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BUSINESS PAPER

Ordinary Council Meeting

7 February 2023

Aaron Johansson
Chief Executive Officer

We hereby give notice that an Ordinary Meeting of Council will be held on:
 Tuesday, 7 February 2023 at 6pm
 in the Council Chambers, Civic Centre
 184 - 194 Bourke Street, Goulburn

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Cr Peter Walker
Mayor

Aaron Johansson
Chief Executive Officer

1 OPENING MEETING

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

2 ACKNOWLEDGEMENT OF COUNTRY

The following acknowledgement will be made by the Mayor or Chief Executive Officer.

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

3 COUNCILLORS DECLARATION AND/OR PRAYER

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

Declaration

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

OR

Prayer

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

4 APOLOGIES

The Mayor will call for any apologies.

Council will resolve to accept any apology.

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

6 LATE ITEMS / URGENT BUSINESS

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

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

7 DISCLOSURE OF INTERESTS

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

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

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

The general standards that apply in Council's Code of Conduct and Code of Meeting Practice (Section 4) are applicable to addresses made by the public in Public Forum.

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 20 DECEMBER 2022

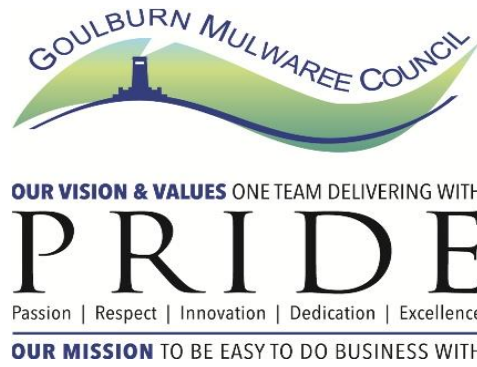
Author: Chief Executive Officer

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Minutes of the Ordinary Meeting of Council held on 20 December 2022

RECOMMENDATION

That the Council minutes from Tuesday 20 December 2022 and contained in Minutes Pages No 1 to 18 inclusive and in Minute Nos 2022/438 to 2022/464 inclusive be confirmed.



MINUTES

Ordinary Council Meeting

20 December 2022

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**MINUTES OF GOULBURN MULWAREE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,
GOULBURN
ON TUESDAY, 20 DECEMBER 2022 AT 6PM**

PRESENT: Mayor Peter Walker, Deputy Mayor Steven Ruddell, Cr Andrew Banfield, Cr Carol James, Cr Bob Kirk, Cr Michael Prevedello, Cr Daniel Strickland, Cr Jason Shepherd, Cr Andy Wood.

IN ATTENDANCE: Aaron Johansson (Chief Executive Officer), Sarah Ruberto (Acting Director Corporate and Community Services), Scott Martin (Director Planning and Environment), Mat Jones (Acting Director Utilities), Robbie Hughes (Acting Director Operations) & Amy Croker (Office Manager to Mayor and Chief Executive Officer).

1 OPENING MEETING

Mayor Peter Walker opened the meeting 6pm. The Mayor advised that the meeting would be webcast live.

2 ACKNOWLEDGEMENT OF COUNTRY

Mayor Peter Walker made the following acknowledgement.

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

3 COUNCILLORS DECLARATION AND/OR PRAYER

The opening prayer was read by Cr Jason Shepherd.

4 APOLOGIES

Nil

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

6 LATE ITEMS / URGENT BUSINESS

Nil

7 DISCLOSURE OF INTERESTS

Cr Andrew Banfield declared a pecuniary conflict of interest in Item 15.5 “VP331751 - Kinghorne Street & Albert Street Roundabout”, Item 15.6 “VP292750 - Deccan St Rehabilitation Project” and Item 15.7 “Mogo Road Intersection and Road Rehabilitation Works” as his brother-in-law is a Director of Denrith Pty Ltd. Cr Andrew Banfield is also an employee of the Denrith group of companies. Cr Andrew Banfield will leave the meeting while discussion on these items takes place.

Cr Bob Kirk declared a non-pecuniary/non-significant conflict of interest in Item 15.2 “DA/0070/2021 Child Care Facility 24 Quiberon Way, Goulburn Request for reduction in contributions” as his daughter lives in the vicinity of the proposed development. As the disclosure was not of a significant nature Cr Bob Kirk remained in the meeting while discussion took place.

Cr Jason Shepherd declared a non-pecuniary/pecuniary conflict of interest in Item 15.16 “Councils Operational Update - November 2022” as the report mentions Marulan Quarry who have engaged his employer GHD to undertake consultancy work for them. However Cr Shepherd is not involved in the project and the Marulan Quarry is not the focus of the report. As the disclosure was not of a significant nature Cr Jason Shepherd remained in the meeting while discussion took place.

8 PRESENTATIONS

Tina Milson presented to Council in relation to her Belmore Park ‘Portraits on Main’ exhibition.

9 PUBLIC FORUM

Katrina Laing addressed Council on Item 15.1 ‘REV/001/2223 - 77 Corridale Drive, Marulan’

10 CONFIRMATION OF MINUTES

10.1 MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 28 NOVEMBER 2022

RESOLUTION 2022/438

Moved: Cr Steven Ruddell

Seconded: Cr Bob Kirk

That the Council minutes from Monday 28 November 2022 and contained in Minutes Pages No 1 to 6 inclusive and in Minute Nos 2022/418 to 2022/421 inclusive be confirmed.

CARRIED

10.2 MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 29 NOVEMBER 2022

RESOLUTION 2022/439

Moved: Cr Jason Shepherd

Seconded: Cr Carol James

That the Council minutes from Tuesday 29 November 2022 and contained in Minutes Pages No 1 to 11 inclusive and in Minute Nos 2022/418 to 2022/420 inclusive be confirmed.

CARRIED

10.3 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 6 DECEMBER 2022**RESOLUTION 2022/440****Moved: Cr Andy Wood****Seconded: Cr Carol James**

That the Council minutes from Tuesday 6 December 2022 and contained in Minutes Pages No 1 to 14 inclusive and in Minute Nos 2022/421 to 2022/441 inclusive be confirmed.

CARRIED**11 MATTERS ARISING****11.1 MATTERS ARISING FROM COUNCIL MEETINGS MINUTES FROM THE 28 NOVEMBER, 29 NOVEMBER AND 6 DECEMBER 2022**

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS**RESOLUTION 2022/441****Moved: Cr Andy Wood****Seconded: Cr Steven Ruddell**

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

CARRIED**12 MAYORAL MINUTE(S)****12.1 MAYORAL MINUTE - MAYORS DISCRETIONARY FUND FINANCIAL ASSISTANCE - NSW POLICE ACADEMY STUDENT****MOTION****Moved: Cr Peter Walker****That:**

1. The Mayoral Minute Mayors Discretionary Fund Financial Assistance - NSW Police Academy Student be received.
2. \$200 worth of Goulburn 2580 vouchers be donated to the NSW Police Academy for one of their students impacted by a house fire on the 8 November 2022.

The motion was put and lost.

13 NOTICE OF MOTION(S)

Nil

14 NOTICE OF RESCISSION(S)

Nil

15 REPORTS TO COUNCIL FOR DETERMINATION

15.1 REV/001/2223 - 77 CORRIDALE DRIVE, MARULAN

RESOLUTION 2022/442

Moved: Cr Andrew Banfield

Seconded: Cr Steven Ruddell

That Council Move into Committee of the Whole.

Council moved into Committee of the whole at 6:52 pm.

CARRIED

RESOLUTION 2022/443

Moved: Cr Andrew Banfield

Seconded: Cr Michael Prevedello

That Council move back into Open Council.

Council moved back into Open Council at 7:12pm.

CARRIED

RESOLUTION 2022/444

Moved: Cr Bob Kirk

Seconded: Cr Andy Wood

That:

- 1. The staff assessment report for Review Application REV/0001/2223 submitted for the consideration of the refusal of DA/0449/2122 be received.**
- 2. The decision to determine DA/0449/2122 on 04 August 2022 be deferred to an Extraordinary Meeting of Council on Tuesday 31 January 2023 subject to the provision of information from the applicant that addresses the reasons for refusal as outlined in the report.**

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

CARRIED

In Favour: Crs Andrew Banfield, Carol James, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

15.2 DA/0070/2021 CHILD CARE FACILITY 24 QUIBERON WAY, GOULBURN REQUEST FOR REDUCTION IN CONTRIBUTIONS**RESOLUTION 2022/445**

Moved: Cr Andrew Banfield
Seconded: Cr Steven Ruddell

That:

- 1. The report of the Business Manager Planning & Development and Business Manager Infrastructure be received.**
- 2. Council decline the request to reduce the contributions payable applicable to DA/0070/2021.**

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

CARRIED

In Favour: Crs Andrew Banfield, Carol James, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

15.3 129 MARYS MOUNT ROAD PLANNING AGREEMENT**RESOLUTION 2022/446**

Moved: Cr Carol James
Seconded: Cr Michael Prevedello

That:

- 1. The report for the draft Planning Agreement associated with DA/0311/1617 for a 205 Lot Residential subdivision at 129 Marys Mount Road, Goulburn be received.**
- 2. The draft Planning Agreement associated with DA/0311/1617 for a 205 Lot Residential subdivision be placed on public exhibition for a minimum period of 28 days, in accordance with section 7.5(1) of the *Environmental Planning and Assessment Act 1979*.**
- 3. Subject to no submissions being received the Chief Executive Officer be given delegation to execute the Planning Agreement.**
- 4. Upon receipt of any submissions following the exhibition period the matter be reported back to Council to consider.**

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

CARRIED

In Favour: Crs Andrew Banfield, Carol James, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

15.4 GOULBURN CENTRAL BUSINESS DISTRICT PARKING SURVEYS - PUBLICATION**RESOLUTION 2022/447****Moved: Cr Michael Prevedello****Seconded: Cr Carol James****That:**

- 1. The report from the Senior Strategic Planner on the Goulburn Central Business District Parking Survey December 2020 and Goulburn Central Business District Parking Survey- Interim Update June 2022 be received.**
- 2. Council endorse the Goulburn Central Business District Parking Survey December 2020 and Goulburn Central Business District Parking Survey- Interim Update June 2022 for publication on the Council's website.**

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

CARRIED

In Favour: Crs Andrew Banfield, Carol James, Bob Kirk, Michael Prevedello, Steven Ruddell, Daniel Strickland, Jason Shepherd, Peter Walker and Andy Wood

Against: Nil

15.5 VP331751 - KINGHORNE STREET & ALBERT STREET ROUNDABOUT

Cr Andrew Banfield declared an interest in item no 15.5, 15.6 & 15.7 and took no part in the discussion or voting on these matters. At 7:27 pm, Cr Andrew Banfield left the meeting.

RESOLUTION 2022/448

Moved: Cr Jason Shepherd

Seconded: Cr Andy Wood

That

1. The report from Acting Director Operations on VP331751 for the Construction of Kinghorne Street & Albert Street Roundabout be received.
2. Council decline to accept the tenders from both respondents, Denrith Pty Ltd and Form and Pour Constructions for the construction of Kinghorne Street & Albert Street Roundabout.
3. Council to review the scope of the Kinghorne Street & Albert Street Roundabout Project with the funding partners, with the objective of reducing the capital costs.
4. Council resolve not to invite new fresh tenders or applications as referred to in Clause 178 (3) (e) (Local Government Regulation) due to:
 - Limited interest from the market during the initial tender phase.
 - Time and cost implications to Council required to undertake another tender process.
5. Council resolve to enter into negotiations with Form and Pour Constructions on an amended scope with a view to recommending a preferred option: Due to:
 - Form and Pour ranked highest in the overall value for money evaluation
6. If negotiations are unsuccessful with Form and Pour Constructions then Council invite fresh tenders.
7. The outcome of the negotiations with Form and Pour Constructions be presented back to Council at later Council meeting for Council's consideration

CARRIED

15.6 VP292750 - DECCAN ST REHABILITATION PROJECT**RESOLUTION 2022/449**

Moved: Cr Bob Kirk

Seconded: Cr Andy Wood

That:

1. The report from the Acting Director Operations be received on the Request for Quotation VP292750 Deccan St Rehabilitation be received.
2. Council decline to accept the tender from Denrith Pty Ltd for the Deccan St Rehabilitation Project.
3. Council to review the scope of the Deccan St Rehabilitation Project with the funding partners, with the objective of reducing the capital costs.
4. Council resolve to invite, in accordance with clause 167,168 or 169, fresh tenders based on the same or different details.

CARRIED

15.7 MOGO ROAD INTERSECTION AND ROAD REHABILITATION WORKS**RESOLUTION 2022/450****Moved: Cr Andy Wood****Seconded: Cr Michael Prevedello****That:**

- 1. The report from Acting Director Operations on VP278793 Mogo Road Intersection and Road Rehabilitation Works RFQ Evaluation be received.**
- 2. Council accepts the quotation of Coopers Earthmoving & Haulage Pty Ltd as a preferred respondent for the quoted price of \$332,229.27 (Excl. GST) for the reconstruction of the intersection of Oallen Ford Road and Mogo Road.**
- 3. The Chief Executive Officer is authorised to approve variations of up to the available budget of \$23,770.73 (Excl. GST).**

CARRIED

At 7:33 pm, Cr Andrew Banfield returned to the meeting.

Council took a recess for at 7.34pm

Open Council resumed at 8.01pm.

15.8 DRAFT PLAN OF MANAGEMENT - VICTORIA PARK**RESOLUTION 2022/451****Moved: Cr Andrew Banfield****Seconded: Cr Steven Ruddell****That:**

- 1. The report from the Business Manager Property & Community Services on the Draft Plan of Management - Victoria Park be received.**
- 2. Letters be sent to the submitters thanking them for their submissions to the draft Plan of Management – Victoria Park.**
- 3. The draft Plan of Management – Victoria Park be adopted under Section 39 of the *Local Government Act 1993*, Section 3.23 of the *Crown Land Management Act 2016* and clause 70B of the *Crown Land Management Regulation 2018*, and a copy forwarded to the Department of Planning, Industry and Environment – Crown Lands via council.clm@crowland.nsw.gov.au. and made available on Council's website.**
- 4. Council ensures any activities planned to be undertaken on the Victoria Park Crown Reserve must be expressly authorised in the adopted Plan of Management and Native Title obligations are met prior to implementation.**

CARRIED

15.9 2021/22 AUDITED FINANCIAL STATEMENTS**RESOLUTION 2022/452****Moved: Cr Michael Prevedello****Seconded: Cr Bob Kirk****That**

- 1. The report from the Director Corporate & Community Services on the 2021/22 Audited Financial Reports be received.**
- 2. The Audited Financial Statements for the year ending 30 June 2022 be received and the Financial Position of Council be noted.**

CARRIED**15.10 2021/22 STATUTORY ANNUAL REPORT****RESOLUTION 2022/453****Moved: Cr Michael Prevedello****Seconded: Cr Jason Shepherd****That**

- 1. The report by the Director Corporate & Community Services on the 2021/22 Statutory Annual Report be received.**
- 2. Council endorse the 2021/22 Statutory Annual Report as required by the Local Government Act 1993.**

CARRIED**15.11 2022 HOLCIM MAYORAL CHARITY GOLF DAY****RESOLUTION 2022/454****Moved: Cr Bob Kirk****Seconded: Cr Steven Ruddell****That**

- 1. The report by the Director Corporate & Community Services on the 2022 Holcim Mayoral Charity Golf Day be received and noted.**
- 2. The 2023 Holcim Mayoral Charity Golf Day be held on Friday 24th November 2023.**

CARRIED

15.12 REQUEST FOR FINANCIAL ASSISTANCE - BEN AND JAKE STAINES

RESOLUTION 2022/455

Moved: Cr Andrew Banfield

Seconded: Cr Peter Walker

That

- 1. The report of the Director of Corporate & Community Services on Request for Financial Assistance – Ben and Jake Staines be received.**
- 2. Council provide support to both Ben Staines and Jake Staines in the form of a cash donation of \$2,500 (each) towards their travel costs to represent Australia in the Open Men’s Indoor Hockey Team competing in South Africa in January 2023. The amounts to be funded from the Financial Assistance budget.**

CARRIED

15.13 MONTHLY FINANCIAL REPORT

RESOLUTION 2022/456

Moved: Cr Andy Wood

Seconded: Cr Steven Ruddell

That the report by the Director Corporate & Community Services on the Monthly Financial Report be received.

CARRIED

15.14 STATEMENT OF INVESTMENTS & BANK BALANCES

RESOLUTION 2022/457

Moved: Cr Bob Kirk

Seconded: Cr Steven Ruddell

That the report by the Director Corporate & Community Services on the Statement of Investments and Bank Balances be received.

CARRIED

15.15 ORGANISATIONAL DEVELOPMENT PLAN

RESOLUTION 2022/458

Moved: Cr Jason Shepherd

Seconded: Cr Michael Prevedello

That Council endorse the Organisational Development Plan.

CARRIED

15.16 COUNCILS OPERATIONAL UPDATE - NOVEMBER 2022**RESOLUTION 2022/459****Moved: Cr Andy Wood****Seconded: Cr Carol James**

That the report from the Chief Executive Officer on the Council's Operational Update for November 2022 be received and noted.

CARRIED**15.17 MINUTES OF THE SPORTS COUNCIL MEETING HELD ON 7 NOVEMBER 2022****RESOLUTION 2022/460****Moved: Cr Bob Kirk****Seconded: Cr Steven Ruddell**

That the report from Acting Director Operations in regard to the Sports Council minutes from Monday 7 November 2022 be received.

CARRIED**15.18 EXTERNAL MEETING MINUTES****RESOLUTION 2022/461****Moved: Cr Steven Ruddell****Seconded: Cr Andy Wood**

That the report from the Chief Executive Officer on the following external Committee meeting minutes be received:

- 1. Woodlawn Community Liaison Committee Meeting held 29 September 2022**
- 2. Ardmore Park Community Consultative Committee Meeting Minutes 11 November 2022**
- 3. Goulburn Community Centre Working Party held 28 November 2022**
- 4. Goulburn Liquor Accord Meeting held 23 November 2022**

CARRIED

16 CLOSED SESSION

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

RESOLUTION 2022/462

Moved: Cr Bob Kirk

Seconded: Cr Jason Shepherd

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

16.1 Collaboration Agreement - Goulburn Mulwaree Council and NSW Land and Housing Corporation

This matter is considered to be confidential under Section 10A(2) - di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CARRIED

Council resolved into Closed Session at 8.18pm.

Council resolved into Open Council at 8.33pm.

RESOLUTION 2022/463

Moved: Cr Andrew Banfield

Seconded: Cr Daniel Strickland

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

CARRIED

16.1 COLLABORATION AGREEMENT - GOULBURN MULWAREE COUNCIL AND NSW LAND AND HOUSING CORPORATION**RESOLUTION 2022/464**

Moved: Cr Andrew Banfield

Seconded: Cr Daniel Strickland

That:

- 1. The report of the Director Planning and Environment be received.**
- 2. Council enter into a Collaboration Agreement with NSW Land and Housing Corporation, with the Chief Executive Officer given delegation to sign the instrument of agreement on behalf of Council.**
- 3. The Chief Executive Officer be authorised to endorse any minor changes to the instrument of agreement.**

CARRIED

17 CONCLUSION OF THE MEETING

The Meeting closed at 8.33am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 7 February 2023.

.....
Cr Peter Walker
Mayor

.....
Aaron Johansson
Chief Executive Officer

11 MATTERS ARISING

11.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 20 DECEMBER 2022

Author: Chief Executive Officer


Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

Author: Chief Executive Officer

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Task List [↓](#) 

RECOMMENDATION

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

REPORT

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

OUTSTANDING TASK LIST



Item/Task	Responsible Officer	Status
<p><u>South Goulburn Threaten Species Master Plan</u> Review Master Plan</p>	<p>Director Planning & Environment</p>	<p>Preliminary review completed. Council to be briefed on findings at a forthcoming briefing session in February 2023.</p>
<p><u>St John’s Orphanage</u></p> <ul style="list-style-type: none"> • Demolition order compliance by 31 January 2021 for Building A – then legal action if not compliant • Legal action in local court on Buildings B, C & D 	<p>Director Planning & Environment</p>	<p>Demolition deadline missed. Council’s legal provider has been briefed and an options matrix prepared.</p> <p>A report will be presented to Council in February 2023.</p>
<p><u>Water Treatment Plants – Goulburn</u> Seeking rezoning to allow expansion of Treatment Plants</p>	<p>Director Planning & Environment</p>	<p>The consultant option report on sludge handling and backwash water management is expected early February to inform whether alternate options to rezoning are suitable. The Goulburn Planning Proposal remains ongoing.</p>
<p><u>Draft Victoria Park & Carr Confoy Plans of Management</u></p> <ul style="list-style-type: none"> • Submit draft plans of Management to DPI for Ministers written consent to publicly exhibit • Upon receipt of consent offer draft plans of management for community consultation for a period of 42 days • As part of community consultation process circulate PoMs to relevant organisations 	<p>Director Corporate and Community Services</p>	<p>Draft Carr Confoy Sportsground and Park Plan of Management has been included in this Business Paper for adoption</p> <p>RECOMMEND COMPLETION</p>
<p><u>Transportation Asset Management Overview</u> Staff carry out an updated condition assessment of the road network to determine current condition scores with findings presented to Council in a future report.</p>	<p>Operations Directorate</p>	<p>External consultant is currently being engaged to carry out condition assessment. Report expected by end of February 2022.</p>

12 MAYORAL MINUTE(S)

Nil

13 NOTICE OF MOTION(S)

13.1 NOTICE OF MOTION - TIME RESTRICTED PARKING IN FRONT OF GENERAL STORES

- Attachments:**
1. Letter from Kinghorne Street General Store [↓](#) 
 2. Hogans General Store Letter [↓](#) 
 3. Photos [↓](#) 
 4. Traffic Committee Minutes 9 June 2022 [↓](#) 

I, Councillor Steven Ruddell, give notice that at the next Ordinary Meeting of Council be held on 7 February 2023, I intend to move the following motion:-

MOTION

That:

1. To advise Councillors that I have received two requests to fit 15 minute timed parallel parking in front of Hogan's Take Away store 30 Auburn Street Goulburn (approximately 4 parking spaces) and in front and to the side of Kinghorne Street General store and Take Away 72 Kinghorne Street Goulburn (approximately 2 in front and 2 at the side equalling 4 parking spaces).
2. Council support 15 minute parking options and will only apply to General stores, Take Away style shops and butchers, but outside the CBD.
3. The time mentioned on the sign be 15 minutes parallel parking between Monday and Friday between the hours of 9am and 3pm.
4. Costs associated with this 15 minute car parking restrictions in front of the general stores (Hogan's General Store and Take Away along with Kinghorne Street General Store and Take Away) be funded from City Operations, operational budget at a cost of approximately \$750 plus GST, per installation totalling \$4,500.

RATIONALE

Both owners of these business premises have indicated their frustration and inability to conduct their business in the past and present with the restricted parking availability near their premises. The issues arise from residents and other road users close by, using the parking areas in front and to the side (referring to George St in the Kinghorne St shop instance) to the premises for the purpose of long time parking (this can include up to days on end).

The business owners have respectfully made contact with these residents and road users to no avail.

Both business premises indicated that most of their clients are usually only in the shop for approximately 15 minutes, which is usually enough time to cook and serve take away food products for morning teas, lunches etc.

Both businesses have a number of older and disabled clients whom frequent the stores and avoid the businesses along with other clients if parking is not available.

These are the only two mixed business General Store Take Away businesses outside the CBD that exist in Goulburn today.

Please find attached letters of support and frustration from both business owners, photos of proposed areas where signage would govern the suggested parking areas & minutes from previous traffic committee when this item was discussed.

I commend this Notice of Motion to Council.

Cr Steven Ruddell

Date: 5 December 2022 at 1:05:29 pm AEDT

To: Steven Ruddell <Steven.Ruddell@goulburn.nsw.gov.au>

Subject: Kinghorne Parking Issues

Hi Steve,

I would like to ask if something can be done regarding the parking outside the kinghorne general store and george street at the side of the store.

Currently we have no signage and sadly some people don't seem to care that we are trying to operate a business and can park during trading hours all day if they see fit. I think having some signage would diffuse a lot of the conversations that we have to have, when we politely ask people if they mind not parking there, some people can become quite emotional and I worry that it could end up with someone getting hurt if we ask the wrong person to move.

I feel signage would at least help people understand it's not a free for all. And would also mean we could call the rangers and let the professionals deal with the situation rather than my wife and myself (I do worry, lots of people seem so tense and ready to go off at the drop of a hat lately).

Our business relies heavily on tradies who have utes and trailers and if we don't have ample parking they cant stop and we lose business they mostly only need a 5 to 10 min park. PLease let us know if the council can help in some way.

Thanks in Advance

Lee & Jannene Mulreay

Hogans General Store

30 Auburn St

Goulburn NSW 2580

48212359

5th February 2022

Dear Steven Ruddell

We are writing to you to seek the council's support. We are Hogan's General Store in Auburn St. Our Store has been in our family for 27 years and to our knowledge operated and remained open to serve the people of Goulburn since 1934. Something we are very proud of.

The reason for this letter is to seek support from council regarding a parking sign out the front of our business. We would like a 15mins parking sign, for the hours of 7am-4pm, on weeks day. We are unfortunately experiencing parking challenges due to our neighbour parking his ute and trailer directly out the front of the shop for long periods of time despite other parking being available for him. Recently he parked directly out the front of the shop from Saturday through to Friday as per attached photos. This is unfortunately not a new issue for our business. The neighbouring properties all have rear lane access that they can use but choose to park out the front of the shop. We only have three parking spaces available and they are vital for the safety of our customers and continuation of our business.

We would like to make note that our store has a lot of older and disabled customers who frequent it. One customer who can not stand for long periods of time will come in and order and then sit back in his vehicle. Another customer who has a disability will call an order through and we will take the order out to his vehicle as he can not walk safely due to his disability. We have many older customers who rely on our store because the hustle and bustle of the mall car parks and shopping centres are too much for them at their age. We stock specific items just for these certain customers so that they don't need to go to the shopping centres.

We also have a lot of trades men pull up in utes and tool trailers. We have a lot of trucks also pull up and quickly grab something on the run because its easier with their trucks to do so.

It has become concerning to us that when the neighbours continue to park out the front, as pictured, for long periods of time, it impacts on the safety of our older customers and our disabled customers. They have to find another park and then slowly cross the road or walk up or down the hill. This has also led to people in trucks and suppliers double parking and running in to grab their things or make a delivery. This is a huge safety concern already without the added fact that we are right on the roundabout..

In 2019, I had a long-time customer who had parked down the hill because of lack of parking out the front, lose his footing and falling into the pavement, in which he hit his head and

had to be taken to the hospital via Ambulance for his head injury. Had he parked directly out the front he could have walked straight on level ground to his vehicle.

There are many individuals who we deal with daily, and this is just a couple of examples.

I moved to this business as a 15-year-old with my parents and many things have changed and had to be changed to keep our little store alive and afloat. But after two years of covid the struggles are real for my husband and I. Now more than ever are we relying on our customers to visit our store, and the main feature of our store is the convenience and customer service. We won't continue to survive if our customers cannot access our store safely. We rely on making it easy for our older customers our disabled customers and our trades and truck drivers to conveniently pull up and spend some money in our store. These customers keep our store open and allow us to continue to serve those around us.

I ask for your help in this matter so we can continue to do what we love and serve our customers. The current parking situation is a safety risk and I would be devastated to see one of our customers hurt. Some of our older customers I have known since moving here 27 years ago and they are like family now.

Thank you for your time and we strongly believe that the simple act of a 15 minute parking sign will have a significant safety and financial impact for our business and the community of Goulburn.

Alison and Matthew Condylis

Hogans General Store







MINUTES

Traffic Committee Meeting

9 June 2022

Order Of Business

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**MINUTES OF GOULBURN MULWAREE COUNCIL
TRAFFIC COMMITTEE MEETING
HELD AT THE HETHERINGTON STREET WORKS DEPOT, WINDELLAMA ROOM
ON THURSDAY, 9 JUNE 2022 AT 9.00AM**

PRESENT: Cr Steven Ruddell (Chairperson), Mr Blair Oliver - Transport for NSW, Mrs Tracey Norberg - Road Safety Officer, Mr Matthew Hinton - Inspector In Charge Head of Hume District Police, Sergeant Adam Churchill – Goulburn Police,

IN ATTENDANCE:
Mayor Cr Peter Walker, Mr Adam Kiss (Acting Director Operations), Ms Stacey Scott – PBC Buses and Mrs Kayleen Pagett (Administration Officer)

1 APOLOGIES

COMMITTEE RESOLUTION 2022/14

Moved: Mr Blair Oliver - Transport for NSW
Seconded: Cr Matthew Hinton - Inspector In Charge

That the apology received from Cr Andrew Banfield be accepted and leave of absence granted.

CARRIED

2 LATE ITEMS / URGENT BUSINESS

ACCEPT LATE ITEM

COMMITTEE RESOLUTION 2022/15

Moved: Mr Blair Oliver - Transport for NSW
Seconded: Snr Constable Terry George

That the following items be accepted into the meeting as late information and discussed in General Business:

- Request from Cr Ruddell, for traffic calming devices for roundabouts in Goulburn and associated signs be accepted into the meeting as late information;
- Information on the 5T load limit on Red Hills Road and associated signs, be accepted into the meeting as late information
- Request from Tallong Park Committee to install slow down signs be accepted into the meeting as late information.

CARRIED

3 DISCLOSURE OF INTERESTS

NIL

Traffic Committee Meeting Minutes

9 June 2022

4 CONFIRMATION OF MINUTES

4.1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 17 FEBRUARY 2022

COMMITTEE RESOLUTION 2022/16

Moved: Mr Blair Oliver - Transport for NSW

Seconded: Sergeant Adam Churchill

That the Traffic Committee minutes from Thursday 17 February 2022 be confirmed.

CARRIED

5 ITEMS FOR CONSIDERATION

5.1 ONGOING TASK LIST

COMMITTEE RESOLUTION 2022/17

Moved: Mr Matthew Hinton - Inspector In Charge

Seconded: Mr Blair Oliver - Transport for NSW

That:

- 1. The report from the Road Safety and Traffic Officer on the Ongoing Task List be received and the information noted.**
- 2. Items marked as completed will be removed from the task list**

CARRIED

5.2 ROAD SAFETY AND TRAFFIC OFFICERS REPORT FOR PROGRAMS MARCH TO MAY 2022

COMMITTEE RESOLUTION 2022/18

Moved: Mr Blair Oliver - Transport for NSW

Seconded: Sergeant Adam Churchill

That the report on the programs and activities of the Road Safety and Traffic Officer for March to May 2022 be reviewed and received.

CARRIED

5.3 REQUEST FOR AN EXTRA DISABLED CAR PARK IN FRONT OF THE COMMUNITY HEALTH CENTRE

COMMITTEE RESOLUTION 2022/19

Moved: Mr Matthew Hinton - Inspector In Charge

Seconded: Sergeant Adam Churchill

That:

1. The report from the Road Safety and Traffic Officer on the request for an extra disabled car park to be installed in front of The Community Health Centre be received.
2. The request for an extra disabled car park to be installed in front of the Community Health Centre, be further investigated and reported back to the committee, including the addition of technical drawings.
3. The updated investigation and technical drawings be sent out to committee members, so the committee can make recommendations to commence work prior to next meeting.

CARRIED

5.4 REQUEST FOR DISABLED CAR PARK IN FRONT OF THE DENTIST AT 67 GOLDSMITH STREET

COMMITTEE RESOLUTION 2022/20

Moved: Mr Matthew Hinton - Inspector In Charge

Seconded: Sergeant Adam Churchill

That:

4. The report from the Road Safety and Traffic Officer on the request for a Disabled Car Park in Front of the Dentist at 67 Goldsmith Street be received.
5. The request for a disabled car park in front of the dentist at 67 Goldsmith Street, be further investigated and reported back to the committee, including the addition of technical drawings.
6. The updated investigation and technical drawings be sent out to committee members, so the committee can make recommendations to commence work prior to next meeting.

CARRIED

5.5 REQUEST FOR TRAFFIC CALMING DEVICES FOR ROUNDABOUTS IN GOULBURN

COMMITTEE RESOLUTION 2022/21

Moved: Mr Matthew Hinton - Inspector In Charge

Seconded: Sergeant Adam Churchill

That the request from Cr Steve Ruddell on the request for traffic calming 'speed humps' be trialled at the following intersections:-

1. Bourke and Clifford Streets and
2. Bourke and Goldsmith Streets

CARRIED

Traffic Committee Meeting Minutes

9 June 2022

5.6 REQUEST FOT 5T LIMIT SIGNS ON RED HILLS ROAD**COMMITTEE RESOLUTION 2022/22****Moved: Mr Matthew Hinton - Inspector In Charge****Seconded: Sergeant Adam Churchill****That the report from the Road Safety and Traffic Officer on the request for 5T Limit Signs to be installed in on Red Hills Road and to be monitored by South East Weight of Loads.****CARRIED****5.7 REQUEST FOR TALLONG PARK COMMITTEE TO INSTALL SLOW DOWN SIGNS****COMMITTEE RESOLUTION 2022/23****Moved: Mr Blair Oliver - Transport for NSW****Seconded: Sergeant Adam Churchill****That:**

- 1. The report from the Road Safety and Traffic Officer on the request for the Tallong Park Committee to install slow down signs be received.**
- 2. The request to install slow down signs in Tallong Park be declined.**
- 3. The Tallong Park Committee to be advised that private signs are not approved and if they wish, Council can provide standard animal warning signs as a replacement.**

Note: Mr Blair Oliver – Transport for NSW does not endorse this request.**CARRIED****6 GENERAL BUSINESS**

The following items were raise in General Business

Goulburn Police - Sergeant Adam Churchill

- Parking/Loading Zones in CBD for delivery trucks. A request to have this investigated particularly, on the western side of Auburn Street. Confirmation required on locations for investigation.

