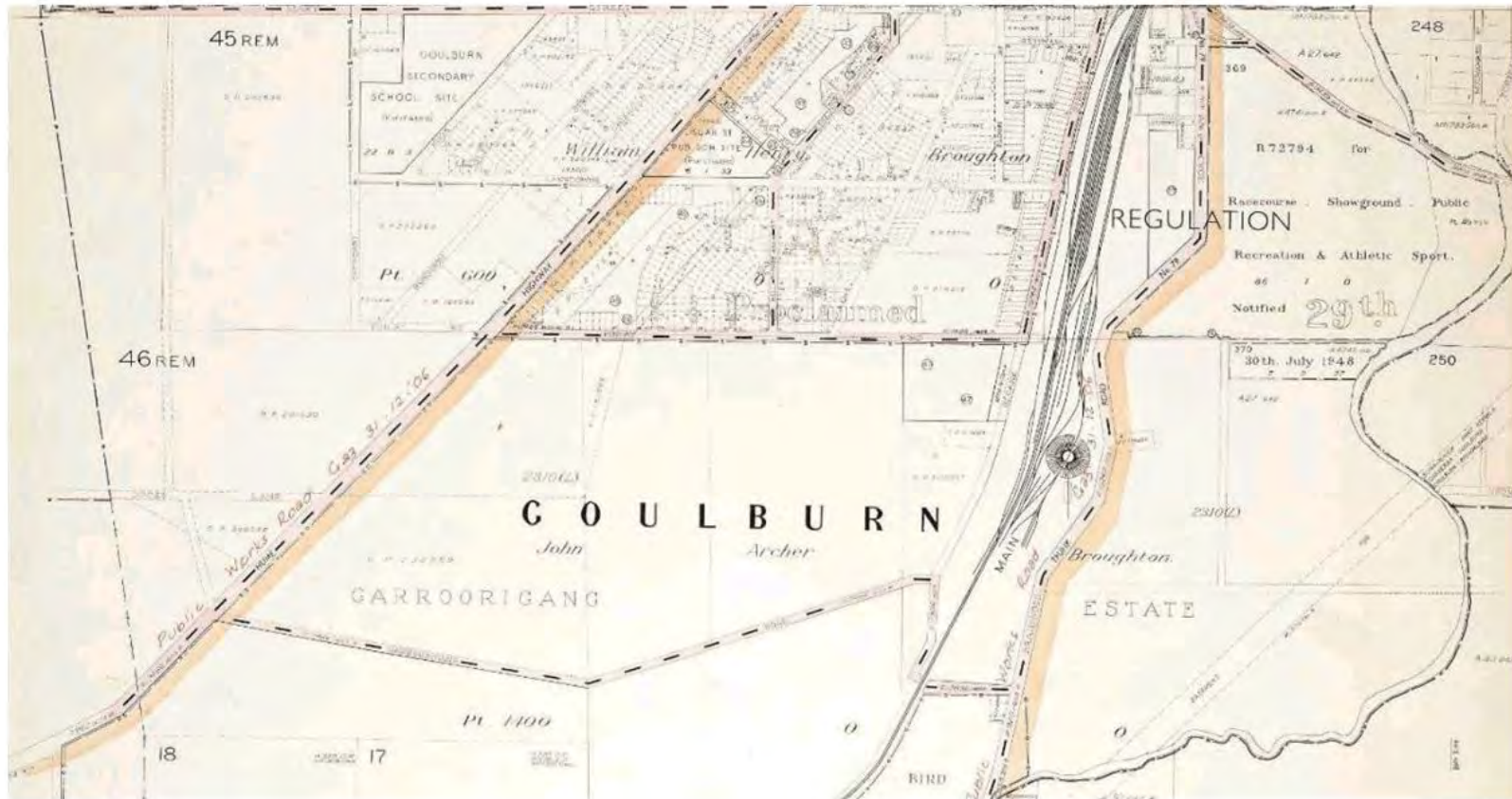
Current Status

These lands were found to now be comprised in Crown Reserve No. 72794 for Racecourse, Showground, Public Recreation and Athletic Sport notified in Government Gazette dated 30<sup>th</sup> July 1948 Folio 1883.

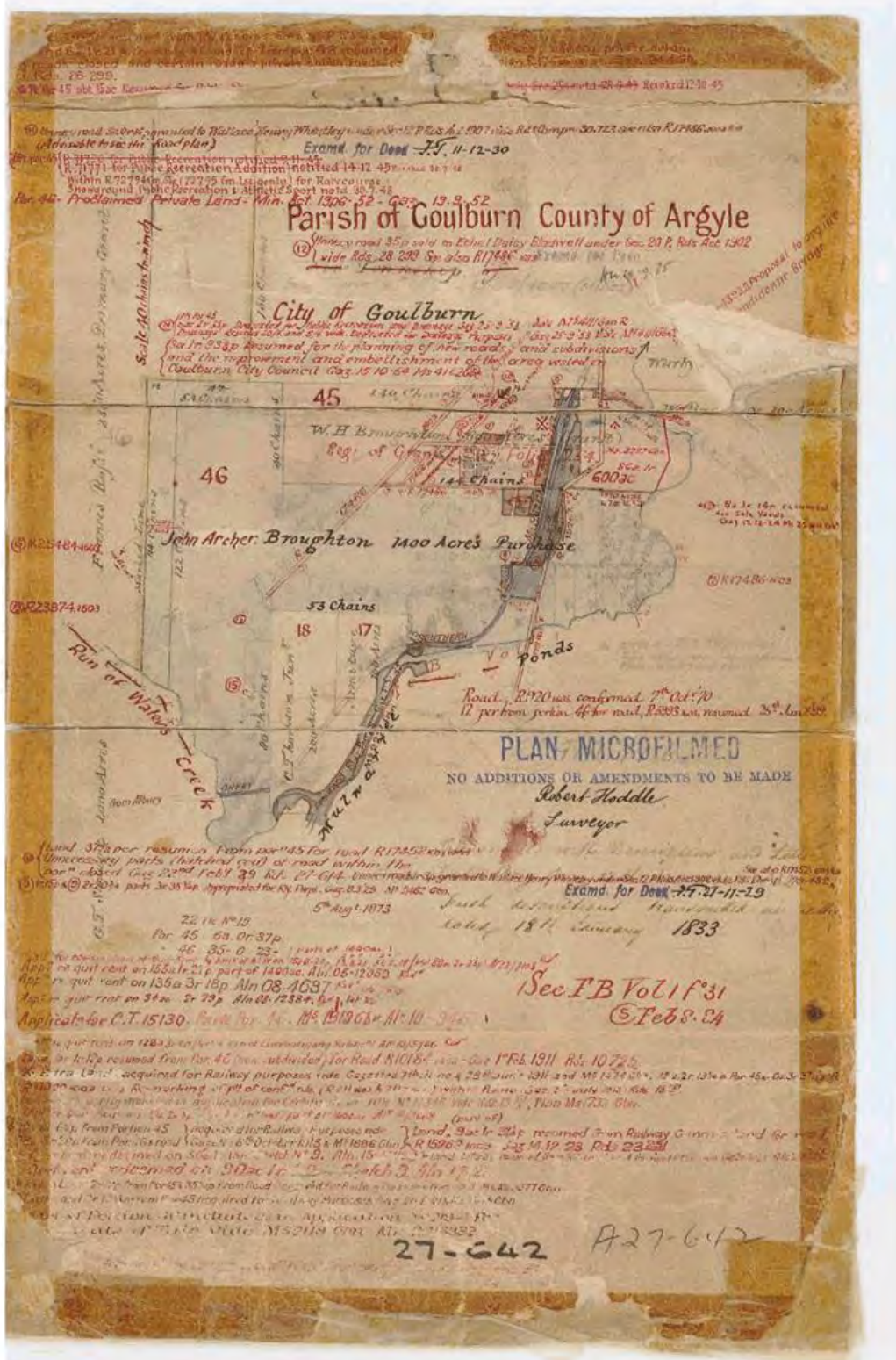
During the course of the investigation, the following gazettes were also found to affect: -

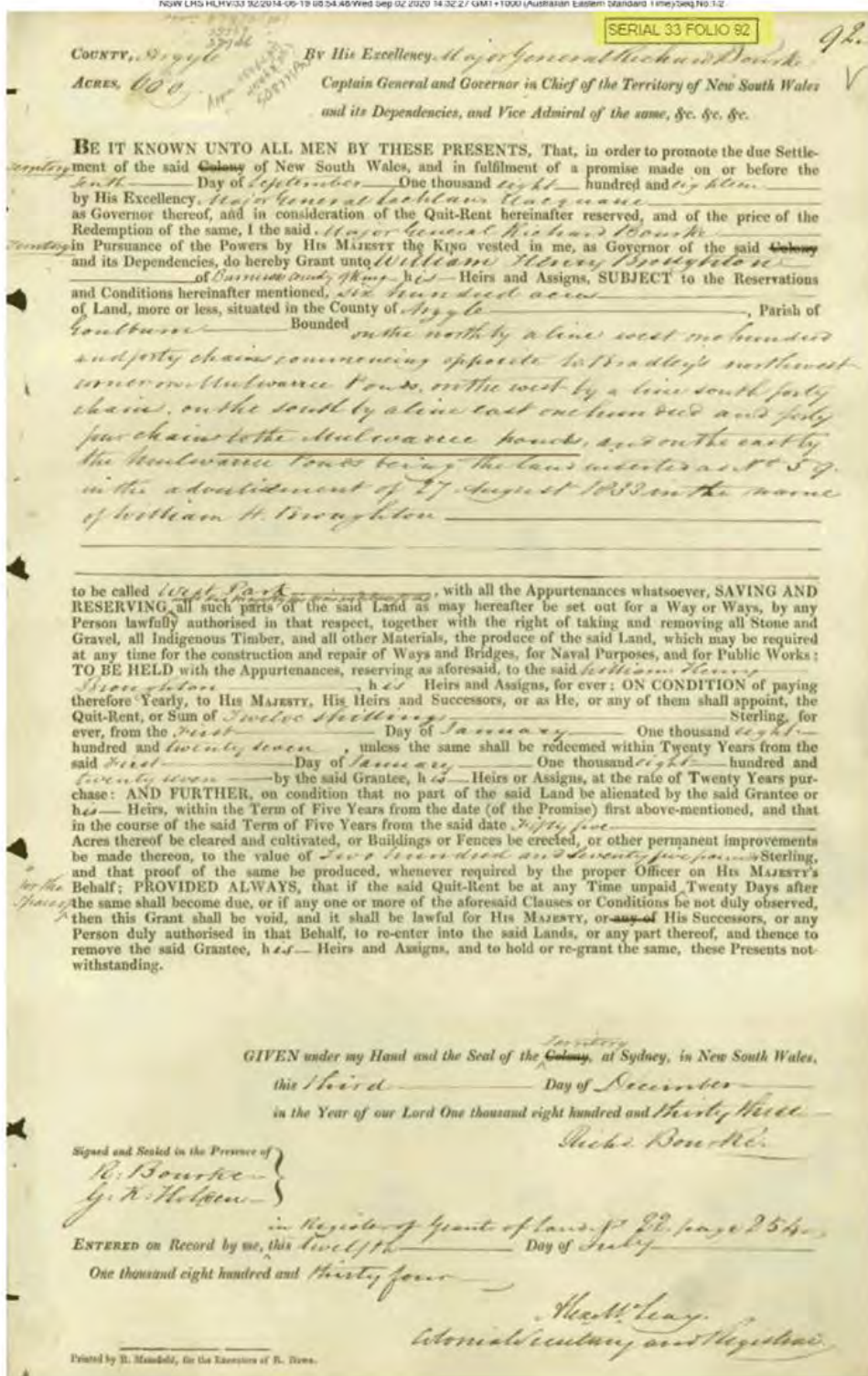
- 17<sup>th</sup> December 1948 Folio 2437 – Appointment of The Council of the City of Goulburn as Trustee
- 5<sup>th</sup> November 1971 Folio 4307 vesting the land in The Council of the City of Goulburn as Trustee
- 23<sup>rd</sup> January 1987 Folios 355 to 364 – Crown Lands Consolidation Act 1913 – By Law
- 13<sup>th</sup> August 1993 Folio 4543 – Appointment of Goulburn City Council to manage Goulburn Recreation Reserve Trust

Yours Sincerely  
Mark Groll  
2 September 2020

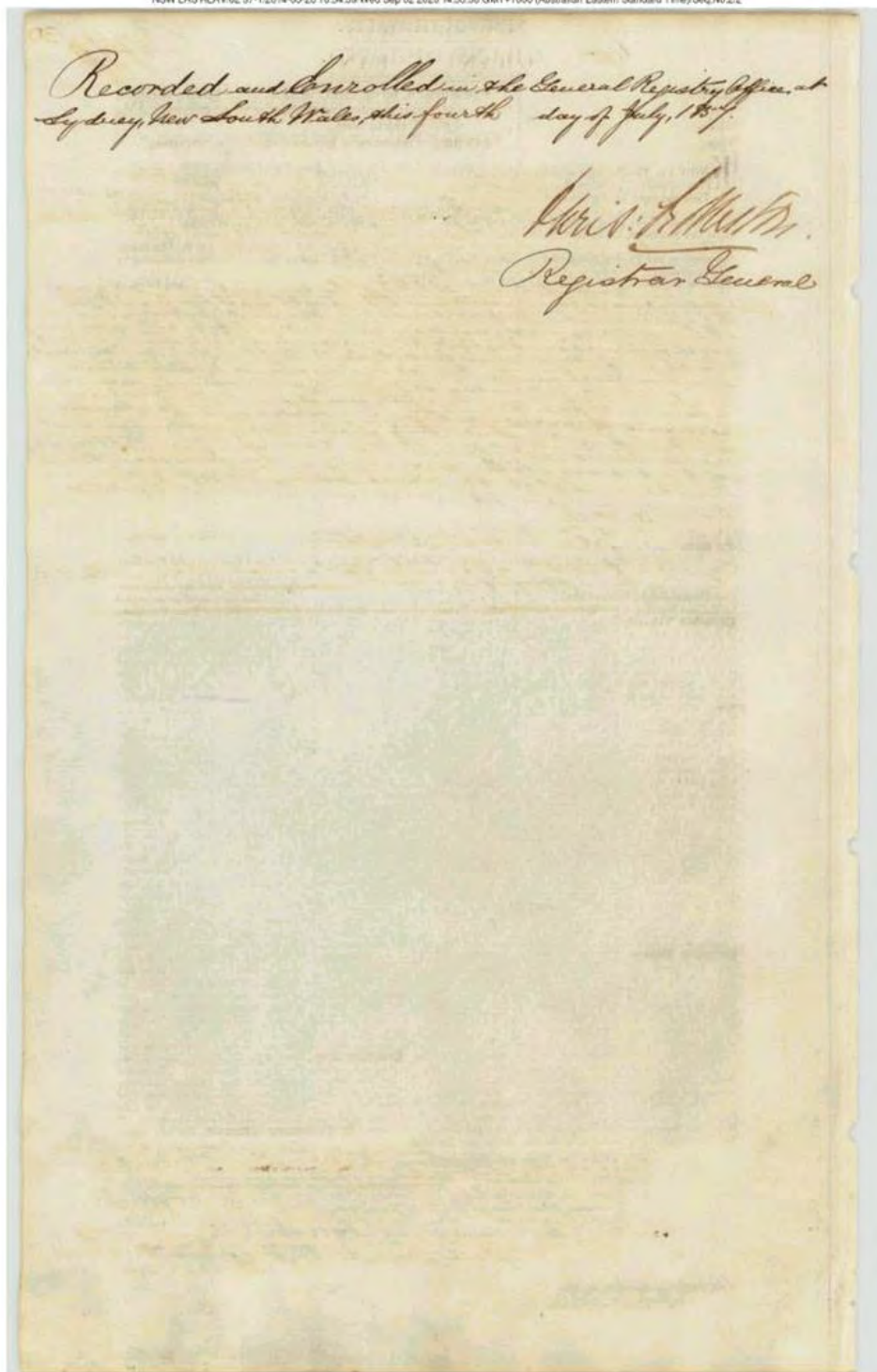


Reg:R580204 /Doc:CP 00027-0642 P /Rev:23-Nov-2012 /NSW LRS /Prc:01-Sep-2020 13:04 /Seq:1 of 1  
© Office of the Registrar-General /Src:INFOTRACK /Ref:GOULBURN RECREATION