Cr Steve Ruddell

- Requested an update on the timed parking in front of General Store locations (Kinghome St and Auburn Street).
- A business owner enquired about bollards/cones at the back entrance to 98 Home/Thai restaurant
- Intersection Bradley/Sloane/Grafton Street's line marking is disappearing, would like to have it remarked. Cr Ruddell and Blair Oliver to investigate after meeting.
- Garroorigang Road/Sloane Street underpass, would like to see the electric signs moved back towards Sloane Street to advise travellers/drivers of low height.

Mayor Peter Walker

- Request to investigate a pedestrian crossing to be installed in Bourke Street at Council

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Traffic Committee Meeting Minutes

9 June 2022

Chambers/Library to Merino Fuels.

- Would like to know if any resolution on the Hume Highway at Marulan with upgrade?

7 ACTION LIST FROM CURRENT MEETING

RECOMMENDATION

Officer	Task Description	Due
Road Safety Traffic Officer (RSTO)	Liase with Goulburn High School regarding the concept design of the requested pedestrian crossing in Clifford Street.	4 August 2022 meeting
RSTO	Arrange installation of Mobile Speed Signs in Progress and Bishop Streets.	4 August 2022 meeting
RSTO	Trial speed humps at roundabouts at the Bourke/Clifford St & Bourke /Goldsmith St	4 August 2022 meeting
RSTO	Technical Drawings of Disabled Car Parks required and sent out to committee to discuss and make decision.	1 July 2022
RSTO	Contact Tallong Park Committee and advises approved road signs are only to be used.	10 June 2022
RSTO	Investigate the installation of a pedestrian crossing on Bourke Street in front of the Civic Centre.	October 2022

The Meeting closed at 9.49am.

The minutes of this meeting were confirmed at the Traffic Committee Meeting held on 4 August 2022.

.....
Cr Steve Ruddell
Acting CHAIRPERSON

14 NOTICE OF RESCISSION(S)

Nil

15 REPORTS TO COUNCIL FOR DETERMINATION

15.1 DRAFT PLAN OF MANAGEMENT - CARR CONFOY SPORTGROUND AND PARK

Author: Business Manager Property & Community Services
 Director Corporate & Community Services

Authoriser: Aaron Johansson, Chief Executive Officer

- Attachments:**
1. Report of Public Hearing - Categorisation of Community Land - Carr Confoy [!\[\]\(b1b781be830eb908d845c527ab08d5f8_img.jpg\)](#) [!\[\]\(2176a4ba510fa27404d783166e891577_img.jpg\)](#)
 2. Draft Plan of Management Carr Confoy Sportsground and Park [!\[\]\(a3b1c8d49688274496e55f2751cb8993_img.jpg\)](#) [!\[\]\(428d7e9195be7f8a26074c24b6c91839_img.jpg\)](#)

Link to Community Strategic Plan:	12. Our Community CO2 Encourage and facilitate active and creative participation in community life.
Cost to Council:	Provision is made in the 2022/2023 budget to prepare this PoM.
Use of Reserve Funds:	Nil.

RECOMMENDATION

That:

1. The report from the Business Manager Property & Community Services on the Draft Plan of Management - Carr Confoy Sportsground and Park be received.
2. The draft Plan of Management Carr Confoy Sportsground and Park be adopted under s39 of the *Local Government Act 1993*, Section 3.23 of the *Crown Land Management Act 2016* and clause 70B of the *Crown Land Management Regulation 2018*, and a copy forwarded to the Department Planning & Environment - Council Crown Land via council.clm@crowmland.nsw.gov.au and made available on Council’s website.
3. Council ensures any activities planned to be undertaken on the Carr Confoy Sportsground and Park areas must be expressly authorised in the adopted Plan of Management and Native Title obligations are met prior to implementation.

BACKGROUND

Council at its meeting of 20 September 2022 under Minute 2022/333 - Item 15.11 draft Plan of Management - Carr Confoy Sportsground and Park resolved the following:

1. The amended draft Plan of Management - Carr Confoy Sportsground and Park be received.
2. Council endorses the re-categorisation of land at 22 Farm Road being Lot 1 DP737835 and Lots 2 & 3 DP979849 from Operational Land to Community Land and include that land in the draft Plan of Management - Carr Confoy Sportsground & Park.
3. Council endorses the amended draft Plan of Management - Carr Confoy Sportsground and Park in accordance with Section 36 of the *Local Government Act 1993*.
4. Council endorses this Community Land in the categories of Sportsground, Park, Natural Area – Water Course and Area of Cultural Significance in accordance with s36 (4) of the *Local Government Act 1993*.

5. Council endorses the Native Title Managers Advice prepared by CGM Planning & Development Pty Ltd for the Crown Land component of the amended draft Plan of Management - Carr Confoy Sportsground & Park.
6. Council submits the amended draft Plan of Management - Carr Confoy Sportsground and Park to DPE - Crown Lands for the Minister's consent in accordance with Division 3 of the *Crown Land Management Act 2016*, for endorsement to exhibit.
7. Upon receipt of the Minister Administering the Crown Land Management Act's concurrence, this draft PoM be offered for community consultation by way of public notice, public exhibition, and circulation to the following organisations:
 - Heritage NSW
 - History Goulburn (Goulburn and District Historical and Genealogical Society, Inc)
 - NSW Aboriginal Land Council
 - Pejar Local Aboriginal Land Council and;
 - Mulwaree Aboriginal Community Inc.
8. A further report be submitted to Council following the compilation of written submissions and receipt of the Public Hearing Report.

The following actions resolved have been carried out with:

- DPE Council Crown Land providing Minister's concurrence in correspondence dated 11 November 2022 to exhibit the draft Plan of Management Carr Confoy;
- The draft PoM circulated to all nominated stake holders;
- The draft PoM exhibited from 23 November until 21 December 2022 at the following locations:
 - GMC foyer
 - GMC Library
 - Carr Confoy Sportsground club-house
 - Goulburn Pony Club club-house;

with written submissions received until 13 January 2023.

Council facilitated a public hearing in accordance with s40 of the *Local Government Act 1993* on 14 December 2022, into the categorisation of the Council community land at Carr Confoy.

REPORT

A public hearing was conducted by an independent chairperson. No comments addressing categorisation of community land at Carr Confoy were heard. However, comments addressing the readability of the mapping in the PoM were offered and a query concerning land that is excluded from the PoM was raised.

The comments heard at the public hearing resulted in:

- amendments to the mapping in the PoM for clarity of reading;
- identification of an unformed road. The road, while unformed, is not community land and not the subject of a plan of management.

The report of the public hearing was made available to the public until the close of written submissions. The public exhibition and circulating the draft PoM to identified stakeholders resulted in no written submissions being received. A copy of the independent chairperson's report is available as an annexure to this report.

The draft Plan of Management Carr Confoy Sportsground and Park with the noted amendments resulting from the public hearing is available as an annexure to this report.

All preparations associated with the draft Plan of Management Carr Confoy Sportsground and Park to comply with the *Local Government Act 1993* and the *Crown Land Management Act 2016* are now complete and therefore the draft PoM is ready for Council's final adoption and implementation.



CGM PLANNING
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GOULBURN MULWAREE COUNCIL

Public Hearing Report:

Draft Carr Confoy Sportsground and Park Plan of
Management

Local Government Act 1993 Section 40A
Categorisation of Community Land

21 December 2022

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1. INTRODUCTION

1.1 Purpose of this report

This report provides a summary record of the independently chaired Public Hearing held by Goulburn Mulwaree Council in Council Chambers on Wednesday 14 December 2022 between 4.00pm and 4.55pm.

The Public Hearing was held in compliance with Chapter 6, Division 2, Section 40A of the *Local Government Act 1993* (LG Act) and was conducted into the proposed categorisation of community land in Council's Draft Carr Confoy Sportsground and Park Plan of Management.

1.2 Land covered by this report

The land covered by this report is the Carr Confoy Sportsground and Park, Goulburn. The precinct is the subject of Council's Draft Carr Confoy Sportsground and Park Plan of Management (the draft PoM) and comprises the land in Figure 1 shaded purple.

Figure 1: Land covered by the Draft Carr Confoy Sportsground and Park Plan of Management



Source: Draft Carr Confoy Sportsground and Park Plan of Management (Figure 2)

The land in the draft PoM is predominantly Council-owned land, classified as community land under the LG Act.

The draft PoM also includes a total of two lot parcels of land owned by the NSW State Government that is a Crown reserve managed as community land by Council as Crown land manager. The Crown reserve is R71713 (reserved for Public Recreation: Eastgrove Park South - Carr Confoy Sport Fields) and known as Eastgrove Park, Carr Confoy South.

The Carr Confoy Sportsground and Park community land must have a draft PoM prepared, publicly exhibited and adopted by Council prior to any changes to the nature and use of the land. The PoM defines

permitted uses, and authorise and leases, licences and other estates, as well as setting management action plans with details to provide accountability in implementation and measuring success.

This public hearing was required for the first assignment of LG Act community land categories as categories have not been previously applied to the community land in any adopted PoM. The CLM Regulation 2018 was amended in June 2021 by Clause 70A, so that councils are now exempt from Public Hearings under Section 40A of the LG Act where the proposed or draft plan would alter or change the land categories first assigned for Crown reserves.

1.3 Background

Goulburn Mulwaree Council prepared the draft PoM for the Carr Confoy Sportsground and Park and placed the draft PoM on public exhibition for the mandatory minimum for draft PoM public exhibition of 28 days with submissions to the draft PoM being received for a further 23 days, which is beyond the statutory 14 days.

The draft PoM is on public exhibition until 21 December 2022. Council has extended the period for submissions on the draft PoM for the Carr Confoy Sportsground and Park until 13th January 2023

2 PLANNING CONTEXT

2.1 Community land

Land owned or controlled by Council is defined in the *Local Government Act 1993* (LG Act) as 'public land', with exceptions such as roads.

All public land is to be classified as either 'community' or 'operational' land (LG Act Chapter 6, Part 2 Division 1).

Classification clearly identifies land which should be kept for use by the general public (community) and that land which need not be kept or may have relatively simple dealings (operational). Classification determines the ease or difficulty with which land may be alienated by sale, leasing or some other means.

Community land must not be sold except in limited circumstances referred to in the LG Act. Community land must not be leased or licensed, generally for up to 21 years, but potentially for 30 years with Minister's consent. Community land may only be leased or licensed for more than 5 years if public notice of the proposed lease or licence is given and, in the event that an objection is made to the proposed lease or licence, the Minister's consent is obtained. No such restrictions apply to operational land.

Community land would ordinarily comprise land such as a public park, sportsgrounds, natural areas or community centres. Operational land would ordinarily comprise land held as a temporary asset or as an investment, land which facilitates the carrying out by a council of its functions or land which may not be open to the general public, such as a works depot or a council garage.

The use and management of community land is to be regulated by a plan of management. Until a plan of management is adopted, the nature and use of the land must not change.

Community land must therefore have community land categories assigned and must have community land plans of management adopted by Council.

2.2 Categories of community land

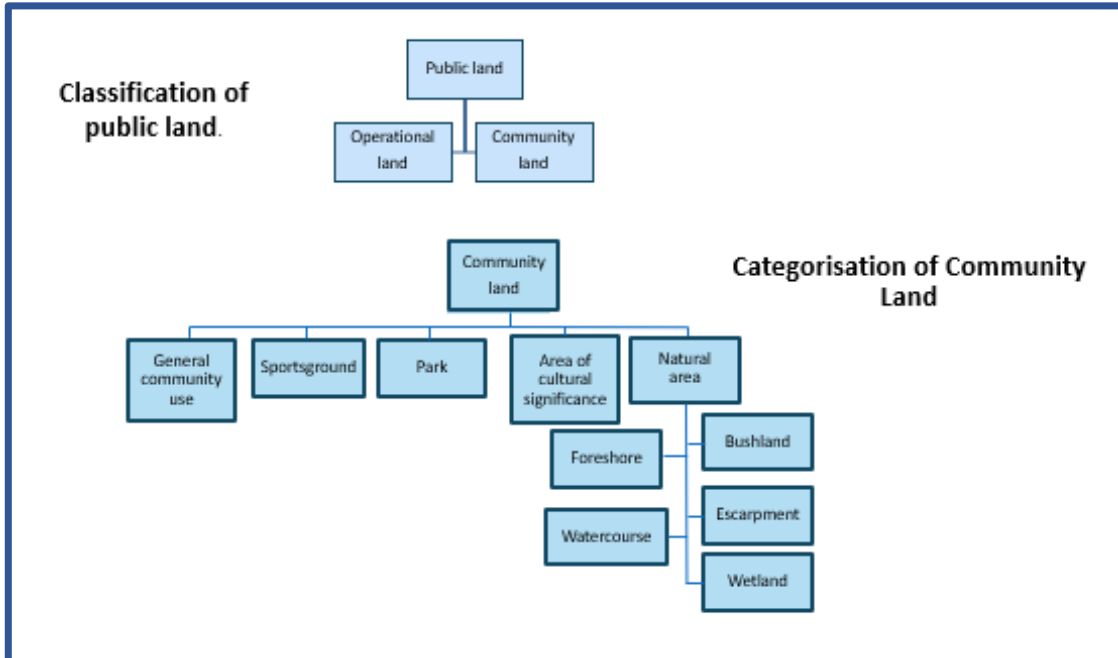
The assignment of the categories is guided by the *Local Government (General) Regulation 2021* (LG Regulation), which provides a description of land and use to guide appropriate assignment of categories to portions of the land.

Community land categories define the core objectives for use, management and development of community land. (LG Act Chapter 6 Part 2 Division 2).

See **Appendix B**: Core Objectives and Guidelines for Community Land Categories.

Figure 2: Classification and Categories shows the classification of public land, and categories of community land.

Figure 2: Public Land Classification and Categories (LG Act)



Source: Office of Local Government plan of management guidelines (2019)

2.3 Community land assignment of categories in the draft PoM

There are four categories assigned in the draft PoM: Sportsground, Park, Natural Area Watercourse, and Area of Cultural Significance. The draft PoM details the community land and proposed categorisation. Figure 3 shows the application of categories at the precinct. **Appendix D**: Public Hearing – Council Presentation provides further detail about the draft PoM and categories applied to the land.

Figure 3: Categorisation of land in the Draft Carr Confoy Sportsground and Park Plan of Management



Source: Draft Carr Confoy Sportsground and Park Plan of Management (Figure 6 14 December 2022)

Legend		
Categorisation	Abbrev	Colour
Sportsground	SG	Orange
Park	PK	Yellow
NA Watercourse	NWa	Purple
Area of Cultural Significance	CS	Brown Hatching
Flood Zone		Black Hatching

Source: Draft Carr Confoy Sportsground and Park Plan of Management Public Exhibition Poster

2.4 Proposed categorisation in the draft PoM

The assignment of community land categories in the draft PoM has been undertaken in accordance with the Local Government (General) Regulation 2005, Part 4 Community Land, Division 1 Guidelines for the categorisation of community land, and is based on Council's GIS Mapping system data.

The NSW Office of Local Government *Practice Note No.1 Public Land Management* states (Page 11):

Guidelines for council to assist in categorisation are provided in the Local Government (General) Regulation (cls.10 - 19). Council must have regard to the guidelines in determining a category (cl.9) but are not required to adopt any category merely because the land fits the description in the guidelines. Council should look at all the circumstances of the land in making a decision as to categorisation. For example, a piece of land may seem to satisfy the guidelines for more than one category. Council has a discretion in this case to look at the land in context, taking into account all relevant material before determining a category. It is important that council be able to justify any decision.

2.5 Public hearing for categorisation of community land

The LG Act and the LG Reg both set parameters for the holding of Public Hearings. See **Appendix A** for pertinent legislation extracts. Council must hold a public hearing in respect of a proposed PoM if the proposed plan would have the effect of categorising, or altering the categorisation of, community land.

Council must hold a further public hearing in respect of the proposed plan of management if Council decides to amend the proposed plan after a public hearing and the amendment of the plan would have the effect of altering the categorisation of community land from the categorisation of that land in the proposed plan that was considered at the previous public hearing.

It should be noted that the public hearing is held because of a change, amendment, or first application of a community land category. The public hearing is in respect of a proposed plan of management where this categorisation activity is occurring or proposed to occur, not a review of the draft plan of management or a community consultation into a draft plan of management. The public exhibition of a draft plan of management is the forum for detailed community consultation into the content, effect and outcomes of a draft plan of management.

There is no LG Act legislated time period for a public hearing, except that any public hearing report must be considered by Council prior to making any decision with respect to the matter to which it relates.

3 THE PUBLIC HEARING

3.1 Advertising and notification

Council advertised the Public Hearing through a variety of ways:

- Public Notice published 23 and 30 November 2022 in the Goulburn Post and Council web page; and
- Posted at Goulburn Library, Carr Confoy Sports clubhouse, Goulburn Pony Club Inc. clubhouse until 13 January 2023.

Appendix C: Public Hearing Notifications shows the notification contents.

3.2 Attendance at the Public Hearing

The Public Hearing was convened and managed by:

- Carl Malmberg, Independent Chair – CGM Planning;
- Colette Goodwin, recording the proceedings - CGM Planning;
- Goulburn Mulwaree Council officers:
 - Ken Wheeldon - Business Manager Property & Community Services
 - Jacqueline Harmer - Property Coordinator

There were two Councillors and one member of the public in attendance see **Appendix E: Public Hearing Attendees**.

3.3 The Public Hearing

The Public Hearing was conducted in Council Chambers between 4.00pm and 4.55pm on Wednesday 14 December 2022.

The Chair conducted the meeting providing an outline of the need for, and conduct of the public hearing, and Council’s presentation was made. The meeting followed the agenda set out in **Table 1**.

Table1: Public Hearing Agenda

Agenda Item	Speaker
1. Public hearings for categorisation of community land	Independent Chair
2. Background	Goulburn Mulwaree Council
3. What is community land?	Goulburn Mulwaree Council
4. What are the categories of community land?	Goulburn Mulwaree Council
5. Proposed categorisation of Carr Confoy Sportsground and Park	Goulburn Mulwaree Council
6. Questions	Attendee(s)
7. End of Meeting	Chair

3.4 Public Hearing Record

Following the opening of the Hearing and an Acknowledgment of Country by the Chair, and introductions by Council officer: Mr. Ken Wheeldon, the Independent Chair confirmed that, as required under the *Local Government Act 1993* (the LG Act), neither he nor other CGM Planning Director, Ms Colette Goodwin, were employees of Council nor a Councillor, nor had either Director been a Goulburn Mulwaree Council employee or Councillor during the last five years.

The Chair explained that this Public Hearing was a requirement under Sections 40A and 47G of the LG Act as the draft plan of management was assigning community land categories to community land for the first time.

The Chair also confirmed that the Public Hearing was into the assignment and use of community land categories to the land and that a record of the meeting would be taken and provided in the subsequent public hearing report.

The Chair stated the Public Hearing was essentially about one matter which was the use and nature of the category assigned to the community land in the draft PoM, and that the public exhibition of the draft PoM was the most appropriate forum of submissions about the content, nature and management planning in the draft PoM.

The Chair also stated that comments, suggestions and statements about the draft PoM would be recorded but were matters that should also be directed in written submissions to the public exhibition of the draft PoM.

Council was invited to commence the presentation and did so by acknowledging Denise Fors for her work on the draft PoM and apologised for her absence at the Hearing. Council then presented the community land sites and explained the categorisations and the reasons for assignment - see **Appendix D: Council presentation**.

A record of the public hearing is provided in Table 2 listing discussion points and Council responses or Chair statements.

Table 2: Record of Public Hearing Questions, Comments and Discussion

Statement, Comment or Question	Discussion, Council answer or response	Chair
Carr Confoy Sportsground and Park Plan of Management		
Clarification sought on whether the dog park and land along May Street was included in the plan of management	Both areas are included in the plan of management and are Council owned	
Discussion followed on how the cultural heritage layer was applied	Council consulted with the local Indigenous groups and came to the understanding that the Eastgrove Flats was a ceremonial and gathering place. Both Council and the Indigenous groups were happy with the statement ‘People of the Gundungarra and Ngunawal language groups’. Advancing the plan of management was necessary to comply with legislative requirements but would also support funding applications.	
Discussion followed on why a portion of the area, shown as a yellow strip, was categorised as Park rather than Sportsground	The area is a wide verge along Park Road with memorial tree plantings. It is managed separately to the sportsfields and is best managed as Park.	
Why are the other lots adjoining the sportsfields shown yellow as Park and not Sportsground?	These lots north of Park Road lead to a rocky hill and have been identified for long term use as park land. Could be the site for an Anzac memorial park or similar.	
The colour code for the categories applied on the mapping is difficult to interpret	There was general agreement that the legend and the colours on the map were slightly different due to the underlying topographic/satellite imagery on the map. The extent of each area was clarified by Council officers and Council proposed a check/review of the draft PoM category mapping and overlays. <i>After the Hearing Council advised that the category map has been split into three diagrams:</i> <ul style="list-style-type: none"> • 2022 Flood Study 1% AEP, • Sportsground, Park and Natural Area Watercourse all on one plan, and 	

Statement, Comment or Question	Discussion, Council answer or response	Chair
	<ul style="list-style-type: none"> Area of Cultural Significance which covers the entire precinct. <p><i>This mapping clarification has not altered or amended the assignment of categories.</i></p>	
Discussion followed on the status and use of four lots in the middle of the reserve not part of the plan of management	These lots were identified as being privately owned with access only available via unformed roads in the plan of management. The land is presently undeveloped.	These lots are not part of the public hearing
Why isn't the gully included in the plan of management?	<p>Council does not own this parcel of land (along southern border) and has conducted title searches in preparing the plan of management. Council to clarify ownership and land status.</p> <p><i>After the Hearing Council confirmed that the land is an unformed road, an eastern part of Glenelg Street. This land is without real property identifier, e.g: Lot/DP, and is regularly inundated and unlikely to be constructed.</i></p>	
Why is the Area of Cultural Significance on the left side running down to the river jagged?	The mapping follows the topography with the steeper land incorporated into the Area of Cultural Significance.	
Discussion followed on how the community were notified of the public hearing as attendance was small	Council resolved to go to public exhibition and notified the community of the public exhibition of the plan of management as well as the public hearing. Council also directly contacted the two main local Indigenous groups: the Pejar Local Aboriginal Land Council and Mulwaree Aboriginal Community Inc, the NSW Aboriginal Land Council, and DPE - Environment and Heritage Group.	
Does the category map go in the plan of management?	Yes, the category map is part of the plan of management so the community get to view and comment on it via submissions.	
Where is the crown parcel of land within the site?	The area of crown land was identified as being south of Park Road, bordered by Forbes Street, comprising two lots: 1-2/5/979849	The crown land comprises approximately one tenth of the land covered by the plan of management
		If the categories are changed following the public hearing or exhibition of the plan of management then another public hearing will be required

The Chair thanked Mr. Wheeldon for his presentation and the next steps were outlined by Council and the Chair.

The Chair stated the LG Act requirements that a report of the Public Hearing be provided to Council and that Council must make the report available for public inspection within four days of receipt.

The Chair sought confirmation from Council that any written submissions arising from an inspection of the Hearing report could be received by Council as submissions to exhibition of the draft PoM.

The meeting was closed at approximately 4.55 pm.

4 RECOMMENDATIONS

4.1 Recommendations

This report recommends Council:

1. notes that this Report contains an accurate record (non-verbatim) of the Public Hearing held 14 December 2022;
2. makes this Public Hearing Report available for public inspection as required under the LG Act S.47G;
3. notes that there was no stated objection to the type or location of community land categories assigned;
4. considers the report before making any decision with respect to adoption of the draft PoM and formal assignment of the community land categories in the draft PoM as required under the LG Act S.734 Public hearings by a council; and
5. notes that further amendments to, or application of other community land categories in the draft PoM may require an additional Public Hearing under Section 40A of the LG Act.

APPENDIX A: EXTRACTS OF PERTINENT LEGISLATION

Red text is CGM Planning explanatory notes

What does the LG Act say about this Public Hearing?

The LG Act Section 40 sets out the conditions under which Council may adopt a PoM for community land. One of these conditions is that a PoM may not be adopted until any public hearing that may be required under Section 40A is held.

40A Public hearing in relation to proposed plans of management

- (1) The council must hold a public hearing in respect of a proposed plan of management (including a plan of management that amends another plan of management) if the proposed plan would have the effect of categorising, or altering the categorisation of, community land under section 36(4) [the five major categories set out in Section 36(4): Natural Area, Sportsground, Park, an Area of Cultural Significance, and General Community Use.]
- (2) However, a public hearing is not required if the proposed plan would merely have the effect of altering the categorisation of the land under section 36(5) [the five natural area sub-categories set out in Section 36(5): Bushland, Wetland, Escarpment, Watercourse, and Foreshore].
- (3) A council must hold a further public hearing in respect of the proposed plan of management if—
 - (a) the council decides to amend the proposed plan after a public hearing has been held in accordance with this section, and
 - (b) the amendment of the plan would have the effect of altering the categorisation of community land under section 36(4) [the five major categories] from the categorisation of that land in the proposed plan that was considered at the previous public hearing.

A public hearing is required to be held in accordance with LG Act Section 47G.

47G Public hearings

- (2) The person presiding at a public hearing must not be—
 - (a) a councillor or employee of the council holding the public hearing, or
 - (b) a person who has been a councillor or employee of that council at any time during the 5 years before the date of his or her appointment.
- (3) Not later than 4 days after it has received a report from the person presiding at the public hearing as to the result of the hearing, the council must make a copy of the report available for inspection by the public at a location within the area of the council.

Section 734 of the LG Act also applies to this public hearing.

734 Public hearings by a council

- (1) This section applies to a **public hearing** that by this Act (section 29(1) except [where reclassification of community land to operational land under EP&A Act]) is required to be arranged by a council with respect to any matter.
- (2) The **public hearing** is to be conducted in such manner as is determined by the council, subject to this Act and the regulations.
- (3) A report of the **public hearing** must be furnished to the council and the council must make the report public.
- (4) The council must consider the report before making any decision with respect to the matter to which it relates.

What does the LG (General) Reg say about this Public Hearing ?

The LG Reg makes reference to submissions in relation to categorisation in a draft PoM.

114 Adoption of draft plan of management in relation to which certain submissions have been made

- (1) This clause applies if—
 - (a) a council prepares a draft plan of management, and
 - (b) the council receives any submission, made in accordance with the Act, concerning that draft plan that makes any objection to a categorisation of land under the draft plan, and
 - (c) the council adopts the plan of management without amending the categorisation that gave rise to the objection.
- (2) If this clause applies, the resolution by which the council adopts the plan of management must state the council's reasons for categorising the relevant land in the manner that gave rise to the objection.

If Council decides to alter the proposed categorisation of community land from that in the Draft Plan of Management and that considered at the public hearing, Council must hold a further public hearing in respect of the proposed Plan of Management (Section 40A(3) of the Local Government Act 1993).

APPENDIX B: CORE OBJECTIVES AND GUIDELINES FOR COMMUNITY LAND CATEGORIES

Category	Objectives (LG Act)	Guidelines for categorisation (LG Regulation)
Park	<p>The core objectives for management of community land categorised as a park are:</p> <ul style="list-style-type: none"> a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and b) to provide for passive recreational activities or pastimes and for the casual playing of games, and c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management. 	<p>The land is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.</p>
Sportsground	<p>The core objectives for management of community land categorised as a sportsground are:</p> <ul style="list-style-type: none"> a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and b) to ensure that such activities are managed having regard to any adverse impact on nearby residences. 	<p>The land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.</p>
General Community Use	<p>The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to 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"> a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and b) 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). 	<p>The land:</p> <ul style="list-style-type: none"> a) may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public, and b) is not required to be categorised as a natural area and does not satisfy the guidelines under categorisation as a natural area, a sportsground, a park or an area of cultural significance.
Cultural Significance	<p>The core objectives for management of community land categorised as an area of cultural significance are to retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or</p>	<p>Land should be categorised as an area of cultural significance under section 36(4) of the Act if the land is—</p> <ul style="list-style-type: none"> a) an area of Aboriginal significance, because the land—

Category	Objectives (LG Act)	Guidelines for categorisation (LG Regulation)
	<p>research or social significance) for past, present or future generations by the active use of conservation methods. Those conservation methods may include any or all of the following methods—</p> <ul style="list-style-type: none"> a) the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance, b) the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material, c) the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state, d) the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact), e) the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land. 	<ul style="list-style-type: none"> • has been declared an Aboriginal place under section 84 of the National Parks and Wildlife Act 1974, or • whether or not in an undisturbed state, is significant to Aboriginal people in terms of their traditional or contemporary cultures, or • is of significance or interest because of Aboriginal associations, or • displays physical evidence of Aboriginal occupation (for example, items or artifacts such as stone tools, weapons, engraving sites, sacred trees, sharpening grooves or other deposits, and objects or materials that relate to the settlement of the land or place), or • is associated with Aboriginal stories, or • contains heritage items dating after European settlement that help to explain the relationship between Aboriginal people and later settlers, or <ul style="list-style-type: none"> b) an area of aesthetic significance, by virtue of— <ul style="list-style-type: none"> • having strong visual or sensory appeal or cohesion, or • including a significant landmark, or • having creative or technical qualities, such as architectural excellence, or c) an area of archaeological significance, because the area contains— <ul style="list-style-type: none"> • evidence of past human activity (for example, below-ground features such as building foundations, occupation deposits, features or artifacts or above-ground features such as buildings, works, industrial structures, and relics, whether intact or ruined), or • any other deposit, object or material that relates to the settlement of the land, or d) an area of historical significance, because of the importance of an association or position of the land in the evolving pattern of Australian cultural history, or e) an area of technical or research significance, because of the area’s contribution to an understanding of Australia’s cultural history or environment, or f) an area of social significance, because of the area’s association with Aboriginal life after 1788 or the area’s association with a contemporary community for social, spiritual or other reasons.
Natural Area	The core objectives for management of community land categorised as a natural area are:	<p>The land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as:</p> <ul style="list-style-type: none"> • bushland,

Category	Objectives (LG Act)	Guidelines for categorisation (LG Regulation)
	<ul style="list-style-type: none"> a) to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and b) to maintain the land, or that feature or habitat, in its natural state and setting, and c) to provide for the restoration and regeneration of the land, and d) to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and e) to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the <i>Threatened Species Conservation Act 1995</i> or the <i>Fisheries Management Act 1994</i>. 	<ul style="list-style-type: none"> • wetland, • escarpment, • watercourse or • foreshore.
Bushland	<p>The core objectives for management of community land categorised as bushland are—</p> <ul style="list-style-type: none"> a) to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and c) to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and d) to restore degraded bushland, and e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and 	<p>Land that is categorised as a natural area should be further categorised as bushland under section 36(5) of the Act if the land contains primarily native vegetation and that vegetation—</p> <ul style="list-style-type: none"> a) is the natural vegetation or a remainder of the natural vegetation of the land, or b) although not the natural vegetation of the land, is still representative of the structure or floristics, or structure and floristics, of the natural vegetation in the locality. <p>Such land includes—</p> <ul style="list-style-type: none"> • bushland that is mostly undisturbed with a good mix of tree ages, and natural regeneration, where the understorey is comprised of native grasses and herbs or native shrubs, and that contains a range of habitats for native fauna (such as logs, shrubs, tree hollows and leaf litter), or • moderately disturbed bushland with some regeneration of trees and shrubs, where there may be a regrowth area with trees of even age, where native shrubs and grasses are present in the understorey even though there may be some weed invasion, or • highly disturbed bushland where the native understorey has been removed, where there may be significant weed invasion and where dead and dying trees are present,

Category	Objectives (LG Act)	Guidelines for categorisation (LG Regulation)
	<ul style="list-style-type: none"> f) to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and g) to protect bushland as a natural stabiliser of the soil surface. 	<p>where there is no natural regeneration of trees or shrubs, but where the land is still capable of being rehabilitated.</p>
Wetland	<p>The core objectives for management of community land categorised as wetland are—</p> <ul style="list-style-type: none"> a) to protect the biodiversity and ecological values of wetlands, with particular reference to their hydrological environment (including water quality and water flow), and to the flora, fauna and habitat values of the wetlands, and b) to restore and regenerate degraded wetlands, and c) to facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands. 	<p>Land that is categorised as a natural area should be further categorised as wetland under section 36(5) of the Act if the land includes marshes, mangroves, backwaters, billabongs, swamps, sedgelands, wet meadows or wet heathlands that form a waterbody that is inundated cyclically, intermittently or permanently with fresh, brackish or salt water, whether slow moving or stationary.</p>
Watercourse	<p>The core objectives for management of community land categorised as a watercourse are—</p> <ul style="list-style-type: none"> a) 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, and b) to manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and c) to restore degraded watercourses, and d) to promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category. 	<p>Land that is categorised as a natural area should be further categorised as a watercourse under section 36(5) of the Act if the land includes—</p> <ul style="list-style-type: none"> a) any stream of water, whether perennial or intermittent, flowing in a natural channel, or in a natural channel that has been artificially improved, or in an artificial channel that has changed the course of the stream of water, and any other stream of water into or from which the stream of water flows, and b) associated riparian land or vegetation.
Escarpment	<p>The core objectives for management of community land categorised as an escarpment are—</p> <ul style="list-style-type: none"> a) to protect any important geological, geomorphological or scenic features of the escarpment, and b) to facilitate safe community use and enjoyment of the escarpment. 	<p>Land that is categorised as a natural area should be further categorised as an escarpment under section 36(5) of the Act if—</p> <ul style="list-style-type: none"> a) the land includes such features as a long cliff-like ridge or rock, and b) the land includes significant or unusual geological, geomorphological or scenic qualities.