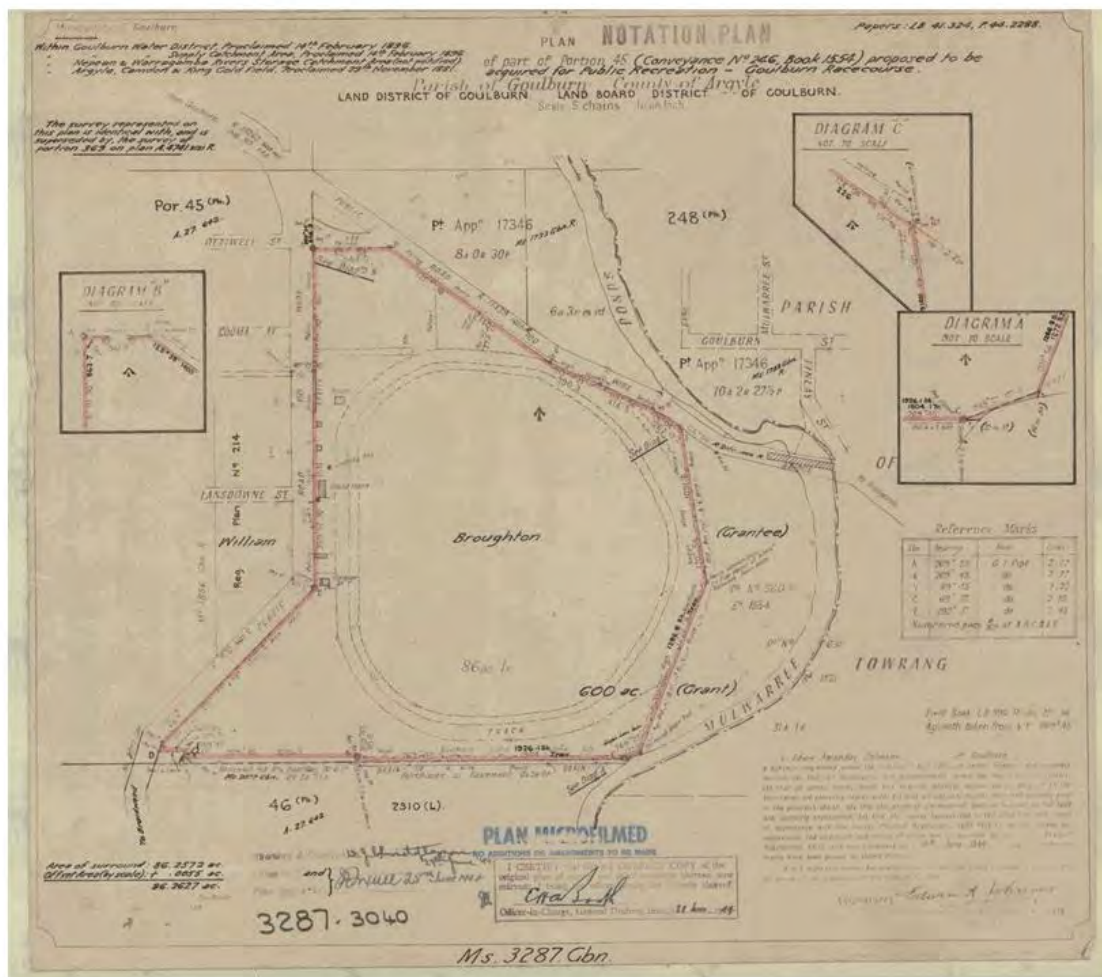
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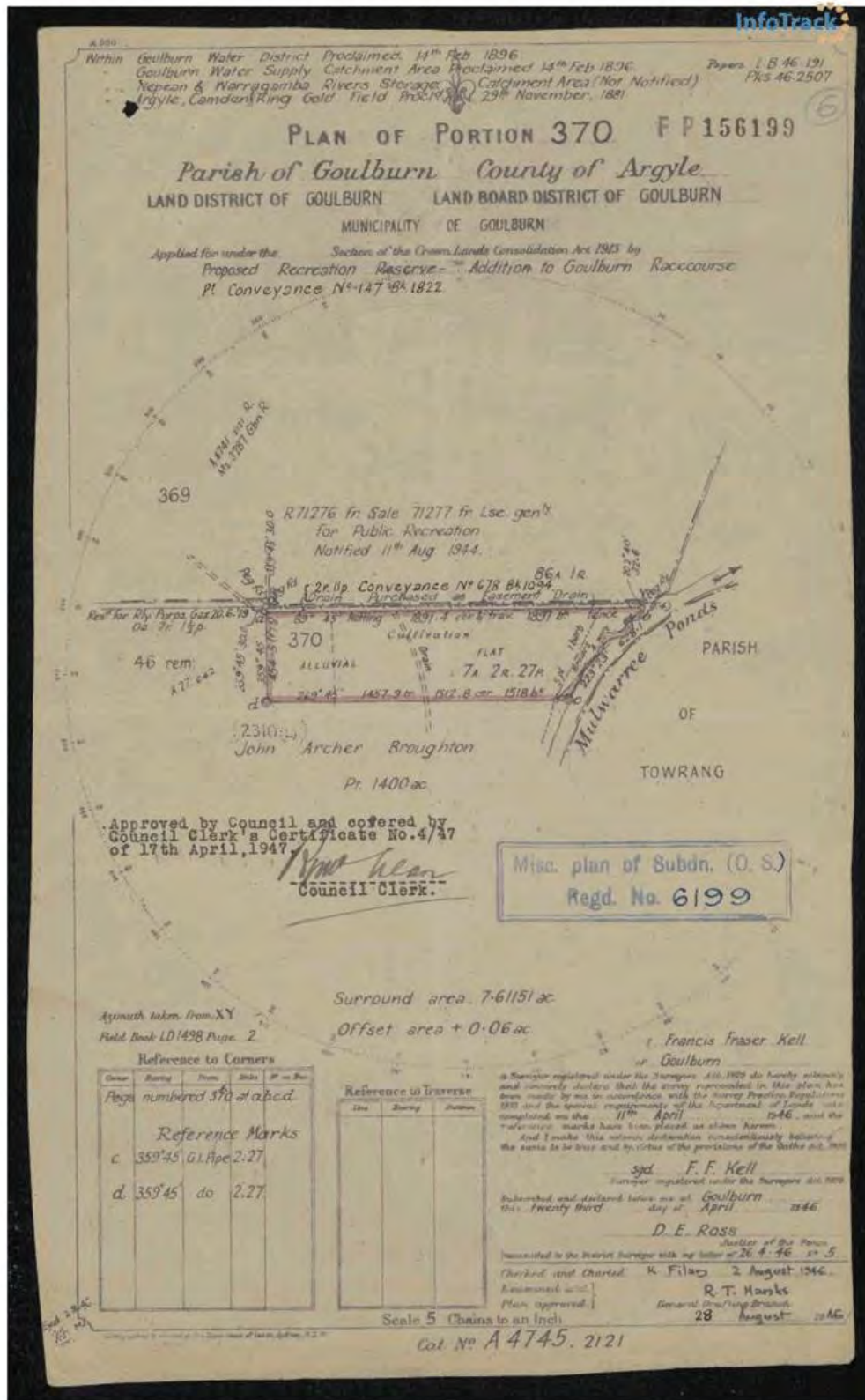
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Reg:RS80163 /Doc:DP 0156199 P /Rev:18-Mar-2019 /NSW LRS /Prt:01-Sep-2020 13:00 /Seq:1 of 3  
 © Office of the Registrar-General /Src:INFOTRACK /Ref:GOULBURN RECREATION



Native Title Manager Report: Goulburn Recreation Area draft plan of management

## Appendix D: Native Title Manager letter of accreditation



Reference: LBN20/38

Mr Carl Malmberg  
Council Crown Land Management  
GPO Box 5477  
Sydney NSW 2000

Dear Mr Malmberg,

**Subject: Confirmation of approved training as Native Title Manager  
Crown Land Management Act 2016**

This letter provides confirmation that Carl Malmberg, having completed the approved training below, is qualified to act as a Native Title Manager for the purposes of Part 8 of the *Crown Land Management Act 2016* which commenced on 1 July 2018.

**Introductory Native Title Training  
Delivered by the NSW Department of Planning, Industry and Environment,  
Sydney, NSW on 3 December 2019**

For further information about the qualified training, please contact Mr Todd Craig, Native Title Operations, Crown Lands in the NSW Department of Planning, Industry and Environment: via email: [todd.craig@crowland.nsw.gov.au](mailto:todd.craig@crowland.nsw.gov.au)

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Rodney Hodder'.

**Rodney Hodder  
A/Executive Director Strategy and Policy  
Crown Lands**

6/2/2020



## Plans of Management for Crown reserves Form B

# Notification of Plan of Management—alteration of categorisation or additional/new categorisation

Council Crown land managers must use this form to notify the minister administering the *Crown Land Management Act 2016* (CLM Act) of a draft Plan of Management for a Crown Reserve, in accordance with the requirements of section 39 of the *Local Government Act 1993* (LG Act).

This form also acts as a ministerial consent application to amend the categorisation and reserve purpose for a Crown reserve accordance with section 3.23(7)(d)(i) or section 3.23(9) of the CLM Act.

## Important information

This form must only be used where the submitted draft Plan of Management **will alter** the categorisation of the Reserve or **where an additional category (or categories)** is proposed to be assigned to the Reserve in the draft plan.

**Note: Department of Industry—Land and Water (DOI) will use the information provided by council in this form and the attached draft Plan of Management to determine whether to recommend that ministerial consent be granted under section 3.23(7)(d)(i) (for an initial Plan of Management) or section 3.23(9) (for a further/subsequent Plan of Management) of the CLM Act.**

Please refer to the accompanying *Guideline—initial categorisation of Crown land managed by council Crown land managers* for further information.

## Contact us

For more information, please contact us at:

NSW Department of Industry—Lands & Water  
PO Box 2155  
DANGAR NSW 2309

Phone: 1300 886 235

Fax: 02 4925 3517

Email: [council.clm@crowland.nsw.gov.au](mailto:council.clm@crowland.nsw.gov.au)

Web: [industry.nsw.gov.au/lands](http://industry.nsw.gov.au/lands)

Web: [olg.nsw.gov.au/crowland](http://olg.nsw.gov.au/crowland)

## Lodgement

Email the completed form to: [council.clm@crowland.nsw.gov.au](mailto:council.clm@crowland.nsw.gov.au)

or

Mail to:

NSW Department of Industry  
Attn: Council Crown land management  
PO Box 2155  
DANGAR NSW 2309



# Plans of Management for Crown reserves Form B

## Applicant details

Council name:	Goulburn Mulwaree Council
Council address:	184-194 Bourke Street, Goulburn
Contact person name/position:	Ken Wheeldon – Business Manager Property & Community Services
Contact email:	<a href="mailto:Ken.wheeldon@goulburn.nsw.gov.au">Ken.wheeldon@goulburn.nsw.gov.au</a>
Contact ph. number:	4823 4484

## Declaration

- I, Warwick Bennett – General Manager, in accordance with section 39 of the LG Act, hereby provide written notice on behalf of Goulburn Mulwaree Council to the minister administering the CLM Act 2016 of the attached draft Plan of Management applied to Crown land under the management of the above Council Crown land manager as listed in the below schedule.
- I consent to the information provided in this form and the attached draft Plan of Management, being used for the purpose of a ministerial consent application in accordance with section 3.23(7)(d)(i) or section 3.23(9) of the CLM Act.
- I declare and affirm that the information provided on this form is accurate to the best of my knowledge and belief.
- I declare that I am authorised by the council to make this application.

Additionally (*please tick*):

I confirm that the above Council Crown land manager **has** received and considered written advice from a Native Title Manager in relation to the draft Plan of Management.

*For first Plan of Management for the Reserve ONLY*

I confirm that the Initial category assigned to the land by the above Council Crown land manager **has** been altered by way of the draft Plan of Management, or a new category added.

*For any subsequent/further Plan of Management for the Reserve ONLY*

I confirm that the category (or categories) assigned to the land by the above Council Crown land manager in a prior Plan of Management **has** been altered by way of the draft Plan of Management, or a new category **has** been added.

Name:	Warwick Leslie Bennett		
Position:	General Manager		
Signature:		Date:	



## Plans of Management for Crown reserves Form B

### Schedule

#### Particulars of reserve

Please provide details of the assigned category and purpose for the Reserve, **and any new or additional categories** identified by the Council Crown Land Manager as being required under the draft Plan of Management. Any relevant supporting information should be attached to this form.

Please refer to the accompanying *Guideline—initial categorisation of Crown land managed by council Crown land managers* for further information.

**Table 1. Reserve details**

Reserve	Lot/DP	Gazetted purpose(s)	Initial Categorisation	Proposed new or additional categorisation
R72794	Whole of Lot 7049 DP 1005051 Whole of Lot 7302 DP 1151976 Part of Lot 370 DP 750015 Parish of Goulburn, County of Argyle, Goulburn Mulwaree local government area	Athletic Sports Public Recreation Racecourse Showground'	Sportsground General Community Use Park	Natural Area - Watercourse



## Plans of Management for Crown reserves Form B

### Justification / Supporting information

The initial assignment of categories to the reserve was undertaken in accordance with the (former) Government guidelines, now replaced by an Initial Categorisation Fact Sheet. The initial assignment used categories most closely aligned with the reserve purposes and was accepted by the Minister's delegate in accordance with the former guidelines: without mapping or any specific definition of where the categories applied.

The draft Goulburn Recreation Area Plan of Management clearly defines, by map, the reserve land areas that the categories are applied.

One additional category: Natural Area – Watercourse, has been applied in accordance with the *Local Government (General) Regulation 2005, Part 4, Division 1, Cl. 110* Guidelines for categorisation of land as a watercourse.

The initial general assignment of categories across the entire reserve has been altered to specifically define the draft plan of management category assignments.

Council seeks the Minister's written consent to the re-categorisation: an addition of a new category and alteration of the initial assigned categories, in accordance with the *Crown Land Management Act 2016 S.3.23 (7) (d)*.

© State of New South Wales through Department of Industry 2018. The information contained in this publication is based on knowledge and understanding at the time of writing (November 2018). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Industry or the user's independent adviser.

# Model Code of Conduct

for Local Councils  
in NSW

---

2020





**MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW**

2020

**ACCESS TO SERVICES**

The Office of Local Government is located at:

Street Address: Levels 1 & 2, 5 O'Keefe Avenue, NOWRA NSW 2541

Postal Address: Locked Bag 3015, Nowra, NSW 2541

Phone: 02 4428 4100

Fax: 02 4428 4199

TTY: 02 4428 4209

Email: [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au)

Website: [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au)

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Produced by the Department of Planning, Industry and Environment

# Contents

<b>Part 1:</b>	<b>Introduction</b>	<b>4</b>
<b>Part 2:</b>	<b>Definitions</b>	<b>6</b>
<b>Part 3:</b>	<b>General Conduct Obligations</b>	<b>10</b>
<b>Part 4:</b>	<b>Pecuniary Interests</b>	<b>14</b>
<b>Part 5:</b>	<b>Non-Pecuniary Conflicts of Interest</b>	<b>22</b>
<b>Part 6:</b>	<b>Personal Benefit</b>	<b>28</b>
<b>Part 7:</b>	<b>Relationships Between Council Officials</b>	<b>32</b>
<b>Part 8:</b>	<b>Access to Information and Council Resources</b>	<b>36</b>
<b>Part 9:</b>	<b>Maintaining the Integrity of this Code</b>	<b>42</b>
<b>Schedule 1:</b>	<b>Disclosures of Interest and Other Matters in Written Returns Submitted Under Clause 4.21</b>	<b>46</b>
<b>Schedule 2:</b>	<b>Form of Written Return of Interests Submitted Under Clause 4.21</b>	<b>54</b>
<b>Schedule 3:</b>	<b>Form of Special Disclosure of Pecuniary Interest Submitted Under Clause 4.37</b>	<b>58</b>



# Part 1: Introduction

This *Model Code of Conduct for Local Councils in NSW* ("the Model Code of Conduct") is made under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2005* ("the Regulation").

The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council's or joint organisation's adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not "council officials" for the purposes of the Model Code of Conduct (eg volunteers, contractors and members of wholly advisory committees).

A council's or joint organisation's adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a council's or joint organisation's adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Councillors, administrators, members of staff of councils, delegates of councils, (including members of council committees that are delegates of a council) and any other person a council's adopted code of conduct applies to, must comply with the applicable provisions of their council's code of conduct. It is the personal responsibility of council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the LGA. The LGA provides for a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office. A councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

Failure by a member of staff to comply with a council's code of conduct may give rise to disciplinary action.

**Note:** References in the Model Code of Conduct to councils are also to be taken as references to county councils and joint organisations.

**Note:** In adopting the Model Code of Conduct, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

**Note:** In adopting the Model Code of Conduct, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

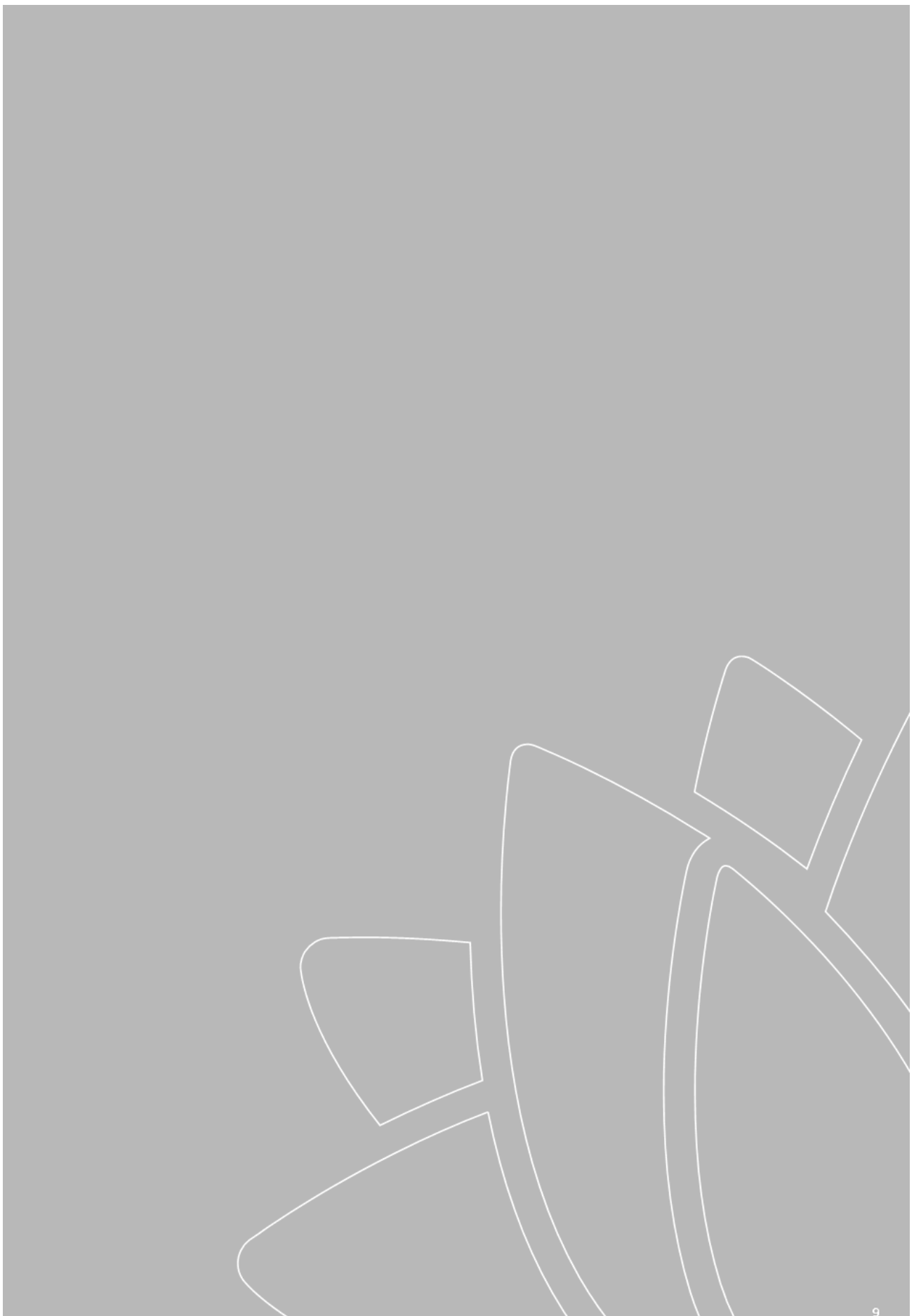
## Part 2:

## Definitions

In this code the following terms have the following meanings:

administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
committee	see the definition of "council committee"
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures.
conduct	includes acts and omissions
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council's audit, risk and improvement committee
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council's audit, risk and improvement committee
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and, for the purposes of clause 4.16, council advisers
councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
designated person	a person referred to in clause 4.8
election campaign	includes council, state and federal election campaigns
environmental planning instrument	has the same meaning as it has in the <i>Environmental Planning and Assessment Act 1979</i>
general manager	includes the executive officer of a joint organisation
joint organisation	a joint organisation established under section 4000 of the LGA
LGA	<i>Local Government Act 1993</i>
local planning panel	a local planning panel constituted under the <i>Environmental Planning and Assessment Act 1979</i>
mayor	includes the chairperson of a county council or a joint organisation

members of staff of a council	includes members of staff of county councils and joint organisations
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	the <i>Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> prescribed under the Regulation
the Regulation	the <i>Local Government (General) Regulation 2005</i>
voting representative	a voting representative of the board of a joint organisation
wholly advisory committee	a council committee that the council has not delegated any functions to







**Part 3:**  
**General Conduct**  
**Obligations**

---

## General conduct

- 3.1 You must not conduct yourself in a manner that:
- a) is likely to bring the council or other council officials into disrepute
  - b) is contrary to statutory requirements or the council's administrative requirements or policies
  - c) is improper or unethical
  - d) is an abuse of power
  - e) causes, comprises or involves intimidation or verbal abuse
  - f) involves the misuse of your position to obtain a private benefit
  - g) constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.
- 3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. (*section 439*).

---

## Fairness and equity

- 3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.
- 3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

---

## Harassment and discrimination

- 3.6 You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.
- 3.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that:
- a) is not wanted by the person
  - b) offends, humiliates or intimidates the person, and
  - c) creates a hostile environment.

---

## Bullying

- 3.8 You must not engage in bullying behaviour towards others.
- 3.9 For the purposes of this code, "bullying behaviour" is any behaviour in which:
- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
  - b) the behaviour creates a risk to health and safety.
- 3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:
- a) aggressive, threatening or intimidating conduct
  - b) belittling or humiliating comments

- c) spreading malicious rumours
- d) teasing, practical jokes or 'initiation ceremonies'
- e) exclusion from work-related events
- f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
- g) displaying offensive material
- h) pressure to behave in an inappropriate manner.

3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:

- a) performance management processes
- b) disciplinary action for misconduct
- c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
- d) directing a worker to perform duties in keeping with their job
- e) maintaining reasonable workplace goals and standards
- f) legitimately exercising a regulatory function
- g) legitimately implementing a council policy or administrative processes.

---

## Work health and safety

3.12 All council officials, including councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WHS Act). You must comply with your duties under the WHS Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:

- a) take reasonable care for your own health and safety
- b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
- c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WHS Act and any policies or procedures adopted by the council to ensure workplace health and safety
- d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
- e) report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations
- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WHS Act in relation to the same matter.

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## Land use planning, development assessment and other regulatory functions

3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.

- 3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

### Binding caucus votes

- 3.15 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.16 For the purposes of clause 3.15, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.
- 3.17 Clause 3.15 does not prohibit councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting, or from voluntarily holding a shared view with other councillors on the merits of a matter.
- 3.18 Clause 3.15 does not apply to a decision to elect the mayor or deputy mayor, or to nominate a person to be a member of a council committee or a representative of the council on an external body.

### Obligations in relation to meetings

- 3.19 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.20 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.21 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.
- 3.22 If you are a councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the council, or of a committee of the council. Without limiting this clause, you must not:
- a) leave a meeting of the council or a committee for the purposes of depriving the meeting of a quorum, or
  - b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another councillor from submitting a rescission motion with respect to the same decision, or
  - c) deliberately seek to impede the consideration of business at a meeting.

# Part 4: Pecuniary Interests

## What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- (a) your interest, or
  - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
  - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- (a) Your “relative” is any of the following:
    - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - ii) your spouse’s or de facto partner’s parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
  - (b) “de facto partner” has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
  - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
  - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

## What interests do not have to be disclosed?

- 4.6 You do not have to disclose the following interests for the purposes of this Part:
- (a) your interest as an elector
  - (b) your interest as a ratepayer or person liable to pay a charge
  - (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
  - (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code

- (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
  - (f) if you are a council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the council committee
  - (g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
  - (h) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
  - (i) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
    - i) the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
    - ii) security for damage to footpaths or roads
    - iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
  - (j) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor)
  - (k) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252 of the LGA,
  - (l) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor
  - (m) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
  - (n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or a council committee member
  - (o) an interest arising from the appointment of a councillor to a body as a representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.
- 4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

## What disclosures must be made by a designated person?

4.8 Designated persons include:

- (a) the general manager
- (b) other senior staff of the council for the purposes of section 332 of the LGA
- (c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
- (d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

4.9 A designated person:

- (a) must prepare and submit written returns of interests in accordance with clauses 4.21, and
- (b) must disclose pecuniary interests in accordance with clause 4.10.

4.10 A designated person must disclose in writing to the general manager (or if the person is the general manager, to the council) the nature of any pecuniary interest the person has in any council matter with which the person is dealing as soon as practicable after becoming aware of the interest.

4.11 Clause 4.10 does not require a designated person who is a member of staff of the council to disclose a pecuniary interest if the interest relates only to the person's salary as a member of staff, or to their other conditions of employment.

4.12 The general manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.

4.13 A disclosure by the general manager must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and the council must deal with the matter to which the disclosure relates or refer it to another person to deal with.

## What disclosures must be made by council staff other than designated persons?

4.14 A member of staff of council, other than a designated person, must disclose in writing to their manager or the general manager the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest.

4.15 The staff member's manager or the general manager must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.



## What disclosures must be made by council advisers?

- 4.16 A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.
- 4.17 A person does not breach clause 4.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

## What disclosures must be made by a council committee member?

- 4.18 A council committee member must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29.
- 4.19 For the purposes of clause 4.18, a "council committee member" includes a member of staff of council who is a member of the committee.

## What disclosures must be made by a councillor?

- 4.20 A councillor:
- (a) must prepare and submit written returns of interests in accordance with clause 4.21, and
  - (b) must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29 where it is applicable.

## Disclosure of interests in written returns

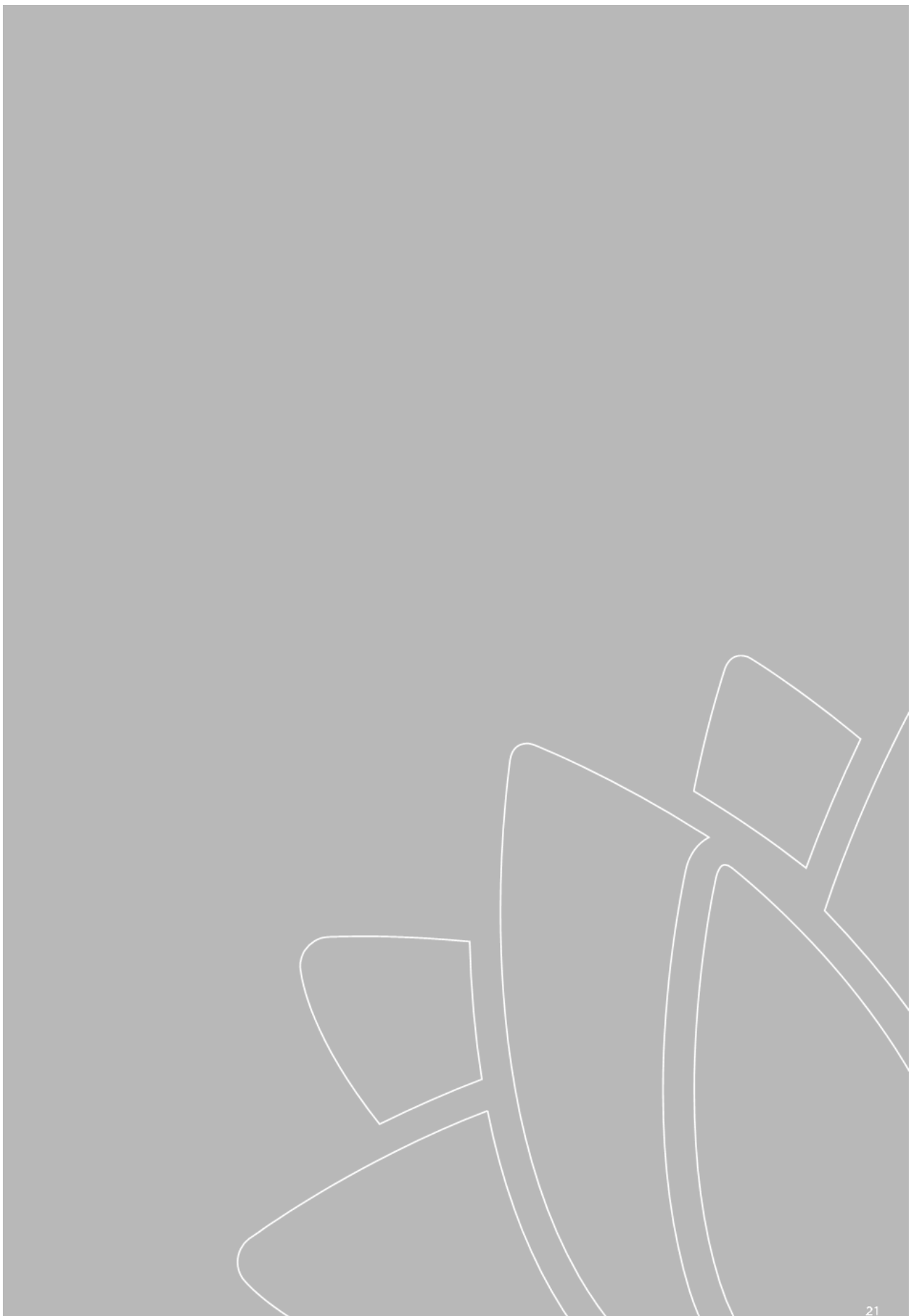
- 4.21 A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in schedule 1 to this code within 3 months after:
- (a) becoming a councillor or designated person, and
  - (b) 30 June of each year, and
  - (c) the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).
- 4.22 A person need not make and lodge a return under clause 4.21, paragraphs (a) and (b) if:
- (a) they made and lodged a return under that clause in the preceding 3 months, or
  - (b) they have ceased to be a councillor or designated person in the preceding 3 months.

- 4.23 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- 4.24 The general manager must keep a register of returns required to be made and lodged with the general manager.
- 4.25 Returns required to be lodged with the general manager under clause 4.21(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.
- 4.26 Returns required to be lodged with the general manager under clause 4.21(c) must be tabled at the next council meeting after the return is lodged.
- 4.27 Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.
- (b) at any time during which the council or committee is voting on any question in relation to the matter.
- 4.30 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.
- 4.31 A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.
- 4.32 A general notice may be given to the general manager in writing by a councillor or a council committee member to the effect that the councillor or council committee member, or the councillor's or council committee member's spouse, de facto partner or relative, is:
- (a) a member of, or in the employment of, a specified company or other body, or
- (b) a partner of, or in the employment of, a specified person.

## Disclosure of pecuniary interests at meetings

- 4.28 A councillor or a council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.29 The councillor or council committee member must not be present at, or in sight of, the meeting of the council or committee:
- (a) at any time during which the matter is being considered or discussed by the council or committee, or
- Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the councillor's or council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.
- 4.33 A councillor or a council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or council committee member has an interest in the matter of a kind referred to in clause 4.6.

- 4.34 A person does not breach clauses 4.28 or 4.29 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.35 Despite clause 4.29, a councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 4.36 Clause 4.29 does not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting if:
- (a) the matter is a proposal relating to:
    - (i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
    - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
  - (b) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
  - (c) the councillor made a special disclosure under clause 4.37 in relation to the interest before the commencement of the meeting.
- 4.37 A special disclosure of a pecuniary interest made for the purposes of clause 4.36(c) must:
- (a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
  - (b) be laid on the table at a meeting of the council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.
- 4.38 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
- (a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
  - (b) that it is in the interests of the electors for the area to do so.
- 4.39 A councillor or a council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.38, must still disclose the interest they have in the matter in accordance with clause 4.28.



21



**Part 5:**  
**Non-Pecuniary Conflicts**  
**of Interest**

## What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

## Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
  - a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household

- b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
  - c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
  - d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
  - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
  - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
  - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.
- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.
- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.

5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

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## Political donations

5.15 Councillors should be aware that matters before council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.

5.16 Where you are a councillor and have received or knowingly benefitted from a reportable political donation:

- a) made by a major political donor in the previous four years, and
- b) the major political donor has a matter before council,

you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29. A disclosure made under this clause must be recorded in the minutes of the meeting.

5.17 For the purposes of this Part:

- a) a “reportable political donation” has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
- b) “major political donor” has the same meaning as it has in the *Electoral Funding Act 2018*.

5.18 Councillors should note that political donations that are not a “reportable political donation”, or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.

5.19 Despite clause 5.16, a councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

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## Loss of quorum as a result of compliance with this Part

5.20 A councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:

- a) the matter is a proposal relating to:
  - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
  - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and



- b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and
- c) the councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.

5.21 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- b) that it is in the interests of the electors for the area to do so.

5.22 Where the Minister exempts a councillor or committee member from complying with a requirement under this Part under clause 5.21, the councillor or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

## Other business or employment

5.23 The general manager must not engage, for remuneration, in private employment, contract work or other business outside the service of the council without the approval of the council.

5.24 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council or that might conflict with the staff member's council duties unless they have notified the general manager in writing of the employment, work or business and the general manager has given their written approval for the staff member to engage in the employment, work or business.

5.25 The general manager may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council, or that might conflict with the staff member's council duties.

5.26 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council if prohibited from doing so.

5.27 Members of staff must ensure that any outside employment, work or business they engage in will not:

- a) conflict with their official duties
- b) involve using confidential information or council resources obtained through their work with the council including where private use is permitted

- c) require them to work while on council duty
- d) discredit or disadvantage the council
- e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

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## Personal dealings with council

- 5.28 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 5.29 You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

**Part 6:**

**Personal Benefit**

- 6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment.
- 6.2 A reference to a gift or benefit in this Part does not include:
- a) items with a value of \$10 or less
  - b) a political donation for the purposes of the *Electoral Funding Act 2018*
  - c) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them
  - d) a benefit or facility provided by the council to an employee or councillor
  - e) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
  - f) free or subsidised meals, beverages or refreshments provided to council officials in conjunction with the performance of their official duties such as, but not limited to:
    - i) the discussion of official business
    - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops
    - iii) conferences
    - iv) council functions or events
    - v) social functions organised by groups, such as council committees and community organisations.

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## Gifts and benefits

- 6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.
- 6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

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## How are offers of gifts and benefits to be dealt with?

- 6.5 You must not:
- a) seek or accept a bribe or other improper inducement
  - b) seek gifts or benefits of any kind
  - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
  - d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9
  - e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
  - f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer-supplier relationship with the competition organiser
  - g) personally benefit from reward points programs when purchasing on behalf of the council.

6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the general manager in writing. The recipient, manager, or general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:

- a) the nature of the gift or benefit
- b) the estimated monetary value of the gift or benefit
- c) the name of the person who provided the gift or benefit, and
- d) the date on which the gift or benefit was received.

6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

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## Gifts and benefits of token value

6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$100. They include, but are not limited to:

- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100
- b) gifts of alcohol that do not exceed a value of \$100
- c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
- d) prizes or awards that do not exceed \$100 in value.

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## Gifts and benefits of more than token value

6.9 Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.

6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.

6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.

6.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

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## “Cash-like gifts”

- 6.13 For the purposes of clause 6.5(e), “cash-like gifts” include, but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

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## Improper and undue influence

- 6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials through the proper exercise of their role as prescribed under the LGA.
- 6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.



**Part 7:**  
**Relationships Between**  
**Council Officials**

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## Obligations of councillors and administrators

- 7.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy, and to keep the performance of the council under review.
- 7.2 Councillors or administrators must not:
- a) direct council staff other than by giving appropriate direction to the general manager by way of council or committee resolution, or by the mayor or administrator exercising their functions under section 226 of the LGA
  - b) in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the staff member or delegate
  - c) contact a member of the staff of the council on council-related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager
  - d) contact or issue instructions to any of the council's contractors, including the council's legal advisers, unless by the mayor or administrator exercising their functions under section 226 of the LGA.