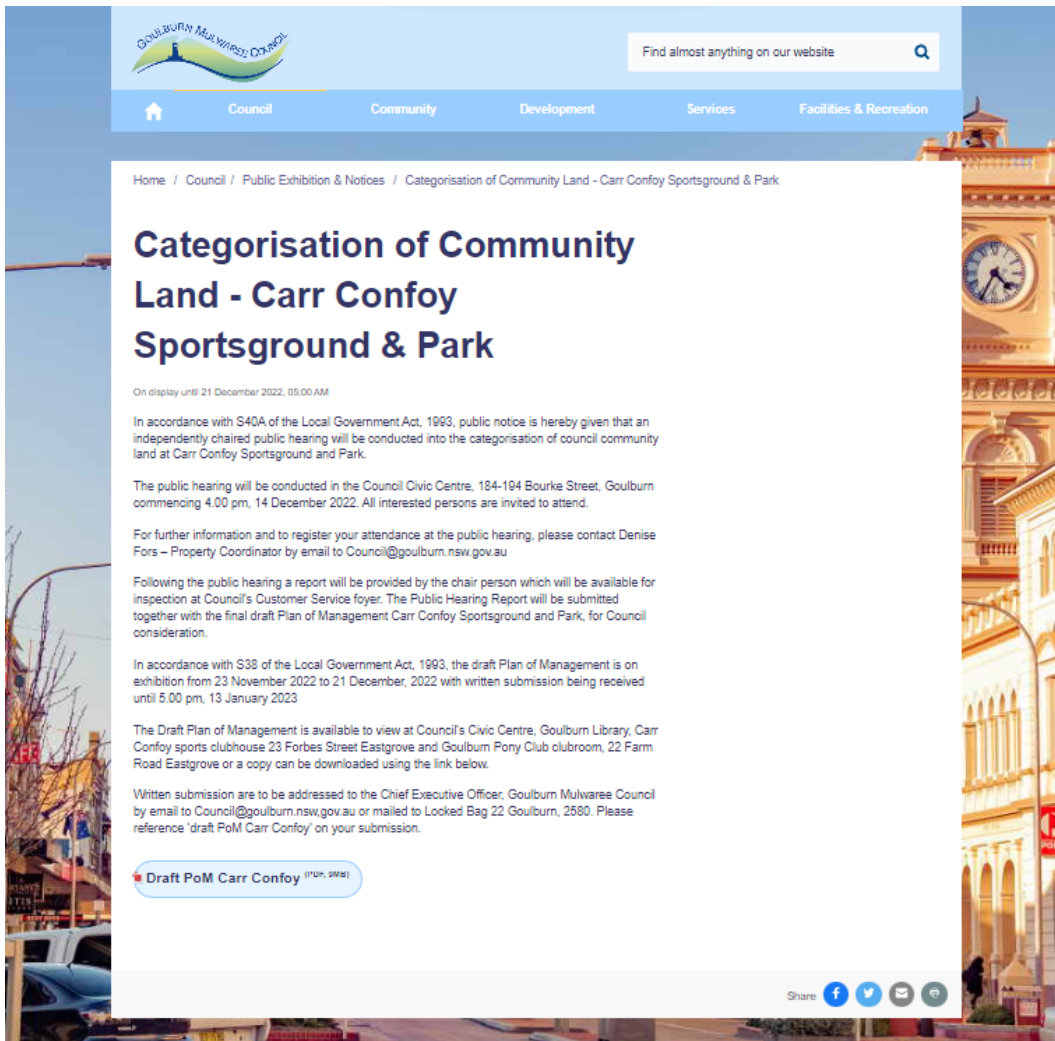
Category	Objectives (LG Act)	Guidelines for categorisation (LG Regulation)
Foreshore	<p>The core objectives for management of community land categorised as foreshore are—</p> <ul style="list-style-type: none"> a) to maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore’s role as a transition area, and b) to facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use. 	<p>Land that is categorised as a natural area should be further categorised as foreshore under section 36(5) of the Act if the land is situated on the water’s edge and forms a transition zone between the aquatic and terrestrial environment.</p>

APPENDIX C: PUBLIC HEARING NOTIFICATIONS





Summary

- Council's 'Public Exhibition and Notices' webpage; and
- Public Notice:
 - published 23 and 30 November 2022 in the Goulburn Post and Council web page concurrently; and
 - posted Goulburn Library, Carr Confoy Sports clubhouse, Goulburn Pony Club Inc. clubhouse.

Council’s ‘Public Exhibition and Notices’ webpage



Public Notice published November 2022 in the Goulburn Post

 <p style="text-align: center;">Goulburn Mulwaree Council News www.goulburn.nsw.gov.au (02) 4823 4444</p>		
<p>DEVELOPMENT PROPOSALS DA/2216/2223 Subject land: 1 Fenwick Crescent GOULBURN NSW 2580 Proposal: Demolition of existing structures facing Fenwick Crescent, new two-storey motel addition and parking, and new parking and landscaping facing Lagoon Street. Applicant: Lateral Planning Pty Ltd Consent Authority: Goulburn Mulwaree Council Concurrence Authority: WaterNSW Submissions due: 5pm, 13 December 2022 All information is available on our website under "On Exhibition". Please address any submissions to Goulburn Mulwaree Council, Reference: Please use DA/MOD number.</p>	<p>NOTICE OF PUBLIC HEARING CATEGORISATION OF COMMUNITY LAND CARR CONFOY SPORTSGROUND AND PARK</p> <p>In accordance with S40A of the Local Government Act 1993, public notice is hereby given that an independently chaired public hearing will be conducted into the categorisation of council community land at Carr Confoy Sportsground and Park.</p> <p>The public hearing will be conducted in the Council Civic Centre, 184-184 Bourke Street, Goulburn commencing 4:00 pm, 14 December 2022. All interested persons are invited to attend.</p> <p>For further information and to register your attendance at the public hearing, please contact Denise Ford – Property Coordinator by email to council@goulburn.nsw.gov.au</p> <p>Following the public hearing a report will be provided by the chair person which will be available for inspection at Council's Customer Service foyer. The Public Hearing Report will be submitted together with the final draft Plan of Management Carr Confoy Sportsground and Park, for Council consideration.</p> <p>In accordance with 158 of the Local Government Act, 1993, the Draft Plan of Management is on exhibition from 23 November 2022 to 21 December, 2022 with written submission being received until 5:00 pm, 15 January 2023.</p> <p>The Draft Plan of Management is available to view at Council's Civic Centre, Goulburn Library, Carr Confoy sports clubhouse 23 Farley Street Eastgrove and Goulburn Pony Club clubhouse, 21 Farm Road Eastgrove or on Council's web-site https://www.goulburn.nsw.gov.au/Council/Public-Exhibition/Proposals</p> <p>Written submissions are to be addressed to the Chief Executive Officer, Goulburn Mulwaree Council by email to council@goulburn.nsw.gov.au or mailed to Locked Bag 22 Goulburn, 2580. Please reference 'draft Carr Confoy' on your submission.</p>	<p>POSITIONS VACANT</p> <ul style="list-style-type: none"> • Casual Customer Service Officer – Aquatic Centre • Senior Development Engineer • Senior Asset Engineer • Casual Fitness Instructor (Aquatic & Leisure Centre) • Casual Learn to Swim Instructor (Aquatic & Leisure Centre) • Casual Pool Attendants/Lifeguard (Aquatic & Leisure Centre) <p>Visit the Careers at Council page on the website for more information and how to apply: www.goulburn.nsw.gov.au</p>
<p>REVIEW OF COUNCIL POLICIES</p> <p>Council, at its meeting on 15 November 2022, considered a number of policies and resolved the following policies be placed on public exhibition and if no objections are received be adopted:</p> <ul style="list-style-type: none"> • Alcohol and Other Drug Policy • Leasing / Licensing of Council Property for Community Organisations Policy • Plaques & Memorials Policy <p>Copies of the Policies are available on Council's website www.goulburn.nsw.gov.au on the Public Exhibition & Notices page.</p> <p>Submissions on the revised policies are invited and will be received up to close of business on Tuesday 13 December 2022. For submissions to be considered, they must be addressed to Council's Business Manager Governance with the subject line: Submission – [Name of Policy] Email to: council@goulburn.nsw.gov.au</p> <p>Please note submissions cannot be kept confidential and may be included in a Council report. For more details, please call Council's Business Manager Governance on 4823 4444.</p>	<p>Let's celebrate</p>  <p>International Day of People with Disability Goulburn Community Event 8th December 2022 Veele Arena - 45 Braidedoof Road, Goulburn 9am – 3pm</p> <p><small>Special thanks to the NSW Government & community for their support</small></p>  	

Public Notice posted Goulburn Library, Carr Confoy Sports clubhouse, Goulburn Pony Club Inc. clubhouse



Exhibition

Draft Plan of Management Carr Confoy Sportsground and Park

Public Notification of Plan of Management

Goulburn Mulwaree Council at its meeting on 20 September 2022, resolved to exhibit the draft Plan of Management – Carr Confoy Sportsground and Park (draft PoM Carr Confoy).

The draft PoM and images defining the nominated community land, are on exhibition until **21 December 2022** at:

- Council’s Civic Centre foyer and Goulburn Library, 184 -194 Bourke Street, Goulburn,
- Carr Confoy sports clubhouse 23 Forbes Street, Goulburn
- Goulburn Pony Club Inc. clubhouse 22 Farm Road, Goulburn and on
- Council’s website: <https://www.goulburn.nsw.gov.au/Council/Public-Exhibition-Notices>

Submit your views on the draft Plan of Management

Written submissions will be received until 5.00 pm, **13 January, 2023** and are to be addressed to:
Chief Executive Officer - Goulburn Mulwaree Council,

Council@goulburn.nsw.gov.au

or

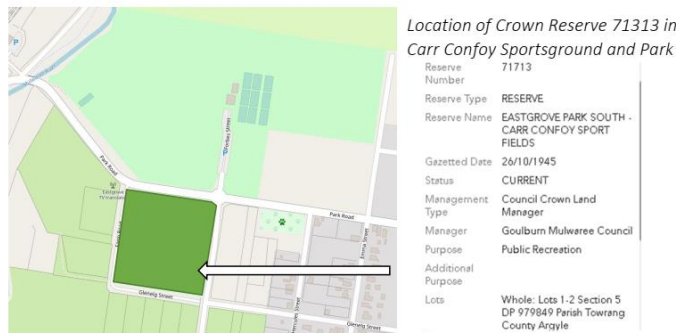
Locked Bag 22 Goulburn 2580,

Attention: Denise Fors and please reference ‘draft PoM Carr Confoy’ on your submission.

Submissions received on this matter will be reported to Council.

Carr Confoy Sportsground and Park

Carr Confoy Sportsground and Park is community land comprised of Council held land and Eastgrove Park, South Carr Confoy being Crown land (R71713), reserved for public recreation, by proclamation dated 26 October, 1945 in NSW Government Gazette, with Goulburn Mulwaree Council the appointed land manager, in accordance with the *Crown Land Management Act 2016*.



Why a Plan of Management:

Section 36 of the *Local Government Act 1993* states that a Council must prepare a Plan of Management (PoM) for community land that it manages, that the PoM may apply to one or more areas of community land and that the PoM must identify:

- The category of the land;
- The objectives and performance targets in respect of the land;
- The means to achieve the objectives and performance targets; and the
- Manner of assessing the achievement of objectives and performance targets.



Exhibition

Draft Plan of Management Carr Confoy Sportsground and Park

Categories applicable to Community Land are:

- Area of Cultural Significance;
- General Community Use;
- Park;
- Sportsground;
- Natural Area, which is further sub categorised.

The Plan of Management must:

- Describe the condition of the land, buildings or other improvements, as at the date of adopting the PoM;
- Specify the purposes to which the land, buildings or improvement are permitted to be used;
- Specify purposes for which further development may be permitted; and
- Expressly authorise leases, licences or other estates over the land.

Categorising Community Land at Carr Confoy Sportsground and Park:

The draft PoM is site specific, with multiple categories of land. The categories recommended are in accordance with the guidelines provided by the *Local Government Regulations 2021* and accord with the notified purpose of the Crown reserve.

The following table identifies the land in Carr Confoy PoM by legal description, address, land owner and recommended categories attributed:

Legal Description	Address	Category	Title Holder
1 & 3 /1/979849	23 Forbes Street	SG, NWA CS	GMC
2/1/979849	23 Forbes Street	SG, PK NWA, CS	GMC
1//802067	23 Forbes Street	SG, PK, CS	GMC
2/802067	51 Forbes Street	SG, NWA, CS	GMC
2 & 3/2/979849	22 Farm Road	SG NWA, CS	GMC
1//737835			
1/12/979849	80 Forbes Street	SG, CS	GMC
1-20/13/979849	56 Emma Street	SG, CS	GMC
6-9/11/ 979849	80 Park Road	SG, CS	GMC
1-4/6/979849	2 Charlotte Street	SG, CS	GMC
5/6/979849	10 Charlotte Street	SG, CS	GMC
6/6/979849	12 Charlotte Street	SG, CS	GMC
1 & 2/5/979849	51 Forbes Street	SG, CS	State of NSW
1 & 2//1126784	87 Park Road	PK, CS	GMC
1//794554			
3 & 4/10/979849	36 Street Hercules	SG, CS	GMC
1-10/7/979849	14 Charlotte Street	SG, CS	GMC
1//732783	83 Park Road	SG, CS	GMC
11 & 12/10/979849	29 Charlotte Street	SG, CS	GMC
13-17/10/979849	19 Charlotte Street	SG, CS	GMC
18/10/979849	13 Charlotte Street	SG, CS	GMC



Exhibition

Draft Plan of Management Carr Confoy Sportsground and Park

Categorisation Plan - Carr Confoy Sportsground and Park



Legend		
Categorisation	Abbrev	Colour
Sportsground	SG	
Park	PK	
NA Watercourse	NWa	
Area of Cultural Significance	CS	
Flood Zone		



Public Hearing into Categorisation of Council Community Land

A public hearing into the proposed categorisation of the Council Community land in this PoM is being conducted by an independent chairperson in Council Chambers, 184 -194 Bourke Street, Goulburn, at **4.00 pm, Wednesday, 14 December 2022.**

All interested persons are invited to attend.

All remarks about the categorisation of Community land recorded at the hearing will be compiled in a report which will be available in the GMC foyer for review, prior to being reported to the Council.

To RSVP or for further information on this Plan of Management, please email Denise.fors@goulburn.nsw.gov.au

APPENDIX D: COUNCIL PRESENTATION - PUBLIC HEARING



draft Plan of Management
Carr Confoy Sportsground and Park

Categorisation of Community Land
Public Hearing – 14 December 2022

Doc ID

1

Carr Confoy Sportsground and Park

The land at Carr Confoy sports precinct is comprised of both:

- Community Land held by Council (GMC),
- Crown land reserved for the purpose of public recreation with GMC appointed Crown Land Manager,
 - The purpose of a Crown reserve is proclaimed by publication in the NSW Government Gazette,
 - The appointed Crown Land Manager must attribute categories that support the proclaimed purpose of the reserve,
 - The Crown reserve is exempt from this categorisation hearing.

2

Public Hearing - Categorisation of Community Land

Public Notification of Plan of Management

- Council resolved 20 September 2022 to exhibit the draft Plan of Management Carr Confoy Sportsground and Park.
- The draft PoM is on exhibition until 21 December 2022 at:
 - Council's Civic Centre foyer;
 - Goulburn Library;
 - Carr Confoy Sportsground club house and Goulburn Pony Club clubroom;
 - Council's website: <https://www.goulburn.nsw.gov.au/Council/Public-Exhibition-Notices>

3

Public Hearing - Categorisation of Community Land

Submit your views on the draft Plan of Management and
Categorisation of Community Land

Written submissions will be received until 5.00 pm, 13 January 2023, addressed to:

Chief Executive Officer, Goulburn Mulwaree Council,
Council@goulburn.nsw.gov.au
or
Locked Bag 22 Goulburn 2580,
Attention: Denise Fors

Please reference 'Draft PoM Carr Confoy' on your submission.

Submissions received on this matter will be reported to Council.

4

Why a Plan of Management

Section 36 of the *Local Government Act, 1993* states that a Council

- must prepare a Plan of Management (Plan) for community land,
- that the Plan may apply to one or more areas of community land
- that the Plan must identify:
 - The category* of the land;
 - The objectives and performance targets in respect of the land;
 - The means to achieve the objectives and performance targets; and
 - Manner of assessing the success of achieving the objectives and performance targets.

5

The Plan of Management must:

- Describe the condition of the land, buildings or other improvements, as at the date of adopting the Plan of Management;
- Specify the purposes for which the land, buildings or improvement are permitted to be used;
- Specify further purposes for which further development may be permitted; and
- Whether there are or to be leases, licences or other estates over the land.

6

Categories* of Community Land are:

- Natural Area which is further categorised as:
 - Bushland;
 - Escarpment;
 - Foreshore;
 - Watercourse;
 - Wetland;
 - Or a category prescribed by the *Local Government Regulations, 2021*.
- Area of Cultural Significance;
- General Community Use;
- Park;
- Sportsground.

7

Natural Area

Local Government (General) Regulation 2021, S102

Guidelines for categorisation of land as Natural Area:

- The land possesses a significant geological or geomorphological feature, landform, representative system or other natural feature or attribute that suggests further categorisation as bushland, wetland, escarpment, watercourse or foreshore;
- Land impacted by any of the following legislation must be categorised as natural area:
 - [Threatened Species Conservation Act 1995](#)
 - [Fisheries Management Act 1994](#)

8

Natural Area - Bushland

Local Government (General) Regulation 2021, S107

- Guidelines for categorisation of land as bushland
 - if the land contains primarily native vegetation and that vegetation represents or is the remainder of the natural vegetation of the land whether moderately or highly disturbed.

9

Natural Area - Escarpment

Local Government (General) Regulation 2021, S109

- Guidelines for categorisation of land as escarpment
 - if the land includes such features as a long cliff-like ridge or rock or the land includes significant or unusual geological, geomorphological or scenic qualities.

10

Natural Area - Watercourse

Local Government (General) Regulation 2021, S110

- Guidelines for categorisation of land as watercourse
 - if the land includes:
 - Any stream of water, perennial, intermittent, natural or artificially improved;
 - The associated riparian land or vegetation including land that is protected for the purposes of:
 - ✓ [Rivers and Foreshores Improvement Act 1948](#); or
 - ✓ [Native Vegetation Conservation Act 1997](#);

The Mulwaree Ponds forms the western boundary of the Carr Confoy sports precinct.

11

Cultural Significance

Local Government (General) Regulation 2021, S105

- Guidelines for categorisation of land as an area of Cultural Significance;
 - If the land is an area of Aboriginal significance because the land has been declared so under the [National Parks and Wildlife Act 1974](#); or is significant to Aboriginal people in terms of their traditional or contemporary social, spiritual or cultural mores.
 - Or by virtue of visual or sensory appeal or landmark/s of technical qualities such as architectural excellence, or an area of archaeological significance containing evidence of past human activity whether intact or ruined.

12

Cultural Significance - continued

Carr Confoy sports precinct is identified as an area of Cultural Significance to our Aboriginal community:

- People of the Gandangara and Ngunnawal language groups are known to have utilised the 'Eastgrove Flats' for gatherings and Corroboree.

13

Local Government (General) Regulation 2021,

S104 Guidelines for categorisation of land as Park:

Land should be categorised as a park if it has or is to be landscaped with gardens or non-sporting improvements, for passive recreation, social, educational or cultural pursuits that do not intrude on the peace of others.

S106 Guidelines for categorisation as General Community Use:

- Land available for use for any community purposes that does not satisfy the guidelines for categorisation as natural area, area of cultural significance, park, or sportsground.

S107 Guidelines for categorisation of land as Sportsground:

- if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.

14

Categorising Community Land at Carr Confoy Sports Precinct

- The draft Plan of Management is site specific;
- There are multiple categories of land;
- The categories recommended are in accordance with the guidelines provided by the *Local Government (General) Regulations 2021*;
- The aerial image following provides a pictorial description of recommended categories .

15

Community Land Categories - Carr Confoy



16

Land – Carr Confoy Sportsground and Park

Legal Description	Address	Category	Title Holder
1 & 3, 1/ 975049	23 Forbes Street	SG, NWA, CS	GMC
2/1, 97 5049	23 Forbes Street	SG, PK, NWA, CS	GMC
1/1802 067	23 Forbes Street	SG, PK, CS	GMC
2/802067	51 Forbes Street	SG, NWA, CS	GMC
2 & 3, 2/ 979 849	22 Farm Road	SG NWA, CS	GMC
1/1737 835			
1/12/9 75049	80 Forbes Street	SG, CS	GMC
1-20/13/ 975049	56 Emma Street	SG, CS	GMC
6-9/11/ 975049	80 Park Road	SG, CS	GMC
1-4/6/97 9849	2 Charlotte Street	SG, CS	GMC
5/6/97 9849	10 Charlotte Street	SG, CS	GMC
6/6/97 9849	12 Charlotte Street	SG, CS	GMC
1 & 2, 5/979 849	51 Forbes Street	SG, CS	State of NSW
1 & 2, 1/1126 781			
1/1791 554	87 Park Road	PK, CS	GMC
3 & 4, 10/97 9849	36 Street Hiercules	SG, CS	GMC
1-10/7/9 75049	14 Charlotte Street	SG, CS	GMC
1/1732 783	83 Park Road	SG, CS	GMC
11 & 12/10/ 975049	29 Charlotte Street	SG, CS	GMC
13-17/10/ 975049	19 Charlotte Street	SG, CS	GMC
18/10/ 975049	13 Charlotte Street	SG, CS	GMC

17

**Exhibition - Draft Plan of Management
Carr Confoy Sportsground and Park**

The draft Plan of Management is on exhibition until 21 December, 2022.

The draft Plan of Management can be viewed at:

- GMC’s Civic Centre foyer
- Goulburn Library, 184 -194 Bourke Street, Goulburn,
- Carr Confoy sports clubhouse 23 Forbes Street, Eastgrove
- Goulburn Pony Club Inc. clubhouse 22 Farm Road, Eastgrove
- Council’s website: <https://www.goulburn.nsw.gov.au/Council/Public-Exhibition-Notices>

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**Written Submissions – Draft Plan of Management
Carr Confoy Sportsground and Park**

Written submissions will be received until 5.00 pm, **13 January, 2023** and are to be addressed to:

- Chief Executive Officer - Goulburn Mulwaree Council, Council@goulburn.nsw.gov.au
- or
- Locked Bag 22 Goulburn 2580,
- Please mark attention: Denise Fors and reference ‘*draft PoM Carr Confoy*’ on your submission.
- Submissions received on this matter will be reported to Council.

19

**Public Hearing – Categorising Community
Land - Carr Confoy Sportsground and Park**

Questions?

For further information please email
Council@Goulburn.nsw.gov.au
Attention: Denise Fors

20

APPENDIX E: PUBLIC HEARING ATTENDEES

Mayor Peter Walker
Councillor Michael Prevedello
Ms Jacki Waugh

Apologies were also tabled for three councillors: Clr Banfield, Clr Wood, and Clr Ruddell, the Council CEO:
Aaron Johansson.



Draft Plan of Management

Carr Confoy

Sportsground & Park

Incorporating Eastgrove Park, South Carr Confoy

Civic Centre 184 – 194 Bourke Street,
Goulburn NSW 1499

Tel: 02 4823 4444

email: council@goulburn.nsw.gov.au

Web: www.goulburn.nsw.gov.au

Adopted by: Goulburn Mulwaree Council

Date: <insert date>

Reference: 1642301

Edition Control

Document I.D.	Draft date	Date of Resolution	Minutes	Reporting Purpose
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1642301	08.09.2022	20.09.2022	2022/333	Circulate to Minister administering Crown Land.



Signage at Eastgrove Park, Carr Confoy Sportsground & Park

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9. [Figure Extract of the 2022 Flood Study](#)

Abbreviation	Terminology in full
PoM	Plan of Management
CLM	Crown Land Manager
CLMA	Crown Land Management Act, 2016
CLMRegs	Crown Land Management Regulations, 2018
DPE-Crown Land	Department of Planning and Environment - Crown Land
GMC	Goulburn Mulwaree Council
GMCLEP09	Goulburn Mulwaree Council Local Environment Plan, 2009
LGA93	Local Government Act, 1993
LGRegs	Local Government General Regulations, 2021
LGA	Local Government Area
CBD	Central Business District
CSP	Community Strategic Plan
CS	Area of Cultural Significance
NWA	Natural Area - Watercourse
PK	Park
SG	Sportsground
SEPP	State Environmental Planning Policy
SCASEPP	Sydney Catchment Authority State Environmental Planning Policy
AEP	Annual Exceedance Probability

Acknowledgement of Country

Goulburn Mulwaree Council acknowledges and pays respects to the Aboriginal Elders both past and present, as well as emerging leaders and acknowledge the Traditional Custodians of the land on which we all live.



Memorial Gate at the northwest corner of Eastgrove South

1. INTRODUCTION

This Plan of Management has been prepared by Goulburn Mulwaree Council for the public land classified as community land at Carr Confoy Park, which incorporates Crown Reserve 71713 known as Eastgrove Park, Carr Confoy South.

The Plan of Management outlines the way the land will be used and provides a framework for Council to follow in relation to express authorisation to lease and license the land.

1.1. WHY A PLAN OF MANAGEMENT

A Plan of Management (PoM) is required to be prepared for all public land that is classified as community land under *Local Government Act 1993* (LGA93).

Crown reserves are land set aside on behalf of the community for a wide range of public purposes, including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.

Crown land is governed by the [Crown Land Management Act, 2016](#) (CLMA), 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.

Two of the allotments identified in this draft PoM are Crown Land identified for the purpose of Public Recreation, with Council's appointment as Crown Land Manager (CLM) reaffirmed at the commencement of the CLMA.

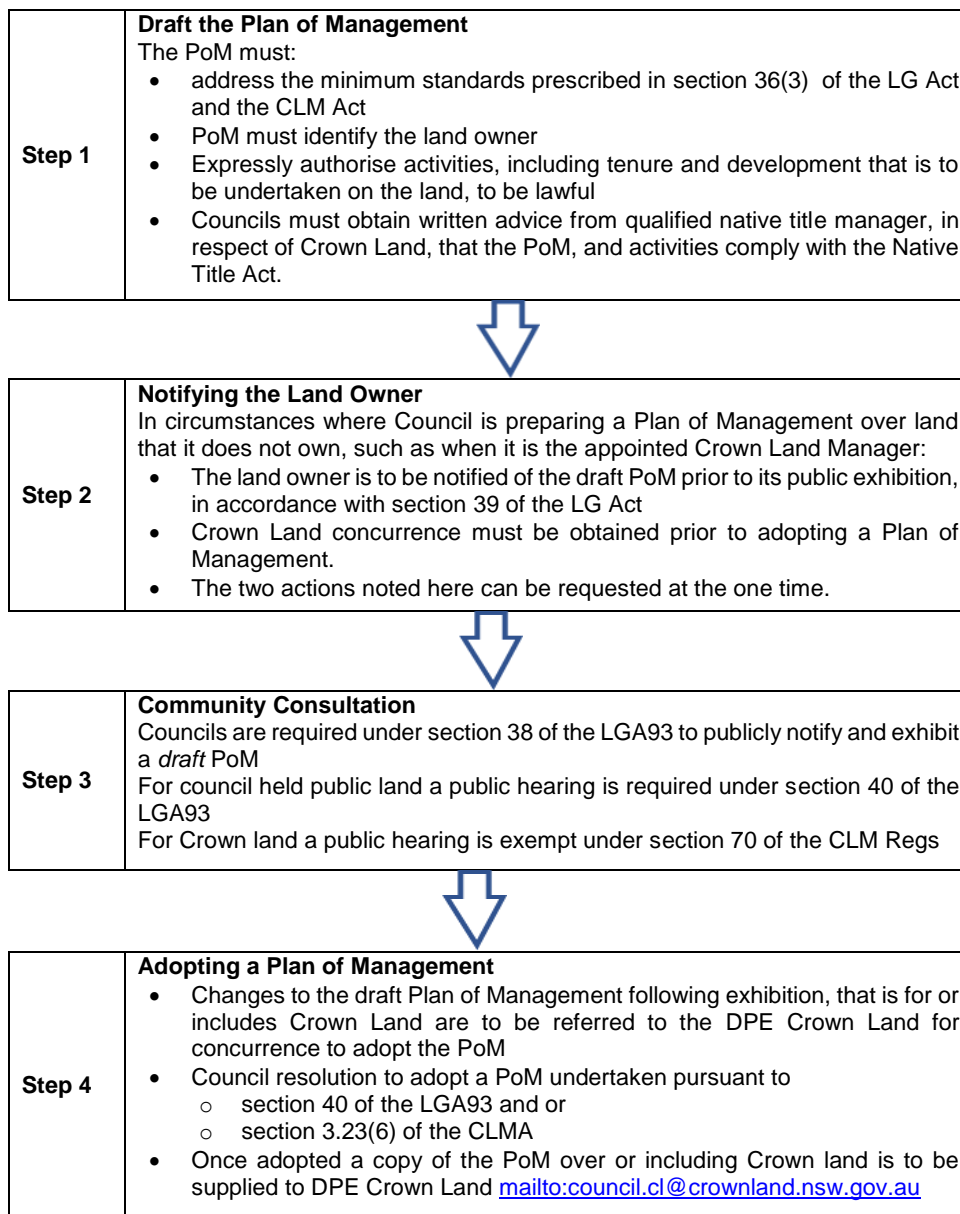
Management of the Crown reserve under the CLMA, authorises Council to manage the land as if it is 'Community Land' under the provisions of the LGA93.

PoMs provide a dynamic tool for Councils and have been widely implemented:

- Contributing to the broader strategic goals and visions as set out in the Community Strategic Plan and the *draft* Recreational Needs Strategy;
- Ensuring compliance with the LGA93 and CLMA;
- Providing clarity in the future development, use and management of all community land;
- Ensuring consistent management that supports unified approach to meeting the broad needs of the community.

Further information on the legislative context of public land can be found in Annexure A of this draft PoM.

1.2. PROCESS OF PREPARING THIS PLAN OF MANAGEMENT



1. Figure Process for preparing a PoM (Council & Crown land)

1.3. CHANGE OR REVIEW OF PLAN OF MANAGEMENT

Periodic revision of a PoM enables changing social, economic, and ecological conditions and relevant land management principals to be considered, as they arise.

Any amendments that are made to a PoM requires that document to be re-exhibited; opening the entire PoM for review. This may entail the addition of newly acquired or re-

categorised community land or it may be changes to land management strategies. These matters commonly arise as a result of community or stakeholder input. The PoM aims to be a useful resource for Council decision making and an informative document for the public and will be reviewed on a Council term basis to ensure that the land is;

- being managed in accordance with this PoM,
- being maintained satisfactorily and that the land,
- provides a safe environment for public recreation.

1.4. COMMUNITY ENGAGEMENT

For a PoM to meet community expectations it is essential to ensure that effective consultation with stakeholders and the wider community drives the PoM and in turn the community supports implementation of the strategies described in the PoM.

The initial draft PoM has been compiled with reference to;

- Statutory Guidelines; (refer Annexure A)
- Community Strategic Plan
www.goulburn.nsw.gov.au/Council/Community-Strategic-Plan
- *draft* GMC Recreational Needs Strategy;
- Corporate Objectives & Operational Plan;
www.goulburn.nsw.gov.au/Council/Integrated-Planning-Reporting#section-2
- Consultation with stakeholders.

The draft PoM has been circulated as an issues paper to stakeholders and interested persons. Input from stakeholders has been incorporated into the draft PoM which was reported to Council for authorisation to circulate to the Minister administering Crown Land, to place on public exhibition and to undertake a public hearing into the categorisation of Council community land. The purpose of the Crown reserve has been proclaimed by notification in the NSW Government Gazette and consequently, exempt from public hearing.

DPE Crown Lands in correspondence dated 11 November 2022 provided Ministers concurrence to the exhibition of the draft PoM

This draft PoM will be placed on public exhibition for a period of not less than 28 days with an additional 23 days (normally 14 days) for the receipt of written submissions. Extended over the summer/ Christmas closure period.

A public hearing scheduled for December 2022 to be conducted in Council's administration centre by an independent and qualified facilitator. The facilitator is obliged to record all comments heard and provide a complete report, which will be publicly displayed in Council's foyer for scrutiny.

All written submissions and the public hearing report will be submitted to Council to determine amendments to draft PoM or adoption. Any insoluble conflict may be referred to the Minister for Local Government for determination.

As Carr Confoy Sportsground and Park includes Crown Reserve that land is the subject of a Native Title investigation and report (refer Annexure E).

2. LAND TO WHICH THIS PLAN APPLIES

The land and improvements covered by this draft PoM are located within the Carr Confoy sportsground precinct and incorporating Eastgrove Park, South Carr Confoy.