- 7.3 Despite clause 7.2, councillors may contact the council's external auditor or the chair of the council's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

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## Obligations of staff

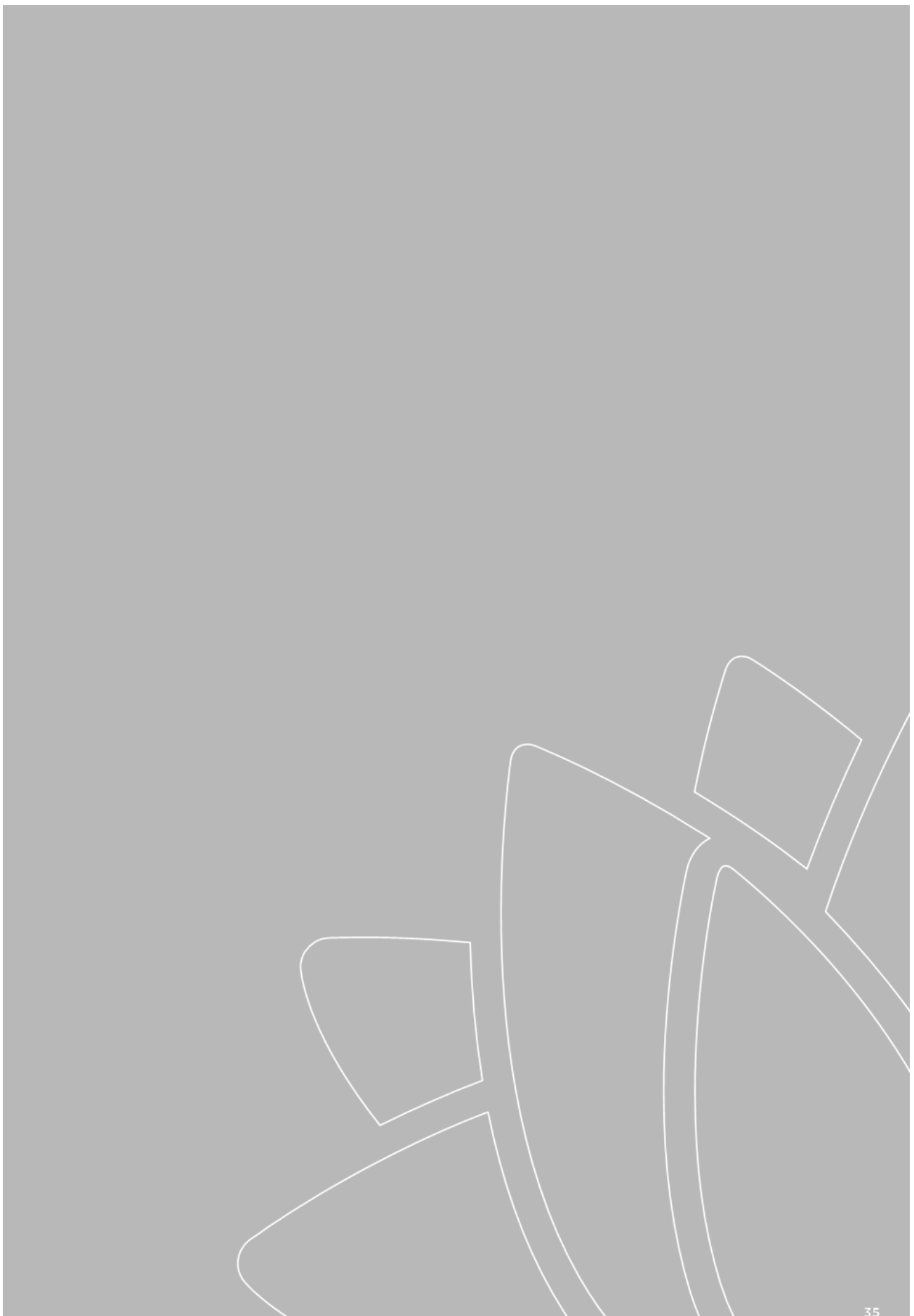
- 7.4 Under section 335 of the LGA, the role of the general manager includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.
- 7.5 Members of staff of council must:
- a) give their attention to the business of the council while on duty
  - b) ensure that their work is carried out ethically, efficiently, economically and effectively
  - c) carry out reasonable and lawful directions given by any person having authority to give such directions
  - d) give effect to the lawful decisions, policies and procedures of the council, whether or not the staff member agrees with or approves of them
  - e) ensure that any participation in political activities outside the service of the council does not interfere with the performance of their official duties.



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## Inappropriate interactions

- 7.6 You must not engage in any of the following inappropriate interactions:
- a) councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
  - b) council staff approaching councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
  - c) subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
  - d) councillors and administrators who have lodged an application with the council, discussing the matter with council staff in staff-only areas of the council
  - e) councillors and administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the councillor or administrator has a right to be heard by the panel at the meeting
  - f) councillors and administrators being overbearing or threatening to council staff
  - g) council staff being overbearing or threatening to councillors or administrators
  - h) councillors and administrators making personal attacks on council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
  - i) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make
  - j) council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
  - k) council staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals
  - l) councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the council associated with current or proposed legal proceedings unless permitted to do so by the council's general manager or, in the case of the mayor or administrator, unless they are exercising their functions under section 226 of the LGA.



**Part 8:**

**Access to Information and  
Council Resources**

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## Councillor and administrator access to information

- 8.1 The general manager is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The general manager and public officer are also responsible for ensuring that members of the public can access publicly available council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 8.2 The general manager must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.
- 8.4 Members of staff of council who provide any information to a particular councillor in the performance of their official functions must also make it available to any other councillor who requests it and in accordance with council procedures.
- 8.5 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.

- 8.6 Despite clause 8.4, councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise available to members of the public, or the council has determined to make the information available under the GIPA Act.

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## Councillors and administrators to properly examine and consider information

- 8.7 Councillors and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

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## Refusal of access to information

- 8.8 Where the general manager or public officer determine to refuse access to information requested by a councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the councillor or administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The general manager or public officer must state the reasons for the decision if access is refused.

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## Use of certain council information

- 8.9 In regard to information obtained in your capacity as a council official, you must:
- subject to clause 8.14, only access council information needed for council business
  - not use that council information for private purposes
  - not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with council
  - only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

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## Use and security of confidential information

- 8.10 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.
- 8.11 In addition to your general obligations relating to the use of council information, you must:
- only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
  - protect confidential information
  - only release confidential information if you have authority to do so
  - only use confidential information for the purpose for which it is intended to be used

- not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- not use confidential information with the intention to cause harm or detriment to the council or any other person or body
- not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

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## Personal information

- 8.12 When dealing with personal information you must comply with:
- the *Privacy and Personal Information Protection Act 1998*
  - the *Health Records and Information Privacy Act 2002*
  - the Information Protection Principles and Health Privacy Principles
  - the council's privacy management plan
  - the Privacy Code of Practice for Local Government

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## Use of council resources

- 8.13 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.

8.14 Union delegates and consultative committee members may have reasonable access to council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:

- a) the representation of members with respect to disciplinary matters
- b) the representation of employees with respect to grievances and disputes
- c) functions associated with the role of the local consultative committee.

8.15 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.

8.16 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.

8.17 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.

8.18 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:

- a) for the purpose of assisting your election campaign or the election campaign of others, or
- b) for other non-official purposes.

8.19 You must not convert any property of the council to your own use unless properly authorised.

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## Internet access

8.20 You must not use council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.

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## Council record keeping

8.21 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.

8.22 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.

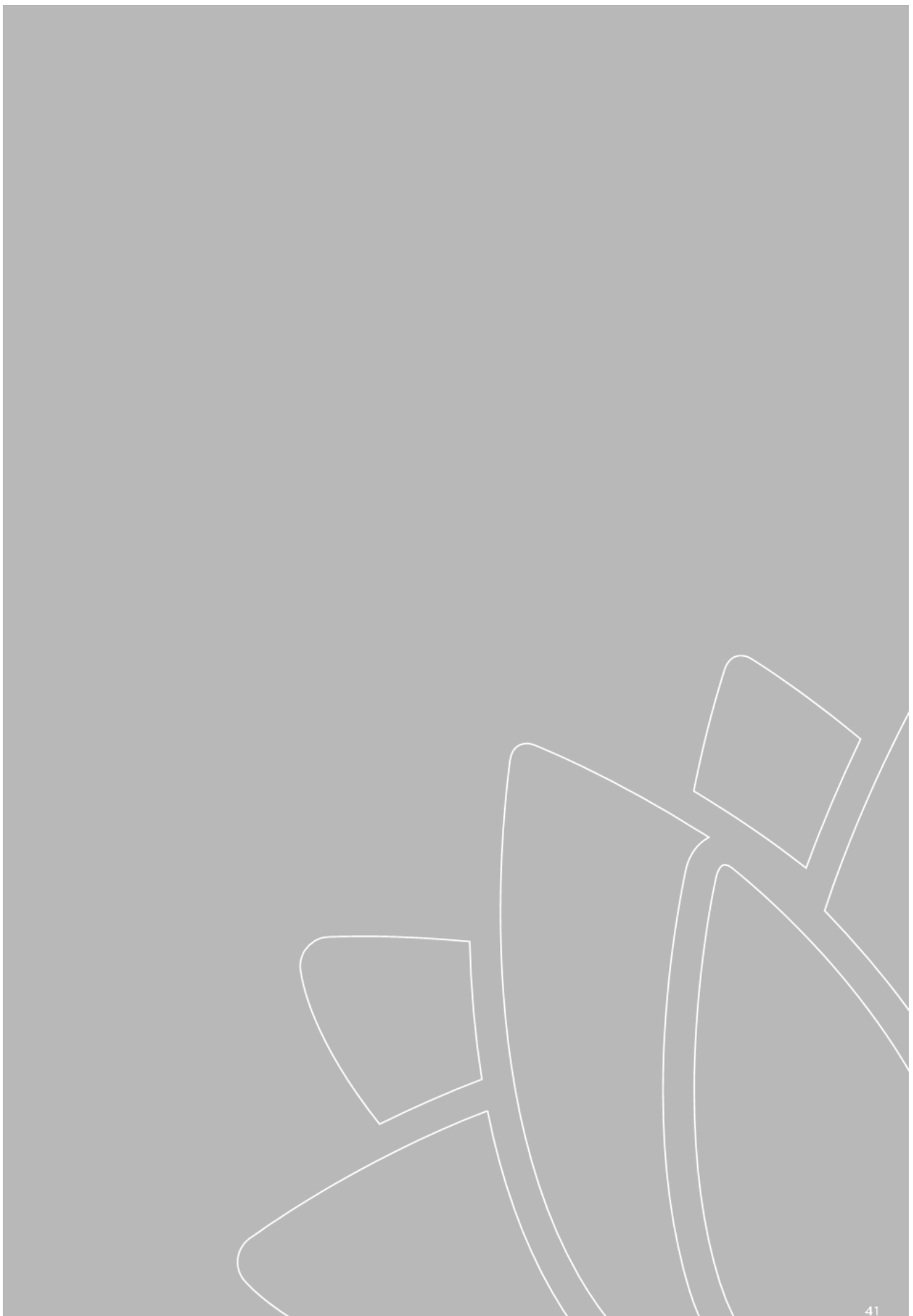
8.23 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of whether the original intention was to create the information for personal purposes.

8.24 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

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## Councillor access to council buildings

- 8.25 Councillors and administrators are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the general manager.
- 8.26 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or their delegate) or as provided for in the procedures governing the interaction of councillors and council staff.
- 8.27 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence council staff decisions.







**Part 9:**  
**Maintaining the Integrity**  
**of this Code**

## Complaints made for an improper purpose

- 9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- a) to bully, intimidate or harass another council official
  - b) to damage another council official's reputation
  - c) to obtain a political advantage
  - d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
  - e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
  - f) to avoid disciplinary action under the Procedures
  - g) to take reprisal action against a person for making a complaint alleging a breach of this code
  - h) to take reprisal action against a person for exercising a function prescribed under the Procedures
  - i) to prevent or disrupt the effective administration of this code under the Procedures.

## Detrimental action

- 9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:
- a) injury, damage or loss
  - b) intimidation or harassment
  - c) discrimination, disadvantage or adverse treatment in relation to employment
  - d) dismissal from, or prejudice in, employment
  - e) disciplinary proceedings.

## Compliance with requirements under the Procedures

- 9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.
- 9.8 You must comply with a practice ruling made by the Office under the Procedures.

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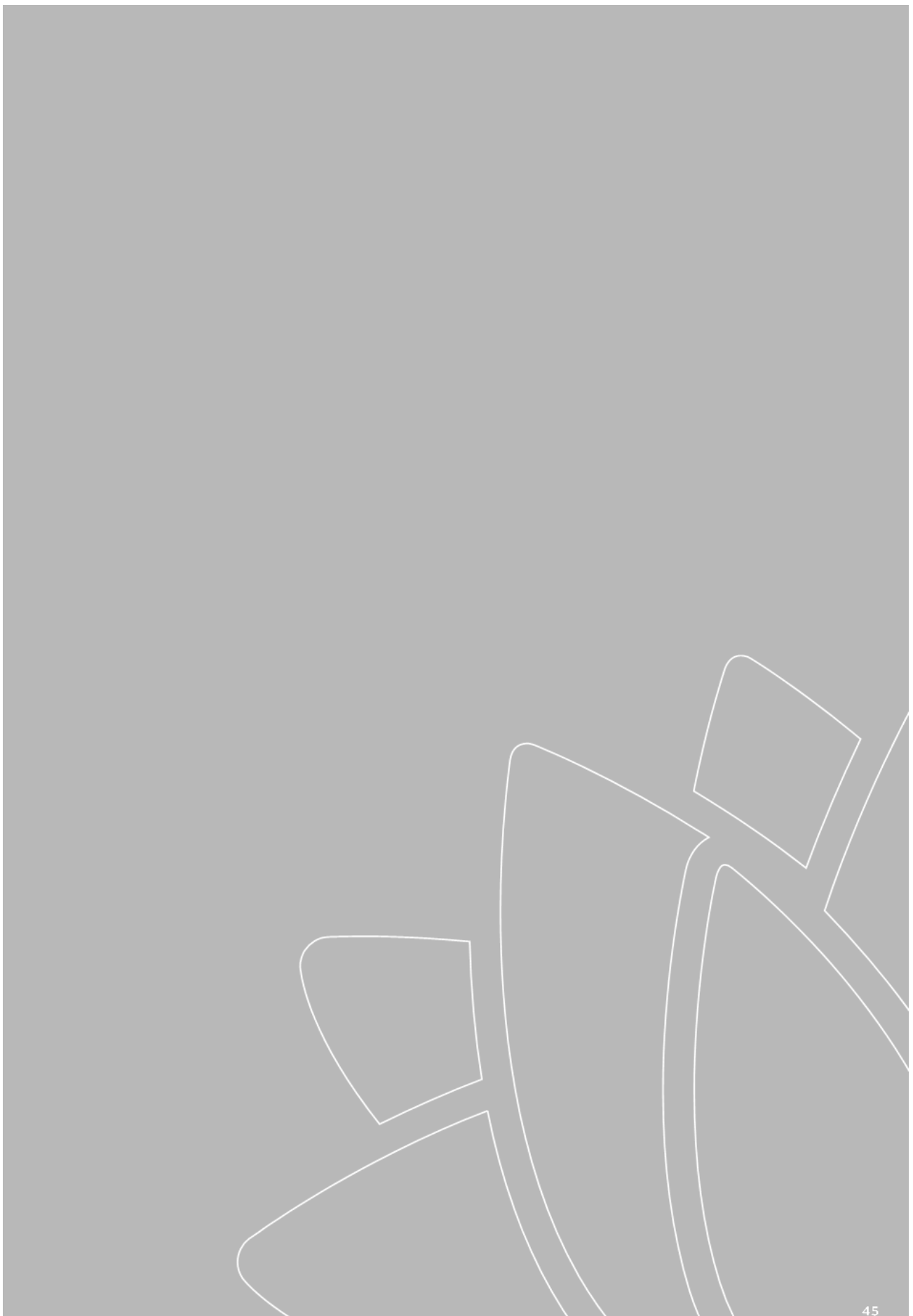
## Disclosure of information about the consideration of a matter under the Procedures

- 9.9 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 9.10 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 9.11 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 9.12 You must not disclose information about a complaint you have made alleging a breach of this code or any other matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.
- 9.13 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

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## Complaints alleging a breach of this Part

- 9.14 Complaints alleging a breach of this Part by a councillor, the general manager or an administrator are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the council for consideration in accordance with the Procedures.
- 9.15 Complaints alleging a breach of this Part by other council officials are to be managed by the general manager in accordance with the Procedures.



**Schedule 1:**

**Disclosures of Interest and Other  
Matters in Written Returns  
Submitted Under Clause 4.21**

# Part 1: Preliminary

## Definitions

1. For the purposes of the schedules to this code, the following definitions apply:

*address* means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the councillor or designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

*de facto partner* has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

*disposition of property* means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property

- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

*gift* means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

*interest* means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

*listed company* means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

*occupation* includes trade, profession and vocation.

*professional or business association* means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

*property* includes money.

*return date* means:

- a) in the case of a return made under clause 4.21(a), the date on which a person became a councillor or designated person
- b) in the case of a return made under clause 4.21(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21(c), the date on which the councillor or designated person became aware of the interest to be disclosed.

*relative* includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).

*travel* includes accommodation incidental to a journey.

## Matters relating to the interests that must be included in returns

2. *Interests etc. outside New South Wales:*  
A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
3. *References to interests in real property:*  
A reference in this schedule or in schedule 2 to real property in which a councillor or designated person has an interest includes a reference to any real property situated in Australia in which the councillor or designated person has an interest.
4. *Gifts, loans etc. from related corporations:*  
For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

## Part 2: Pecuniary interests to be disclosed in returns

### Real property

5. A person making a return under clause 4.21 of this code must disclose:
  - a) the street address of each parcel of real property in which they had an interest on the return date, and
  - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
  - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a councillor or designated person.
8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

### Gifts

9. A person making a return under clause 4.21 of this code must disclose:
  - a) a description of each gift received in the period since 30 June of the previous financial year, and
  - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
  - c) the donor was a relative of the donee, or
  - d) subject to paragraph (a), it was received prior to the person becoming a councillor or designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

### Contributions to travel

12. A person making a return under clause 4.21 of this code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and



- b) the dates on which the travel was undertaken, and
  - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
13. A financial or other contribution to any travel need not be disclosed under this clause if it:
- a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
  - e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a councillor or designated person.
14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

## Interests and positions in corporations

15. A person making a return under clause 4.21 of this code must disclose:
- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a councillor or designated person.

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## Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.21 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.

20. For the purposes of clause 19 of this schedule:

*close associate*, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.

*property developer* has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

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## Positions in trade unions and professional or business associations

21. A person making a return under clause 4.21 of the code must disclose:
- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
  - b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.

22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a councillor or designated person.

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## Dispositions of real property

23. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.

24. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.

25. A disposition of real property need not be disclosed if it was made prior to a person becoming a councillor or designated person.

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## Sources of income

26. A person making a return under clause 4.21 of this code must disclose:
  - a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
  - b) each source of income received by the person in the period since 30 June of the previous financial year.
27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
  - a) in relation to income from an occupation of the person:
    - (i) a description of the occupation, and
    - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
    - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
  - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
29. The source of any income received by the person that they ceased to receive prior to becoming a councillor or designated person need not be disclosed.
30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

---

## Debts

31. A person making a return under clause 4.21 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
  - a) on the return date, and
  - b) at any time in the period since 30 June of the previous financial year.
32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
33. A liability to pay a debt need not be disclosed by a person in a return if:
  - a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:

- (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
- (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
- b) the person was liable to pay the debt to a relative, or
- c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
- d) in the case of a debt arising from the supply of goods or services:
  - (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
  - (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
- e) subject to paragraph (a), the debt was discharged prior to the person becoming a councillor or designated person.

---

## Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

**Schedule 2:  
Form of Written Return of  
Interests Submitted Under  
Clause 4.21**

## ‘Disclosures by councillors and designated persons’ return

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.

6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word “NIL” is to be placed in an appropriate space under that heading.

## Important information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

Disclosure of pecuniary interests and other matters by *[full name of councillor or designated person]*

as at *[return date]*

in respect of the period from *[date]* to *[date]*

*[councillor's or designated person's signature]*

*[date]*

**A. Real Property**

Street address of each parcel of real property in which I had an interest at the Nature of interest  
return date/at any time since 30 June

**B. Sources of income**

1 Sources of income I reasonably expect to receive from an occupation in the period commencing  
on the first day after the return date and ending on the following 30 June

Sources of income I received from an occupation at any time since 30 June

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
---------------------------	--	---

2 Sources of income I reasonably expect to receive from a trust in the period commencing on the  
first day after the return date and ending on the following 30 June

Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee
-----------------------------	-----------------------------

3 Sources of other income I reasonably expect to receive in the period commencing on the first  
day after the return date and ending on the following 30 June

Sources of other income I received at any time since 30 June

*[Include description sufficient to identify the person from whom, or the circumstances in which,  
that income was received]*

**C. Gifts**

Description of each gift I received at any time since 30 June	Name and address of donor
--	---------------------------

**D. Contributions to travel**

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
---	--------------------------------------	---

**E. Interests and positions in corporations**

Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June	Nature of interest (if any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
---	-----------------------------	----------------------------------	---

**F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)**

**G. Positions in trade unions and professional or business associations**

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June	Description of position
---	-------------------------

**H. Debts**

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June

**I. Dispositions of property**

- 1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time
- 2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

**J. Discretionary disclosures**



**Schedule 3:  
Form of Special Disclosure of  
Pecuniary Interest Submitted  
Under Clause 4.37**

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

## Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because

you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

**Special disclosure of pecuniary interests by** *[full name of councillor]*

in the matter of *[insert name of environmental planning instrument]*

which is to be considered at a meeting of the  
*[name of council or council committee (as the case requires)]*

to be held on the            day of            20     .

**Pecuniary interest**

**Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)**

Relationship of identified land to councillor

*[Tick or cross one box.]*

- The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise).
- An associated person of the councillor has an interest in the land.
- An associated company or body of the councillor has an interest in the land.

**Matter giving rise to pecuniary interest<sup>1</sup>**

Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land)<sup>2</sup>

*[Tick or cross one box]*

- The identified land.
- Land that adjoins or is adjacent to or is in proximity to the identified land.

Current zone/planning control

*[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]*

1 Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

2 A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

---

Proposed change of zone/planning control

*[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]*

---

Effect of proposed change of zone/planning control on councillor or associated person

*[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]*

---

*[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]*

Councillor's signature

Date

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]



Procedures for the  
Administration of

# The Model Code of Conduct

for Local Councils in NSW

2020



**PROCEDURES FOR THE ADMINISTRATION OF THE MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW**

2020

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Produced by the Department of Planning, Industry and Environment

# Contents

<b>Part 1:</b>	<b>Introduction</b>	<b>4</b>
<b>Part 2:</b>	<b>Definitions</b>	<b>6</b>
<b>Part 3:</b>	<b>Administrative Framework</b>	<b>10</b>
<b>Part 4:</b>	<b>How May Code of Conduct Complaints be Made?</b>	<b>14</b>
<b>Part 5:</b>	<b>How are Code of Conduct Complaints to be Managed?</b>	<b>18</b>
<b>Part 6:</b>	<b>Preliminary Assessment of Code of Conduct Complaints About Councillors or the General Manager by Conduct Reviewers</b>	<b>26</b>
<b>Part 7:</b>	<b>Investigations of Code of Conduct Complaints About Councillors or the General Manager</b>	<b>32</b>
<b>Part 8:</b>	<b>Oversight and Rights of Review</b>	<b>40</b>
<b>Part 9:</b>	<b>Procedural Irregularities</b>	<b>44</b>
<b>Part 10:</b>	<b>Practice Directions</b>	<b>46</b>
<b>Part 11:</b>	<b>Reporting Statistics on Code of Conduct Complaints About Councillors and the General Manager</b>	<b>48</b>
<b>Part 12:</b>	<b>Confidentiality</b>	<b>50</b>



**Part 1:**

**Introduction**

These procedures (“the Model Code Procedures”) are prescribed for the administration of the *Model Code of Conduct for Local Councils in NSW* (“the Model Code of Conduct”).

The Model Code of Conduct is made under section 440 of the *Local Government Act 1993* (“the LGA”) and the *Local Government (General) Regulation 2005* (“the Regulation”). Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct.

The Model Code Procedures are made under section 440AA of the LGA and the Regulation. Section 440AA of the LGA requires every council (including county councils) and joint organisation to adopt procedures for the administration of their code of conduct that incorporate the provisions of the Model Code Procedures.

In adopting procedures for the administration of their adopted codes of conduct, councils and joint organisations may supplement the Model Code Procedures. However, provisions that are not consistent with those prescribed under the Model Code Procedures will have no effect.

**Note:** References in these procedures to councils are also to be taken as references to county councils and joint organisations.

**Note:** In adopting the Model Code Procedures, joint organisations should adapt them to substitute the terms “board” for “council”, “chairperson” for “mayor”, “voting representative” for “councillor” and “executive officer” for “general manager”.

**Note:** In adopting the Model Code Procedures, county councils should adapt them to substitute the term “chairperson” for “mayor” and “member” for “councillor”.

**Note:** Parts 6, 7, 8 and 11 of these procedures apply only to the management of code of conduct complaints about councillors (including the mayor) or the general manager.

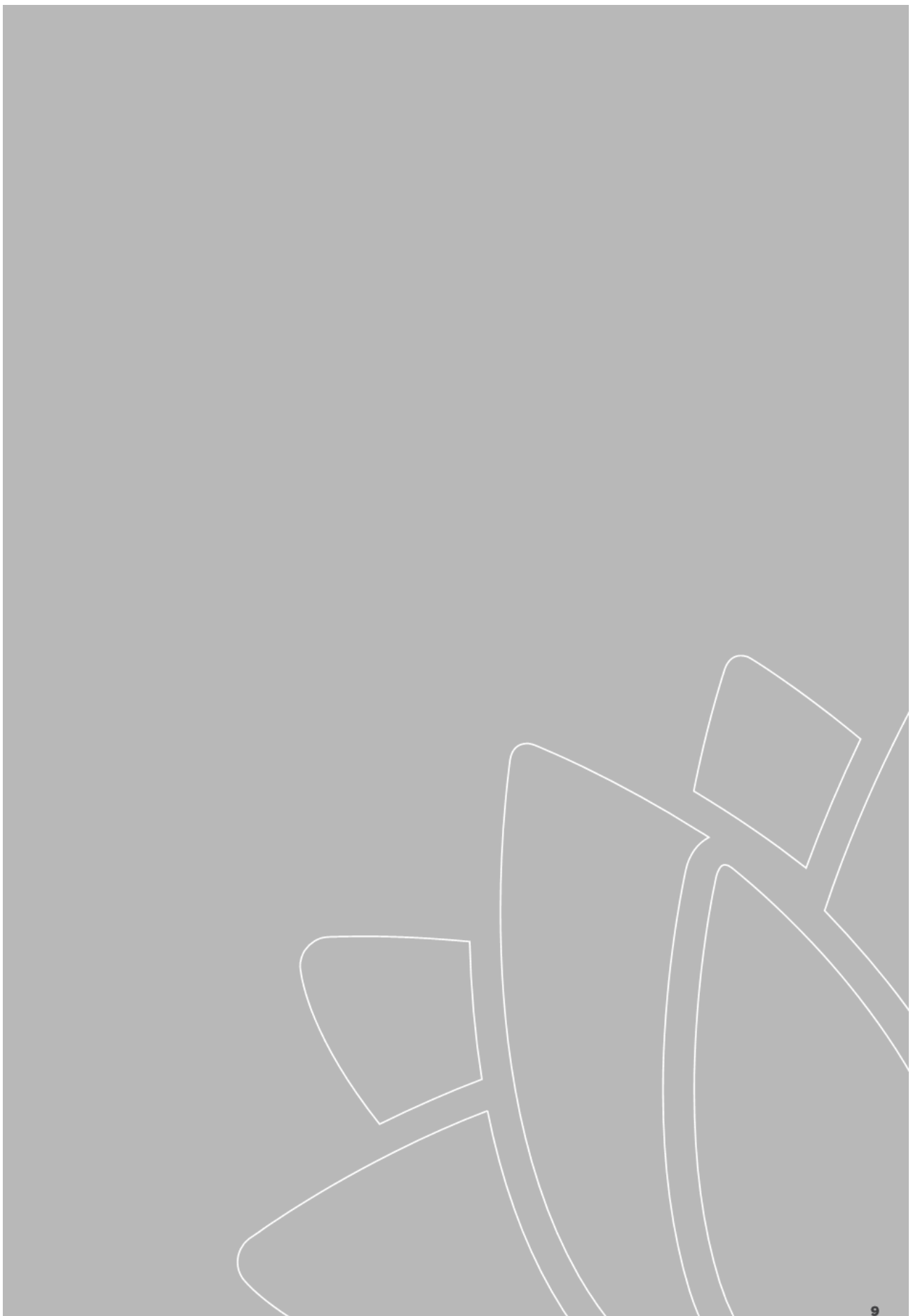
## Part 2:

## Definitions

In these procedures the following terms have the following meanings:

administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
code of conduct	a code of conduct adopted under section 440 of the LGA
code of conduct complaint	a complaint that is a code of conduct complaint for the purposes of clauses 4.1 and 4.2 of these procedures
complainant	a person who makes a code of conduct complaint
complainant councillor	a councillor who makes a code of conduct complaint
complaints coordinator	a person appointed by the general manager under these procedures as a complaints coordinator
conduct reviewer	a person appointed under these procedures to review allegations of breaches of the code of conduct by councillors or the general manager
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council's audit, risk and improvement committee
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council's audit, risk and improvement committee
councillor	any person elected or appointed to civic office, including the mayor, and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
council official	any councillor, member of staff of council, administrator, council committee member, delegate of council and, for the purposes of clause 4.16 of the Model Code of Conduct, council adviser
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
external agency	a state government agency such as, but not limited to, the Office, the ICAC, the NSW Ombudsman or the police
general manager	includes the executive officer of a joint organisation

ICAC	the Independent Commission Against Corruption
joint organisation	a joint organisation established under section 4000 of the LGA
LGA	the <i>Local Government Act 1993</i>
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisations
the Office	the Office of Local Government
investigator	a conduct reviewer
the Regulation	the <i>Local Government (General) Regulation 2005</i>
respondent	a person whose conduct is the subject of investigation by a conduct reviewer under these procedures
wholly advisory committee	a council committee that the council has not delegated any functions to



**Part 3:**  
**Administrative**  
**Framework**

## The establishment of a panel of conduct reviewers

- 3.1 The council must establish a panel of conduct reviewers.
- 3.2 The council may enter into an arrangement with one or more other councils to share a panel of conduct reviewers including through a joint organisation or another regional body associated with the councils.
- 3.3 The panel of conduct reviewers is to be established following a public expression of interest process.
- 3.4 An expression of interest for members of the council's panel of conduct reviewers must, at a minimum, be advertised locally and in the Sydney metropolitan area.
- 3.5 To be eligible to be a conduct reviewer, a person must, at a minimum, meet the following requirements:
- a) an understanding of local government, and
  - b) knowledge of investigative processes including but not limited to procedural fairness requirements and the requirements of the *Public Interest Disclosures Act 1994*, and
  - c) knowledge and experience of one or more of the following:
    - i) investigations
    - ii) law
    - iii) public administration
    - iv) public sector ethics
    - v) alternative dispute resolution, and
  - d) meet the eligibility requirements for membership of a panel of conduct reviewers under clause 3.6.
- 3.6 A person is not eligible to be a conduct reviewer if they are:
- a) a councillor, or
  - b) a nominee for election as a councillor, or
  - c) an administrator, or
  - d) an employee of a council, or
  - e) a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
  - f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
  - g) a person who has a conviction for an indictable offence that is not an expired conviction.
- 3.7 A person is not precluded from being a member of the council's panel of conduct reviewers if they are a member of another council's panel of conduct reviewers.
- 3.8 An incorporated or other entity may be appointed to a council's panel of conduct reviewers where the council is satisfied that all the persons who will be undertaking the functions of a conduct reviewer on behalf of the entity meet the selection and eligibility criteria prescribed under this Part.
- 3.9 A panel of conduct reviewers established under this Part is to have a term of up to four years.
- 3.10 The council may terminate the panel of conduct reviewers at any time. Where a panel of conduct reviewers has been terminated, conduct reviewers who were members of the panel may continue to deal with any matter referred to them under these procedures prior to the termination of the panel until they have finalised their consideration of the matter.



- 3.11 When the term of the panel of conduct reviewers concludes or is terminated, the council must establish a new panel of conduct reviewers in accordance with the requirements of this Part.
- 3.12 A person who was a member of a previous panel of conduct reviewers established by the council may be a member of subsequent panels of conduct reviewers established by the council if they continue to meet the selection and eligibility criteria for membership of the panel.

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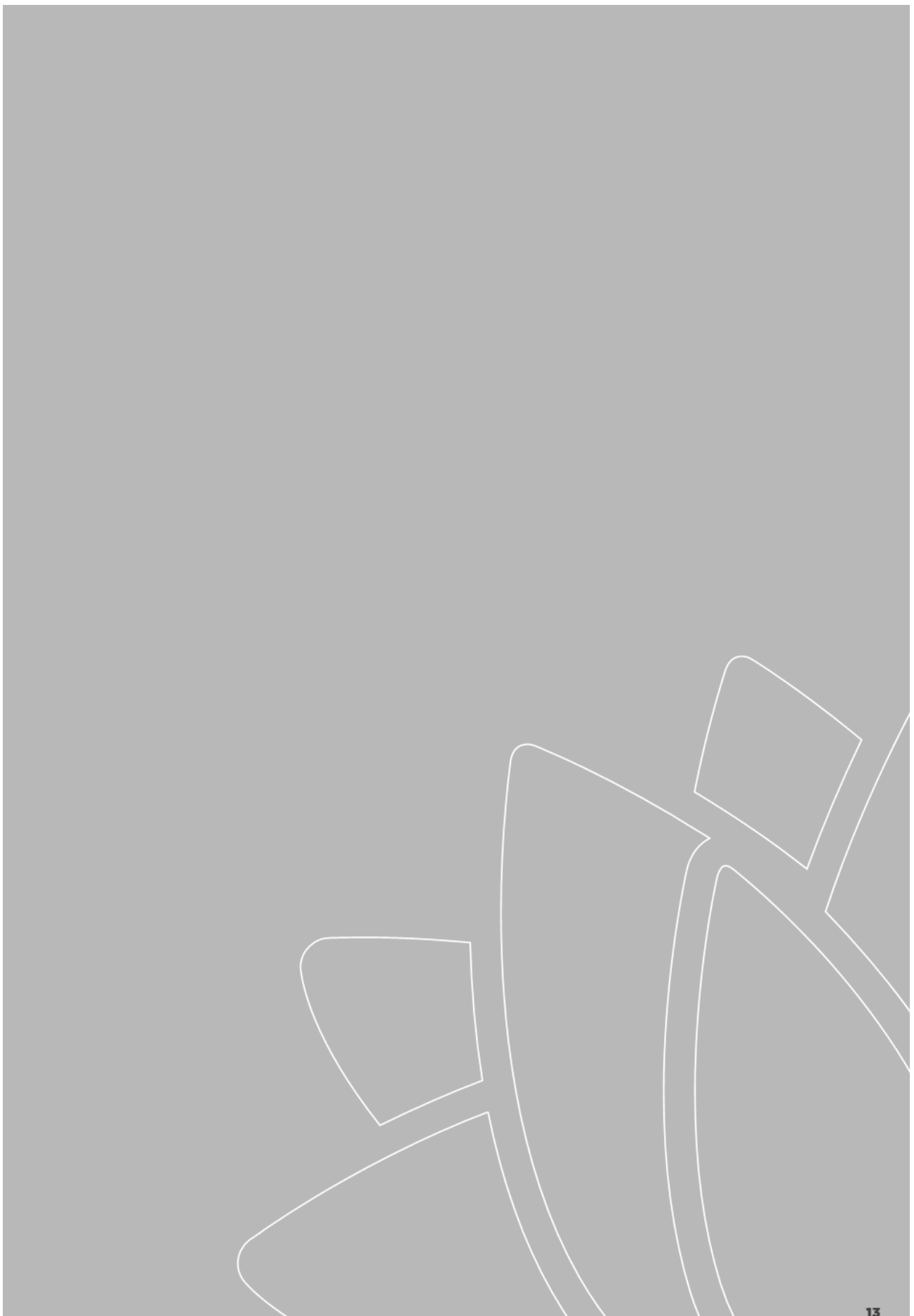
## The appointment of an internal ombudsman to a panel of conduct reviewers

- 3.13 Despite clause 3.6(d), an employee of a council who is the nominated internal ombudsman of one or more councils may be appointed to a council's panel of conduct reviewers with the Office's consent.
- 3.14 To be appointed to a council's panel of conduct reviewers, an internal ombudsman must meet the qualification requirements for conduct reviewers prescribed under clause 3.5 as modified by the operation of clause 3.13.
- 3.15 An internal ombudsman appointed to a council's panel of conduct reviewers may also exercise the functions of the council's complaints coordinator. For the purposes of clause 6.1, an internal ombudsman who is a council's complaints coordinator and has been appointed to the council's panel of conduct reviewers, may either undertake a preliminary assessment and investigation of a matter referred to them under clauses 5.26 or 5.33 or refer the matter to another conduct reviewer in accordance with clause 6.2.
- 3.16 Clause 6.4(c) does not apply to an internal ombudsman appointed to a council's panel of conduct reviewers.