S



2. Figure Site Plan - Carr Confoy Sportsground and Park incorporation Eastgrove Park, South Carr Confoy

2.1. HISTORY AND CHARACTER

2.1.1. ABORIGINAL HABITATION

“The earliest dated excavated archaeological site in the vicinity of Goulburn Mulwaree Local Government Area is Birrigai rock shelter in the northern foothills of the Australian Alps, approximately 80km south east of the study area. Radiocarbon dates obtained from charcoal in occupation deposits at this site have established that Aboriginal people have lived in this region for at least 21,000 years (Flood 1996:33- 35). Late Pleistocene occupation sites have also been identified to the east of the study area in what is now Morton National Park, at Bulee Brook 2 (18,810 ± 160 years Before Present (BP) [ANU-9375], Boot 1996:288) and Bob’s Cave (10,850 ± 300 BP [ANU-8313], Boot 1994:330). The climate during the Last Glacial Maximum (around 20,000 years ago) was cooler and drier than the present day, and average temperatures would have been up to 6 degrees Celsius lower. However, the majority of archaeologically excavated sites in the region date to within the last 3,000 to 5,000 years, when the local climate and environment would have approached modern conditions (Flood 1980:3,18). These include the open camp site of Nardoo

on the eastern side of Lake George (760 ± 110 BP [ANU1060]), and Sassafra 1 rock shelter in Morton National Park (3770 ± 150 BP [ANU-743]) (Flood 1980:249).

According to the anthropologist Norman Tindale, two major language groups were identified within the Goulburn Mulwaree region at the time of European contact; the Gandangara (also known as the Gundungurra, Gundungari, Gurra-gunga, and Burragorang) to the north of Goulburn, and the Ngun(n)awal (also called the Ngunuwal, Ngoonawal, Wonnawal, Nungawal, Yarr, Yass tribe, Lake George, Five Islands tribe or Molonglo tribe) to the south. Tindale's 1974 map of tribal boundaries is based on the distribution of language groups, which are derived largely from linguistic evidence published from 1840 to 1956; however, the boundaries are approximate, and probably varied over time (Tindale 1974). Linguistic anthropologists have observed that word lists of the Ngunnawal and Gandangara languages are virtually identical (Koettig and Lance 1986:13). One explanation for this may be that Mathews, one of Tindale's main sources of anthropological information, did not begin working in the region until the 1890s, when Aboriginal groups and their traditional way of life had already undergone many changes (Flood 1980:27). Charles MacAlister, who grew up in the County of Argyle in the 1830s, notes that the greater communication brought by the invasion of Europeans caused a wider currency and general adoption of various words and phrases (MacAlister 1907:89).

The historian Jackson-Nakano suggested that Tindale's tribal boundaries incorporated a number of distinct Aboriginal communities with their own dialects, who were probably linked by kinship networks, common belief systems, ceremonies, and customs (Jackson-Nakano 2001:xxi-xxiii).

MacAlister recorded that there were three fairly numerous tribes in the district; the Cookmai or Mulwarrie (Mulwaree), the Tarlo, and the Burra Burra (MacAlister 1907:82). Blanket distribution lists from this period connect the 'Mulwaree tribe' with the Tarlo, Wollondilly and Lake Bathurst areas (Jackson-Nakano 2001:13).

2.1.2. ABORIGINAL AND EUROPEAN INTERACTION

The region was first visited by Europeans in 1798 when the exploratory party of John Wilson and John Price reached Towrang. In 1820 Joseph Wild travelled south of the Cookbundoon Range to find a large lake – Lake George. From hills to the north-east of Lake George Wild saw “the fires of the natives who appeared numerous” indicating the presence of Aboriginal people in the area.

Introduced diseases had a disastrous effect on the Aboriginal population. In 1845 Francis Murphy of Bungonia reported that the formerly numerous Aboriginal populations had declined to an estimated 20-100 individuals. Sadly, in 1848 the bench of Magistrates estimated that the local Aboriginal population consisted of only 25 people.

2.1.3. EUROPEAN SETTLEMENT

Exploration by Hamilton Hume, Charles Throsby, James Meehan and John Oxley in 1817-1820 made early colonists aware of the grazing potential of the nearby Southern Tablelands. During the course of the 1820s an increasing amount of land in the area was settled and market centres were established along the major lines of communication

south from Sydney. The key centre for the Southern Tablelands was Goulburn. Governor Lachlan Macquarie ratified the name in honour of Henry Goulburn, secretary of the colonies. Goulburn Plains (now North Goulburn) was marked out in 1828. The old township was built around the confluence of the Wollondilly and Mulwaree Rivers.

Governor Bourke visited the old town in 1832 and owing to the repeated flooding of the area he ordered the survey of an area on higher ground to the south west. The layout of the adjacent township of Goulburn was created in 1832-33 as the administrative centre. The present city centre was surveyed in 1833. Due to a large swamp and lagoon the old and new towns were virtually separated for many years. They were eventually united by Lagoon Street.

In 1841 there were 655 people in the town and by 1845 the population had grown to 1,200. There were five stores and five inns in 1844 and by 1867 there were more than 20 hotels. Bradley's flourmill and brewery was built between 1836 and 1845 and by 1850 Goulburn had become a municipality. The growth of the municipality was reflected in the establishment of a Masonic lodge, two Oddfellow's lodges and a Mechanics Institute by 1867. By 1870 four newspapers had been established – the Herald in 1848, the Argus in 1864, the Southern Morning Herald in 1868 and the Evening Post in 1870. In addition to the hotels, Goulburn also became a major ecclesiastical centre for the Southern Tablelands. The Scots church and manse were opened in 1841. Goulburn became the centre of a Church of England bishopric in 1863 and also a Roman Catholic diocese in 1867.

In 1869 the construction of the railway severed the city connection to the Mulwaree Ponds – the water that had helped establish the town's original location. The railway line to Goulburn was officially opened by Lord and Lady Belmore in 1869 and six years later in 1875 it was extended south. Other significant infrastructure within the town included the present Post Office in Auburn Street which opened in 1881 and the Court House in 1887. The gaol, hospital, and Kenmore Mental Hospital also date to the 1880s.

Goulburn maintained a strong transport focus due to its location, infrastructure, rail connection and importance as a regional centre. The construction of the railway and yard facilities in Goulburn generated employment for many years, however the significant growth of road transport in the post war years modified the earlier railway and workshop focus. During the 1950s Goulburn developed large wool stores. Goulburn remained a large provincial centre with the infrastructure of government and churches reflected in the impressive public buildings.

The housing stock in Goulburn ranges from humble workers' cottages through to the architect designed buildings of the social elite. All eras are represented and often mixed together. The centre of the town contains the majority of the older buildings with the age of buildings reducing as newer areas were developed further from the town centre. There are also older originally outlying buildings mixed amongst the newer development giving the city an interesting character.

Outlying towns of Marulan and Bungonia were developed concurrently or a little earlier than Goulburn and contain their own character and history and contribute to the historical development and understanding of the region. Tallong, Towrang, Tarago and Lake Bathurst all have historic and heritage items dating from the convict era.

<https://www.goulburn.nsw.gov.au/Development/Environment-Heritage/Heritage#section-2>

2.2. LOCALITY

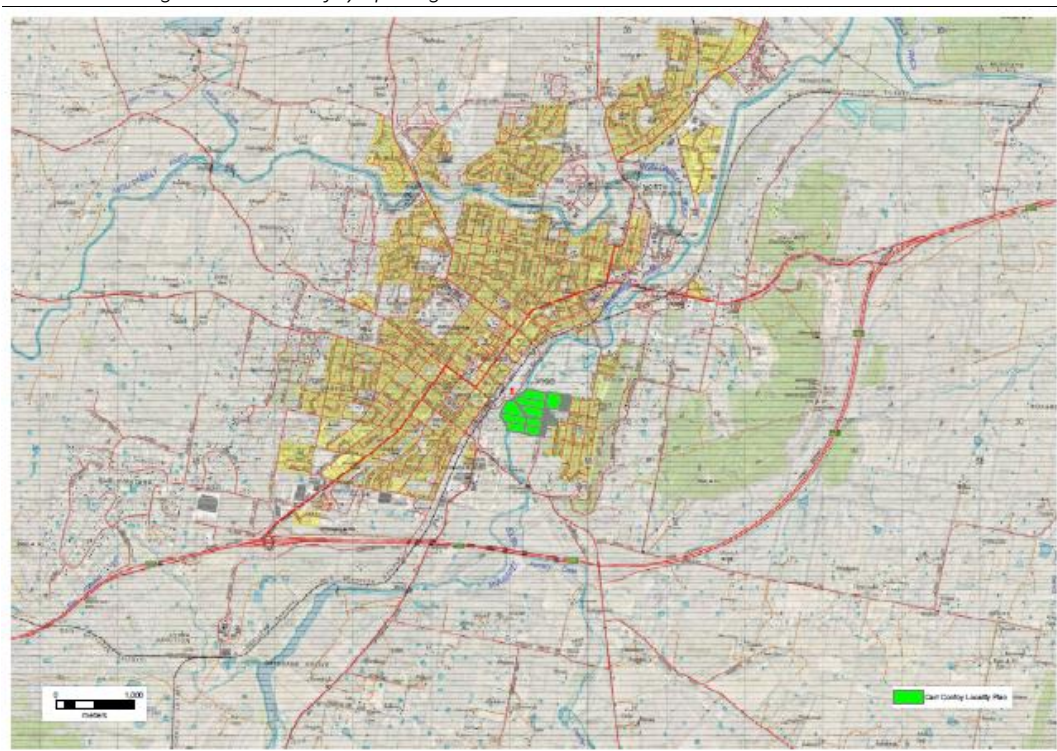
Located in the NSW Southern Tablelands, Goulburn Mulwaree Local Government Area (LGA) covers about 3,200 square kilometres with a population of 23,835 (2018). The LGA is bound to the northwest by Upper Lachlan LGA, to the northeast by Wingecarribee LGA, the east and south by the Shoalhaven River and to the south west by Queanbeyan Palerang Regional Council.

Goulburn is:

- Located on the confluence of the Wollondilly and Mulwaree Rivers, much of the area is river flood plain, resulting in outstanding agrarian productivity;
- The regional service centre for the extensive pastoral area surrounding;
- A railhead for the Main Southern line;
- A significant and growing industrial centre and
- A centre of extensive and significant:
 - Historical landmarks, ancient and modern;
 - Places of natural beauty and interest;
 - Broad ranging and exceptional sporting facilities.

2.3. LOCALITY PLAN

3. Figure. Carr Confoy Sportsground and Park



Carr Confoy precinct shown highlighted vivid green in the Eastgrove area of Goulburn.

2.4. SCHEDULE OF LAND

The land included in this draft PoM is shown in the following schedule. The schedule provides the addresses, legal description, land area and title holder.

Legal Description Lot Section Deposited Plan	Address	Area	Title Holder
1-3/1/979849	23 Forbes Street	98,790 m ²	GMC
1/12/979849	80 Forbes Street	34,400 m ²	GMC
1-4/6/979849	2 Charlotte Street	4,047 m ²	GMC
5/6/979849	10 Charlotte Street	1,012 m ²	GMC
6/6/979849	12 Charlotte Street	1,012 m ²	GMC
1-2 //802067	Closed roads	Approx. 3,600 m ²	GMC
1-10/7/979849	14 Charlotte Street	28,144 m ²	GMC
1-2/5/979849	51 Forbes Street	36,860 m ²	State of NSW
1//737835	22 Farm Road	90,870 m ²	GMC
2-3/2/979849			GMC
3-4/10/979849	36 Hercules Street	2,024 m ²	GMC
18/10/979849	13 Charlotte Street	1,992 m ²	GMC
11-12/10/979849	29 Charlotte Street	1,957 m ²	GMC
13-17/10/979849	19 Charlotte Street	5,058 m ²	GMC
6-9/11/979849	80 Park Road	4,229 m ²	GMC
1-20/13/979849	56 Emma Street	20,230 m ²	GMC
1//-732783	83 Park Road	981 m ²	GMC
1-2//1126784	87 Park Road	940 m ²	GMC

4. Figure Table of land comprising Carr Confoy Sportsground and Park,

The narrow strip of land adjoining the western boundary of Lot 2/802067 is the unformed production of Glenelg Street. This section of road is unlikely to be formed due to regular inundation.

2.5. STATE OF NSW LAND

As noted in the table at Figure 3, the land is held by both Council and the State of NSW. State of NSW land in this instance is Crown Land, being Lots 1 and 2 in Section 5 of Deposited Plan 979849. This land is described as Eastgrove Park South, Carr Confoy Sportsground, Crown reserve R71713, reserved from sale for the purpose of public recreation, as notified in Government Gazette 26 October, 1945, with Council notified as Crown Land Manager.

A PoM must attribute categories to the Crown Reserve that reflects its notified purpose, which in this instance is public recreation.

Note: This is a Site-Specific draft PoM. Some of the parcels of land included in this draft PoM may have multiple categories with the consequence that they may also be described in generic PoMs. Generic PoMs are provided for Parks, General Community Use and Sportsgrounds.

The recommended [Categories Table](#) at Section 4 provides additional detail for each allotment including improvements, usage, the zoning under GMCLEP09 and recommended categorisation in accordance with the guidelines provided in the LGRgs.

The categorisation of community land in this draft PoM is recommendation only and subject to the input resulting from each: Public Exhibition, Public Hearing and circulation to identified stakeholders. Crown Land is exempt from public hearing as noted in Step 3 of Figure 1.

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3. CARR CONFOY SPORTSGROUND AND PARK

3.1. NAMING

John Ross Carr (1937-1982) and Ronald Confoy (1917-1972) were lifelong sportsmen. Carr was a coach and promoter of many sports in Goulburn and Confoy excelled at hockey and cycling - his cycling records still stand.

The name Carr Confoy was formalised for the sports ground park by the Geographical Names Board by Gazette notification dated 18 September, 1992.

The land is flat, low lying, with an almost imperceptible rise to the east and designated flood prone in GMCLEP09.

The range of sporting and recreational facilities available across the 30+ hectare sports ground are utilised by broad cross-section of the community and include; cricket, junior rugby, touch football, soccer, netball, evening training, both formal and informal equestrian activities, informal canine activities, passive recreational activities, social and cultural activities sponsored by Council, such as Pictures and Popcorn". A portion of the Wollondilly Walking track wends along the eastern boundary of Eastgrove South, toward Bungonia Road, linking to Goulburn Recreation Area.

Carr Confoy is bordered to the north by Goulburn Golf Course, to the east by Emma Street and to the west by Mulwaree Ponds, Blackshaw Road, and the Main Southern Railway. Carr Confoy is bisected by Park Road traversing east west, Farm Road and Forbes Street each traversing north south.

Carr Confoy is within walking distance of Goulburn CBD, via the Main Southern Railway pedestrian bridge and vehicle access is available via Blackshaw Road, Park Road and Forbes Street. Access to and around the sporting fields is excellent with adequate on and off site parking.

Increasing community demand for high standard recreation and sporting facilities has the potential to be met at this site, through development of under utilised land and provision of additional and upgraded infrastructure.

3.2. IMPROVEMENTS TO THE SITE

Located at Park Road, Goulburn, Carr Confoy Park is comprised of open playing fields with rural post and wire boundary fencing on most street frontages and an assortment of bollards and decorative fencing in select locations.



A Memorial Gate at the corner of Park and Farm Roads offers homage to fallen of WWII.

Public toilets are constructed on the eastern boundary of Eastgrove Park South, adjacent to the Forbes Street section of the Wollondilly Walking Track.

Sporting clubhouse facilities including home team ablutions, change rooms, offices, meeting rooms and snack & beverage kiosk are located in the multi-use facility built on Lots 1/802067 and 2/1/979849. This building is divided in

two with the roof extending over the paved apron to the west providing shaded seating areas for seasonal spectators.

A further ablution/change facility is constructed to the north of the clubhouse building, providing male and female toilet/ablution and change/storage rooms.

These sporting club facilities were refurbished with Council funds and State funds provided under the Building Better Communities grants program of 2018. However, despite the refurbishment the facilities remain dated, do not meet current user needs and are inadequate to meet immediate and future expectations.

Goulburn Pony Club occupies an elevated portion of land at 22 Farm Road, upon which the club has installed a metal shed club room, toilets on septic pump-out and a shipping container. Sited on adjacent land, that has not been filled, are rail cars for storage units. Other assets include boundary fencing, fencing to delineate round yard, sand arena and show arena as well as an assortment of gates and jumps. Goulburn Pony Club has installed a small cairn at the northeastern corner of its site to commemorate contributing members who have lost their lives during the currency of their membership.

A defunct well is located on Lot 1 DP737835.

Comprehensive Pictorial Asset Condition Reports are available at Annexure B.

An installation of great value to the residents of Eastgrove is the digital television broadcasting relay tower erected at the intersection of Park and Farm Roads. The site is occupied under lease. Please refer to Annexure G.

3.3. FUTURE NEEDS OF SPORT INFRASTRUCTURE STUDY 2021

3.3.1. CARR CONFOY FACILITIES

The NSW Office of Sport has undertaken a survey of some of the top 10 sports and active recreation, priority projects, in our region. Council has identified several projects and of particular interest, the following infrastructure has been identified:

Carr Confoy Sporting Fields	Resurfacing of netball courts to superior competition standard.
	New sporting pavilion, catering for male, female and non-binary genders, suitable across multiple sports, including touch football and netball.
	Upgraded lighting of netball courts to LED competition standard.
	Upgrading and expansion of lighting of playing surfaces within Carr Confoy Sporting Fields to allow for regional and state grade tournaments, including increased night competition.

Details of the upgrades proposed for netball courts, additional sealed parking, provision of storage facilities and the multiuser pavilion are included in Annexure C.

3.3.2. DROUGHT RESILIENCE FOR SPORTS GROUNDS

In an active response to climate change Council has embraced the Southern Highlands Water Reuse Scheme. Following is an extract from the Tender for Flood Study and Water Reuse, being run by Council:

Council is looking to bolster water resilience within the community it serves through the development and implementation of the Southern Highlands Water Reuse Infrastructure Scheme (SHWRIS). This scheme will provide drought resilience to playing fields and community recreation spaces through the use of high quality treated water for the purpose of irrigation. This will reduce demand on the potable water network and increase water security, ensuring the Goulburn community enjoys world class facilities and parks all year round.

The physical and mental health benefits associated with green recreational spaces within the urban environment are widely documented and a key element in the liveability of a city, town or community. The spaces not only promote wellbeing of a population, but aid in the visual amenity of a community, the control and treatment of stormwater, the health of waterways, the provision of habitat for native fauna and flora, improved biodiversity among many other benefits.

The inland location of Goulburn means it is susceptible to seasonal periods of hot dry weather with little rainfall during summer and cold frosty conditions during winter. Combined large seasonal climatic variations together with prolonged periods of drought means that maintaining community recreational and green space places a large demand for water for irrigation purposes. This irrigation water is currently sourced from the potable water network. Goulburn Racecourse and Cookbundoon Sportsgrounds are at present, the only recreation areas, recipients of recycled water.

Irrigation Works Proposed

The works to provide Highlands Water Reuse Infrastructure Scheme to the sports grounds will include:

- Earthworks and clearing;
- Fencing;
- Irrigation signage;
- Irrigation water storage tanks including foundation design and site preparation works;
- Pipework serving tanks;
- Irrigation pump station and pipe network;
- Electrical design;
- Acceptance, testing and commissioning.

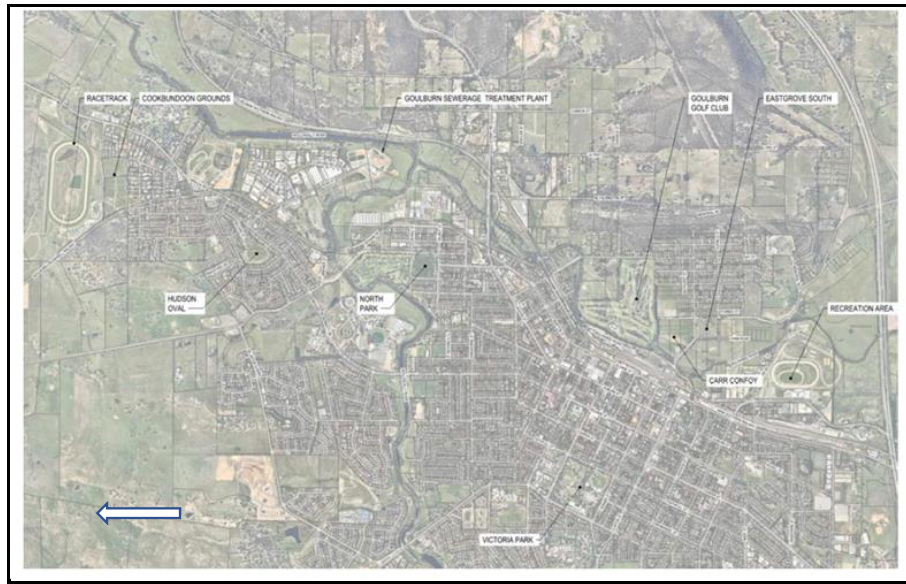
Irrigation Sites Proposed

The following sites are included in the proposal for work required for construction of recycled water irrigation:

- North Park
- Carr Confoy Sports Fields and Park including Eastgrove South

- Victoria Park
- Hudson Oval
- Cookbundoon, potentially.

All identified sites are shown in figure 6 following:



5. Figure Proposed Irrigation Sites utilising Southern Highlands Water Reuse Infrastructure Scheme

Contract let and works are well advanced at time of writing this draft PoM.

Abbreviated Terminology

An extract, from the Table of Contents, of the terminology abbreviations, specific to the land in this Plan of Management and used in the schedule of Recommended Categories in Section 4 following.

Abbreviation	Terminology in full
CS	Area of Cultural Significance
NWA	Natural Area - Watercourse
PK	Park
SG	Sportsground
SEPP	State Environmental Planning Policy
SCASEPP	Sydney Catchment Authority State Environmental Planning Policy

4. RECOMMENDED CATEGORIES

Legal Description	Category	Use	Zoning	Attributes
1/1/979849	SG, NWA CS	Cricket, shade shelter, playing field, adjoins Mulwaree Ponds	RE1 Public Recreation	Environmentally sensitive, Flood prone all, Public reserve, Terrestrial biodiversity, Sydney drinking water catchment SEPP (SCASEPP)
2/1/979849	SG, PK NWA, CS	Cricket, part club house, facilities, car parking. Playing field, Mulwaree Ponds	RE1 Public Recreation	Environmentally sensitive, Flood prone all, Bush fire part, Public reserve, Terrestrial biodiversity, Unsewered, SCASEPP
3/1/979849	SG, PK, CS	Playing field, parking, driveway.	RE1 Public Recreation	Flood prone all, Bush fire part, Public reserve, SCASEPP
1//802067	SG, PK, CS	Car parks, club house, public facilities, driveway, children's playground, unimproved paddock.	RE1 Public Recreation	Flood prone all, Bush fire part, Public reserve, SCASEPP
2/802067	SG, NWA, CS	Farm Road	RE1 Public Recreation	Flood prone all, Bush fire all, Public reserve, Unsewered, SCASEPP
2/2/979849	SG NWA, CS	Pony Club clubhouse, storage, parking, adjoins Mulwaree Ponds	RE1 Public Recreation	Environmentally sensitive, Flood prone all, Bush fire part, Public reserve, Terrestrial biodiversity, Unsewered, SCASEPP
3/2/979849				
1//737835				
1/12/979849	SG, CS	Netball courts, seating	RE1 Public Recreation	Flood prone all, Public reserve, SCASEPP
1/13/979849	SG, CS	Rural boundary fence encloses Section 13. Northern boundary of Section 13 is tree lined. Unimproved grass paddock.	RE1 Public Recreation	Flood prone all, Public reserve , Unsewered, SCASEPP
2/13/979849				
3/13/979849				
4/13/979849				
5/13/979849				
6/13/979849				
7/13/979849				
8/13/979849				
9/13/979849				
10/13/979849				
11/13/979849				
12/13/979849				
13/13/979849				
14/13/979849				

15/13/979849				
16/13/979849				
17/13/979849				
18/13/979849				Flood prone all, Public reserve, Unsewered, SCASEPP
19/13/979849				
20/13/979849				
Legal Description	Category	Use	Zoning	Planning Attributes
6/11/ 979849	SG, CS	Open field	RE1 Public Recreation	Flood prone all, Public reserve, SCASEPP
7/11/ 979849				Flood prone all, Public reserve, Unsewered, SCASEPP
8/11/ 979849				
9/11/ 979849				
1/6/979849	SG, CS	Water tank, driveway and loading zone at netball courts	RE1 Public Recreation	Flood prone all, Public reserve, Unsewered, SCASEPP
2/6/979849		Driveway serving club-house & car park		
3/6/979849				
4/6/979849				
5/6/979849				
6/6/979849				
1/5/979849	SG, CS	Playing fields	RE1 Public Recreation	Flood prone all, Bush fire all, Public reserve, Unsewered, SCASEPP, CLM
2/5/979849				
1//1126784	PK, CS	Enclosed dog off leash park	RU2 Rural Landscape	Flood prone all, 100Ha minimum, SCASEPP
2//1126784				
1//794554				
3/10/979849	SG, CS	Mown parkland	RU2 Rural Landscape	Flood prone all, 100Ha minimum, SCASEPP,
4/10/979849				
Legal Description	Category	Use	Zoning	Planning Attributes
1/7/979849	SG, CS	Enclosed informal equestrian paddock	RE1 Public Recreation	Flood prone all, Bush fire part, Public reserve, Unsewered, SCASEPP
2/7/979849				
3/7/979849				
4/7/979849				

5/7/979849				
6/7/979849				
7/7/979849				
8/7/979849				
9/7/979849				
10/7/979849				
1/7/32783	SG, CS		RU2 Rural Landscape	Flood prone all, 100Ha minimum, Unsewered, SCASEPP
11/10/979849				Flood prone all, 100Ha minimum, SCASEPP
12/10/979849				
13/10/979849				
14/10/979849	SG, CS		RU2 Rural Landscape	Flood prone all, 100Ha minimum, Unsewered, SCASEPP
15/10/979849				
16/10/979849				
17/10/979849				
18/10/979849				

4.2. CATEGORISATION PLAN AREA OF CULTURAL SIGNIFICANCE



7. .Figure Categorisation Plan – Area of Cultural Significance shown hatched.

5. MANAGEMENT STRATEGIES

5.1. STATUTORY GUIDELINES

The [Crown Land Management Act, 2016](#) provides for the management of Crown land as if it is Council community land under the Community Land provisions of the [Local Government Act 1993](#). However, the categorisation must take into account the purpose for which the land was dedicated or reserved.

The LGA93 Part 2 Division 2: Use and Management of Community Land prescribes the core objectives for each of the categories of Community Land in Section 36E through to 36N. An extract of the Community Land provisions of the LG Act 1993 is available at Annexure A.

5.2. 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 Community Strategic Plan (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 co-operative spirit and 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.

Integrated Planning and Reporting

The Regional Strategic Community Plan forms the basis for Council’s Delivery Program addressing the term 2022 to 2026 objectives, and each year the Operational Plan addresses the budget attributable to achieving the annual actions to meet the medium and long term goals, as identified by the community.

Following is an extract from the newly adopted Community Strategic Plan 2022 – 2026 addressing community expectations for the management, conservation and protection of the assets on the land addressed in this Plan of Management.

Strategy	Outcomes
Acknowledge and embed local Aboriginal culture and stories within our community.	Consultation with the Aboriginal community to better understand opportunities to embed Aboriginal culture and stories.
Events to celebrate the identity of our towns, our heritage and our culture.	Attract sports and adventure tourism opportunities and support the development of vibrant cultural and heritage events to grow the year-round visitor economy.
Develop compelling public spaces and experiences for the community across the region.	Public areas, parks, open space, and facilities meet the community’s recreational, social and cultural needs.
Identify opportunities to bid for regional, state and national events that deliver economic outcomes for the community.	Increase of sports tourism, cultural and heritage events delivered for the community.
Protect and enhance the existing natural environment, including flora and fauna native to the region.	Action all complaints regarding illegal clearing and pollution incidents. Enhance community understanding on the value of the native environment. Opportunities for regenerative sites are sought.
Council to investigate and adopt environmentally sustainable practices across the organisation.	Promote environmentally sustainable practices, throughout Council’s operations e.g. waste minimisation and sustainable purchasing.
Plan for and maintain climate resilient community facilities that cater to community needs in changing conditions.	Plan for new essential facilities to remain operational during most weather conditions for emergency and disaster responses.
Upgrade community facilities to improve service provision and accessibility.	Maintain and upgrade community facilities to expand participation in sporting, social and cultural activities and/or events throughout the LGA.
Green spaces are planned for and preserved to balance development and liveability.	Development and review of Plans of Management for Crown Reserves managed by Council and community land owned by Council. All public reserves maintained to an appropriate standard.

9. Figure Extract GMC Community Strategic Plan 2022 – 2026

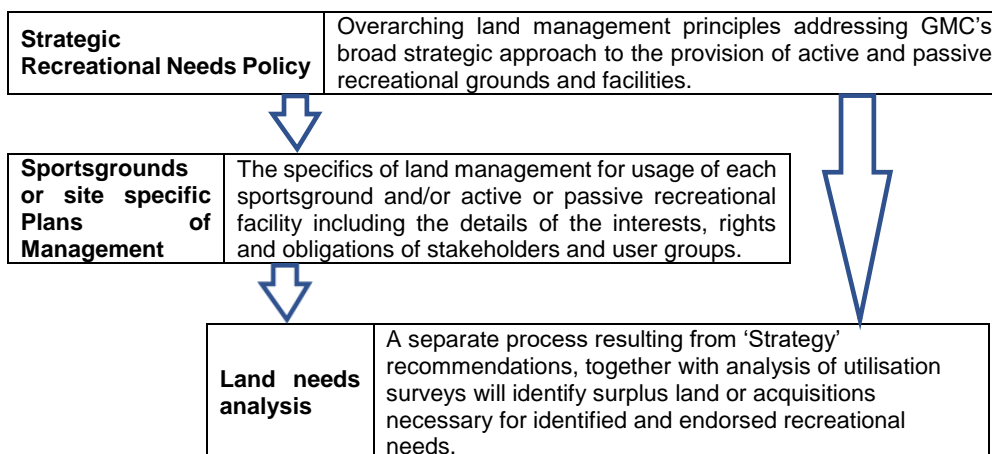
Additional Strategic Plans

A range of state and local strategic documents have been produced, influencing or directing the strategies to achieve sustainable land management practices:

- South East Tablelands Regional Plan 2036;
- Tablelands Regional Economic Development Strategy 2018-2022;
- Draft Local Strategic Planning Statement June 2020;
- Climate Change Assessment and Adaptation Report March 2020; and
- Draft Social Sustainability Strategy and Action Plan 2019.

Each of these documents identifies environmental, economic, social and or cultural outcomes for the Region and our Local Government Area in particular. Adopted documents are available on Goulburn Mulwaree Councils web page for reference. [www.http://www.goulburn.nsw.gov.au/Home](http://www.goulburn.nsw.gov.au/Home)

A Strategic Recreational Needs Policy was circulated for community input in 2019, however the policy was not adopted. The Recreational Needs policy addresses the entire recreational sector, while plans of management are provided to address the stakeholder and wider community expectations of a specific site or category of community land such as Sportsgrounds. Both the strategic policy and plan of management drive the requirement to undertake surveys and needs analysis to achieve satisfactory outcomes.



10. Figure Strategic Plan overarches the Plan of Management and both drive operational needs analysis

The Council is currently reviewing all endorsed and draft policies. The Strategic Recreational Needs Policy is to be reactivated for community consultation and Council endorsement.

5.3. COMPILING MANAGEMENT STRATEGIES

Table in Section 6 Management Strategies, following, is a compilation of the issues raised in the documentation identified and discussed through this Section and lists community cited management issues to fulfil:

- one or more objective/s;
- performance target/s;
- means of achieving the objective/s; and
- the manner in which the objective/s are assessed.

These Management Strategies have been presented to user groups by circulating an issues paper and will be more broadly offered for community consultation through public exhibition, inviting submissions.

While the community Strategic Plan has identified wide ranging community expectations it is envisaged that the strategies presented in this draft PoM will prompt a discussion of relevant site-specific management strategies.

6. TABLE OF MANAGEMENT STRATEGIES

SCHEDULE OF LAND MANAGEMENT STRATEGIES			
Management Issue	Objectives & Performance Targets	Means of Achievement	Manner of Assessment
<p>Access:</p> <ul style="list-style-type: none"> • Disabled; • Pedestrian; • Vehicular; • Cycles, Skateboards, Roller blades, Roller Skates, and the like 	<p>Where practical, provide access for people with disabilities to and within all areas.</p> <p>Provide defined paths and tracks for pedestrian access</p> <p>Allow an access network for pedestrians and cyclists.</p> <p>Maximise user safety and prevent conflicts.</p> <p>Allow for pathways to contribute to the landscape character.</p> <p>Allow general vehicular access to parking areas.</p> <p>Allow for entry to playing surfaces of authorised vehicles for maintenance and emergency service.</p> <p>Allow vehicular access for private vehicles where/when appropriate.</p> <p>Minimise conflict between skateboarders, roller bladers, roller skaters, snake boarders, etc. and pedestrians.</p>	<p>Appropriate design for pavements, facilities, structures and parking to comply with Australian Standard.</p> <p>Appropriate design, siting and construction of access way in accordance with Council's Codes, Policies and Regulations.</p> <p>Clear identification of path usage via signs and contrast pavement.</p> <p>Provision of shared facility where safe and appropriate.</p> <p>Segregation of cyclists and pedestrians where appropriate.</p> <p>Use of regulatory signs.</p> <p>Use of traffic control devices such as barriers and bollards.</p> <p>Restrict cycles, skateboards, roller blades, roller skates, snake boards to designated cycle ways and skating areas using regulatory signs and pavement identification.</p>	<p>Number of comments reports or incidents of:</p> <ul style="list-style-type: none"> • ease of access, • provision of access ways, • inappropriate use, • accidents and comments of user conflicts, • illegal or unauthorised vehicular entry, • pedestrian conflicts or ordinance investigations,
<p>Animals:</p> <ul style="list-style-type: none"> • Native Fauna • Domestic • Stock • Feral 	<p>Protection of native and endangered species and their habitats and control of introduced species in accordance with the <i>National Parks & Wildlife Act</i>, and other relevant Legislation.</p> <p>Prohibit the entry of stock outside of authorised events or within designated areas.</p>	<p>Use of regulatory signs.</p> <p>Community education and involvement in monitoring.</p> <p>Permitted under licence</p> <p>Pest management practices.</p>	<p>Complaints about:</p> <ul style="list-style-type: none"> • Off-leash dogs (in on-leash areas, attacks and waste), • Unsupervised stock onsite not relating to an approved event, • Feral animal numbers, • Damage to playing surfaces, by feral animals.