---

## The appointment of complaints coordinators

- 3.17 The general manager must appoint a member of staff of the council or another person (such as, but not limited to, a member of staff of another council or a member of staff of a joint organisation or other regional body associated with the council), to act as a complaints coordinator. Where the complaints coordinator is a member of staff of the council, the complaints coordinator should be a senior and suitably qualified member of staff.
- 3.18 The general manager may appoint other members of staff of the council or other persons (such as, but not limited to, members of staff of another council or members of staff of a joint organisation or other regional body associated with the council), to act as alternates to the complaints coordinator.
- 3.19 The general manager must not undertake the role of complaints coordinator.
- 3.20 The person appointed as complaints coordinator or alternate complaints coordinator must also be a nominated disclosures coordinator appointed for the purpose of receiving and managing reports of wrongdoing under the *Public Interest Disclosures Act 1994*.
- 3.21 The role of the complaints coordinator is to:
  - a) coordinate the management of complaints made under the council's code of conduct
  - b) liaise with and provide administrative support to a conduct reviewer
  - c) liaise with the Office, and
  - d) arrange the annual reporting of code of conduct complaints statistics.



**Part 4:**

**How May Code of Conduct  
Complaints be Made?**

---

## What is a code of conduct complaint?

- 4.1 For the purpose of these procedures, a code of conduct complaint is a complaint that shows or tends to show conduct on the part of a council official in connection with their role as a council official or the exercise of their functions as a council official that would constitute a breach of the standards of conduct prescribed under the council's code of conduct if proven.
- 4.2 The following are not "code of conduct complaints" for the purposes of these procedures:
- a) complaints about the standard or level of service provided by the council or a council official
  - b) complaints that relate solely to the merits of a decision made by the council or a council official or the exercise of a discretion by the council or a council official
  - c) complaints about the policies or procedures of the council
  - d) complaints about the conduct of a council official arising from the exercise of their functions in good faith, whether or not involving error, that would not otherwise constitute a breach of the standards of conduct prescribed under the council's code of conduct.
- 4.3 Only code of conduct complaints are to be dealt with under these procedures. Complaints that do not satisfy the definition of a code of conduct complaint are to be dealt with under the council's routine complaints management processes.

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## When must a code of conduct complaint be made?

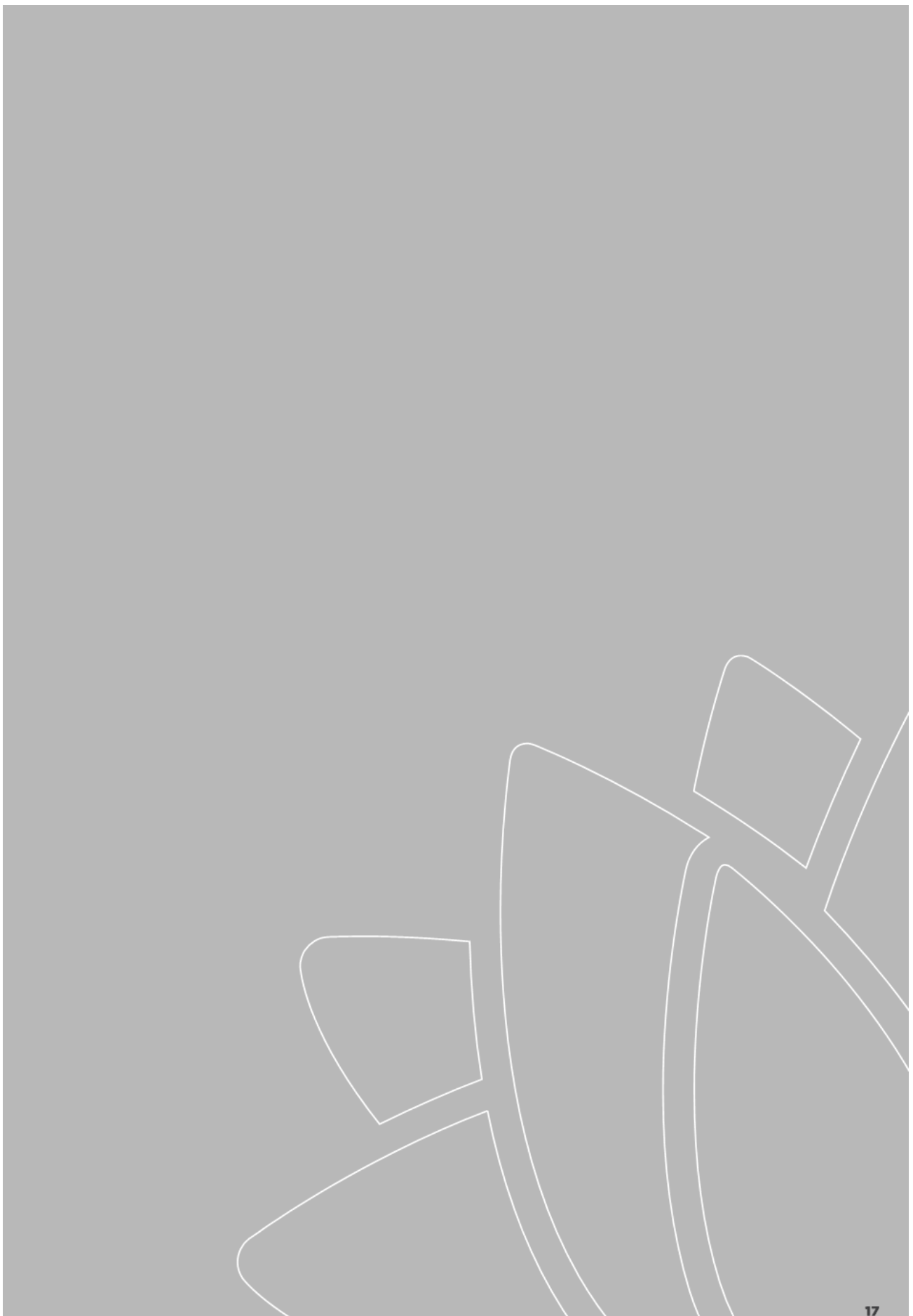
- 4.4 A code of conduct complaint must be made within 3 months of the alleged conduct occurring or within 3 months of the complainant becoming aware of the alleged conduct.
- 4.5 A complaint made after 3 months may only be accepted if the general manager or their delegate, or, in the case of a complaint about the general manager, the mayor or their delegate, is satisfied that the allegations are serious and compelling grounds exist for the matter to be dealt with under the code of conduct.

**How may a code of conduct complaint about a council official other than the general manager be made?**

- 4.6 All code of conduct complaints other than those relating to the general manager are to be made to the general manager in writing. This clause does not operate to prevent a person from making a complaint to an external agency.
- 4.7 Where a code of conduct complaint about a council official other than the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.8 In making a code of conduct complaint about a council official other than the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.9 The general manager or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.10 Notwithstanding clauses 4.6 and 4.7, where the general manager becomes aware of a possible breach of the council's code of conduct, they may initiate the process for the consideration of the matter under these procedures without a written complaint.

**How may a code of conduct complaint about the general manager be made?**

- 4.11 Code of conduct complaints about the general manager are to be made to the mayor in writing. This clause does not operate to prevent a person from making a complaint about the general manager to an external agency.
- 4.12 Where a code of conduct complaint about the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.13 In making a code of conduct complaint about the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.14 The mayor or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.15 Notwithstanding clauses 4.11 and 4.12, where the mayor becomes aware of a possible breach of the council's code of conduct by the general manager, they may initiate the process for the consideration of the matter under these procedures without a written complaint.



**Part 5:**

**How are Code of Conduct  
Complaints to be Managed?**

---

## Delegation by general managers and mayors of their functions under this Part

5.1 A general manager or mayor may delegate their functions under this Part to a member of staff of the council or to a person or persons external to the council other than an external agency. References in this Part to the general manager or mayor are also to be taken to be references to their delegates.

---

## Consideration of complaints by general managers and mayors

5.2 In exercising their functions under this Part, general managers and mayors may consider the complaint assessment criteria prescribed under clause 6.31.

---

## What complaints may be declined at the outset?

5.3 Without limiting any other provision in these procedures, the general manager or, in the case of a complaint about the general manager, the mayor, may decline to deal with a complaint under these procedures where they are satisfied that the complaint:

- a) is not a code of conduct complaint, or
- b) subject to clause 4.5, is not made within 3 months of the alleged conduct occurring or the complainant becoming aware of the alleged conduct, or
- c) is trivial, frivolous, vexatious or not made in good faith, or

- d) relates to a matter the substance of which has previously been considered and addressed by the council and does not warrant further action, or
- e) is not made in a way that would allow the alleged conduct and any alleged breaches of the council's code of conduct to be readily identified.

---

## How are code of conduct complaints about staff (other than the general manager) to be dealt with?

- 5.4 The general manager is responsible for the management of code of conduct complaints about members of staff of council (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.
- 5.5 The general manager must refer code of conduct complaints about members of staff of council alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.
- 5.6 The general manager may decide to take no action in relation to a code of conduct complaint about a member of staff of council other than one requiring referral to the Office under clause 5.5 where they consider that no action is warranted in relation to the complaint.
- 5.7 Where the general manager decides to take no action in relation to a code of conduct complaint about a member of staff of council, the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.



- 5.8 Code of conduct complaints about members of staff of council must be managed in accordance with the relevant industrial instrument or employment contract and make provision for procedural fairness including the right of an employee to be represented by their union.
- 5.9 Sanctions for breaches of the code of conduct by staff depend on the severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

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## How are code of conduct complaints about delegates of council, council advisers and council committee members to be dealt with?

- 5.10 The general manager is responsible for the management of code of conduct complaints about delegates of council and council committee members (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.
- 5.11 The general manager must refer code of conduct complaints about council advisers, delegates of council and council committee members alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.
- 5.12 The general manager may decide to take no action in relation to a code of conduct complaint about a delegate of council or a council committee member other than one requiring referral to the Office under clause 5.11 where they consider that no action is warranted in relation to the complaint.

- 5.13 Where the general manager decides to take no action in relation to a code of conduct complaint about a delegate of council or a council committee member, the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.14 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about delegates of council or council committee members, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.15 Where the general manager resolves a code of conduct complaint under clause 5.14 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.16 Sanctions for breaches of the code of conduct by delegates of council and/or council committee members depend on the severity, scale and importance of the breach and may include one or more of the following:
  - a) censure
  - b) requiring the person to apologise to any person or organisation adversely affected by the breach in such a time and form specified by the general manager
  - c) prosecution for any breach of the law

- d) removing or restricting the person's delegation
- e) removing the person from membership of the relevant council committee.

5.17 Prior to imposing a sanction against a delegate of council or a council committee member under clause 5.16, the general manager or any person making enquiries on behalf of the general manager must comply with the requirements of procedural fairness. In particular:

- a) the substance of the allegation (including the relevant provision/s of the council's code of conduct that the alleged conduct is in breach of) must be put to the person who is the subject of the allegation, and
- b) the person must be given an opportunity to respond to the allegation, and
- c) the general manager must consider the person's response in deciding whether to impose a sanction under clause 5.16.

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## How are code of conduct complaints about administrators to be dealt with?

5.18 The general manager must refer all code of conduct complaints about administrators to the Office for its consideration.

5.19 The general manager must notify the complainant of the referral of their complaint in writing.

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## How are code of conduct complaints about councillors to be dealt with?

5.20 The general manager must refer the following code of conduct complaints about councillors to the Office:

- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
- b) complaints alleging a failure to comply with a requirement under the code of conduct to disclose and appropriately manage conflicts of interest arising from political donations (see section 328B of the LGA)
- c) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
- d) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.

5.21 Where the general manager refers a complaint to the Office under clause 5.20, the general manager must notify the complainant of the referral in writing.

5.22 The general manager may decide to take no action in relation to a code of conduct complaint about a councillor, other than one requiring referral to the Office under clause 5.20, where they consider that no action is warranted in relation to the complaint.

- 5.23 Where the general manager decides to take no action in relation to a code of conduct complaint about a councillor, the general manager must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.24 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about councillors, other than those requiring referral to the Office under clause 5.20, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.25 Where the general manager resolves a code of conduct complaint under clause 5.24 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.26 The general manager must refer all code of conduct complaints about councillors, other than those referred to the Office under clause 5.20 or finalised under clause 5.23 or resolved under clause 5.24, to the complaints coordinator.

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## How are code of conduct complaints about the general manager to be dealt with?

- 5.27 The mayor must refer the following code of conduct complaints about the general manager to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
  - b) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
  - c) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 5.28 Where the mayor refers a complaint to the Office under clause 5.27, the mayor must notify the complainant of the referral in writing.
- 5.29 The mayor may decide to take no action in relation to a code of conduct complaint about the general manager, other than one requiring referral to the Office under clause 5.27, where they consider that no action is warranted in relation to the complaint.
- 5.30 Where the mayor decides to take no action in relation to a code of conduct complaint about the general manager, the mayor must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.

- 5.31 Where the mayor considers it to be practicable and appropriate to do so, the mayor may seek to resolve code of conduct complaints about the general manager, other than those requiring referral to the Office under clause 5.27, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.32 Where the mayor resolves a code of conduct complaint under clause 5.31 to the mayor's satisfaction, the mayor must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.33 The mayor must refer all code of conduct complaints about the general manager, other than those referred to the Office under clause 5.27 or finalised under clause 5.30 or resolved under clause 5.31, to the complaints coordinator.

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## How are complaints about both the general manager and the mayor to be dealt with?

- 5.34 Where the general manager or mayor receives a code of conduct complaint that alleges a breach of the code of conduct by both the general manager and the mayor, the general manager or mayor must either:
- delegate their functions under this part with respect to the complaint to a member of staff of the council other than the general manager where the allegation is not serious, or to a person external to the council, or
  - refer the matter to the complaints coordinator under clause 5.26 and clause 5.33.

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## Referral of code of conduct complaints to external agencies

- 5.35 The general manager, mayor or a conduct reviewer may, at any time, refer a code of conduct complaint to an external agency for its consideration, where they consider such a referral is warranted.
- 5.36 The general manager, mayor or a conduct reviewer must report to the ICAC any matter that they suspect on reasonable grounds concerns or may concern corrupt conduct.
- 5.37 Where the general manager, mayor or conduct reviewer refers a complaint to an external agency under clause 5.35, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.

5.38 Referral of a matter to an external agency shall finalise consideration of the matter under these procedures unless the council is subsequently advised otherwise by the referral agency.

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## Disclosure of the identity of complainants

5.39 In dealing with matters under these procedures, information that identifies or tends to identify complainants is not to be disclosed unless:

- a) the complainant consents in writing to the disclosure, or
- b) it is generally known that the complainant has made the complaint as a result of the complainant having voluntarily identified themselves as the person who made the complaint, or
- c) it is essential, having regard to procedural fairness requirements, that the identifying information be disclosed, or
- d) a conduct reviewer is of the opinion that disclosure of the information is necessary to investigate the matter effectively, or
- e) it is otherwise in the public interest to do so.

5.40 Clause 5.39 does not apply to code of conduct complaints made by councillors about other councillors or the general manager.

5.41 Where a councillor makes a code of conduct complaint about another councillor or the general manager, and the complainant councillor considers that compelling grounds exist that would warrant information that identifies or tends to identify them as the complainant not to be disclosed, they may request in writing that such information not be disclosed.

5.42 A request made by a complainant councillor under clause 5.41 must be made at the time they make a code of conduct complaint and must state the grounds upon which the request is made.

5.43 The general manager or mayor, and where the matter is referred to a conduct reviewer, the conduct reviewer, must consider a request made under clause 5.41 before disclosing information that identifies or tends to identify the complainant councillor, but they are not obliged to comply with the request.

5.44 Where a complainant councillor makes a request under clause 5.41, the general manager or mayor or, where the matter is referred to a conduct reviewer, the conduct reviewer, shall notify the councillor in writing of their intention to disclose information that identifies or tends to identify them prior to disclosing the information.

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## Code of conduct complaints made as public interest disclosures

5.45 These procedures do not override the provisions of the *Public Interest Disclosures Act 1994*. Code of conduct complaints that are made as public interest disclosures under that Act are to be managed in accordance with the requirements of that Act, the council's internal reporting policy, and any guidelines issued by the NSW Ombudsman that relate to the management of public interest disclosures.

5.46 Where a councillor makes a code of conduct complaint about another councillor or the general manager as a public interest disclosure, before the matter may be dealt with under these procedures, the complainant councillor must consent in writing to the disclosure of their identity as the complainant.

5.47 Where a complainant councillor declines to consent to the disclosure of their identity as the complainant under clause 5.46, the general manager or the mayor must refer the complaint to the Office for consideration. Such a referral must be made under section 26 of the *Public Interest Disclosures Act 1994*.

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## Special complaints management arrangements

5.48 The general manager may request in writing that the Office enter into a special complaints management arrangement with the council in relation to code of conduct complaints made by or about a person or persons.

5.49 Where the Office receives a request under clause 5.48, it may agree to enter into a special complaints management arrangement if it is satisfied that the number or nature of code of conduct complaints made by or about a person or persons has:

- a) imposed an undue and disproportionate cost burden on the council's administration of its code of conduct, or
- b) impeded or disrupted the effective administration by the council of its code of conduct, or
- c) impeded or disrupted the effective functioning of the council.

5.50 A special complaints management arrangement must be in writing and must specify the following:

- a) the code of conduct complaints the arrangement relates to, and
- b) the period that the arrangement will be in force.

5.51 The Office may, by notice in writing, amend or terminate a special complaints management arrangement at any time.

5.52 While a special complaints management arrangement is in force, an officer of the Office (the assessing OLG officer) must undertake the preliminary assessment of the code of conduct complaints specified in the arrangement in accordance with the requirements of Part 6 of these procedures.

5.53 Where, following a preliminary assessment, the assessing OLG officer determines that a code of conduct complaint warrants investigation by a conduct reviewer, the assessing OLG officer shall notify the complaints coordinator in writing of their determination and the reasons for their determination. The complaints coordinator must comply with the recommendation of the assessing OLG officer.

5.54 Prior to the expiry of a special complaints management arrangement, the Office may, at the request of the general manager, review the arrangement to determine whether it should be renewed or amended.

5.55 A special complaints management arrangement shall expire on the date specified in the arrangement unless renewed under clause 5.54.

**Part 6:**  
**Preliminary Assessment of**  
**Code of Conduct Complaints**  
**About Councillors or the**  
**General Manager by**  
**Conduct Reviewers**

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## Referral of code of conduct complaints about councillors or the general manager to conduct reviewers

- 6.1 The complaints coordinator must refer all code of conduct complaints about councillors or the general manager that have not been referred to an external agency or declined or resolved by the general manager, mayor or their delegate and that have been referred to them under clauses 5.26 or 5.33, to a conduct reviewer within 21 days of receipt of the complaint by the general manager or the mayor.
- 6.2 For the purposes of clause 6.1, the complaints coordinator will refer a complaint to a conduct reviewer selected from:
- a) a panel of conduct reviewers established by the council, or
  - b) a panel of conduct reviewers established by an organisation approved by the Office.
- 6.3 In selecting a suitable conduct reviewer, the complaints coordinator may have regard to the qualifications and experience of members of the panel of conduct reviewers. Where the conduct reviewer is an incorporated or other entity, the complaints coordinator must also ensure that the person assigned to receive the referral on behalf of the entity meets the selection and eligibility criteria for conduct reviewers prescribed under Part 3 of these procedures.
- 6.4 A conduct reviewer must not accept the referral of a code of conduct complaint where:
- a) they have a conflict of interest in relation to the matter referred to them, or
  - b) a reasonable apprehension of bias arises in relation to their consideration of the matter, or
  - c) they or their employer has entered into one or more contracts with the council (other than contracts relating to the exercise of their functions as a conduct reviewer) in the 2 years preceding the referral, and they or their employer have received or expect to receive payments under the contract or contracts of a value that, when aggregated, exceeds \$100,000, or
  - d) at the time of the referral, they or their employer are the council's legal service provider or are a member of a panel of legal service providers appointed by the council.
- 6.5 For the purposes of clause 6.4(a), a conduct reviewer will have a conflict of interest in a matter where a reasonable and informed person would perceive that they could be influenced by a private interest when carrying out their public duty (see clause 5.2 of the Model Code of Conduct).
- 6.6 For the purposes of clause 6.4(b), a reasonable apprehension of bias arises where a fair-minded observer might reasonably apprehend that the conduct reviewer might not bring an impartial and unprejudiced mind to the matter referred to the conduct reviewer.



- 6.7 Where the complaints coordinator refers a matter to a conduct reviewer, they will provide the conduct reviewer with a copy of the code of conduct complaint and any other information relevant to the matter held by the council, including any information about previous proven breaches and any information that would indicate that the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.8 The complaints coordinator must notify the complainant in writing that the matter has been referred to a conduct reviewer, and advise which conduct reviewer the matter has been referred to.
- 6.9 Conduct reviewers must comply with these procedures in their consideration of matters that have been referred to them and exercise their functions in a diligent and timely manner.
- 6.10 The complaints coordinator may at any time terminate the referral of a matter to a conduct reviewer and refer the matter to another conduct reviewer where the complaints coordinator is satisfied that the conduct reviewer has failed to:
- a) comply with these procedures in their consideration of the matter, or
  - b) comply with a lawful and reasonable request by the complaints coordinator, or
  - c) exercise their functions in a timely or satisfactory manner.
- 6.11 Where the complaints coordinator terminates a referral to a conduct reviewer under clause 6.10, they must notify the complainant and any other affected person in writing of their decision and the reasons for it and advise them which conduct reviewer the matter has been referred to instead.

## Preliminary assessment of code of conduct complaints about councillors or the general manager by a conduct reviewer

- 6.12 The conduct reviewer is to undertake a preliminary assessment of a complaint referred to them by the complaints coordinator for the purposes of determining how the complaint is to be managed.
- 6.13 The conduct reviewer may determine to do one or more of the following in relation to a complaint referred to them by the complaints coordinator:
- a) to take no action
  - b) to resolve the complaint by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
  - c) to refer the matter back to the general manager or, in the case of a complaint about the general manager, the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
  - d) to refer the matter to an external agency
  - e) to investigate the matter.
- 6.14 In determining how to deal with a matter under clause 6.13, the conduct reviewer must have regard to the complaint assessment criteria prescribed under clause 6.31.

**Councillors or the General Manager by Conduct Reviewers**

- 6.15 The conduct reviewer may make such enquiries the conduct reviewer considers to be reasonably necessary to determine what options to exercise under clause 6.13.
- 6.16 The conduct reviewer may request the complaints coordinator to provide such additional information the conduct reviewer considers to be reasonably necessary to determine what options to exercise in relation to the matter under clause 6.13. The complaints coordinator will, as far as is reasonably practicable, supply any information requested by the conduct reviewer.
- 6.17 The conduct reviewer must refer to the Office any complaints referred to them that should have been referred to the Office under clauses 5.20 and 5.27.
- 6.18 The conduct reviewer must determine to take no action on a complaint that is not a code of conduct complaint for the purposes of these procedures.
- 6.19 The resolution of a code of conduct complaint under clause 6.13, paragraphs (b) or (c) is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 6.20 Where the conduct reviewer completes their preliminary assessment of a complaint by determining to exercise an option under clause 6.13, paragraphs (a), (b) or (c), they must provide the complainant with written notice of their determination and provide reasons for it, and this will finalise consideration of the matter under these procedures.
- 6.21 Where the conduct reviewer refers a complaint to an external agency, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.
- 6.22 The conduct reviewer may only determine to investigate a matter where they are satisfied as to the following:
- a) that the complaint is a code of conduct complaint for the purposes of these procedures, and
  - b) that the alleged conduct is sufficiently serious to warrant the formal censure of a councillor under section 440G of the LGA or disciplinary action against the general manager under their contract of employment if it were to be proven, and
  - c) that the matter is one that could not or should not be resolved by alternative means.
- 6.23 In determining whether a matter is sufficiently serious to warrant formal censure of a councillor under section 440G of the LGA or disciplinary action against the general manager under their contract of employment, the conduct reviewer is to consider the following:
- a) the harm or cost that the alleged conduct has caused to any affected individuals and/or the council
  - b) the likely impact of the alleged conduct on the reputation of the council and public confidence in it
  - c) whether the alleged conduct was deliberate or undertaken with reckless intent or negligence
  - d) any previous proven breaches by the person whose alleged conduct is the subject of the complaint and/or whether the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.24 The conduct reviewer must complete their preliminary assessment of the complaint within 28 days of referral of the matter to them by the complaints coordinator and notify the complaints coordinator in writing of the outcome of their assessment.
- 6.25 The conduct reviewer is not obliged to give prior notice to or to consult with any person before making a determination in relation to their preliminary assessment of a complaint, except as may be specifically required under these procedures.

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## Referral back to the general manager or mayor for resolution

- 6.26 Where the conduct reviewer determines to refer a matter back to the general manager or to the mayor to be resolved by alternative and appropriate means, they must write to the general manager or, in the case of a complaint about the general manager, to the mayor, recommending the means by which the complaint may be resolved.
- 6.27 The conduct reviewer must consult with the general manager or mayor prior to referring a matter back to them under clause 6.13(c).
- 6.28 The general manager or mayor may decline to accept the conduct reviewer's recommendation. In such cases, the conduct reviewer may determine to deal with the complaint by other means under clause 6.13.
- 6.29 Where the conduct reviewer refers a matter back to the general manager or mayor under clause 6.13(c), the general manager or, in the case of a complaint about the general manager, the mayor, is responsible for implementing or overseeing the implementation of the conduct reviewer's recommendation.
- 6.30 Where the conduct reviewer refers a matter back to the general manager or mayor under clause 6.13(c), the general manager, or, in the case of a complaint about the general manager, the mayor, must advise the complainant in writing of the steps taken to implement the conduct reviewer's recommendation once these steps have been completed.

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## Complaints assessment criteria

- 6.31 In undertaking the preliminary assessment of a complaint, the conduct reviewer must have regard to the following considerations:
- a) whether the complaint is a code of conduct complaint for the purpose of these procedures
  - b) whether the complaint has been made in a timely manner in accordance with clause 4.4, and if not, whether the allegations are sufficiently serious for compelling grounds to exist for the matter to be dealt with under the council's code of conduct
  - c) whether the complaint is trivial, frivolous, vexatious or not made in good faith
  - d) whether the complaint discloses prima facie evidence of conduct that, if proven, would constitute a breach of the code of conduct
  - e) whether the complaint raises issues that would be more appropriately dealt with by an external agency
  - f) whether there is or was an alternative and satisfactory means of redress available in relation to the conduct complained of
  - g) whether the complaint is one that can be resolved by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour

- h) whether the issue/s giving rise to the complaint have previously been addressed or resolved
- i) any previous proven breaches of the council's code of conduct
- j) whether the conduct complained of forms part of an ongoing pattern of behaviour
- k) whether there were mitigating circumstances giving rise to the conduct complained of
- l) the seriousness of the alleged conduct (having regard to the criteria specified in clause 6.23)
- m) the significance of the conduct or the impact of the conduct for the council
- n) how much time has passed since the alleged conduct occurred
- o) such other considerations that the conduct reviewer considers may be relevant to the assessment of the complaint.

**Part 7:**

**Investigations of Code of  
Conduct Complaints About  
Councillors or the  
General Manager**

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## What matters may a conduct reviewer investigate?

- 7.1 A conduct reviewer (hereafter referred to as an “investigator”) may investigate a code of conduct complaint that has been referred to them by the complaints coordinator and any matters related to or arising from that complaint.
- 7.2 Where an investigator identifies further separate possible breaches of the code of conduct that are not related to or do not arise from the code of conduct complaint that has been referred to them, they are to report the matters separately in writing to the general manager, or, in the case of alleged conduct on the part of the general manager, to the mayor.
- 7.3 The general manager or the mayor or their delegate is to deal with a matter reported to them by an investigator under clause 7.2 as if it were a new code of conduct complaint in accordance with these procedures.

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## How are investigations to be commenced?

- 7.4 The investigator must at the outset of their investigation provide a written notice of investigation to the respondent. The notice of investigation must:
  - a) disclose the substance of the allegations against the respondent, and
  - b) advise of the relevant provisions of the code of conduct that apply to the alleged conduct, and
  - c) advise of the process to be followed in investigating the matter, and

- d) advise the respondent of the requirement to maintain confidentiality, and
  - e) invite the respondent to make a written submission in relation to the matter within a period of not less than 14 days specified by the investigator in the notice, and
  - f) provide the respondent the opportunity to address the investigator on the matter within such reasonable time specified in the notice.
- 7.5 The respondent may, within 7 days of receipt of the notice of investigation, request in writing that the investigator provide them with such further information they consider necessary to assist them to identify the substance of the allegation against them. An investigator will only be obliged to provide such information that the investigator considers reasonably necessary for the respondent to identify the substance of the allegation against them.
  - 7.6 An investigator may at any time prior to issuing a draft report, issue an amended notice of investigation to the respondent in relation to the matter referred to them.
  - 7.7 Where an investigator issues an amended notice of investigation, they must provide the respondent with a further opportunity to make a written submission in response to the amended notice of investigation within a period of not less than 14 days specified by the investigator in the amended notice.
  - 7.8 The investigator must also, at the outset of their investigation, provide written notice of the investigation to the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the complainant, the complaints coordinator and the mayor. The notice must:

- a) advise them of the matter the investigator is investigating, and
- b) in the case of the notice to the complainant, advise them of the requirement to maintain confidentiality, and
- c) invite the complainant to make a written submission in relation to the matter within a period of not less than 14 days specified by the investigator in the notice.

7.13 Where the respondent accepts the opportunity to address the investigator in person, they may have a support person or legal adviser in attendance. The support person or legal adviser will act in an advisory or support role to the respondent only. They must not speak on behalf of the respondent or otherwise interfere with or disrupt proceedings.

7.14 The investigator must consider all written and oral submissions made to them in relation to the matter.

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## Written and oral submissions

- 7.9 Where the respondent or the complainant fails to make a written submission in relation to the matter within the period specified by the investigator in their notice of investigation or amended notice of investigation, the investigator may proceed to prepare their draft report without receiving such submissions.
- 7.10 The investigator may accept written submissions received outside the period specified in the notice of investigation or amended notice of investigation.
- 7.11 Prior to preparing a draft report, the investigator must give the respondent an opportunity to address the investigator on the matter being investigated. The respondent may do so in person or by telephone or other electronic means.
- 7.12 Where the respondent fails to accept the opportunity to address the investigator within the period specified by the investigator in the notice of investigation, the investigator may proceed to prepare a draft report without hearing from the respondent.

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## How are investigations to be conducted?

- 7.15 Investigations are to be undertaken without undue delay.
- 7.16 Investigations are to be undertaken in the absence of the public and in confidence.
- 7.17 Investigators must make any such enquiries that may be reasonably necessary to establish the facts of the matter.
- 7.18 Investigators may seek such advice or expert guidance that may be reasonably necessary to assist them with their investigation or the conduct of their investigation.
- 7.19 An investigator may request that the complaints coordinator provide such further information that the investigator considers may be reasonably necessary for them to establish the facts of the matter. The complaints coordinator will, as far as is reasonably practicable, provide the information requested by the investigator.

## Referral or resolution of a matter after the commencement of an investigation

- 7.20 At any time after an investigator has issued a notice of investigation and before they have issued their final report, an investigator may determine to:
- a) resolve the matter by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
  - b) refer the matter to the general manager, or, in the case of a complaint about the general manager, to the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
  - c) refer the matter to an external agency.
- 7.21 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they must do so in accordance with the requirements of Part 6 of these procedures relating to the exercise of these options at the preliminary assessment stage.
- 7.22 The resolution of a code of conduct complaint under clause 7.20, paragraphs (a) or (b) is not to be taken as a determination that there has been a breach of the council's code of conduct.

- 7.23 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they may by written notice to the respondent, the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the respondent, the complainant, the complaints coordinator and the mayor, discontinue their investigation of the matter.
- 7.24 Where the investigator discontinues their investigation of a matter under clause 7.23, this shall finalise the consideration of the matter under these procedures.
- 7.25 An investigator is not obliged to give prior notice to or to consult with any person before making a determination to exercise any of the options under clause 7.20 or to discontinue their investigation except as may be specifically required under these procedures.

## Draft investigation reports

- 7.26 When an investigator has completed their enquiries and considered any written or oral submissions made to them in relation to a matter, they must prepare a draft of their proposed report.
- 7.27 The investigator must provide their draft report to the respondent and invite them to make a written submission in relation to it within a period of not less than 14 days specified by the investigator.
- 7.28 Where the investigator proposes to make adverse comment about any other person (an affected person) in their report, they must also provide the affected person with relevant extracts of their draft report containing such comment and invite the affected person to make a written submission in relation to it within a period of not less than 14 days specified by the investigator.



- 7.29 The investigator must consider written submissions received in relation to the draft report prior to finalising their report in relation to the matter.
- 7.30 The investigator may, after consideration of all written submissions received in relation to their draft report, make further enquiries into the matter. If, as a result of making further enquiries, the investigator makes any material change to their proposed report that makes new adverse comment about the respondent or an affected person, they must provide the respondent or affected person as the case may be with a further opportunity to make a written submission in relation to the new adverse comment.
- 7.31 Where the respondent or an affected person fails to make a written submission in relation to the draft report within the period specified by the investigator, the investigator may proceed to prepare and issue their final report without receiving such submissions.
- 7.32 The investigator may accept written submissions in relation to the draft report received outside the period specified by the investigator at any time prior to issuing their final report.
- 7.35 The investigator's final report must:
- a) make findings of fact in relation to the matter investigated, and,
  - b) make a determination that the conduct investigated either,
    - i) constitutes a breach of the code of conduct, or
    - ii) does not constitute a breach of the code of conduct, and
  - c) provide reasons for the determination.
- 7.36 At a minimum, the investigator's final report must contain the following information:
- a) a description of the allegations against the respondent
  - b) the relevant provisions of the code of conduct that apply to the alleged conduct investigated
  - c) a statement of reasons as to why the matter warranted investigation (having regard to the criteria specified in clause 6.23)
  - d) a statement of reasons as to why the matter was one that could not or should not be resolved by alternative means
  - e) a description of any attempts made to resolve the matter by use of alternative means
  - f) the steps taken to investigate the matter
  - g) the facts of the matter
  - h) the investigator's findings in relation to the facts of the matter and the reasons for those findings
  - i) the investigator's determination and the reasons for that determination
  - j) any recommendations.
- 7.33 Where an investigator issues a notice of investigation, they must prepare a final report in relation to the matter unless the investigation is discontinued under clause 7.23.
- 7.34 An investigator must not prepare a final report in relation to the matter at any time before they have finalised their consideration of the matter in accordance with the requirements of these procedures.