SCHEDULE OF LAND MANAGEMENT STRATEGIES			
Management Issue	Objectives & Performance Targets	Means of Achievement	Manner of Assessment
	Ban and/or impound all animals that are not under the full control of owner /handler. Removal or cull of feral animals identified as in breeding numbers.		
Alcohol: Consumption Possession.	Implement controls to prohibit the consumption and/or possession of alcohol, except within designated or licenced or identified areas.	Use of regulatory signs and enforcement. Stipulated in lease or licence agreements	Number of complaints and investigations.
Anti-Social Behaviour	Minimise and manage anti-social behaviour on grounds and within facilities.	Encourage community involvement and surveillance. Implement community health measures. Appropriate design and lighting of common areas. Implement use of CCTV as necessary.	Number of: <ul style="list-style-type: none"> • Comments received; • Vandalism attacks; • Investigations and/ or prosecutions.
Buskers/Bands	Allow the entry of buskers/bands as approved by Council and/ or as part of authorised community initiated events.	Enter into appropriate licence agreements. contingent on: <ul style="list-style-type: none"> • Notified purpose of Crown reserve • Land Use Zoning; • Categorisation of Land. 	Number of <ul style="list-style-type: none"> • Community feedback comments; • Unauthorised buskers/bands.
Facilities and Amenities	Provide safe, clean, convenient and hygienic public toilet facilities for persons of all abilities.	Provision of access & facilities for all abilities. Application of relevant Building Codes, Policies and Regulations. Appropriate levels of cleaning and maintenance. Provision of security lighting. Regulated hours of use.	Number of: <ul style="list-style-type: none"> • Maintenance inspections per annum; • Comments about the adequacy of the building/s for efficient operation, maintenance, storage and fulfilling community needs; • Number of reported incidents of user conflict/vandalism.
Flood Mitigation	Minimise erosion of land and destruction of built assets.	Clearing trash, debris and weeds from natural watercourse.	Comments about flooding Comments about state of watercourse Inspection of water course

SCHEDULE OF LAND MANAGEMENT STRATEGIES			
Management Issue	Objectives & Performance Targets	Means of Achievement	Manner of Assessment
		Elevate structures above identified flood extremes	
Hours of Usage	Allow for the management of usage times for regular/allocated sport and special events, user groups and individuals.	Issue of appropriate authorisation by Council.	Number of: <ul style="list-style-type: none"> Reported breaches of Council approval; Unauthorised events or large groups' activities.
Improvements: <ul style="list-style-type: none"> Buildings Fencing Sports infrastructure 	Allow for the construction of appropriate buildings on the site in accordance with identified community needs; Allow buildings ancillary to the operation of the categorised land. Allow for appropriate multi-purpose use of grounds and facilities. Maintain a flexible approach to building and site usage.	Appropriate design, siting and layout in accordance with community needs and GMC's plans, policies and guidelines. Development consent where necessary. Appropriate levels of cleaning and maintenance. Provision of night game lighting and security lighting. Regulated hours of use.	Number of: <ul style="list-style-type: none"> un-met community use needs per year; complaints about maintenance and hygiene; Maintenance inspections per annum; Comments about the adequacy of the building/s for efficient operation, community needs, maintenance and storage; Reported incidents of user conflict/ vandalism. Regular inspection of structures to identify maintenance requirements; works/ maintenance activities undertaken in accordance with Operational Plan
Informal Recreation e.g. running walking, ball games.	Allow activities which are suitable within Sportsground and Parks	Self-regulation.	<ul style="list-style-type: none"> Community feedback about activity.
Littering and rubbish dumping	Prohibit: <ul style="list-style-type: none"> Littering; rubbish dumping 	Provision of suitable and accessible litter bins. Education, signage and penalties.	Complaints and evidence of litter and rubbish dumping.
Outdoor Performance Area	Allow for the provision of outdoor performances and performance	Regulation by Council.	Number of:

SCHEDULE OF LAND MANAGEMENT STRATEGIES			
Management Issue	Objectives & Performance Targets	Means of Achievement	Manner of Assessment
	space where appropriate with minimal impact on regular or seasonal sporting allocation and neighbouring home owners.	Provision of facility in appropriate locations.	<ul style="list-style-type: none"> • Comments received about public acceptance of the outdoor performances; • Bookings per annum.
Outdoor seating, concession/s: Refreshment kiosks (food shops and mobile refreshment facilities).	Allow the licensing of outdoor seating concessions, refreshment kiosks (food shops), and mobile refreshment facilities (e.g. ice cream, donut, coffee vans).	Enter into appropriate Licence Agreement, contingent on: <ul style="list-style-type: none"> • Land Use Zoning; • Categorisation of Land • Notified purpose of Crown reserve. 	Number of: <ul style="list-style-type: none"> • Licences issued; • Incidents of non-compliance with the terms & conditions of approval and/or Licence.
Outdoor Furniture	Allow for the provision of adequate furniture, such as tables, seats, bins, and barbeques, etc. at suitable locations. Create a comfortable setting for users, both aesthetically and functionally. Allow the installation and use of gas or electric barbeques. Allow the use of portable barbeques, with the exception of wood fire barbeques.	Complement and be consistent with the local theme. Appropriate design, siting, use of materials and erection of furniture. Design, locate and maintain permanently installed barbeques. Provision of an adequate number of barbeques. Use of regulatory signs. Compliance with relevant Development Control Plan.	Number of: <ul style="list-style-type: none"> • Complaints about suitability of location and style; • Incidents of non-compliance with relevant Council Codes, Policies and Regulations; • Reported failures; • Reported accidents; • Comments about community satisfaction or opportunity to provide input.
Parking and Traffic	Allow adequate safe and convenient parking and traffic flow. Prohibit unauthorised vehicle access to sports fields and parkland.	Appropriate layout, design, location and construction of designated parking areas. Provision of emergency and disabled spaces. Identification of pedestrian access-ways. Use of regulatory signs.	Number of: <ul style="list-style-type: none"> • Comments about adequacy of parking; • Vehicle/ pedestrian incidents; • Comments about parking impacts. • Emergency and disabled spaces provided, Evidence or reports of prohibited vehicular access.

SCHEDULE OF LAND MANAGEMENT STRATEGIES			
Management Issue	Objectives & Performance Targets	Means of Achievement	Manner of Assessment
Playground equipment	Allow for play equipment that is safe, stimulating and satisfying.	Regular budget to ensure that equipment meets prevailing minimum safety standards.	Number of: <ul style="list-style-type: none"> • Comments identifying dis/satisfaction; • Reported incidents of vandalism or damage to play equipment. Regular safety inspection & standards reviews.
Public Art	Allow for public artwork in appropriate settings. Engage with community members involved in identified art project/s to identify, commission and erect artworks.	Co-ordination by Council's Gallery and Museum staff. Planning compliance.	Number of <ul style="list-style-type: none"> • comments about public acceptance; • Reported incidents of vandalism & damage to art installations.
Reconciliation	Acknowledge Aboriginal community connection to the land at Carr Confoy.	Consult with Aboriginal Elders and community to determine appropriate siting, design, materials and presentation of signage that acknowledges, highlights and educates about Aboriginal society, history and culture. Liaise with DPE on notified purpose of Crown Reserve, as necessary.	Installation of agreed material. Community interest and feedback.
Security	Allow a secure public environment within the grounds, buildings and facilities.	Appropriate design, siting and materials. Appropriate fencing and lighting. Community education. Use of regulatory signs. Liaison with Police. Installation of security systems. Appointment of security patrols.	Numbers of: <ul style="list-style-type: none"> • Community comments in relation to security; • Incident reports; • Ordinance investigations and prosecutions; • Public liability claims against Council.
Shade/Shelter Structures	Allow structures that will provide shade and shelter for users where appropriate. Allow integration of the structures harmoniously, e.g. aesthetically and	Appropriate design, location and erection of shade structures, in accordance with Development Control Plans. Development consent where necessary	Number of comments: <ul style="list-style-type: none"> • Addressing provision of shade in public areas; • Effectiveness of shade structures in all weather conditions.

SCHEDULE OF LAND MANAGEMENT STRATEGIES			
Management Issue	Objectives & Performance Targets	Means of Achievement	Manner of Assessment
	functionally, with the character of the Sportsground and Park.		<ul style="list-style-type: none"> • Appearance of the structures.
Signage	<p>Allow suitable information regulatory, identification interpretative and directional signs relating to the use and history of the area.</p> <p>Allow the installation of directional signage to various parts of the sporting precinct.</p> <p>Ensure street signage is accurate and adequate</p> <p>Regulate advertising signs.</p>	<p>Appropriate design and siting of signs in accordance with</p> <p>Relevant Development Control Plans</p> <p>Development Consent where necessary.</p>	<p>Number of:</p> <ul style="list-style-type: none"> • User comments. • Ordinance/regulation investigations and prosecutions.
Storage	<p>Allow for the provision of suitable and sufficient storage.</p>	<p>Appropriate layout, design and location.</p> <p>Installation of appropriate facility for purpose.</p>	<p>Number of comments received about inadequate storage facilities.</p>
Trees and other vegetation.	<p>Allow for the planting of screening trees.</p> <p>Allow for the planting of endemic vegetation species to support biodiversity of Natural Areas.</p> <p>Prohibit removal of endemic species from Natural Areas.</p> <p>Prohibit removal of any standing or fallen timber from Natural Areas.</p>	<p>Refer to Environment and Biodiversity Officer to recommend species to support endemic biodiversity of locality.</p> <p>Encourage volunteer/s to assist in managing and maintaining Natural Area.</p> <p>Signage when necessary</p>	<p>Successful growth of plantings.</p> <p>Evidence or complaints of removal of endemic vegetation species or collection/removal of firewood.</p>
Utility and telecommunications and broadcasting services.	<p>Allow for the installation of all services as required for site usage and benefit of wider community.</p> <p>Minimise the visual and environmental impact of communications equipment on site.</p>	<p>Approval by appropriate Statutory/Regulatory Authorities including compliance with the relevant Council codes, policies and regulations, development consent where necessary</p> <p>Construction and installation of necessary services.</p> <p>Liaise with DPE on notified purpose of Crown Reserve, as necessary.</p>	<p>All facilities are adequately serviced, identified and located.</p> <p>Number of objections received from service authorities about the location and quality of services.</p> <p>Number of site utility service installations constructed.</p>

SCHEDULE OF LAND MANAGEMENT STRATEGIES			
Management Issue	Objectives & Performance Targets	Means of Achievement	Manner of Assessment
		Registration of appropriate easements. Grant of lease or licence as necessary.	Number of community comments about the degree of visual & environmental impact.
Water Access	Discourage swimming due to overland drainage and presence of submerged obstacles.	Signage.	Sightings and or comments about sightings of swimmers or watercraft.
Weeds Management	Eradicate or control invasive weed species from all areas of the PoM	Encourage land management volunteers e.g. Bush care group/s, sports club user groups etc. Seek grant funding available for identified weeds control.	Groomed, safe, even and healthy playing fields. Diminution of weed species. Resurgence of endemic species in Natural Areas and Parks. Increased habitat and food source for native fauna.

7. SPORTSGROUND

7.1. CATEGORISING LAND AS SPORTSGROUND

Section 103 of *the LGRegs* - Guidelines for categorisation of land as a sportsground:-

Land should be categorised as a sportsground under Section 36(4) of *the LGA93* if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.

7.2. CROWN LAND IN CARR CONFOY

Eastgrove Park South Carr Confoy is Crown Land under the [Crown Land Management Act, 2016](#)

Reserved from sale, the land identified as the whole of Lots 1 & 2 Section 5 Deposited Plan 979849, Parish of Towrang, County Argyle in the Local Government Area of Goulburn Mulwaree, and known as Eastgrove Park South Carr Confoy was proclaimed reserve 71713 by notification in the NSW Government Gazette of 26 October 1945, for the purpose public recreation, with Goulburn Mulwaree Council appointed the reserve manager. The status remains current.



11. Figure (Extract Crown Portal: Crown Reserve Eastgrove Park South, comprised in Carr Confoy Sportsground and Park

Council submitted notification in accordance with NSW Government guidelines on 1 July, 2019 to advise The Minister administering the CLMA (the Minister), who retains oversight of Crown reserves, that R71713 Eastgrove Park South Carr Confoy is to be categorised as Sportsground. The notification was accepted, with no direction to

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assign another category in the response from DPE-Crown Land dated 17 February 2020.

7.3. LAND AT CARR CONFOY CATEGORISED AS SPORTSGROUND

Please refer to Recommended Categories Schedule and Categorisation Plan in Section 4 of this draft PoM. The Categorisation Plan shows Sportsground highlighted in orange.

Land at Eastgrove Park South Carr Confoy being Crown Land, the categorisation must reflect the purpose for which the land has been reserved and notified in the NSW Government Gazette.

7.4. CORE OBJECTIVES OF SPORTSGROUND

Section 36F of the *LG Act 1993* provides that the core objectives for management of community land categorised as Sportsground are:

- (a) To encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games; and
- (b) To ensure that such activities are managed having regard to any adverse impact on nearby residences.

Guidelines on categorisation of Community Land are available in Annexure A.

7.5. PERMISSIBLE USES AND DEVELOPMENT - SPORTSGROUND

GENERAL – SPORTSGROUND	
USES & ACTIVITIES	DEVELOPMENTS
<ul style="list-style-type: none"> ▪ Organised and unstructured recreation and sporting activities ▪ Community events and gatherings ▪ Group recreational use, such as picnics and private celebrations ▪ Festivals, parades, markets, fairs, exhibitions and similar events and gatherings ▪ Filming and photographic projects ▪ Providing a location for, and supporting, the gathering of groups for a range of social, cultural or recreational purposes. ▪ Casual or informal recreation ▪ Meetings (including for social, recreational, educational or cultural purposes) 	<ul style="list-style-type: none"> ▪ Development of outdoor and indoor facilities to facilitate the permissible uses and activities. ▪ Development for the purposes of improving access, amenity and the visual character of the land, for example paths, public art, pergolas ▪ Change room/locker areas ▪ Shower/toilet facilities ▪ Car parking and loading areas ▪ Ancillary areas (staff rooms, meeting rooms, recording rooms, equipment storage areas) ▪ Café or refreshment areas (kiosks/restaurants) including external seating ▪ Shade structures ▪ Storage ancillary to sporting and recreational uses, community events or gatherings, and public meetings

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GENERAL – SPORTSGROUND	
USES & ACTIVITIES	DEVELOPMENTS
<ul style="list-style-type: none"> ▪ Concerts, including all musical genres ▪ Performances (including film and stage) ▪ Leisure or training classes ▪ Entertainment facilities 	<ul style="list-style-type: none"> ▪ Provision of amenities to facilitate use and enjoyment of the community land including seating, change rooms, toilets, storage, first aid areas ▪ Heritage and cultural interpretation, e.g. signs ▪ Equipment sales/hire areas ▪ Amenities to facilitate the safe use and enjoyment of the park, for example picnic tables, BBQs, sheltered seating areas ▪ Lighting, paved areas, hard and soft landscaped areas ▪ Advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> ○ relate to approved uses/activities ○ are discreet and temporary ○ are approved by the council ▪ Water-saving initiatives such as stormwater harvesting, rain gardens and swales ▪ Energy-saving initiatives such as solar lights and solar panels ▪ Locational, directional and regulatory signage

SPORTSGROUND SPECIFIC PERMISSIBLE USES AND DEVELOPMENTS	
PURPOSE/USE	DEVELOPMENT TO FACILITATE USES
<ul style="list-style-type: none"> ▪ Active and passive recreational and sporting activities compatible with the nature of the land and any relevant facilities ▪ Commercial uses associated with sports facilities 	<ul style="list-style-type: none"> ▪ Development for the purpose of conducting and facilitating organised sport (both amateur and professional), for example: <ul style="list-style-type: none"> ▪ Sports field (cricket, football, track and field athletics, baseball, softball) ▪ Marked court (basketball, volleyball, badminton, tennis, hockey, netball etc.) ▪ Cycle tracks and velodrome ▪ Swimming pool/aquatic centre and associated parking ▪ Professional rooms associated with the reserve purposes for hire ▪ Facilities for sports training ▪ Compatible, small scale commercial uses, e.g. sports tuition and health, sports physiotherapy ▪ Gymnasiums, exercise classes and activities

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8. PARK

8.1. CATEGORISING COMMUNITY LAND AS PARK

Section 103 of the *LGRegs* - Guidelines for categorisation of land as a Park:-

Land should be categorised as a park in accordance with Section 36(4) of the LGA93, if the land is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational, and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.

8.2. LAND AT CARR CONFOY CATEGORISED AS PARK

Please refer to Recommended Categories and Categorisation Plan in Section 4 of this draft PoM which highlights the Park in yellow.

8.3. THE CORE OBJECTIVES FOR PARK

Section 36G of the LGA93 provides the core objectives for Community Land classified as Park are:

- (a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and
- (b) to provide for passive recreational activities or pastimes and for the casual playing of games, and
- (c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

8.4. PERMISSIBLE USES AND DEVELOPMENT – PARK

GENERAL –, PARK,	
USES & ACTIVITIES	DEVELOPMENTS
<ul style="list-style-type: none"> • Organised and unstructured recreation and sporting activities • Community events and gatherings • Group recreational use, such as picnics and private celebrations • Festivals, parades, markets, fairs, exhibitions and similar events and gatherings • Filming and photographic projects • Providing a location for, and supporting, the gathering of groups for a range of social, cultural or recreational purposes. • Casual or informal recreation 	<ul style="list-style-type: none"> ▪ Development of outdoor and indoor facilities to facilitate the permissible uses and activities. ▪ Development for the purposes of improving access, amenity and the visual character of the land, for example paths, public art, pergolas ▪ Change room/locker areas ▪ Shower/toilet facilities ▪ Car parking and loading areas ▪ Ancillary areas (staff rooms, meeting rooms, recording rooms, equipment storage areas) ▪ Café or refreshment areas (kiosks/restaurants) including external seating ▪ Shade structures ▪ Storage ancillary to sporting and recreational uses, community events or gatherings, and public meetings ▪ Provision of amenities to facilitate use and enjoyment of the community land including

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GENERAL –, PARK,	
USES & ACTIVITIES	DEVELOPMENTS
<ul style="list-style-type: none"> • Meetings (including for social, recreational, educational or cultural purposes) ▪ Concerts, including all musical genres ▪ Performances (including film and stage) ▪ Leisure or training classes ▪ Entertainment facilities 	<ul style="list-style-type: none"> seating, change rooms, toilets, storage, first aid areas ▪ Heritage and cultural interpretation, e.g. signs ▪ Equipment sales/hire areas ▪ Amenities to facilitate the safe use and enjoyment of the park, for example picnic tables, BBQs, sheltered seating areas ▪ Lighting, paved areas, hard and soft landscaped areas ▪ Advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> ○ relate to approved uses/activities ○ are discreet and temporary ○ are approved by the council ▪ Water-saving initiatives such as stormwater harvesting, rain gardens and swales ▪ Energy-saving initiatives such as solar lights and solar panels ▪ Locational, directional and regulatory signage

ADDITIONAL SPECIFIC CATEGORY PERMISSIBLE PURPOSES, USES AND DEVELOPMENTS - PARK	
PURPOSE/USE	DEVELOPMENT TO FACILITATE USES
<ul style="list-style-type: none"> ▪ Active and passive recreation including children’s play and cycling ▪ Eating and drinking in a relaxed setting ▪ Publicly accessible ancillary areas, such as toilets ▪ Dog leash-free areas ▪ Low-intensity commercial activities (for example recreational equipment hire) ▪ Busking ▪ Public address (speeches) ▪ Community gardening 	<ul style="list-style-type: none"> ▪ Development for the purposes of active recreation such as play equipment, exercise equipment, bike racks, half-court basketball courts, bocce courts, multi-purpose courts, ▪ Commercial development that is sympathetic to and supports use in the area, for example hire of recreation equipment, ▪ Definition or delineation of areas for use, e.g: fencing.

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9. NATURAL AREA

Land should be categorised as a natural area Section 36(4) of the LGA93 if the land possesses a significant geological or geomorphological feature, landform, representative system or other natural feature or attribute that suggests further categorisation as bushland, wetland, escarpment, watercourse or foreshore.

9.1. LAND CATEGORISED AS NATURAL AREA WATERCOURSE

Please refer to Recommended Categories Schedule and Categorisation Plan in [Section 4](#).

9.2. THE CORE OBJECTIVES FOR NATURAL AREA

Section 36E of the LG Act 1993 prescribes the core objectives for management of community land categorised as a natural area as:

- (a) to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and
- (b) to maintain the land, or that feature or habitat, in its natural state and setting, and
- (c) to provide for the restoration and regeneration of the land, and
- (d) to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and
- (e) to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*.

The Mulwaree Ponds form the western boundary of Carr Confoy and in meets with the Guidelines for Watercourse

The core objectives for management of community land categorised as a Natural Area Watercourse under Section 36M of the *LG Act 1993* are to:

- (a) manage watercourses to protect the biodiversity and ecological values of the in-stream environment, particularly in relation to water quality and water flows, and
- (b) manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and
- (c) restore degraded watercourses, and
- (d) promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.

Riparian vegetation protects river banks and provides excellent habitat.

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9.3. WATER COURSE – MULWAREE PONDS

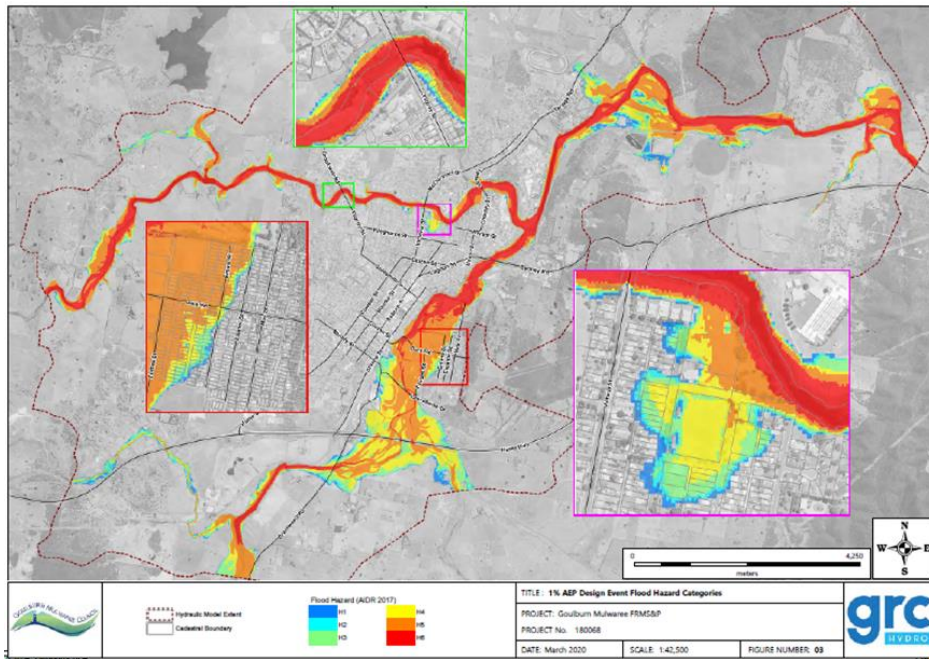
Carr Confoy is bound by the Mulwaree Ponds to the west.

NSW Fisheries Management Act, 1994 defines key fish habitat as including:

“Any area that is occupied, or periodically or occasionally occupied, by fish or marine vegetation (or both), and includes any biotic or abiotic component.”

Figure 10 following is extracted from the Goulburn Flood Risk Management Study and Plan undertaken by GRC Hydro, showing the extent of 1% (1 in 100 year event). Note that such a flood event is envisaged to inundate Carr Confoy.

While the full extent of the identified flood area is Riparian Zone, the land under grassed playing field is primarily categorised sportsground. However, the Plan of Categorisation, at figure 6, identifies the extent of the Riparian Zone by black hatching. The riparian zone immediately adjacent to the permanent watercourse is highlighted violet denoting Natural Area Watercourse.



12. Figure Extract of the 2022 Goulburn Flood Risk Management Study

Goulburn Flood Risk Management Study and Plan, adopted August 2022 and associated new Development Control Plan Chapter 3.8 Flood Affected Lands which commenced on Friday 23 September, 2022 is available at <https://www.goulburn.nsw.gov.au/Development/Plans-Strategies#section-7> and reveals that the entire Carr Confoy precinct is in the 1% AEP Zone. A 1% AEP means there is a 1% chance in any given year of the event occurring.

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9.4. VEGETATION

The strip of land adjoining the Mulwaree River reveals severely degraded vegetation area with a strip planting of native trees, comprised of mostly River She Oak (*Casuarina cunninghamiana*) and Ribbon Gums (*Eucalyptus viminalis*), with some Wattles (*Acacia spp*). Additional tree plantings include Ribbon Gums and Cabbage Gums (*Eucalyptus amplifolia*) adjacent to the Park Road and the Mulwaree River crossing and additionally one Snow Gum (*Eucalyptus pauciflora*) and one Black Sally Gum (*Eucalyptus*) to the east and adjacent to Park Road.

The understorey/groundcover throughout is almost entirely dominated by exotic weedy species, including Phalaris (*Phalaris aquatica*), Yorkshire Fog (*Holcus lanatus*), Cock’s Foot (*Dactylis glomerata*), Hemlock (*Conium maculatum*), Curled Dock (*Rumex crispus*) and Cleavers (*Galium aparine*). Aside from a thin fringe of Common Reed (*Phragmites australis*) along the banks of the river, essentially no naturally occurring vegetation is present on the site.

For a full report on the flora evident in the Natural Area Watercourse, Carr Confoy, refer to Natural Areas Biodiversity Condition Report at Annexure D.

9.5. FAUNA

While the trees evident on Carr Confoy identify as potential breeding habitat for arboreal fauna, few fauna species were recorded on the days of the site inspections. While the relatively dense groundcover beneath the trees and in proximity of the river may provide potential habitat for a range of reptile species, none were sighted. However, on the day of inspection one frog species was identified by its call, being an Eastern Common Froglet (*Crinia signifera*).

For a full report on the fauna of the Natural Area WA Carr Confoy, refer to Natural Areas Biodiversity Condition Report at Annexure D.

9.6. PERMISSIBLE USES AND DEVELOPMENT – NATURAL AREA

GENERAL –, NATURAL AREA ,	
USES & ACTIVITIES	DEVELOPMENTS
<ul style="list-style-type: none"> ▪ Passive recreation ▪ Bush care 	<ul style="list-style-type: none"> ▪ walkways, ▪ pathways, ▪ bridges, ▪ causeways, ▪ observation platforms, ▪ signs ▪ Any building i.e. shed or kiosk is temporary and must be removed at the completion of agreed term and the land restored to its original condition.

10. AREA OF CULTURAL SIGNIFICANCE

Land should be categorised as an Area of Cultural Significance Section 36(5) of the LGA93, if the land possesses features or reference to Aboriginal or European historical, cultural, or social values.

10.1. THE CORE OBJECTIVES FOR CULTURAL SIGNIFICANCE

Section 36H of the LGA93 prescribes the core objectives for management of community land categorised as an area of Cultural Significance are:

To retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future generations by the active use of conservation methods.

Conservation methods may include any or all of the following:

- (a) the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance,
- (b) the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material,
- (c) the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state,
- (d) the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact),
- (e) the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land.

Conservation to land includes a reference to any buildings erected on the land.

10.2. LAND CATEGORISED AS AREA OF CULTURAL SIGNIFICANCE

The land of Carr Confoy Sportsground is considered by the local Aboriginal People as Area of Cultural Significance. The land formerly accommodated Aboriginal Corroboree, with encampments in the hills to the east and its proximity to Lansdowne Park to the south, which is known for the Aboriginal 'cemetery'.

Members of the Aboriginal community have agreed that use of the land as sportsground is respectful and offers significant community benefit. An acknowledgement of Aboriginal cultural significance, to inform, educate and evidence connection will best serve the wider community.

As the flood plains at Eastgrove provided the People of the First Nations a place to meet and celebrate it is essential to identify that the area continues to have Cultural Significance. Consequently, the Categorisation Plan shows Brown Hatching to remark that Cultural Significance.

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Please refer to Recommended Categories and Categorisation Plan in section 4 of this draft PoM. The Categorisation Plan shows brown cross hatching over the entire area to remark the Cultural Significance of the area.

Mapping and pictorial references to Aboriginal community connection with the land is referenced in Annexure F.

10.3. PERMISSIBLE PURPOSES, AUTHORISED USES AND DEVELOPMENT – AREA OF CULTURAL SIGNIFICANCE

As the Area of Cultural Significance is a blanket categorisation over all areas of Carr Confoy the permissible uses for Sportsground, Park and Natural Area Watercourse prevail in those areas so categorised. Please refer to Figure 6 Categorisation Plan.

10.4. REGULATIONS SPECIFIC TO AREAS OF ABORIGINAL CULTURAL SIGNIFICANCE

Section 112 of the LGA Regulations provides the following instructions Consultation concerning categorisation of land as an area of cultural significance

Council when considering whether land is an area of Aboriginal significance in accordance with the LGA must give notice of that consideration to Aboriginal people traditionally associated with the area in which the land is situated.

Such notice must be addressed in writing to the following interested parties:

- the Local Aboriginal Land Council for the area concerned,
- New South Wales Native Title Services Limited (ACN 098 971 209),
- the Registrar appointed under the Aboriginal Land Rights Act 1983,
- the Secretary of the Department of Premier and Cabinet,
- the Secretary of the Department of Planning and Environment.

Further such notice is to be published and posted:

- on Councils website;
- in any other manner that the council considers necessary to bring it to the attention of Aboriginal people traditionally associated with the area in which the land is situated, and
- by placing a written notice on the land in a position where the notice is visible to any person on adjacent public land.

The notice must state that

- submissions may be made to the Council by any Aboriginal person traditionally associated with the area in which the community land is situated, and
- submissions will be received by Council for a period of not less than 28 days after the date on which the notice is given,

Council must not make a final determination on that matter unless the council has considered any submissions by Aboriginal people traditionally associated with the area in which the community land is situated.

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11. EXPRESS AUTHORISATION TO LEASE, LICENCE AND GRANT OTHER ESTATES

The LGA93 requires that any lease, licence or other estates over community land must be expressly authorised by a PoM and provides a guideline on the types of purposes for which tenure may be granted by category of land.

Lease

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 preschool is likely to require exclusive occupation of the premises for safety of its charges.

Subleases are only allowable for the same purpose as the original lease, except for a handful of exceptions listed in Section 26, LGRegs.

Rent for leases of community land and facilities is negotiated from the statutory minimum and user ability to pay.

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 kiosk may be used by the kiosk patrons at some periods, but not all the time. Licences are commonly used for sports facilities such as club houses.

Other Estates

The term 'other estates' includes other interests, charges, rights or titles in relation to the land (an example is easements). The CLMA therefore requires that where a council is performing ongoing works on Crown land it must ask the minister responsible for the CLMA to create an easement for access. The minister must grant the easement if satisfied that it is appropriate to do so.

Granting a Lease or Licence

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.

Section 46A of the LGA93 specifies the use of tenders for prospective tenancies for terms exceeding 5 years and make tenders optional for shorter lease terms, except for non-profit organisations. Please refer to **Annexure A** for details.

New and renewal leases or licences and user agreements shall be considered by GMC for Council and Crown Land in Carr Confoy, provided that the intended use:

- is consistent with the core objectives for the category of the land;
- is consistent with the proclaimed purpose of the Crown reserve;
- is permissible under the zoning;
- is in the best interests of the community as a whole,
- enables, wherever possible, shared use of community land

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- the lease, licence or other estate is for a permitted purpose listed in the LGA93 or the LGRegs.
- the issue of the lease, licence or other estate and the provisions of the lease, licence or other estate of Crown land can be validated by the provisions of the *Native Title Act 1993*;
- That the Crown 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 LGA93 or the *LGRegs*;
- 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.

For a schedule of leases and licences or other occupancy agreements on Carr Confoy Sportsground and Park please refer to **Annexure G**.

Lease or Licence?

The main difference between a lease and licence is that a licence does not permit the sole, or exclusive use of the identified 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 term of up to 21 years. However, under Section 47(5) of the LGA93, a council may make an application for consent from the Minister for Local Government for a lease term of up to 30 years maximum.

Short-Term Licences

There are specific limitations on short-term licenses under Section 116 of the LGRegs.

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 and casual bookings are charged in accordance with Council's adopted Fees & Charges.

11.1. NATIVE TITLE AND ABORIGINAL LAND RIGHTS

When planning to grant a lease or licence over Crown Land, Council must comply with the requirements of the Commonwealth *Native Title Act 1993* and consider any existing claims made on the land under the NSW *Aboriginal Land Rights Act 1983*.

The CLMA 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;

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- 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 CLMA, because native title rights have not been:

- extinguished by Native Title Tribunal Determination under the *Native Title Act 1993* (Cwth); or
- surrendered through an Indigenous Land Use Agreement (ILUA); or
- protected under section 24FA of the *Native Title Act 1993*; or
- compulsorily acquired; and
- a native title certificate has not been issued under the CLMA.

11.2. 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 *Native Title Act 1993*. Granting a lease or licence over Crown land may be a future act.

Certain types of future acts can be validated under the *Native Title Act 1993*. Where future acts are undertaken, native title claimants and holders are entitled to specific procedural and substantive rights. Consequently, the written advice of a native title manager is required. The advice must state that the act complies with the NT Act 93 and any necessary procedural requirements must be fulfilled prior to the act taking place.

11.3. TENURES ON SPORTSGROUNDS

SPORTSGROUND	
TENURE	PURPOSE FOR WHICH TENURE MAY BE GRANTED
LEASE	<ul style="list-style-type: none"> ▪ kiosk, café, restaurant and refreshment purposes including seating and tables ▪ management of tracks and training areas, court or field and other facilities associated with the reserve purposes ▪ sporting uses developed/operated by a private operator ▪ commercial retail uses associated with the facility (e.g. sale or hire of sports goods) ▪ hire or sale of recreational equipment
LICENCE	<ul style="list-style-type: none"> ▪ Indoor and outdoor kiosk, café, restaurant and refreshment purposes including seating and tables ▪ management of tracks and training areas, court or field and other facilities associated with the reserve purposes ▪ hire or sale of recreational equipment
SHORT-TERM LICENCE	<ul style="list-style-type: none"> ▪ sporting fixtures and events ▪ sports and fitness training and classes ▪ broadcasting or filming of sporting fixtures

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	<ul style="list-style-type: none"> ▪ ancillary ceremonies (for example, rehearsal of opening and closing ceremonies, cheer squads, etc.) ▪ uses reasonably associated with the promotion or enhancement of sporting groups, fixtures and events (for example, “guest’ events for juniors; gala days; club meetings) ▪ Shows and exhibitions ▪ Community events
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>

11.4. TENURES ON PARK

PARK	
TENURE	PURPOSE FOR WHICH TENURE MAY BE GRANTED
LEASE	<ul style="list-style-type: none"> ▪ café/kiosk areas, including seating and tables ▪ hire or sale of recreational equipment
LICENCE	<ul style="list-style-type: none"> ▪ outdoor café/kiosk seating and tables ▪ hire or sale of recreational equipment
SHORT-TERM LICENCE	<ul style="list-style-type: none"> ▪ community events and festivals ▪ playing a musical instrument, or singing for fee or reward ▪ picnics and private celebrations such as weddings and family gatherings ▪ filming, including for cinema/television ▪ conducting a commercial photography session ▪ public performances ▪ engaging in an appropriate trade or business ▪ delivering a public address ▪ community events ▪ fairs, markets, auctions and similar activities
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>

11.5. TENURES ON NATURAL AREA

NATURAL AREA - WATERCOURSE	
TENURE	PURPOSE FOR WHICH TENURE MAY BE GRANTED
LEASE	<ul style="list-style-type: none"> ▪ Information kiosk ▪ Refreshments kiosk ▪ Works or storage shed for work related to the land ▪ Any temporary structure for a filming project ▪ signs
LICENCE	<ul style="list-style-type: none"> ▪ Information kiosk ▪ Refreshments kiosk ▪ Works or storage shed for work related to the land ▪ Any temporary structure for a filming project
SHORT-TERM LICENCE	<ul style="list-style-type: none"> ▪ community events and festivals, ▪ playing a musical instrument, or singing for fee or reward, ▪ picnics and private celebrations such as weddings and family gatherings, ▪ filming, including for cinema/television, ▪ conducting a commercial photography session, ▪ public performances, ▪ engaging in an appropriate trade or business, ▪ delivering a public address, ▪ community events, ▪ fairs, markets, auctions and similar activities.
NATURAL AREA - WATERCOURSE	
TENURE	PURPOSE FOR WHICH TENURE MAY BE GRANTED
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>

However in all instances in respect of Natural Area the land must be restored to the condition, as at the time, the tenure was granted, by the lessee.

11.7. EXPRESS AUTHORISATION – SPORTSGROUND AND PARK

The express authorisation and granting of leases licences and other estates over the community land in this Plan of Management, categorised as Sportsground and Park ensures that the core objectives are being addressed and fulfilled.

LEASES AND LICENSES TO SPORTING ASSOCIATIONS & INCORPORATIONS		
OBJECTIVES	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT
<p>Encourage, promote and facilitate recreational pursuits and social activities in the community involving organised and informal sporting activities and games.</p> <p>Ensure such activities are managed to eliminate any adverse impact on nearby residences.</p> <p>Provide community facilities to the satisfaction of the community.</p> <p>Provide parking as an ancillary use.</p>	<p>Enter into lease agreements at community based rent or fee scale set in prevailing Schedule of Fees and Charges</p> <p>Permit subleases or hire arrangements in order to achieve intended uses, targets and objectives for the facilities.</p> <p>Number of comments in relation to equitable access to the sporting associations.</p>	<p>Number of comments from nearby residences in relation to any adverse impact on their living environment in relation to the use of the playing fields.</p> <p>Number of comments in relation to the quality of the playing surface and the condition of facilities</p>
ANNUAL SPORTING ALLOCATIONS		
<p>GMC Sport Council arranges allocation of sporting facilities to ground users on a seasonal basis.</p>		
OBJECTIVES	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT
<p>Encourage, promote and facilitate recreational pursuits and social activities in the community involving organised and informal sporting activities and games.</p>	<p>Ensure periodic licence agreements are granted to responsible sporting associations to occupy sites for the running of training and sporting competitions for the benefit of the community.</p>	<p>Number of comments in relation to equitable access to the sporting association.</p> <p>Number of comments from nearby residences in relation to any adverse impact on their living environment.</p> <p>To eliminate or manage any adverse impact on nearby residences.</p> <p>Provide community facilities to the satisfaction of the community.</p> <p>Allow subleases or hire arrangements in order to achieve intended uses, targets and objectives in the area. the use of the playing fields</p>

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		Number of comments in relation to the quality of the playing surface and the condition of facilities
COMMUNITY FAIRS		
Community gatherings such as ‘Pictures and Popcorn’, festivals, circuses, fairs and like events are a significant aspect of Goulburn’s leisure activities. Council traditionally supports these types of events through making various sites available for use through short term licence or hire agreements.		
OBJECTIVES	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT
Provide large outdoor venues for festivals, fairs and community based picnics to encourage, promote and facilitate recreational pursuits and social activities. Ensure such activities are managed to minimise adverse impact on nearby residences and the sportsground playing field.	Licence access to sportsgrounds as large outdoor venues with as little disruption as possible to allocated sporting groups, Development consent where necessary, Enter into appropriate short term licence/hire agreements.	Number of incidents of non-compliance with consent conditions. Licence agreements are finalised. Number of comments from nearby residences in relation to any adverse impact on their living environment.
REFRESHMENT KIOSKS		
OBJECTIVES	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT
Allow the licensing of mobile or fixed outdoor concessions, kiosks or cafes as approved by Council. Permissible on area defined in lease or licence agreement. Avoid conflict with casual vendors and canteen operations.	Council approval, Lease or licence in place. Lease or license holders take precedence over casual street vendors.	Managing and reporting incidence of noncompliance with terms of lease or licence. Control number of lease or licences issued.
BROADCAST RELAY TOWER		
OBJECTIVES	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT
Allow ground lease for installation of relay tower to serve low lying area of Eastgrove and surrounds access to reliable television reception.	Lease to suitable provider with all liability for installation, service, safety maintenance and restoration of site, upon termination of lease.	Number of comments from residents receiving from relay tower.
GRANTING OF OTHER ESTATES		
This Plan of Management expressly authorises the granting of other estates as outlined. In order to facilitate surrounding development, Council has traditionally made its land		

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available for drainage purposes. In this respect Council has set the following intended use/target strategies/objectives, means of achievement and manners of assessment.		
DRAINAGE OPPORTUNITIES		
OBJECTIVES	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT
Provision of drainage over Sportsgrounds and Park for surrounding properties. To minimise the financial burden on ratepayers in the provision and maintenance of sportsgrounds.	Granting of easements to drain water where appropriate. Current market valuations for compensation payable.	Registration of easements to drain water. Receipt of compensation as determined.

11.8. EXPRESS AUTHORISATION – NATURAL AREA - WATERCOURSE

The express authorisation and granting of leases, licences and other estates over the community land in this Plan of Management, categorised as Natural Area is to ensure the land is protected, potentially enhanced and to ensure that the core objectives are being addressed and fulfilled.

LEASES AND LICENCES FOR - NATURAL AREA - WATERCOURSE		
OBJECTIVES	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT
Protection of ecological biodiversity, Preserve or improve water quality & flow, Preserve riparian embankments, Promote community education. Discourage use of watercourse at this location for recreational pursuits.	Grant conditional short term licence that permit land use without the erection of permanent structures. Enter into Licence agreements for access to undertake riparian zone identified weed and or waste management. Permit occupancy agreements that coincide with item 11.3, for contiguous land. Use of signage to discourage entry to watercourse.	Limited number of Licenses, Number of licence breaches, Interval inspection of condition of riparian zone. Evidence of weeds & waste management and embankment condition. Number of comments or sightings of watercourse usage.
GRANTING OF OTHER ESTATES - NATURAL AREA - WATERCOURSE		
EASEMENT FOR DRAINAGE		
OBJECTIVES	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT
Provision of drainage over Natural Area Watercourse for surrounding properties. To minimise the financial burden on ratepayers in riparian zone care.	Granting of easements to drain water where appropriate. Current market valuations for compensation payable.	Registration of easements to drain water. Receipt of compensation as determined.

11.9. EXPRESS AUTHORISATION - AREA OF CULTURAL SIGNIFICANCE

The express authorisation and granting of leases licences and other estates over the community land in this Plan of Management, categorised as Area of Cultural Significance ensures that the core objectives are being addressed and fulfilled.

LEASES AND LICENCES FOR – AREA OF CULTURAL SIGNIFICANCE		
OBJECTIVES	MEANS OF ACHIEVEMENT	MANNER OF ASSESSMENT
<p>Create context of the cultural significance.</p> <p>Introduction of new material that will reinforce the cultural significance of the land.</p> <p>Preservation of the land, as open space used for recreational purposes.</p>	<p>Acknowledgement of Aboriginal Peoples use of the land.</p> <p>Installation of culturally relevant interpretive and educational material.</p> <p>Consultation with local Aboriginal groups to develop suitable permanent exhibition matter.</p> <p>All of the land in this PoM is identified as flood prone.</p> <p>Crown land in this PoM is proclaimed for purpose of public recreation.</p> <p>Council community land in this PoM is primarily classified as Sportsground.</p>	<p>Successful installation of Interpretive material.</p> <p>Evaluation of comments received.</p> <p>Continued use of Carr Confoy Sportsground and Park including Eastgrove South Carr Confoy for large community gatherings, regular and irregular sporting events.</p>

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12. FUTURE MANAGEMENT

This draft PoM has been prepared after consultation with a range of stakeholders both within Council and across the wider community, to collate the social values and management issues for guidance in the management of Council’s community land.

The land included in this site-specific draft PoM has been identified as having the following Classifications, assigned in accordance with the guidelines of the LGA93 and LGRegs and due consideration to the purpose of the Crown Reserve.

Natural Area Watercourse	Riparian zone of the Mulwaree Ponds (river).
Park	Community land identified for passive recreation.
Sportsground	Community land identified for active recreation.
Hatched	Area of Cultural Significance Community land identified as having cultural significance to our Aboriginal communities.

Categorising community land, open community consultation, exhibition of the draft PoM and making the PoM available upon adoption by Council, provides a basis for Council to engage with the community to:

- make clear Council's obligation to stakeholders;
- encourage ongoing planning discussions to ensure that this and plans of management generally, continue to address best land management practices;
- provide opportunities for visitors to this site and members of our community to actively participate in ensuring ongoing utility, preservation, and significance of these community resources.

Future management of community land must balance recognition of the social, natural and cultural heritage of these assets in Goulburn Mulwaree local government area with response to contemporary social requirements. Management and planning principals for community land must offer sufficient flexibility to consider and embrace the concepts and values that reflect or accommodate changing: circumstances; social values as well as land management practices.

PoMs are dynamic documents with the consequence that this PoM will be subject to review at 8 yearly intervals, to ensure the objectives and strategies reflect both legislated and community expectations and so Council may continue to meet its obligations.

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A. LEGISLATIVE REQUIREMENTS

1.1. LOCAL GOVERNMENT ACT 1993 COMMUNITY LAND PROVISIONS

The minimum requirements for a Plan of Management under [Local Government Act 1993](#) are that the plan must:

- categorise the land in accordance with s.36(4) and 36(5);
- contain objectives for the management of the land;
- contain performance targets
- specify the means of achieving the objectives and performance targets;
- specify how the achievement of the objectives and performance targets is to be assessed (s.36(3));
- describe the condition of the land as at the date of the adoption of the plan of management;
- describe any buildings on the sites as at the date of adoption of the plan of management;
- describe the usage of all land and buildings covered in the plan of management as at the date of adoption;
- state the use for which the land will be allowed to be used, the scale and intensity of that use (s.36(3A)).
- Plans of management should not be inconsistent with any environmental planning instrument, applying to the land covered under a Plan of Management.

1.2. GENERAL DESCRIPTION - CATEGORIES OF COMMUNITY LAND

Section 36(4) of the Local Government Act, 1993 state: all community land must be categorised as one or more of the following:

- A Natural Area (NA);
- A Sportsground (SG);
- A Park (PK);
- An Area of Cultural Significance (CS): and
- General Community Use (GC).
- Section 36(5) of the Act states: land that is to be categorised as Natural Area is to be further categorised as one or more of the following:-
 - Bushland (BU);
 - Wetland (WE);
 - Escarpment (ES);
 - Watercourse (WA);
 - Foreshore (FO); and/or a category prescribed by Sections 10 to 19 of the Local Government (General) Regulations, 2005.

Council has or will prepare/d generic plans of management for sportsgrounds, parks, and general community use areas and is in the process of drafting site specific plans of management for natural areas, areas of cultural significance and other sites as appropriate, including Crown land classified as Community Land and managed by Council in accordance with the Crown Land Management Act, 2016.

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1.3. REGULATION GUIDELINES

The Local Government (General) Regulation 2005 under the LGA93 Part 4 Community Land, Division 1, Section 36(4) and 36(5) establishes clear guidelines for the categorisation of Community Land which are summarised as:

1.3.1. NATURAL AREA

Land should be categorised as a natural area if the land possesses a significant geological or geomorphological feature, landform, representative system or other natural feature or attribute that suggests further categorisation as bushland, wetland, escarpment, watercourse or foreshore.

Land impacted by any of the following Legislation must be categorised as natural area.

- *Threatened Species Conservation Act 1995*
- *Fisheries Management Act 1994*

1.3.2. BUSHLAND

Natural area should be further categorised as bushland if the land contains primarily native vegetation and that vegetation that represents or is the remainder of the natural vegetation of the land;

Such land includes bushland whether undisturbed, moderately disturbed or highly disturbed with a mix of tree ages, and natural regeneration, where the understorey is comprised of native grasses and herbs or native shrubs, and that contains a range of habitats for native fauna (such as logs, shrubs, tree hollows and leaf litter) and regardless of exotic or weed species, may be revegetated or rehabilitated.

1.3.3. WETLAND

Natural area should be further categorised as wetland if the land includes marshes, mangroves, backwaters, billabongs, swamps, sedge-lands, wet meadows or wet heathlands that form a water-body that is inundated cyclically, intermittently or permanently with fresh, brackish or salt water, whether slow moving or stationary.

1.3.4. ESCARPMENT

Natural area should be further categorised as an escarpment if the land includes such features as a long cliff-like ridge or rock or the land includes significant or unusual geological, geomorphological or scenic qualities.

1.3.5. WATERCOURSE

Natural area should be further categorised as a watercourse if the land includes any stream of water, whether perennial or intermittent, flowing in a natural modified or artificial channel that has changed the course of the stream of water, and any other stream of water into or from which the stream of water flows, and the associated riparian land or vegetation, including land that is protected land for the purposes of:

- *Rivers and Foreshores Improvement Act 1948*; or
- *Native Vegetation Conservation Act 1997*;

being State protected land identified in an order under section 7.

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1.3.6. FORESHORE

Natural area should be further categorised as foreshore if the land is situated on the water's edge and forms a transition zone between the aquatic and terrestrial environment.

1.3.7. SPORTSGROUND

Land should be categorised as a sportsground under section 36(4) of the Act if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.

1.3.8. PARK

Land should be categorised as a park if the land is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.

1.3.9. AREA OF CULTURAL SIGNIFICANCE

Land should be categorised as an area of cultural significance if the land is an area of Aboriginal significance because the land has been declared so under the *National Parks and Wildlife Act 1974*; or is significant to Aboriginal people in terms of their traditional or contemporary social, spiritual or cultural values.

Further, land should be categorised as an area of cultural significance by virtue of visual or sensory appeal or landmark/s of technical qualities such as architectural excellence, or an area of archaeological significance containing evidence of past human activity whether intact or ruined;

1.3.10. GENERAL COMMUNITY USE

Land should be categorised as general community use if the land may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public and does not satisfy the guidelines for categorisation as natural area, sportsground, park or area of cultural significance.

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1.3.11. AUTHORISATION TO LEASE, LICENCE AND GRANT OTHER ESTATES

Following are excerpts from the *Local Government Act 1993* specifically addressing leases, licences and other estates over community land:

46A MEANS OF GRANTING LEASES, LICENCES AND OTHER ESTATES

- A plan of management is to specify the purposes for which a lease, licence or other estate may be granted only by tender.
- A lease or licence for a term exceeding 5 years may be granted only by tender, unless it is granted to a non-profit organisation.

47 LEASES, LICENCES AND OTHER ESTATES IN RESPECT OF COMMUNITY LAND—TERMS GREATER THAN 5 YEARS

Should council seek to grant a lease in excess of 5 years over community land under a Plan of Management it must:

- give public notice of the proposal (including on the council's website), and
- exhibit notice of the proposal on the land to which the proposal relates, and
- notify adjoining land owners and occupants, and
- notify any other owner or occupier of land in the vicinity of the community land, if the proposal may interrupt the person's enjoyment of the community land.
- Public notice of the proposal must include:
 - identify the community land concerned,
 - the purpose for which the land will be used under the proposed lease,
 - the term of the proposed lease, (including details of options for renewal)
 - the name of the proposed lessee (if known)
- an invitation, open for no less than 28 days to submit in writing, to the council, concerns arising from the proposed lease.
- Any person may make a submission in writing to the council during the period specified for the purpose in the notice.
- The council must consider all submissions.
- The council must not grant the lease, licence or other estate except with the Minister's consent, if—
 - a person makes a submission by way of objection to the proposal, or
 - a lease term (including any option for renewal) exceeds 21 years.
- An application for Minister's consent, must include:
 - a copy of the plan of management for the land,
 - details of all objections received, a statement setting out, each objection, the council's decision and the reasons for its decision,
 - a statement setting out all the facts concerning the proposal to grant the lease, licence or other estate,
 - a copy of the public notice of the proposal,

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- a statement setting out the terms, conditions, restrictions and covenants proposed to be included in the lease, licence or other estate,
- if the application relates to a lease or licence for a period (including any period renewal option/s) exceeding 21 years, a statement outlining the circumstances that justify the period of the lease or licence.
- a statement setting out the manner and the extent to which the public interest needs are to be met, would be positively and adversely affected, by the granting of the proposed lease, licence or other estate.

The Minister is directed on the requirement to approve or deny the granting of the lease licence or other estate, with reference to the Minister for Planning and is accountable to any person seeking the reason for Ministers considered decision.

47A LEASES, LICENCES AND OTHER ESTATES IN RESPECT OF COMMUNITY LAND—TERMS OF 5 YEARS OR LESS

This section provides that leases of up to 5 years, including any options for renewal are subject to the same prescriptions for public notification and reference for Ministers consent, in the event of a submission on the basis of an objection to the proposed lease.

47AA SPECIAL PROVISIONS FOR LEASES, LICENCES AND OTHER ESTATES GRANTED FOR FILMING PROJECTS

A council that proposes to grant a lease, licence or other estate in respect of community land under section 47A in order to allow a filming project to be carried out on community land—

- that is critical habitat (as defined in section 36A(1)), or
- that is directly affected by a recovery plan or threat abatement plan, as referred to in section 36B(2), or
- that is declared to be an area of cultural significance under section 36D(1) because of the presence on the land of any item that the council considers to be of Aboriginal significance,

must, in addition to complying with section 47A, notify or advertise the proposal in the manner prescribed by the regulations for the purposes of this section.

a council that is of the opinion that a filming project proposed will have a minor impact on the environment or public amenity may seek submissions for not less than 7 days..

47B LEASE OR LICENCE IN RESPECT OF NATURAL AREA

A lease, licence or other estate must not be granted, in respect of community land categorised as a natural area—

- to authorise the erection or use of a building or structure that is not a building or structure of a kind prescribed by this section or the regulations, or
- to authorise the erection or use of a building or structure that is not for a purpose prescribed by the LG Act or the regulations.

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- A lease, licence or instrument granting any other estate is void to the extent that its provisions are inconsistent with this S47B of the LG Act.
- 'Erection' of a building or structure includes rebuilding or replacement of a building or structure.
- The following buildings and structures are prescribed for the purposes of subsection:
 - walkways, pathways, bridges, causeways, observation platforms and signs.
- The following purposes are prescribed:
 - information kiosks, refreshment kiosks, but not restaurants, work sheds or storage sheds required in connection with the maintenance of the land and toilets or rest rooms.
- A lease, licence or other estate may be granted, in respect of community land categorised as a natural area, to authorise the erection or use of any building or structure necessary to enable a filming project to be carried out, subject to the conditions prescribed by S47B subsection (7) of the LGA and the regulations.
- It is a condition of any lease, licence or other estate referred to in subsection that any building or structure so erected must be temporary in nature, and that as soon as practicable after the termination of the lease:
 - any building or structure erected must be removed, the land must be made good, restored as nearly as possible to the condition that it was in at the time the lease, was granted, at the expense of the person to whom the lease, licence or other estate was granted.

47C SUBLEASE OF COMMUNITY LAND

In addition to any restrictions created by the lease, community land that is the subject of a lease cannot be sublet for a purpose other than:

- the purpose for which, as notified under section 47(2), the land was to be used under the lease, or a purpose prescribed by the regulations.

A lease is void to the extent that its provisions are inconsistent with this section.

47D OCCUPATION OF COMMUNITY LAND OTHERWISE THAN BY LEASE OR LICENCE

The exclusive occupation or exclusive use by any person of community land otherwise than in accordance with—

- a lease, licence or estate to which section 47 or 47A applies, or a sublease or other title directly or indirectly derived from the holder of such a lease, licence or estate, is prohibited.

This section does not apply to:

- the occupation or use of part of the site of a senior citizens' centre or home or community care facility by a duly appointed manager of the centre, or the occupation or use of community land by persons, and in circumstances, prescribed by the regulations.

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47E DEVELOPMENT OF COMMUNITY LAND

No power of a council under an environmental planning instrument to consent to the carrying out of development on community land may be delegated by the council, if:

- the development involves the erection, rebuilding or replacement of a building (other than a building exempted by or under subsection (2) from the operation of this paragraph), or
- the development involves extensions to an existing building that would occupy more than 10 per cent of its existing area, or
- the development involves intensification, by more than 10 per cent, of the use of the land or any building on the land, or
- the location of the development has not been specified in the plan of management applying to the land and the development is likely, in the opinion of the council, to be unduly intrusive to nearby residents.
- The following buildings are exempt:
 - toilet facilities, small refreshment kiosks, shelters for persons from the sun and weather, picnic facilities, structures (other than accommodations for spectators) required for the playing of games or sports, playground structures, work sheds or storage sheds, buildings of a kind prescribed by the regulations.

47F DEDICATION OF COMMUNITY LAND AS PUBLIC ROAD

Community land may not be dedicated as a public road under section 10 of the Roads Act 1993 unless—

- the road is necessary to facilitate enjoyment of the area of community land on which the road is to be constructed or of any facility on that land, and
- the council has considered means of access other than public road access to facilitate that enjoyment, and
- there is a plan of management applying only to the land concerned and provision of the public road is expressly authorised in the plan of management.

The above does not apply where:

- a dedication of land for the purpose of widening an existing public road, or
- a dedication of land for the purpose of other roadworks of a minor character, authorised by the plan of management applying to the land, in respect of existing roads, or
- a dedication of land for the purpose of a road that is the subject of an order under Division 1 of Part 5 of the Roads Act 1993.

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1.4. CROWN LAND MANAGEMENT ACT 2016

S3.23 of the CLM2016 provides for the management of Crown land as if it is Council community land under the Community Land provisions of the [Local Government Act 1993](#).

Council must, as soon as practicable after it becomes the manager of the dedicated or reserved Crown land, assign the land to one or more categories of community land referred to in section 36 of the Local Government Act 1993.

[Item 2 above](#) provides a summary of the Community Land Categorisation from the *Local Government Act 1993* and the guidelines for categorising community land

1.4.1. ADOPTION OF PLANS OF MANAGEMENT

Crown Land Management Act provides that Plans of Management for Crown land are to be prepared and adopted in accordance with the categorisation of land that the Minister administering the Crown Land Management Act has recommended to Council. The Minister's assigned categorisation refers to the purpose for which the land was dedicated or reserved using the categories discussed in Item 1.2 above. The categorisation is always subject to the provisions of the [Crown Land Management Act, 2016](#).

Should the draft first plan of management results in the land being categorised precisely as assigned by the Minister, Council must give public notice of it as required by section 38 of the *Local Government Act, 1993*,

If the land requires an amended or additional categorisation in the draft first Plan of Management, Council must apply to the Minister for concurrence. Amended or additional categories may result in the Crown Land having additional purposes, than for which the reserve or dedication was initially proclaimed. Once Ministers concurrence is granted Council then proceeds to with public notification of the categories applied the land, per S38 of the *Local Government Act, 1993*.

1.4.2. ALTERATION OF LAND CATEGORISATION

The categorisation of land by a plan of management cannot be altered by a further plan of management unless the Minister has given written consent. The Minister cannot give written consent to the alteration of the categorisation of land if the alteration is likely to materially harm the use of the land for any of the purposes for which the land was dedicated or reserved.

A written consent given by the Minister to alter the categorisation of land operates as if the Minister had authorised the land to be used for additional purposes under section 2.14 of the CLM Act that correspond to the purposes for which community land of that category can be used.

An additional purpose does not cease to be an authorised purpose for which the land is dedicated or reserved if the appointed council manager ceases to be the Crown land manager of the land.

While Council manage Crown land as if it were public land under the LG Act, the land must still be managed in accordance with the notified purpose of the reserve or dedicated land and cannot be used for an activity incompatible with its purpose – for

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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 objects and principles of Crown land management outlined in the CLM Act. The objects and 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.

1.4.3. 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.

1.4.4. OCCUPANCY AGREEMENTS - CROWN LAND

Section 2.20 and Section 3.17 of the CLM Act also permits Crown land managers to grant a short-term licence over dedicated or reserved Crown land for any prescribed purpose, as set out in Clause 31 of the Crown Land Management Regulation 2018. Short-term licences are authorised under Section 2.20 and Section 3.17 of the CLM Act for the following purposes:

- | | |
|--|---|
| ▪ access through a reserve | ▪ grazing |
| ▪ advertising | ▪ hiring of equipment |
| ▪ camping using a tent, caravan or otherwise | ▪ holiday accommodation |
| ▪ catering | ▪ markets |
| ▪ community, training or education | ▪ meetings |
| ▪ emergency occupation | ▪ military exercises |
| ▪ entertainment | ▪ mooring of boats to wharves or other structures |
| ▪ environmental protection, conservation or restoration or environmental studies | ▪ sales |
| ▪ equestrian events | ▪ shows |
| ▪ exhibitions | ▪ site investigations |
| ▪ filming (as defined in the LG Act) | ▪ sporting and organised recreational activities |
| ▪ functions | ▪ stabling of horses |
| | ▪ storage |

In addition to any other condition to which a short-term licence granted under section 2.20 of the CLM Act is subject, the condition that the relationship of landlord and tenant is not created between the parties.

The period of one year is prescribed as the maximum term for which a short-term licence may be granted under section 2.20 of the CLM Act (including any further term available under an option or holding over provision).

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1.4.5. CROWN LAND MANAGEMENT COMPLIANCE

Council management of Crown reserves will:

- align with the reserve purposes and additional elements including include conditional attachments to appointment instruments, or compliance requirements with specific or general rules published in NSW Government Gazette;
- comply with any Crown land regulations that are made;
- Where no conditions are attached to a Crown land manager appointment, only one Crown land management rule applies, being:
 - s.3.15 of the CLM Act Granting leases and licences for communication infrastructure-related purposes on Crown land; Crown land managers cannot, under any act (including the Local Government Act 1993), grant any lease or licence authorising:
- the installation or construction of communication infrastructure on Crown land
- the placement of communication infrastructure on Crown land
- the use of communication infrastructure that is located on Crown land
- access to communication infrastructure that is located on Crown land.

However, the rule does not prevent the holder of a holding granted by the Minister administering the Crown Land Management Act 2016 subletting of communication infrastructure, located on Crown land, in accordance with the conditions of a holding granted by the Minister.

1.4.6. NATIVE TITLE MANAGER ADVICE REQUIREMENTS

- Council as the Crown Land Manager cannot do any of the following unless it first obtains the written advice of a native title manager, that it complies with any applicable provisions of the native title legislation:
 - grant leases, licences, permits, forestry rights, easements or rights of way over the land,
 - mortgage the land or allow it to be mortgaged,
 - impose, require or agree to covenants, conditions or other restrictions on use (or remove or release, or agree to remove or release, covenants, conditions or other restrictions on use) in connection with dealings involving the land,
 - 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 in the above points.
- However, the written advice of a native title manager is not required for the sale or other disposal of the land.

A Native Title Managers report was commissioned for the purposes of this Plan of Management and can be viewed in **Annexure E**

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Annexure A

1.5. STATE LEGISLATION

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 which 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 which 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).

ABORIGINAL LAND RIGHTS ACT, 1983

The *Aboriginal Land Rights Act 1983* (ALR Act) seeks to compensate Aboriginal peoples for past dispossession, dislocation and removal of land in NSW (who may or may not also be native title holders). Aboriginal land claims may be placed on any Crown land in NSW. The Department of Planning, and Environment is responsible for investigating claims as defined in the ALR Act. If a claim is established, the land is transferred to the Aboriginal Land Council as freehold land.

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. This Act may affect community land categorised as cultural significance, natural area or park.

BIODIVERSITY CONSERVATION ACT, 2016

This Act covers conservation of threatened species, populations and ecological communities, the protection of native flora and fauna. This Act primarily relates to community land categorised as natural area. However, other categories may also be affected.

The *Threatened Species Conservation Act 1995* has been repealed and superseded by the *Biodiversity Conservation Act 2016*. However, references to the former legislation remain in the LG Act and are therefore retained in this guideline.

DPE's Energy, Environment and Science division advises that recovery plans and threat abatement plans made under the *Threatened Species Conservation Act 1995* were repealed on the commencement of the *Biodiversity Conservation Act* in 2017. These plans have not been preserved by any savings and transitional arrangement under the Biodiversity Conservation Act or LG Act, meaning pre-existing plans have no legal effect.

For this reason, requirements relating to recovery plans and threat abatement plans for local councils preparing plans of management under section 36B of the LG Act are now redundant. Councils will be advised if future amendments are made to the LG Act to enable these mechanisms.

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Certain weeds are also declared noxious under this Act, which prescribes categories to which the weeds are assigned and these control categories identify the course of action to be carried out on the weeds. A weed may be declared noxious in part or all of the state.

FISHERIES MANAGEMENT ACT 1994

The *Fisheries Management Act 1994* (FM Act) includes provisions for the management of state fisheries, including the conservation of fish habitats, threatened species, populations and ecological communities of fish and marine vegetation and management of the riparian zone, waterways and threatened marine/freshwater aquatic species. This relates to community land categorised as natural area (foreshore, watercourse or wetland).

Where an area of community land is declared to be critical habitat, or if that area is affected by a recovery plan or threat abatement plan under Part 7A of the FM Act, a site-specific plan of management will need to be undertaken.

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.

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Annexure A

1.6. COMMONWEALTH LEGISLATION

NATIVE TITLE ACT 1993

Native title describes the rights and interests that Aboriginal and Torres Strait Islander people have in land and waters according to their traditional law and customs. Native title is governed by the Commonwealth Native Title Act 1993 (NT Act).

The NT Act recognises and protects native title rights and interests. The objects of the NT Act are to:

- provide for the recognition and protection of native title
- establish ways in which future dealings affecting native title may proceed and to set standards for those dealings
- establish a mechanism for determining claims to native title
- provide for, or permit, the validation of past acts invalidated because of the existence of native title.

Native title does not transfer the land to the native title holder, but recognises the right to land and water, by providing access to the land and if applicable, compensation for any loss, diminution, impairment or other effect of the act on their native title rights and interests.

All Crown land in NSW can be subject to a native title claim under the NT Act. A native title claim does not generally affect Crown land where native title has been extinguished or it is considered excluded land.

When preparing a PoM, Council is required to employ or engage a qualified native title manager to provide advice and validate acts (developments and tenures) over the reserve, in line with the NT Act. The most effective way to validate acts under the NT Act is to ensure all activities align with the reserve purpose.

If native title rights are found to exist on Crown land, council Crown land managers may be liable to pay compensation for acts that impact on native title rights and interests. This compensation liability arises for local councils whether or not the act was validated under the NT Act.

For further information about native title and the future acts framework see the Crown lands website.

ENVIRONMENTAL PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

This Act enables the Australian Government to join with the states and territories in providing a national scheme of environment and heritage protection and biodiversity conservation. It incorporates threatened species on a national level and with relevance to Matters of National Environmental Significance.