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## Final investigation reports

- 7.37 Where the investigator determines that the conduct investigated constitutes a breach of the code of conduct, the investigator may recommend:
- a) in the case of a breach by the general manager, that disciplinary action be taken under the general manager's contract of employment for the breach, or
  - b) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the LGA, or
  - c) in the case of a breach by a councillor, that the council resolves as follows:
    - i) that the councillor be formally censured for the breach under section 440G of the LGA, and
    - ii) that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.38 Where the investigator proposes to make a recommendation under clause 7.37(c), the investigator must first consult with the Office on their proposed findings, determination and recommendation prior to finalising their report, and must take any comments by the Office into consideration when finalising their report.
- 7.39 Where the investigator has determined that there has been a breach of the code of conduct, the investigator may, in addition to making a recommendation under clause 7.37, recommend that the council revise any of its policies, practices or procedures.
- 7.40 Where the investigator determines that the conduct investigated does not constitute a breach of the code of conduct, the investigator may recommend:
- a) that the council revise any of its policies, practices or procedures
  - b) that a person or persons undertake any training or other education.
- 7.41 The investigator must provide a copy of their report to the complaints coordinator and the respondent.
- 7.42 At the time the investigator provides a copy of their report to the complaints coordinator and the respondent, the investigator must provide the complainant with a written statement containing the following information:
- a) the investigator's findings in relation to the facts of the matter and the reasons for those findings
  - b) the investigator's determination and the reasons for that determination
  - c) any recommendations, and
  - d) such other additional information that the investigator considers may be relevant.
- 7.43 Where the investigator has determined that there has not been a breach of the code of conduct, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the mayor, and this will finalise consideration of the matter under these procedures.
- 7.44 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation under clause 7.37, the complaints coordinator must, where practicable, arrange for the investigator's report to be reported to the next ordinary council meeting for the council's consideration, unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary council meeting following the election.

7.45 Where it is apparent to the complaints coordinator that the council will not be able to form a quorum to consider the investigator's report, the complaints coordinator must refer the investigator's report to the Office for its consideration instead of reporting it to the council under clause 7.44.

## Consideration of the final investigation report by council

7.46 The role of the council in relation to a final investigation report is to impose a sanction if the investigator has determined that there has been a breach of the code of conduct and has made a recommendation in their final report under clause 7.37.

7.47 The council is to close its meeting to the public to consider the final investigation report in cases where it is permitted to do so under section 10A of the LGA.

7.48 Where the complainant is a councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant councillor may absent themselves without making any disclosure of interest in relation to the matter unless otherwise required to do so under the code of conduct.

7.49 Prior to imposing a sanction, the council must provide the respondent with an opportunity to make a submission to the council. A submission may be made orally or in writing. The respondent is to confine their submission to addressing the investigator's recommendation.

7.50 Once the respondent has made their submission they must absent themselves from the meeting and, where they are a councillor, take no part in any discussion or voting on the matter.

7.51 The council must not invite submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.

7.52 Prior to imposing a sanction, the council may by resolution:

- a) request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
- b) seek an opinion from the Office in relation to the report.

7.53 The council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the Office.

7.54 The investigator may make additional enquiries for the purpose of preparing a supplementary report.

7.55 Where the investigator prepares a supplementary report, they must provide copies to the complaints coordinator who shall provide a copy each to the council and the respondent.

7.56 The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the complaints coordinator.

7.57 The council is only required to provide the respondent a further opportunity to make an oral or written submission on a supplementary report if the supplementary report contains new information that is adverse to them.

- 7.58 A council may by resolution impose one of the following sanctions on a respondent:
- a) in the case of a breach by the general manager, that disciplinary action be taken under the general manager’s contract of employment for the breach, or
  - b) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the LGA, or
  - c) in the case of a breach by a councillor:
    - i) that the councillor be formally censured for the breach under section 440G of the LGA, and
    - ii) that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.59 Where the council censures a councillor under section 440G of the LGA, the council must specify in the censure resolution the grounds on which it is satisfied that the councillor should be censured by disclosing in the resolution, the investigator’s findings and determination and/or such other grounds that the council considers may be relevant or appropriate.
- 7.60 The council is not obliged to adopt the investigator’s recommendation. Where the council proposes not to adopt the investigator’s recommendation, the council must resolve not to adopt the recommendation and state in its resolution the reasons for its decision.
- 7.61 Where the council resolves not to adopt the investigator’s recommendation, the complaints coordinator must notify the Office of the council’s decision and the reasons for it.

**Part 8:**

**Oversight and Rights of Review**

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## The Office's powers of review

- 8.1 The Office may, at any time, whether or not in response to a request, review the consideration of a matter under a council's code of conduct where it is concerned that a person has failed to comply with a requirement prescribed under these procedures or has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct in their consideration of a matter.
- 8.2 The Office may direct any person, including the council, to defer taking further action in relation to a matter under consideration under the council's code of conduct pending the completion of its review. Any person the subject of a direction must comply with the direction.
- 8.3 Where the Office undertakes a review of a matter under clause 8.1, it will notify the complaints coordinator and any other affected persons, of the outcome of the review.

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## Complaints about conduct reviewers

- 8.4 The general manager or their delegate must refer code of conduct complaints about conduct reviewers to the Office for its consideration.
- 8.5 The general manager must notify the complainant of the referral of their complaint about the conduct reviewer in writing.
- 8.6 The general manager must implement any recommendation made by the Office as a result of its consideration of a complaint about a conduct reviewer.

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## Practice rulings

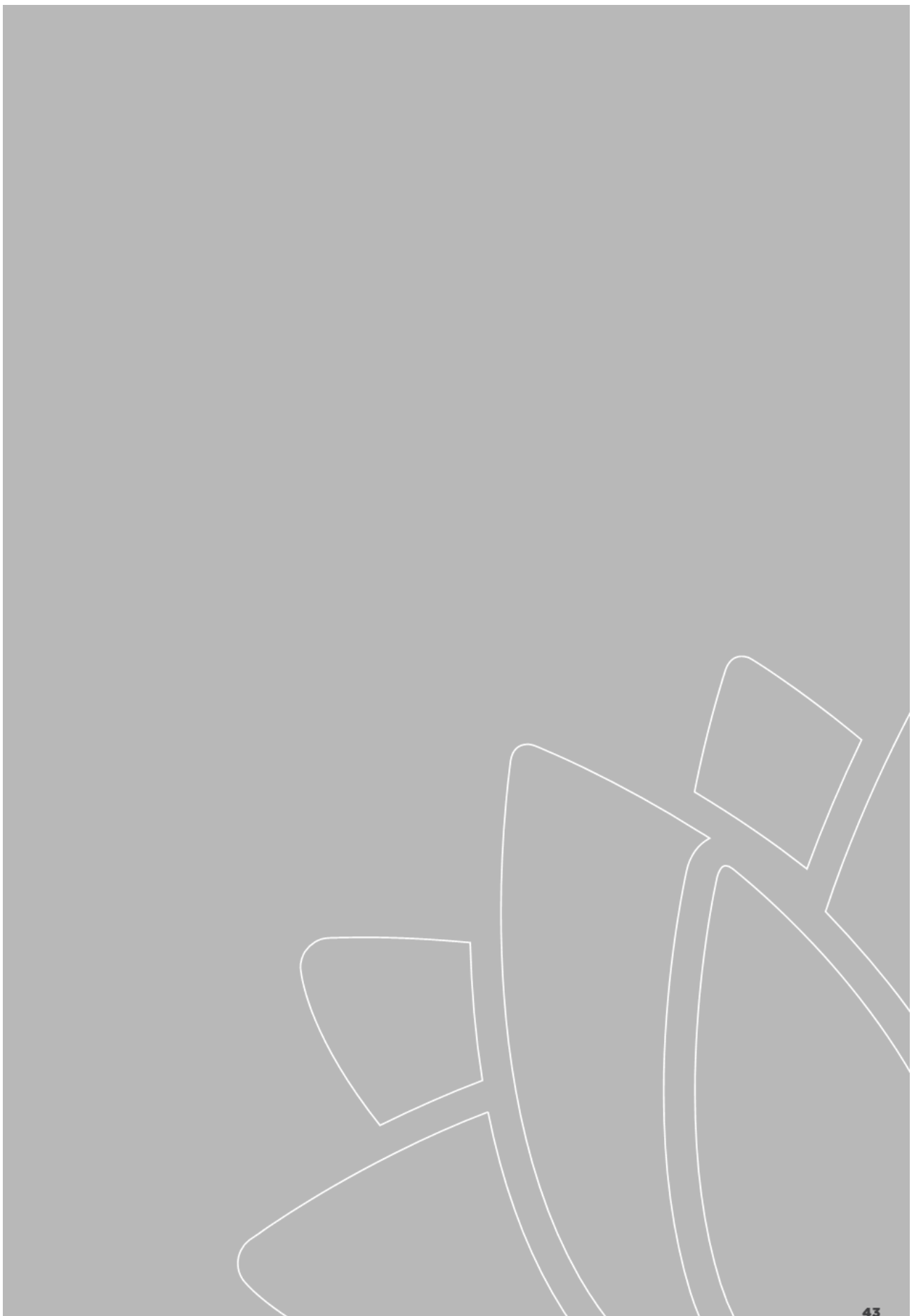
- 8.7 Where a respondent and an investigator are in dispute over a requirement under these procedures, either person may make a request in writing to the Office to make a ruling on a question of procedure (a practice ruling).
- 8.8 Where the Office receives a request in writing for a practice ruling, the Office may provide notice in writing of its ruling and the reasons for it to the person who requested it and to the investigator, where that person is different.
- 8.9 Where the Office makes a practice ruling, all parties must comply with it.
- 8.10 The Office may decline to make a practice ruling. Where the Office declines to make a practice ruling, it will provide notice in writing of its decision and the reasons for it to the person who requested it and to the investigator, where that person is different.

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## Review of decisions to impose sanctions

- 8.11 A person who is the subject of a sanction imposed under Part 7 of these procedures other than one imposed under clause 7.58, paragraph (c), may, within 28 days of the sanction being imposed, seek a review of the investigator's determination and recommendation by the Office.
- 8.12 A review under clause 8.11 may be sought on the following grounds:
- that the investigator has failed to comply with a requirement under these procedures, or
  - that the investigator has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct, or
  - that in imposing its sanction, the council has failed to comply with a requirement under these procedures.

- 8.13 A request for a review made under clause 8.11 must be made in writing and must specify the grounds upon which the person believes the investigator or the council has erred.
- 8.14 The Office may decline to conduct a review, in cases where the grounds upon which the review is sought are not sufficiently specified.
- 8.15 The Office may undertake a review of a matter without receiving a request under clause 8.11.
- 8.16 The Office will undertake a review of the matter on the papers. However, the Office may request that the complaints coordinator provide such further information that the Office considers reasonably necessary for it to review the matter. The complaints coordinator must, as far as is reasonably practicable, provide the information requested by the Office.
- 8.17 Where a person requests a review under clause 8.11, the Office may direct the council to defer any action to implement a sanction. The council must comply with a direction to defer action by the Office.
- 8.18 The Office must notify the person who requested the review and the complaints coordinator of the outcome of the Office's review in writing and the reasons for its decision. In doing so, the Office may comment on any other matters the Office considers to be relevant.
- 8.19 Where the Office considers that the investigator or the council has erred, the Office may recommend that a decision to impose a sanction under these procedures be reviewed. Where the Office recommends that the decision to impose a sanction be reviewed:
- a) the complaints coordinator must, where practicable, arrange for the Office's determination to be tabled at the next ordinary council meeting unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case it must be tabled at the first ordinary council meeting following the election, and
  - b) the council must:
    - i) review its decision to impose the sanction, and
    - ii) consider the Office's recommendation in doing so, and
    - iii) resolve to either rescind or reaffirm its previous resolution in relation to the matter.
- 8.20 Where, having reviewed its previous decision in relation to a matter under clause 8.19(b), the council resolves to reaffirm its previous decision, the council must state in its resolution its reasons for doing so.





## Part 9:

# Procedural Irregularities

- 9.1 A failure to comply with these procedures does not, on its own, constitute a breach of the code of conduct, except as may be otherwise specifically provided under the code of conduct.
- 9.2 A failure to comply with these procedures will not render a decision made in relation to a matter invalid where:
- a) the non-compliance is isolated and/or minor in nature, or
  - b) reasonable steps are taken to correct the non-compliance, or
  - c) reasonable steps are taken to address the consequences of the non-compliance.

# Part 10: Practice Directions

- 10.1 The Office may at any time issue a practice direction in relation to the application of these procedures.
- 10.2 The Office will issue practice directions in writing, by circular to all councils.
- 10.3 All persons performing a function prescribed under these procedures must consider the Office's practice directions when performing the function.

**Part 11:**

**Reporting Statistics on Code  
of Conduct Complaints  
About Councillors and the  
General Manager**

- 11.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:
- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)
  - b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period
  - c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints
  - d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period
  - e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period
  - f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and
  - g) the total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.
- 11.2 The council is to provide the Office with a report containing the statistics referred to in clause 11.1 within 3 months of the end of September of each year.

# Part 12: Confidentiality

- 12.1 Information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these procedures.
- 12.2 Where a complainant publicly discloses information on one or more occasions about a code of conduct complaint they have made or purported to make, the general manager or their delegate may, with the consent of the Office, determine that the complainant is to receive no further information about their complaint and any future code of conduct complaint they make or purport to make.
- 12.3 Prior to seeking the Office's consent under clause 12.2, the general manager or their delegate must give the complainant written notice of their intention to seek the Office's consent, invite them to make a written submission within a period of not less than 14 days specified by the general manager or their delegate, and consider any submission made by them.
- 12.4 In giving its consent under clause 12.2, the Office must consider any submission made by the complainant to the general manager or their delegate.
- 12.5 The general manager or their delegate must give written notice of a determination made under clause 12.2 to:
- a) the complainant
  - b) the complaints coordinator
  - c) the Office, and
  - d) any other person the general manager or their delegate considers should be notified of the determination.
- 12.6 Any requirement under these procedures that a complainant is to be provided with information about a code of conduct complaint that they have made or purported to make, will not apply to a complainant the subject of a determination made by the general manager or their delegate under clause 12.2.
- 12.7 Clause 12.6 does not override any entitlement a person may have to access to council information under the *Government Information (Public Access) Act 2009* or to receive information under the *Public Interest Disclosures Act 1994* in relation to a complaint they have made.





<b>Circular Details</b>	20-32 / 14 August 2020 / A708384
<b>Previous Circular</b>	19-25 – <i>Penalties available to councils for code of conduct breaches by councillors</i>
<b>Who should read this</b>	Mayors / Councillors / General Managers / Joint Organisation Executive Officers / Complaints Coordinators / Conduct Reviewers
<b>Contact</b>	Council Governance Team/ 02 4428 4100/ <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Council to Implement

## Amendments to the Model Code of Conduct for Local Councils in NSW and Procedures

### What's new or changing

- The *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* (the Procedures) have been amended in response to the decision by the Supreme Court in the matter of *Cornish v Secretary, Department of Planning, Industry and Environment* [2019] NSWSC 1134.
- Amendments have also been made to the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
- The new Model Code of Conduct and Procedures have been prescribed under the *Local Government (General) Regulation 2005*.
- The new prescribed Model Code of Conduct and Procedures are available on the Office of Local Government's (OLG) website.

### What this will mean for your council

- The new Model Code of Conduct and Procedures take effect immediately. This is because the amendments to the Procedures largely reflect existing practice following the Supreme Court's decision and the amendments to the Model Code of Conduct are minor in nature.
- Councils should adopt a code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures as soon as possible.
- Councils' complaints coordinators should bring this circular to the attention of their council's conduct reviewers. Complaints coordinators should also inform conduct reviewers when the council has adopted a new code of conduct and procedures and provide copies.

### Key points

#### **Amendments to the Procedures**

- Consistent with the Supreme Court's decision, councils have the following options when taking disciplinary action against councillors for breaches of their codes of conduct under the new Procedures:
  - that a councillor be formally censured for the breach under section 440G of the *Local Government Act 1993* (the Act), or

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- that a councillor be formally censured for a breach under section 440G and the matter referred to OLG for further disciplinary action under the misconduct provisions of the Act.
- The process for censuring councillors for breaches of the code of conduct has been significantly strengthened to ensure councillors are made publicly accountable to their electors for their conduct. When censuring councillors, councils are required to specify in their resolution the grounds on which the councillor is being censured by disclosing the investigator's findings and determination and any other grounds that the council considers may be relevant or appropriate.
- Councillors may seek to avoid public censure for breaches of the code of conduct by voluntarily agreeing to undergo training or counselling, to apologise for their conduct or to give undertakings not to repeat their conduct before the investigator finalises their report to the council. Investigators can finalise their investigations without a report to the council where they consider these to be an appropriate outcome to the matter they are investigating. However, it will remain open to investigators to finalise their report and to recommend censure where they consider this is appropriate and warranted.
- The process for referral by councils of code of conduct breaches by councillors to OLG for further disciplinary action under the misconduct provisions of the Act has been streamlined. Investigators are required to consult with OLG before recommending the referral of matters to ensure the conduct in question is sufficiently serious to warrant disciplinary action for misconduct and that there is sufficient evidence of the breach to allow OLG to take further disciplinary action.
- Other amendments have been made to the Procedures to:
  - allow panels of conduct reviewers to be appointed without a resolution of the council, and
  - allow the referral of investigators' reports to OLG for action under the misconduct provisions of the Act where the council will not have a quorum to deal with the matter.

#### ***Amendments to the Model Code of Conduct***

- The Model Code of Conduct has been amended to:
  - remove as a breach, failure to comply with a council resolution requiring action in relation to a code of conduct breach (because it is now redundant)
  - update the language used to describe the various heads of discrimination in clause 3.6 to reflect more contemporary standards
  - include in the definition of council committee and council committee members, members of audit, risk and improvement committees (ARICs) in anticipation of the commencement of the requirement for all councils to appoint an ARIC following the next local government elections.
- Amendments have also been made to the gifts and benefits provisions of the Model Code of Conduct in response to feedback from some councils. The amendments:
  - lift the \$50 cap on the value of gifts that may be accepted to \$100
  - clarify that items with a value of \$10 or less are not "gifts or benefits" for the purposes of the Model Code of Conduct and do not need to be disclosed

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- clarify that benefits and facilities provided by councils (as opposed to third parties) to staff and councillors are not “gifts or benefits” for the purposes of the Model Code of Conduct, and
- remove the cap on the value of meals and refreshments that may be accepted by council officials in conjunction with the performance of their official duties.
- Councils are not obliged to amend their codes of conduct to lift the cap on the value of gifts that may be accepted if they do not wish to. It is open to councils to retain the existing \$50 cap or to impose another cap that is lower than \$100.

**Where to go for further information**

- For further information please contact the Council Governance Team on 02 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).



**Tim Hurst**  
**Deputy Secretary**  
**Local Government, Planning and Policy**

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