TELECOMMUNICATIONS ACT 1997

This Act provides for telecommunication facilities being permitted on community land without authorisation in a PoM.

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1.7. STATE ENVIRONMENTAL PLANNING POLICIES

- State Environmental Planning Policy (Infrastructure) 2007 lists development allowed with consent or without consent on community land.
- State Environmental Planning Policy (Sydney Drinking Water Catchment) aims to protect quality of surface water and the ecosystems that depend on it and requires that any development is to have a neutral or beneficial effect on water quality.
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 addresses clearing of native vegetation in urban areas and land zoned for public recreation (among other zones).

1.8. OTHER RELEVANT LEGISLATION, POLICIES AND PLANS

Biosecurity Act 2015

Companion Animals Act 1998

Disability Discrimination Act 1992

Local Land Services Act 2013

Pesticides Act 1999

Protection of the Environment Operations Act 1997

Retail Leases Act 1994

Soil Conservation Act 1938

Water Management Act 2000

NSW Invasive Species Plan 2008-2015

National Local Government Biodiversity Strategy

NSW Biodiversity Strategy

Australian Natural Heritage Charter

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ANNEXURE B






- B. PICTORIAL ASSET CONDITION REPORTS
- 1. CARR CONFOY SPORTSGROUND - NORTH OF PARK ROAD
- 1.1. KEY PLAN - SECTION A – NORTH OF PARK ROAD








13. Figure – Key Map - Asset location - Carr Confoy, north of Park Road.

ANNEXURE B






1.2. PICTORIAL ASSET CONDITION REPORT - SECTION A

Map Ref	Description	Condition	Photo
Carr Confoy Fields			
A.1	Cricket Nets: Organised cricket training and informal use.	Good	
A.2	Cricket Wicket – A: Competition cricket	New	
A.3	Cricket Wicket – C: Competition cricket	New	
A.4	Cricket Wicket – B: Competition cricket	New	
A.5	Cricket Wicket – D: Competition cricket	New	






ANNEXURE B

A.6	Shelter A: Field C.	Good	
A.7	Shelter B: Field A.	Good	
A.8	Perimeter Fencing: Combination of: Rural wire fencing; copper-log fencing; bollards - recycled plastics.	Good	
A.9	Bore: Used to supplement irrigation system.	To be retired pending installation of Re-use Scheme	
A.10	Water Fill Station:	Good	
A.11	Bin Cage: Storage of waste bins.	Good	
A.12	Car park A: Sealed car park.	Good	



ANNEXURE B

	80 car spaces; one accessible car space.		
A.13	Car Park B: Un-sealed car park	Fair	
A.14	Field Lighting & towers: 6 halogen light towers; Lux level too low for higher level competition; Two stanchions sited within cricket field of play.	Poor to fair. Planned upgrade for competition play.	
A.15	Playground: Young children's playground ; Shade-sail protection.	Satisfactory: Consultation to determine upgrade. Proposal for children's adventure playground.	
A.16	Clubhouse Building: Used predominately by touch. Provides: Canteen; Store room; Internal toilets; Common room; Office; Control room/ office at rear facing netball courts. Awning to the western side.	Poor to Fair: Dated; Inadequate for user needs; Upgrade with grant assistance being sought.	
A.17	Water Tank/ Pump Area: Provides irrigation to Competition cricket pitches only. Comprised of: Links to bore. 200,000 litre tank Tanks shed Pumps and control unit for irrigation. Second controller located near Shelter A.	Poor: Pumps at end of life; To be decommissioned pending installation of Re-use Scheme.	

ANNEXURE B

<p>A.18</p>	<p>Second Building: Mainly used by netball. Contains the following: Male/female public toilets Disabled toilet Two change rooms Canteen Awning on the eastern side of the building.</p>	<p>Poor to Fair: Dated; Inadequate for club user needs; Change rooms not functional, used for storage only. Upgrade with grant assistance being sought, together with Item A16.</p>	
<p>A.19</p>	<p>Grass playing surface: Mixed grass species.</p>	<p>Fair - Good</p>	
<p>A.20</p>	<p>Netball Courts Nine marked asphalt courts with fixed posts.</p>	<p>Poor to Fair: Cracked surface with weeds erupting asphalt. Upgrade with grant assistance being sought.</p>	
<p>A.21</p>	<p>Netball Court Lighting: Four halogen light poles.</p>	<p>Poor: Low light does not cover all courts Upgrade through grant being sought.</p>	
<p>A.22</p>	<p>Grassed netball courts: Six junior netball courts.</p>	<p>Fair - good:</p>	

ANNEXURE B

A.23	Unformed Grassed Area: not irrigated not conditioned for sporting use.	Poor: Often overgrown; Sport grade surface to be considered following installation of Re-use Scheme	
A.24	Seating Various seating around netball courts	Fair – good Open air seating; Prone to weathering & vandalism.	

Annexure B

2. CONDITION REPORT EASTGROVE SOUTH - CARR CONFOY SPORTSGROUND

2.1. KEY PLAN - SECTION B – SOUTH OF PARK ROAD

This map is the key to identifying the location 'on the park, of the assets, listed in the Pictorial Condition Report. The Pictorial Condition Report follows immediately on from this map for each:





- Eastgrove SouthPark;
- Eastgrove link Wollondilly Walkway;
- Informal equestrian paddock;
- Eastgrove Dog off leash Park.








14. Figure – Key Map B - Assets location - Eastgrove South, Carr Confoy

Annexure B

2.2. PICTORIAL ASSET CONDITION REPORT SECTION B – SOUTH OF PARK ROAD



Eastgrove South			
Map Ref	Description	Condition	Photo
B.1	Public Toilet: Public toilets open daily. Provides non gender: Accessible toilet stall; Two ambulant stalls Waste bin.	New	
B.2	Building: Derelict building	Very poor: Inaccessible pending demolition.	
B.3	Cricket Wicket A Competition grade.	Good:	
B.4	Cricket Wicket B Competition grade.	Good:	


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B.5	Cricket Wicket C Competition grade.	Good:	
B.6	Lighting: Comprised of: halogen light poles; three sectional control points; Control points operate independently.	New:	
B.7	Fencing: Mixture of: Rural Fencing (See fencing in B4 image) Black metal post and rail	New	
B.8	Memorial Gate: Brick garden wall and piers supporting iron grille gates; WWII memorial plaque	Good: Dated Not used for access.	
B.9	Playing Surface: Not irrigated; Mixed grass species; Poor to adequate drainage.	Fair:	

Annexure B

	Wollondilly Walking Track - Eastgrove link	New:	
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Horse Paddock (unnamed) –informal horse riding usage			
Map Ref	Description	Condition	Photo
B.10	Playing Surface: Not irrigated mixed grass species; Not maintained as a sport field.	Fair: Evidence of unauthorised private use with unapproved structures on or adjacent to site.	
B.11	Fencing: Rural fencing (Sight wire and plains)	Good	

Park Land			
Map Ref	Description	Condition	Photo
B.12	Off Leash Dog Area comprising: <ul style="list-style-type: none"> • Fencing • Bin for dog area • Water station for human use and separate canine use. 	Fair to good Play surface: Rough patchy grass: Fair; Fencing: Good; Signage and access are confusing: Good condition; Water station: Good Bin: Good	

Annexure B







- 3. CONDITION REPORT GOULBURN PONY CLUB - CARR CONFOY SPORTSGROUND
- 3.1. KEY PLAN - SECTION C - 22 FARM ROAD







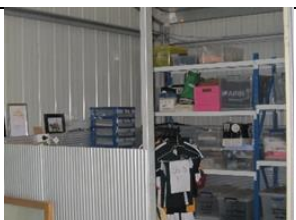

14. Figure – Key Map C for Goulburn Pony Club Assets

Annexure B



3.2. PICTORIAL ASSET LIST SECTION C

Goulburn Pony Club - 22 Farm Road			
Plan Ref	Description	Condition	Photo
C.1	Boundary and internal rural fencing (post & wire) Metal gates with locks. Show Arena	Good Good	
C.2	Round yard	Good	
C.3	Sand arena	Good	
C.4	Concrete pads with fixed bleachers	Good	
C.5	Storage container	Fair	
C.6	Rail car storage units	Dated - fair	


Annexure B



			
C.7	Internal post & rail hitching fence	Good	
C.8	Club house - metal shed on concrete pad Metal posts for shade sail	Good Good	
C.8	Club house - metal shed on concrete pad Internal divisions: <ul style="list-style-type: none"> • Meeting space • Storage • Kitchenette 	Good	 
C9	Water supply tank and pump Flood light	Good Fair	

Annexure B

<p>C.10</p>	<p>Septic system toilets erected on concrete pad</p>	<p>Good</p>	
<p>C.11</p>	<p>Gates and jumps</p>	<p>Fair to poor 2022 has seen fast flowing inundation, dislodge unfixed installations.</p>	

Annexure B

C.12	Goulburn Pony Club memorial cairn.	Good	
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Other installations at 22 Farm Road			
Map Ref	Description	Condition	Photo
C.13	Broadcasting relay tower and enclosing fence.	Good	
C.14	Capped and fenced well.	Fence in fair condition Well cap appears to have been vandalised and represents a hazard.	

ANNEXURE D

C. FUTURE DEVELOPMENTS

1. DRAFT BRIEF - CARR CONFOY SPORTING PRECINCT MASTER PLAN DEVELOPMENT

Background

Carr Confoy and Eastgrove South sports fields are owned or managed by Goulburn Mulwaree Council. They both host an array of summer and winter sports however the overall land available is underutilised and inadequately serviced. Ongoing community demand for high standard recreation and sporting facilities could be met at this site through development of vacant land and provision of additional infrastructure.

Carr Confoy comprises 18 hectares located at Eastgrove. It is bordered by Park Road and Emma Street. Eastgrove South comprises 3.6 hectares. It is located opposite Carr Confoy on Park Road and is bordered by Park Road, Forbes Street, Glenelg Street and Farm Road.

Carr Confoy and Eastgrove South are within walking distance of the CBD via a pedestrian bridge over the main southern railway. Access is via Blackshaw Road (north and south), Park Road and Forbes Street. It accommodates a range of sporting and recreation facilities which are used by a broad cross section of the community including cricket, junior rugby, touch football, soccer, netball, evening training and passive exercise recreation activities.

Components of the Carr Confoy and Eastgrove South include:

- | | |
|-----------------------------------|--------------------|
| Touch football fields | Drainage corridor, |
| Junior rugby fields | Lighting, |
| Cricket fields | Irrigation, |
| Cricket nets | Vacant/spare land, |
| Soccer fields (Eastgrove South) | Dog park, |
| Car parking (sealed and unsealed) | |

Purpose of the Master Plan

Goulburn Mulwaree Council is currently developing a number of community sporting and recreation projects. An adventure playground, aquatic centre upgrade, Victoria Park upgrade, new hockey facilities and re-use irrigation scheme are in various stages of investigation and development. To compliment these projects it is timely that a Carr Confoy Sporting Precinct Master Plan be developed to ensure development of this area progresses in a manner that is sympathetic to the other community sporting and recreation projects and maximises community benefit.

Council is about to undertake an assessment of all sporting facilities to determine if the level of resources available for sporting and recreational use are appropriate for current and future needs. This will also examine options to consolidate a number of sports onto centralised facilities. The outcome of this assessment will inform design of the re-use irrigation scheme.

A Master Plan provides an overview and long term strategic direction for a facility or area. A Master Plan for Carr Confoy will ensure the various options for use are developed and progressed in a manner that is consistent with the future direction of the sporting and recreation needs of the community. The Carr Confoy Sporting Precinct Master Plan will inform Council’s decision making process to allocate funds for future development of this land.

ANNEXURE D**Site Planning Principles**

The consultant is to consider the following planning principles for development of the Master Plan:

- The site will be accessed by local sports clubs and visitors.
- The Master Plan is to consider long term site development (20 years).
- The site should be planned to utilise common facilities, eg: amenities, car parks, lights, etc.
- Amenities, social and administrative facilities are to be designed for shared use.
- New buildings are to be designed utilising sustainability principles.
- Site landscaping is to consider amenity, shade opportunities and public safety.

Scope of the Master Plan

The Carr Confoy Sporting Precinct Master Plan should articulate the future development of Carr Confoy as a regional sports recreation precinct. It should also consider linkages along adjoining road corridors to the CBD, to and from Goulburn. The existing projects of new Hockey facilities, potential consolidation of other sports to this site must be examined in the broader context of a sporting precinct to confirm the objectives of these projects meet the intent of the Master Plan.

The final Master Plan should demonstrate design principles for place (enhancing, connected, diverse and enduring) and people (comfortable, vibrant, safe, walkable/cycle-able). Overall development should identify opportunities that:

- Support sports participation,
- Foster participation in healthy outdoor recreation activities,
- Enhance community connections,
- Preserve and enhance natural and cultural heritage values,
- Provide broad community benefit,
- Maintain country town character,
- Demonstrate sustainability and innovation,
- Reflect the needs and aspirations of the community and key stakeholders,
- Identify achievable community capital opportunities,
- Are realistic and achievable to fund for Council to fund through annual budget process, state and federal government grants.

Review the Current State

The initial task is to examine the existing condition and use of Carr Confoy, Eastgrove South and associated infrastructure as follows:

- Define core functions and issues associated with Carr Confoy Sporting Precinct,
- Consider current user groups, neighbouring residents and land uses, local area demographics,
- Consult relevant community groups and stakeholders,
- Assess community group and stakeholder demand for space, facilities and services,
- Consult with Council staff who manage / maintain the existing facilities,
- Identify and consider natural and cultural heritage (Aboriginal and European) values requiring management,

ANNEXURE D

- Traffic movements and car parking provision that services the precinct,
- Walking/cycle path condition and configuration,
- Emergency access provision,
- Local Environment Plan provisions,
- Flooding frequency and inundation levels,
- Current expenditure (capital and maintenance)

Define the future state

Once the base line information is available the next task is to identify the following:

- How the existing facilities can be integrated to achieve a community sporting and recreation precinct,
- The best fit locations for current and proposed future activities and facilities,
- Gaps in provision of sporting and recreation facilities for Goulburn and how they may be incorporated into the Carr Confoy Sporting Precinct,
- Opportunities to improve, protect and enhance natural and cultural values,
- Water cycle management,
- Traffic and parking management,
- Future expenditure (capital and maintenance),
- Augmentation of services (power, water supply, irrigation, etc.),
- Planning constraints (heritage, conservation, amenity, etc.)
- Findings presented in a detailed Master Plan document.

Project Methodology

The consultant will work with Council staff to finalise the Master Plan. A key component of the Master Plan development will be a community consultation process, it is anticipated this will include:

- Initial stakeholder workshop to obtain input for development of a draft Master Plan,
- Stakeholder consultation on the draft Master Plan before presenting the Council in a briefing session,
- Public exhibition of the draft Master Plan, including workshops or drop in sessions during the exhibition period,
- Finalisation of the Master Plan following the public exhibition process, including endorsement by Council.

Master Plan and Report

The final submission will include a precinct map outlining proposed land use and infrastructure. The precinct map is to be supplemented by a brief report that will include detailed descriptions of proposed land use activities and infrastructure, high level cost estimates, implementation plan with priorities and responsibilities.

ANNEXURE D

Timeframe

Task	Responsibility	Date
Engage Consultant	Council staff	TBA
Examine current state of Carr Confoy	Consultant	TBA
Stakeholder engagement	Consultant & Council	TBA
Prepare draft master Plan for initial review	Consultant	TBA
Present draft Master Plan to Council	Consultant	TBA
Public exhibition of draft Master Plan	Council	TBA
Present public exhibition feedback to Council	Council staff	TBA
Submit Final Master Plan and Report	Consultant	TBA

Reference material: *Submission to Council Executive December 2021*

2. **PROGRESSING THE DEVELOPMENT OF CARR CONFOY**

While the Master Plan brief for Carr Confoy remains incomplete, GMC Executive at its meeting of 2 December 2021, in applying the *Multi-Sport on Community Facility Fund*; considered three options being:

- North Park Pavilion,
- Multi-user pavilion at Carr Confoy and
- Replacement of the soccer pavilion at Marulan.

Agreement was recorded to make application for a large multi-user pavilion to be located at Carr Confoy, as the proposal meets the criteria for grant funding on offer.

Grant Funding Sought

Council endorsed a recommendation to make an application for grant funding for 50% of the estimated budget for the proposed multi-user pavilion at Carr Confoy.

ANNEXURE D

3. PROPOSED MULTI USER PAVILION – CARR CONFOY

	<p>Concept Plan – Carr Confoy Sportsground – Pavilion elevations</p>
	<p>Concept Plan – Carr Confoy Sportsground – Pavilion Siting</p>
	<p>Concept Plan – Carr Confoy Sportsground - Pavilion internal layout</p>
	<p>Concept Plan – Carr Confoy Sportsground – Pavilion artist impressions eastern façade</p>

ANNEXURE D



Concept Plan – Carr Confoy Sportsground – Pavilion artist impressions, western façade

15. Figure - Concept plans Carr Confoy Multi user Pavilion

3.1. BUDGET ESTIMATE FOR MULTI USER PAVILION

Mitchell Brandtman Quantity Surveyor & Construction Expert Opinion has at GMCs request, provided a Budget Estimate Report dated February, 2022, for the construction of a single story sports pavilion at Carr Confoy, on the basis of drawings supplied. The Budget Estimate Report identified an indicative estimate of \$7,201,709 excluding GST.

The estimate includes:

- Demolition,
- Excavation,
- Building works,
- Services,
- External works, landscaping,
- Preliminary expenditure,
- Builders profit,
- Contingency allowance,
- Investigation, design & approvals
- Project management.

The Budget Estimate Report provided a comprehensive “Trade Summary” of costs and indicates percentage (%) of total cost.

Annexure C

4. CARR CONFOY NETBALL COURTS UPGRADE

The Carr Confoy Netball Court Resurfacing Project Management Plan was prepared in June 2021 and has been endorsed for action.

Following is an extract from the Carr Confoy Netball Courts Project Management Plan:

Background

The Carr Confoy Netball Courts are the home of the Goulburn and District Netball Association. The courts were originally constructed in the 1940’s and consisted of four hard surface courts. In the early 2000’s the facility was expanded to its current configuration of nine courts and overlaid with a premium asphalt. There was not a consistent fall on the asphalt which has resulted in pooling and cracking.

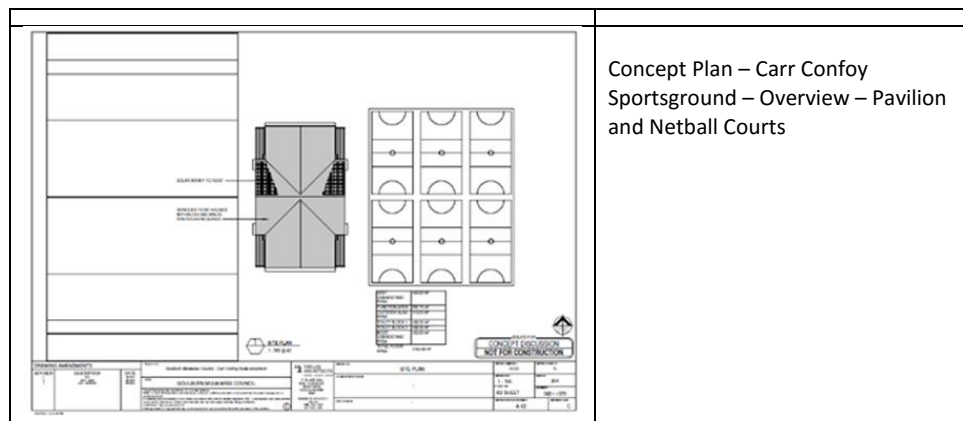
The project will provide an upgrade of the netball court’s failing and uneven surface and provision of new goal posts and hoops. The provision of a new asphalt underlay and acrylic surface is expected to significantly benefit the user groups which hold regular sporting competitions at the venue.

The planned upgrade components are:

- Drainage and electrical remediation
- asphalt topping with 1% gradient
- Sealing
- Acrylic surface
- Line marking
- Installation of goal posts and hoops

The full *Carr Confoy Netball Court Resurfacing Project Management, June 2021* document can be read at the following link:

[Project Plan - Carr Confoy Netball Courts upgrade](#)



16. Figure - Concept plans Carr Confoy Netball courts

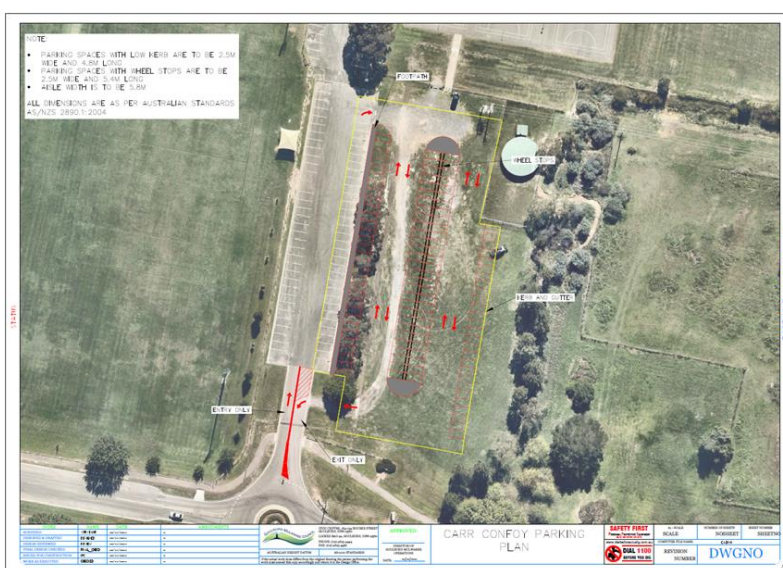
Annexure C

5. CARR CONFOY PARKING PROPOSAL

Additional car park will meet the requirements of increasing user needs with the growth of local sports and accommodate multiple user and sporting groups utilising the grounds and facilities at the same times.

The proposed car park will provide an additional 150 car spaces. While the land is currently used as overflow car parking, it is not sealed or structured to accommodate car parking with the consequence that boggy ground can create erosion and an unsafe surface.

A suitably designed and finished car park will ensure traffic flow can be most effectively managed for pedestrian and vehicle safety.



17. Figure – Proposed improved and additional parking -Carr Confoy

6. STAKEHOLDER RESPONSE TO ISSUES PAPER

An early draft of the Plan of Management was circulated to the identified users of the Carr Confoy Eastgrove South Sportsground and Goulburn Pony Club facilities from November 2021.

6.1. GOULBURN & DISTRICTS JUNIOR CRICKET ASSOCIATION (GDJCA)

GCJCA responded and the following has been extracted from the Associations response:

1. We support the proposed improvements set out in the draft plan. In particular: a new pavilion and upgraded and expanded lighting would very much benefit local junior cricket and provide us the potential to schedule more night cricket matches.
2. The improvements would also enhance the opportunity to attract more representative junior cricket to Goulburn and of hosting junior cricket

Annexure C

tournaments locally. This would be a great benefit to junior cricket in Goulburn, with positive flow-on effects to local businesses.

3. We would also like to suggest Council considers incorporating into the draft plan some additional improvements to those described in Section 2.8. The attached design, which we submitted to Council for consideration in 2017, sets out several further possible improvements which we think are still appropriate and could be incorporated into the proposed draft plan.
4. Western end – an additional vehicle access point off Park Road at the western end on Carr Confoy with sealed parking spaces would make the cricket fields at that end of the facility more accessible as well as improving safety and convenience by allowing for car parking closer to the western playing fields. We would also like Council to consider including in the plan some sealed parking facilities just off Park Road, adjacent to the existing practice nets.
5. Eastern end – there is scope to include two (and possibly three if space and funding allows) additional cricket fields with shelters at the eastern end of Carr Confoy. This would substantially increase the match capacity of Carr Confoy and allow us to have a 2 number of matches, over different age divisions, at essentially the one location. One of the main benefits of additional fields would be the convenience to parents with children participating in different age divisions to be able to attend the one venue for all their children's matches. Additional fields would also enhance to opportunity for Goulburn to host representative junior cricket and hold multi-team junior cricket tournaments.
6. Eastern end – there is also scope at the eastern boundary of the facility to provide an additional vehicle access point and sealed parking to service the additional fields we have suggested above.
7. There may be an opportunity to apply for some co-funding of the cricket specific projects, for example through the Australian Cricket Infrastructure Fund. We would be happy to work with Council, as needed, to apply for this type of funding. We would also be prepared to look to contribute funds along similar lines to the funding of the costs of the sight screens recently installed at Seiffert Oval.

GDJCA have provided the following aerial diagram to depict site improvements envisaged to best serve its future needs at Carr Confoy and for which GDJCA may be able to obtain support funding from Cricket Australia:

Annexure C



18. Figure GDJCA site development proposals for Carr Confoy

6.2. GOULBURN PONY CLUB, INC,

Goulburn Pony Club which is currently in negotiations for a fresh lease commencing 1 September, 2022, also responded to the invitation to make a submission on the issues paper for the draft Plan of Management

Goulburn Pony Club does not rely on GMC for infrastructure or facilities, with full knowledge that the structures that the Club affixes to the land, become the property of the Lessor should the lease be terminated.

Instead Goulburn Pony Club relies on its own fund raising efforts and makes applications for grant funding under its own auspices.

A pictorial Asset Condition Report for Goulburn Pony Club lease premises at 22 Farm Road Goulburn is available at Annexure B

History of Goulburn Pony Club

Goulburn Pony Club was formed on 20th June 1957 with its first Rally Day being held on the 8th of September 1957. That Rally Day event was held at the Goulburn Showground, now known as Goulburn Recreation Area.

Rally days and camps were held at various venues over the following years.

Through 1960 a permanent site was being sought and negotiated. The first Rally at the Clubs new site, was held at “Lynton” on the 7th of January 1961.

However in 1980 “Lynton” was no longer available to the Club to host its events, with further search and negotiations the Club joined the Police Citizen’s Youth Club in 1982.

1993 saw Goulburn Pony Club move to its present grounds at Eastgrove.

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On Sunday 9th September 2007, Goulburn Pony Club celebrated it's 50th Anniversary as an incorporated Club. Sadly, an outbreak of Equine Influenza (EI), at the time enforced a horse free event. The Clubs 50th anniversary celebrations included novelty events, memorabilia display and cake cutting by 1957 past President Mr Jim Maple-Brown and then current 2007 President Mrs Liz Grashorn.



Goulburn Pony Club colours are and have always been green and white.

Further Development of the Pony Club Grounds

Goulburn Pony Club in addressing its future plans has identified the following priorities:

- Extend the cross-country course;
- Build a covered riding arena;
- Install livestock yards.

Land Management Strategies

Goulburn Pony Club in response to the Management Strategies, Section 6, identified the impact of inundation of its lease area and consequent destruction of Club assets including gates, jumps, loss of obstacles and sand fill. The loss and destruction imposes a substantial expense on the Club resulting in a request to include land management strategies to mitigate the impact of flooding, damage, loss and cost to the Club.

Suggestions are to:

- Include Flood Management Plan in this PoM;
- Clean out water channel on Club's western boundary;

and unrelated to flooding:

- Install street and directional signage (to the various sporting areas of the Carr Confoy precinct).

ANNEXURE D

D. NATURAL AREAS BIODIVERSITY CONDITION REPORT

Prepared in house, September, 2021 and September 2022, the biodiversity report specifically addresses the Natural Area identified in this Plan of Management.

Brian Faulkner, Biodiversity and Environment Officer, Goulburn Mulwaree Council provided a review of flora and fauna communities and conditions in the riverine corridor adjoining the Mulwaree Ponds which forms the western boundary of Carr Confoy Sportsground and Park.

ANNEXURE D

CARR CONFOY PARK: VEGETATION ASSESSMENT LAND ADJOINING THE MULWAREE RIVER
Date of assessment: Friday 24th September, 2021
Assessing officer: Brian Faulkner, Environment & Biodiversity Assessment Officer, GMC
Reason for assessment: Identify and assess native vegetation for POM

GENERAL DESCRIPTION – North-west part of Carr Confoy

The land assessed comprises an area of approximately 220 metres long by 20 metres wide, located at the western boundary of Carr Confoy Park, bordered by the Mulwaree River.

The vegetation in this area was found to be a planted strip of native trees, comprising mostly River She Oak (*Casuarina cunninghamiana*) and Ribbon Gums (*Eucalyptus viminalis*), with occasional Wattles (*Acacia* spp). There is also a small group of three Ribbon Gums and three Cabbage Gums (*Eucalyptus amplifolia*) located adjacent to the south western corner of the area (where Park Road approaches the Mulwaree River). Located approximately 20 metres to the south east of this grove are two further planted Eucalypts, being one Snow Gum (*Eucalyptus pauciflora*) and one Black Sally Gum (*Eucalyptus stellulata*).

The understorey/groundcover throughout is almost entirely dominated by exotic weedy species, including Phalaris (*Phalaris aquatica*), Yorkshire Fog (*Holcus lanatus*), Cock’s Foot (*Dactylis glomerata*), Hemlock (*Conium maculatum*), Curled Dock (*Rumex crispus*) and Cleavers (*Galium aparine*). Aside from a thin fringe of Common Reed (*Phragmites australis*) along the banks of the river, essentially no naturally occurring vegetation is present on the site.

The area that was inspected is shown in the diagram below.



ANNEXURE D

FLORA IDENTIFIED ON SITE

FLORA SPECIES RECORDED 24/09/2021		
Scientific Name	Common Name	Native or Exotic
<i>Acacia decurrens</i>	Early Black Wattle	N (planted)
<i>Acacia floribunda</i>	Gossamer Wattle	N (planted)
<i>Acacia melanoxylon</i>	Blackwood Wattle	N (planted)
<i>Agrostis stolonifera</i>	Creeping Bent	E
<i>Arctotheca calendula</i>	Capeweed	E
<i>Bromus catharticus</i>	Prairie Grass	E
<i>Casuarina cunninghamiana</i>	River She Oak	N (planted)
<i>Cerastium glomeratum</i>	Mouse Ear Chick Weed	E
<i>Cichorium intybus</i>	Chicory	E
<i>Cirsium vulgare</i>	Spear Thistle	E
<i>Conium maculatum</i>	Hemlock	E
<i>Eragrostis curvula</i>	African Love Grass	E
<i>Erodium cicutarium</i>	Common Stork's Bill	E
<i>Erodium crinitum</i>	Blue Stork's Bill	N
<i>Eucalyptus amplifolia</i>	Cabbage Gum	N (planted)
<i>Eucalyptus viminalis</i>	Ribbon Gum	N (planted)
<i>Festuca pratensis</i>	Meadow Fescue	E
<i>Foeniculum vulgare</i>	Fennel	E
<i>Fraxinus sp.</i>	Ash	E
<i>Fumaria officinalis</i>	Common Fumitory	E
<i>Galium aparine</i>	Cleavers	E
<i>Geranium solanderi</i>	Native Geranium	N
<i>Holcus lanatus</i>	Yorkshire Fog	E
<i>Hypochoeris radicata</i>	Flat Weed	E
<i>Lactuca serriola</i>	Compass Weed	E
<i>Ligustrum lucidum</i>	Large Leaf Privet	E
<i>Lolium sp.</i>	Rye Grass	E
<i>Lomandra longifolia</i>	Spiny Headed Mat Rush	N (planted)
<i>Lotus corniculatus</i>	Bird's Foot Trefoil	E
<i>Malva neglecta</i>	Dwarf Mallow	E
<i>Medicago arabica</i>	Spotted Medick	E
<i>Medicago polymorpha</i>	Burr Medick	E
<i>Modiola caroliniana</i>	Creeping Mallow	E
<i>Nassella neesiana</i>	Chilean Needle Grass	E
<i>Phalaris aquatica</i>	Phalaris	E
<i>Phragmites australis</i>	Common Reed	N (banks of river)
<i>Plantago coronopus</i>	Buck's Horn Plantain	E
<i>Plantago lanceolata</i>	Lamb's Tongue	E
<i>Plantago major</i>	Great Plantain	E
<i>Poa annua</i>	Winter Grass	E
<i>Populus alba</i>	White Poplar	E
<i>Prunus cerasifera</i>	Cherry Plum	E
<i>Romulea rosea</i>	Onion Grass	E
<i>Rorippa palustris</i>	Yellow Cress	E
<i>Rubus fruticosus</i> agg.	Blackberry	E
<i>Rumex crispus</i>	Curled Dock	E

ANNEXURE D

<i>Salix fragilis</i>	Crack Willow	E
<i>Sonchus oleraceus</i>	Sow Thistle	E
<i>Stellaria media</i>	Chick Weed	E
<i>Taraxacum officinale</i>	Dandelion	E
<i>Trifolium fragiferum</i>	Strawberry Clover	E
<i>Trifolium repens</i>	White Clover	E
<i>Trifolium subterraneum</i>	Sub Clover	E
<i>Vulpia</i> sp.	Rat's Tail Fescue	E

The trees comprise potential breeding habitat for arboreal fauna and it is likely that they would be utilised as nesting sites for a range of bird species. However relatively few fauna species were recorded on the day of the site inspection.

The relatively dense groundcover layer beneath the trees and the close proximity of the river may provide potential habitat for a range of frog species and for snakes, in particular Tiger Snakes (*Notechis scutatus*).

However on the day of the site inspection only one frog species was recorded, which was identified by its calling (Eastern Common Froglet (*Crinia signifera*)).

FAUNA SPECIES RECORDED ON SITE 24/09/2021

Scientific Name	Common Name	Exotic or native
<i>Anthochaera carunculata</i>	Red Wattlebird	Native
<i>Crinia signifera</i>	Common Eastern Froglet (Calls)	Native
<i>Gallinula tenebrosa</i>	Dusky Moorhen	Native
<i>Grallina cyanoleuca</i>	Magpie Lark	Native
<i>Gymnorhina tibicen</i>	Australian Magpie	Native
<i>Strepera graculina</i>	Currawong	Native

ANNEXURE D

PICTORIAL CONDITION DESCRIPTION

The site viewed from Park Street (facing north east). Mulwaree River to the left, playing fields to the right.

Strip of trees along the river comprises mostly River She Oaks and Ribbon Gums, with occasional Wattles.

Small grove of trees on right comprises three Cabbage Gums and three Ribbon Gums. The groundcover layer is almost entirely dominated by exotic weedy species.

	<p>Carr Confoy looking north east from Park Road, near intersection with Blackshaw Road</p>
	<p>Common Reed growing on banks of Mulwaree Ponds. Pale coloured trees on left and right weedy <i>Fraxinus</i>.</p>
	<p>Curled Dock and weedy grasses (<i>Phalaris</i>, <i>Dactylis</i>, <i>Holcus</i> and <i>Bromus</i>)</p>

ANNEXURE D

	<p>Hemlock and Cleavers dominate groundcover layer.</p>
	<p>Gossamer Wattle on right, River She Oak on left. Groundcover entirely dominated by exotic species.</p>
	<p>Ribbon Gum in middle. Ground cover layer with dense growth of Hemlock and other weed species.</p>
	<p>Large Leaf Privet under River She Oak</p>

ANNEXURE D

CARR CONFOY SPORTSGROUND AND PARK:	Biodiversity Assessment of Riparian Land Adjoining Mulwaree River
DATE OF ASSESSMENT:	Monday 5th September, 2022
ASSESSING OFFICER:	Brian Faulkner, Environment & Biodiversity Assessment Officer, GMC
PURPOSE:	Identify and assess native vegetation for POM
LOCATION	Lot 1//DP737835, Lot 2/2/DP97949 & Lot 3/2/DP979849, known as 22 Farm Road Goulburn

GENERAL DESCRIPTION – South western portion of Carr Confoy

The land assessed comprises a low-lying, flood prone area of approximately 3 hectares, located along the western boundary of land identified as 22 Farm Road, Goulburn and falling within Lot 1//DP737835, Lot 2/2/DP97949 & Lot 3/2/DP979849. The land is utilised by Goulburn Pony Club.

Part of the land includes a section of the Mulwaree River.

Mapping suggests the main channel of the Mulwaree River is located along the western boundary of the land, but ground truthing found that the main flow of water is located within a straight channel within the land and flowing adjacent to mown pasture, as shown in the accompanying diagram and supporting photographs. The land sandwiched between the mapped path of the river and the observed main drainage channel is low lying and swampy, and in major rain events this area is generally submerged. This area features planted Ribbon Gum (*Eucalyptus viminalis*) which are maturing and provide significant habitat for fauna.

The groundcover layer in the lower lying areas assessed immediately adjacent to the river include some patches of native riparian and wetland species including River Rush (*Juncus gregiflorus*), Common Reed (*Phragmites australis*), Bulrush (*Schoenoplectus validus*) and Tall Sedge (*Carex appressa*). However the groundcover layer even immediately adjacent to the river, and in all other areas inspected, is largely dominated by exotic weedy species, with Phalaris (*Phalaris aquatica*), Yorkshire Fog (*Holcus lanatus*), Cock's Foot Grass (*Dactylis glomerata*), Hemlock (*Conium maculatum*), Curled Dock (*Rumex crispus*) and Creeping Buttercup (*Ranunculus repens*) being especially abundant.

In drier areas of the site, there is an abundance of Chilean Needle Grass (*Nassella neesiana*), African Love Grass (*Eragrostis curvula*) and St John's Wort (*Hypericum perforatum*). There are also scattered clumps of Blackberry (*Rubus fruticosus* aggregate) in most parts of the site.

Scattered Crack Willow (*Salix fragilis*) and Weeping Willow (*Salix babylonica*) trees are present in parts of the river channel, and a number of other exotic tree species are present in the riparian area, including Osage Orange (*Maclura pomifera*), Elm (*Ulmus* sp.), Ash (*Fraxinus* sp.) and English Oak (*Quercus robur*). Smaller tree species and shrubs include Hawthorn (*Crataegus monogyna*), Cherry Plum (*Prunus*

ANNEXURE D

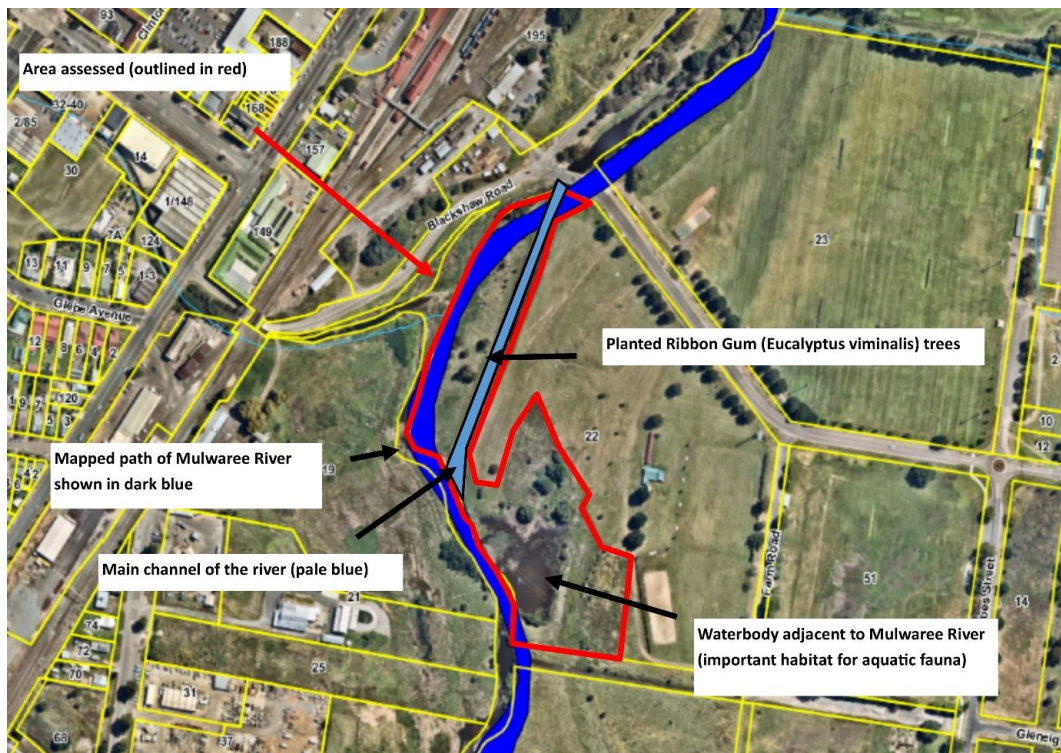
cerasifera), Large Leaf Privet (*Ligustrum lucidum*) and African Box Thorn (*Lycium ferocissimum*).

In the area located at the south western corner of the land, there is a significant waterbody immediately adjacent to and leading off the Mulwaree River. This permanent wetland comprises approximately 0.4 hectares in extent and provides habitat for a range of waterfowl and other aquatic fauna. At the time of the site inspection Pacific Black Duck (*Anas superciliosa*), Maned Wood Duck (*Chenonetta jubata*) and Eurasia Coot (*Fulica atra*) were observed to be especially abundant.

Although the majority of the riparian area inspected was found to be highly degraded and dominated by exotic weedy species, the area:

- Provides significant habitat for a range of fauna, especially waterfowl
- Has enormous potential for restoration and enhancement of biodiversity values (for example through weed management and planting suitable native riparian tree species)

The area that was inspected is shown in the diagram below.



ANNEXURE D

A list of flora recorded on site is provided below:

FLORA SPECIES RECORDED 5/09/2022		
Scientific Name	Common Name	Native or Exotic
<i>Agrostis stolonifera</i>	Creeping Bent	E
<i>Arctotheca calendula</i>	Capeweed	E
<i>Bromus catharticus</i>	Prairie Grass	E
<i>Cardamine hirsuta</i>	Hairy Bittercress	E
<i>Carex appressa</i>	Tall Sedge	N
<i>Cerastium glomeratum</i>	Mouse Ear Chick Weed	E
<i>Cichorium intybus</i>	Chicory	E
<i>Cirsium vulgare</i>	Spear Thistle	E
<i>Conium maculatum</i>	Hemlock	E
<i>Conyza</i> sp.	Fleabane	E
<i>Crataegus monogyna</i>	Hawthorn	E
<i>Cyperus eragrostis</i>	Umbrella Sedge	E
<i>Dactylis glomerata</i>	Cock's Foot Grass	E
<i>Echium plantagineum</i>	Paterson's Curse	E
<i>Eragrostis curvula</i>	African Love Grass	E
<i>Erodium cicutarium</i>	Common Stork's Bill	E
<i>Eucalyptus viminalis</i>	Ribbon Gum	N (planted)
<i>Festuca pratensis</i>	Meadow Fescue	E
<i>Fraxinus</i> sp.	Ash	E
<i>Galium aparine</i>	Cleavers	E
<i>Gamochaeta purpurea</i>	Purple Cudweed	E
<i>Hirschfeldia incana</i>	Buchan Weed	E
<i>Holcus lanatus</i>	Yorkshire Fog	E
<i>Hypericum perforatum</i>	St John's Wort	E
<i>Hypochoeris radicata</i>	Flat Weed	E
<i>Juncus gregiflorus</i>	River Rush	N
<i>Lactuca serriola</i>	Compass Weed	E
<i>Ligustrum lucidum</i>	Large Leaf Privet	E
<i>Lolium</i> sp.	Rye Grass	E
<i>Lotus corniculatus</i>	Bird's Foot Trefoil	E
<i>Maclura pomifera</i>	Osage Orange	E
<i>Malva neglecta</i>	Dwarf Mallow	E
<i>Marrubium vulgare</i>	White Horehound	E
<i>Medicago arabica</i>	Spotted Medick	E
<i>Medicago polymorpha</i>	Burr Medick	E
<i>Modiola caroliniana</i>	Creeping Mallow	E
<i>Nassella neesiana</i>	Chilean Needle Grass	E
<i>Paspalum distichum</i>	Water Couch	N
<i>Phalaris aquatica</i>	Phalaris	E
<i>Phragmites australis</i>	Common Reed	N
<i>Plantago coronopus</i>	Buck's Horn Plantain	E
<i>Plantago lanceolata</i>	Lamb's Tongue	E
<i>Plantago major</i>	Great Plantain	E
<i>Poa annua</i>	Winter Grass	E
<i>Poa labillardieri</i>	River Tussock	N
<i>Prunus cerasifera</i>	Cherry Plum	E
<i>Pyracantha</i> sp.	Firethorn	E

ANNEXURE D



<i>Ranunculus repens</i>	Creeping Buttercup	E
<i>Romulea rosea</i>	Onion Grass	E
<i>Rorippa palustris</i>	Yellow Cress	E
<i>Rosa rubiginosa</i>	Sweet Briar	E
<i>Rubus fruticosus</i> agg.	Blackberry	E
<i>Rumex acetosella</i> (<i>Acetosella vulgaris</i>)	Sheep's Sorrel	E
<i>Rumex crispus</i>	Curled Dock	E
<i>Salix babylonica</i>	Weeping Willow	E
<i>Salix fragilis</i>	Crack Willow	E
<i>Schoenoplectus validus</i>	Bulrush	N
<i>Sonchus asper</i>	Prickly Sow Thistle	E
<i>Sonchus oleraceus</i>	Sow Thistle	E
<i>Stellaria media</i>	Chick Weed	E
<i>Taraxacum officinale</i>	Dandelion	E
<i>Trifolium fragiferum</i>	Strawberry Clover	E
<i>Trifolium repens</i>	White Clover	E
<i>Trifolium subterraneum</i>	Sub Clover	E
<i>Triglochin procerum</i>	Water Ribbons	N
<i>Verbascum thapsus</i>	Aaron's Rod	E
<i>Veronica persica</i>	Creeping Speedwell	E
<i>Vulpia</i> sp.	Rat's Tail Fescue	E

Fauna species recorded 5/09/2021



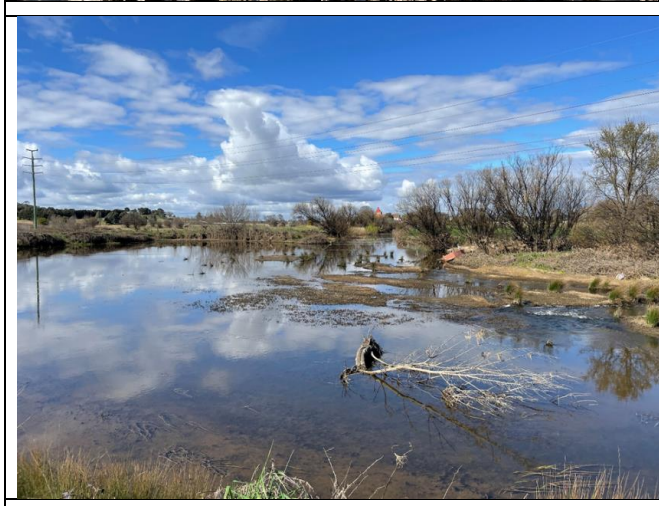
Scientific Name	Common Name	Exotic or native
<i>Anas superciliosa</i>	Pacific Black Duck	Native
<i>Anthochaera carunculata</i>	Red Wattlebird	Native
<i>Cacatua galerita</i>	Sulphur Crested Cockatoo	Native
<i>Cacatua sanguinea</i>	Little Corella	Native
<i>Chelodina longicollis</i>	Eastern Long Necked Turtle (Shell)	Native
<i>Chenonetta jubata</i>	Australian Wood Duck	Native
<i>Corvus coronoides</i>	Australian Raven	Native
<i>Crinia signifera</i>	Common Eastern Froglet (Calls)	Native
<i>Egretta novaehollandiae</i>	White Faced Heron	Native
<i>Eolophus roseicapilla</i>	Galah	Native
<i>Fulica atra</i>	Eurasian Coot	Native
<i>Grallina cyanoleuca</i>	Magpie Lark	Native
<i>Gymnorhina tibicen</i>	Australian Magpie	Native
<i>Malurus cyaneus</i>	Superb Fairy Wren	Native
<i>Ocyphaps lophotes</i>	Crested Pigeon	Native
<i>Strepera graculina</i>	Currawong	Native

ANNEXURE D



Pictorial Condition Report

	<p>Looking to the South over the site from the bridge located at the junction of Blackshaw Road and Park Road. Mulwaree River on the right, mown pasture dominated by exotic species on the left.</p>
	<p>Tussocky plants in foreground: left is River Rush (<i>Juncus gregiflorus</i>), right is Tall Sedge (<i>Carex appressa</i>). Scattered clumps of these and other native species are found along the river bank, but the area is largely dominated by weedy exotic species.</p>
	<p>Looking back towards the bridge located at the junction of Blackshaw Road and Park Road. Mulwaree River on the left, mown pasture on the right. Trees to left are planted Ribbon Gum (<i>Eucalyptus viminalis</i>), located between the main channel seen here and the mapped path of the river which is located to the left of this photo.</p>

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	<p>Crack Willow (<i>Salix fragilis</i>) on the left, Weeping Willow (<i>Salix babylonica</i>) on the right.</p>
	<p>Eastern Long Necked Turtle (<i>Chelodina longicollis</i>).</p>
	<p>In the area located at the south western corner of the land, there is a significant waterbody immediately adjacent to and leading off the Mulwaree River. (In this photograph, the river is located to the right). White Faced Herons (<i>Egretta novaehollandiae</i>) perched on upside down couch at rear right of the photograph. Red roofed building in the far distance is the Old Goulburn Brewery.</p>

ANNEXURE D

	<p>The waterbody viewed looking North, Mulwaree River is located to the left.</p>
	<p>Derelict vehicle located on the border of the area mapped as Riparian Land. Large bush to the right is African Box Thorn (<i>Lycium ferocissimum</i>), large tree is Osage Orange (<i>Maclura pomifera</i>). Tree background left is Crack Willow (<i>Salix fragilis</i>).</p>

ANNEXURE E

E. NATIVE TITLE MANAGERS REPORT



CGM PLANNING
Experienced land use planning specialists
for government and private sector

**GOULBURN MULWAREE COUNCIL
NATIVE TITLE MANAGER ADVICE**

**Draft Plan of Management for Carr Confoy
Sportsground & Park**

**Eastgrove Park South - Carr Confoy Sport Fields
Crown Reserve No: R71713**

Native Title Manager: Carl Malmberg
Accredited: February 2020

25 March 2022

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VALIDITY OF FUTURE ACTS

The adoption of the plan of management is to be done by Goulburn Mulwaree Council as a Council Manager in good faith. The plan of management proposed uses, development and authorised tenures are consistent with the reserve's purpose (in accordance with the reservation).

THE PLAN OF MANAGEMENT

The adoption of the plan of management with proposed uses, developments and tenures that are in accordance with the reservation purpose of the reserve is a future act that meets the requirements of validation under the NT Act (Cwlth) Subdivision J, Section 24JA, Section (1) (a-e).

Procedural rights under the NT Act (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, such as approve (or submit for approval) a plan of management, do not require notification and do not confer other procedural rights.

RECOMMENDATION

Goulburn Mulwaree Council may endorse the draft plan of management as a draft for referral, and as a submission for approval to adopt the Draft PoM, to the landowner: The Minister administering the CLM Act 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 25 March 2022, 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' 2nd Edition 2019

ANNEXURE E

EXECUTIVE SUMMARY

Goulburn Mulwaree Council has sought advice from an accredited Native Title Manager for a draft plan of management (Draft PoM) prepared for the Carr Confoy Sportsground & Park.

Goulburn Mulwaree Council has prepared the Draft PoM under the provisions of Section 3.23 of the *Crown Land Management Act 2016* (CLM Act) and Division 2 of the *Local Government Act 1993* (LG Act).

The majority of the land covered by the Draft PoM is Council-owned community land that does not require native title manager advice. An area of land covered by the Draft PoM is a Crown reserve, being Eastgrove Park South - Carr Confoy Sport Fields - Crown Reserve No: R71713.

This native title manager advice solely addresses the Eastgrove Park South - Carr Confoy Sport Fields: Crown Reserve No: R71713.

Goulburn Mulwaree Council is defined as a 'responsible person' under the CLM Act. Council, as a Crown land manager (Council Manager) of reserved Crown land, and must ensure its dealings and activities on this managed Crown reserve comply with native title legislation.

The land involved is 'relevant land' under the CLM Act and is land owned by the State of NSW and is Crown land being a Crown reserve for the purposes of the CLM Act and the draft plan of management. The reserve is Crown land reserved for the purpose of Public Recreation.

This written native title manager report provides the following advice.

NATIVE TITLE AND EXCLUDED LAND

There are no active Native Title Claims that include Eastgrove Park South Reserve (R717113), nor have there been any Native Title Determinations, Indigenous Land Use Agreements (ILUAs), Native Title Future Act Applications and Determinations, or Native Title Certificates issued for the Crown reserve covered by the draft plan of management for Carr Confoy Sportsground & Park in the Goulburn Mulwaree Council's local government area (LGA).

Native title rights must be assumed to remain in existence as Eastgrove Park South Reserve (R717113) in the Goulburn Mulwaree Local Government Area is not 'excluded land' under the provisions of the CLM Act S8.1.

VALID CREATION OF THE CROWN RESERVE

Eastgrove Park South Reserve (R717113) was validly created by the State of NSW (the Crown) and Goulburn Mulwaree is the Council Manager.

PREVIOUS EXCLUSIONARY POSSESSION ACTS

The whole of the land in Eastgrove Park South Reserve (R717113) has been subject to a *previous exclusive possession act* (PEPA) where alienation through former freehold ownership has been made that is inconsistent with the continued existence of native title.

The PEPA, subject to the Commonwealth and NSW State native title legislation, has the effect to extinguish any native title in relation to the land or waters.

Council may have confidence that in the event of any native title claim over the affected land in Eastgrove Park South Reserve (R717113), that for the purposes of the NT Act (Cwth) and the NT Act (NSW), the PEPA act that affects the whole of the land in Eastgrove Park South Reserve may be regarded as having the effect of having extinguished native title rights over the relevant land areas.

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1. INTRODUCTION**1.1 Crown Land Management Act 2016**

- a) Goulburn Mulwaree Council (the Council) is a Crown land manager (Council Manager) for the purposes of the *Crown Land Management Act 2016* (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) A Council Manager of Crown reserves is 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.

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 B for letter of accreditation.
- c) The relevant legislation is the CLM Act, 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 Eastgrove Park South within the larger Carr Confoy Sportsground and Park in the Goulburn Mulwaree LGA, Parish of Towrang, County of Argyle. All the land within the Carr Confoy Sportsground and Park, with the exception of R71713 is Council-owned land and not subject to the provisions of the CLM Act, including the provision of native title manager advice.

Eastgrove Park South is Crown land reserved (R71713) for Public Recreation comprising the whole of Lots 1 and 2, Section 5 in Deposited Plan 979849. Approval or submission of the Draft PoM requires native title manager advice for R717113

Council has prepared a draft plan of management (the Draft PoM) for Carr Confoy Sportsground and Park, with the land in Eastgrove Park South categorised, in accordance with the CLM Act and the LG Act, as Sportsground.

Native Title Manager Report: Goulburn Mulwaree Council - Draft Plan of Management for Carr Confoy Sportsground & Park 3

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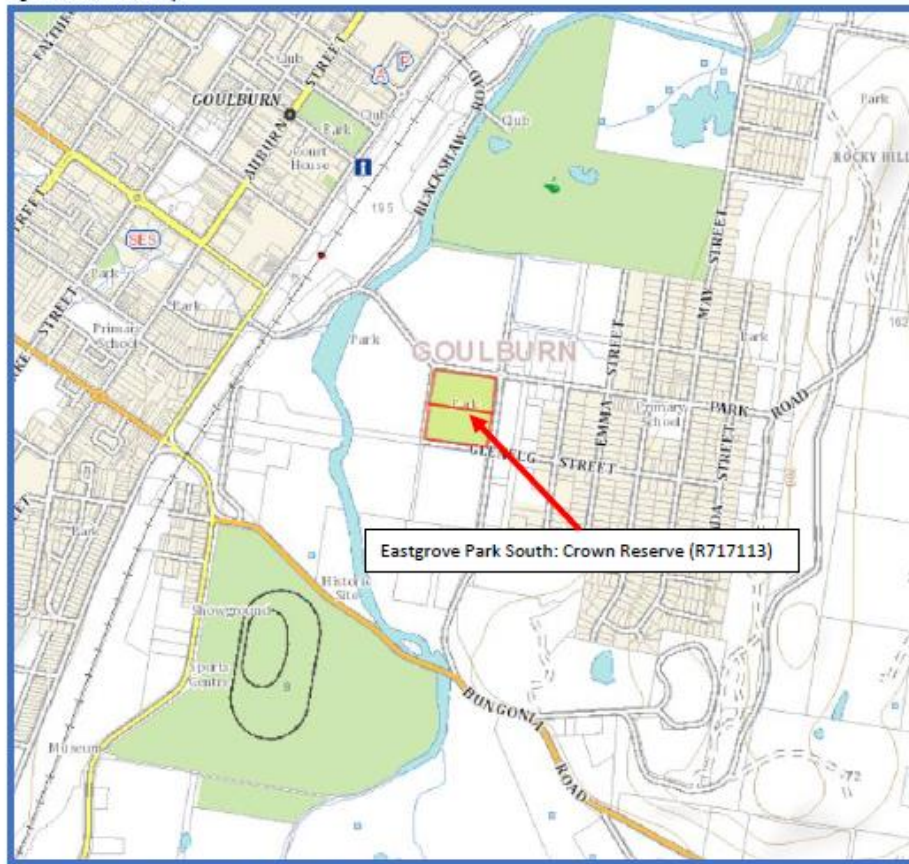
This report meets Council's requirement under the CLM Act to obtain written Native Title Manager's advice, in relation to R717113, as Council is considering submission of the Goulburn Mulwaree Council's Draft PoM for approval to The Minister administering the CLM Act, representing the State of NSW as landowner of the reserved Crown land.

2. THE LAND

2.1 Identification of the Crown land, reserve and purpose

- a) Eastgrove Park South is Crown land reserved for Public Recreation (R717113), within the Carr Confoy Sportsground and Park area, Goulburn and comprises Lots 1 and 2, Section 5 in Deposited Plan 979849 in the Parish of Towrang, County of Argyle.
- b) The land is a Crown reserve in accordance with the CLM Act, under the management of Council as a Crown land manager (a 'Council Manager'), and is a Crown reserve for the purposes of the draft plan of management and native title advice is accordingly provided.

Figure 1: Location Map



Source: NSW Government SIX Map Portal

ANNEXURE E

Table 1: Land Status - Eastgrove Park South Reserve (R717113)

Reserve Number	71713
Reserve Type	Reserve
Reserve Name	Eastgrove Park South - Carr Confoy Sport Fields
Gazetted Date	26/10/1945
Management Type	Council Manager (Council Crown land manager)
Manager	Goulburn Mulwaree Council
Purpose	Public Recreation
Lots	Whole: Lots 1-2, Section 5, DP 979849
Parish	Towrang
County	Argyle
LGA	Goulburn Mulwaree
Council	Goulburn Mulwaree Council
Suburb	Goulburn
Area (M ²)	36,814.55

Source: NSW Government DPIE Crown Lands Crown Reserve Manager Portal

Figure 2: Eastgrove Park South Reserve (R717113)



Source: NSW Government DPIE Crown Lands Crown Reserve Manager Portal

ANNEXURE E

The Certificates of Title shows all the land that comprises the Crown reserve (Eastgrove Park South - Carr Confoy Sport Fields) is in the ownership of the State of NSW (First Schedule) and is a Crown reserve within the meaning of the (now) CLM Act (Second Schedule). See Appendix A for Certificate of Title (search result).

Native Title Manager advice 1.
 The Crown land covered by the draft plan of management is owned by the State of NSW and is reserved Crown land, being a Crown reserve for the purposes of the *Crown Land Management Act 2016* and the draft plan of management.

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 (Cwlth)* which 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.

The Native Title Tribunal Register (NTTR) contains determinations of native title made by:

- the High Court of Australia;
- the Federal Court of Australia; or
- a recognised body such as South Australia's Supreme Court and Environment Resources and Development Court.

Searches on the NTTR have provided the following information.

i. Native Title Claims

There has not been a determined native title claim, nor is there any current native title claim over land in Eastgrove Park South within the Goulburn Mulwaree Council LGA.

There have been 12 native title claim applications that include land within the Goulburn Mulwaree Council LGA.

Six claims have been discontinued, two claims rejected and three claims dismissed.

ANNEXURE E

Name	NNTT file no	Federal Court file no	Date filed	Application status
<u>South Coast People</u>	NC2017/003	NSD1331/2017	03/08/2017	Active
<u>Ceal Limited</u>	NN2010/004	NSD922/2010	26/07/2010	Discontinued
<u>Ngunawal People (NSW)</u>	NC2009/003	NSD808/2009	06/08/2009	Dismissed
<u>John & Maria Vigliante</u>	NN2006/003	NSD7/2006	03/01/2006	Discontinued
<u>Ngunawal People (NSW)</u>	NC2000/001	NSD6001/2000	02/03/2000	Discontinued
<u>Kim Moran #3</u>	NC1999/003	NSD6006/1999	30/04/1999	Dismissed
<u>Dariwul People</u>	NC1998/012	NSD6101/1998	01/05/1998	Dismissed
<u>NSW Government #41</u>	NN1997/018	NSD6141/1998	11/09/1997	Discontinued
<u>Gundungurra Tribal Council Aboriginal Corporation #6</u>	NC1997/007	NSD6060/1998	29/04/1997	Discontinued
<u>Dariwal (KEJ Tribal Elders)</u>	NC1997/001		06/01/1997	Rejected
<u>Ngunawal Land Council #3</u>	NC1997/002	NSD6056/1998	06/01/1997	Discontinued
<u>Gundungura</u>	NC1996/021		26/06/1996	Rejected

One claim is active but does not include land in Eastgrove Park South Reserve.

Name	NNTT file no	Federal Court file no	Date filed	Application status
<u>South Coast People</u>	NC2017/003	NSD1331/2017	03/08/2017	Active

ii. Native Title Determinations

There have been no Determinations over any Crown land within the Goulburn Mulwaree Council LGA.

iii. Register of Indigenous Land Use Agreements

The Native Title Tribunal Register of Indigenous Land Use Agreements (ILUAs) does not include any ILUA that has Goulburn Mulwaree Council land within the Agreement.

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 land in Goulburn Mulwaree Council LGA.

v. Native Title Certificate

Section 8.4 of the CLM Act provides for the Minister to issue native title certificates. Goulburn Mulwaree Council and this Native Title Manager are unaware of any Native Title Certificate that has been requested or issued for land in Eastgrove Park South Reserve.

Native Title Manager advice 2.

Eastgrove Park South Reserve (R717113) in the Goulburn Mulwaree Local Government Area is not 'excluded land' under the provisions of the CLM Act S8.1.

ANNEXURE E

3. VALID CREATION OF EASTGROVE PARK SOUTH RESERVE (R717113)

Eastgrove Park South Reserve (R717113) has been subject to a methodical and systemic process of research, review and evaluation by former Crown Lands officers with native title manager accreditation. The research involves use of the DPE – Crown Lands Crown Land Manager Portal database and mapping, title searching for each land lot parcel, and a historical (Land Registry Services digitised) land status searching that includes, as required, Parish and Charting Maps, and Crown Plans.

See Appendix A for Certificates of Title, NSW Government Gazette Notice, reserve diagrams, and Parish Maps. The documentation clearly demonstrates that the land within Eastgrove Park South Reserve (R717113) is Crown land reserved for the purpose of Public Recreation, validly created and being under the management of Goulburn Mulwaree Council as a Council Manager (Crown land manager).

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 abolished 1 July 2019. At this point, Goulburn Mulwaree Council became the Council Manager of the Crown reserve.

Native Title Manager advice 3.

Eastgrove Park South Reserve (R717113) under Council's Crown land management has been 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 ACTS INCONSISTENT WITH CONTINUED PRESENCE OF NATIVE TITLE - PREVIOUS EXCLUSIVE 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 2 sets out the extinguishing effect of PEPAs

ANNEXURE E

Table 2: Extinguishing effect of previous exclusive possession acts (PEPAs)

Category	Acts in the category	Extinguishing effect
PEPAs	<ul style="list-style-type: none"> • Freehold estates • Construction or establishment of public works • Acts set out in Schedule 1 of the NT Act (Cwlth) • Commercial leases (not being an agricultural or pastoral lease) • Exclusive agricultural leases • Residential leases • Community purpose leases • Separate leases • Any lease (other than a mining lease) that confers a right of exclusive possession 	The act extinguishes any native title in relation to the land or waters

Source: NSW Government: 'Native Title Managers Handbook' 2nd Edition 2019

Eastgrove Park South Reserve (R717113) has been subject to a *previous exclusive possession acts* (PEPA) where alienation through former freehold ownership has been made that is inconsistent with the continued existence of native title.

Table 3: Previous Exclusionary Possession Acts (PEPAs)

Reserve Name and Number	Purpose	Real Property ID Lots/DPs,	Native Title Comment
Eastgrove Park South Reserve R71713	Public Recreation	Whole of Lots 1 and 2, Section 5, Deposited Plan 979849 Parish of Towrang, County of Argyle	R71713 for Public Recreation, known as Eastgrove Park South, comprises lots 1 and 2, Section 5, DP979849 in the Parish of Towrang, County of Argyle. The area comprising R71713 was originally part of an area known as "Eastgrove", a private town subdivision and part of 240 acres originally owned by W. Warby and later shown on historical parish maps as owned by William Bradley. R71713 (comprising 9 acres 0 roods and 17.5 perches (approx. 3.7 ha)) was reserved for Public Recreation by notification of 26 October 1945. Aerial inspection indicates that R71713 comprises open turf with artificial cricket pitches, a perimeter fence and mature trees on the perimeter and a toilet block on the western boundary of the reserve. Based on the evidence R71713 was validly created and was formally freehold land which is a previous exclusionary possession act (PEPA) and is therefore inconsistent with the continued existence of Native Title over the area comprising R71713.

ANNEXURE E

Native Title Manager advice 4.
 Eastgrove Park South Reserve (R71713) has been subject to a previous exclusive possession act (PEPA) over the whole of the land where alienation through former freehold ownership has been made that is inconsistent with the continued existence of native title.
 PEPAs, subject to the Commonwealth and NSW State native title legislation, have the effect to extinguish any native title in relation to the land or waters.
 Council may have confidence that in the event of any native title claim over the reserve, that for the purposes of the NT Act (Cwlth) and the NT Act (NSW), the acts that affect the whole of the land in Eastgrove Park South Reserve may be regarded as having the effect of having extinguished native title rights over the relevant land areas.

5. THE DRAFT PLAN OF MANAGEMENT

The NT Acts and the CLM Act are clear: 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 be 'valid acts'.

The act of Crown land reservation is a valid legislative past act by the NSW Government, validated by Section 8 of the Native Title Act 1994 (NT Act NSW) . Section 8 provides for the validation of past acts performed by the State of NSW, meaning: where the NSW State has done a 'past act' it is deemed to be valid in so far as it affects native title.

The adoption of this draft plan of management will affect the presumed native title rights that are considered to be in existence.

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).

A future act is defined in s. 233 of the NT Act (Cwlth):

Section 233

- 1) *Subject to this section, an act is a future act in relation to land or waters if:*
- a) *either:*
 - i. *it consists of the making, amendment or repeal of legislation and takes place on or after 1 July 1993; or*
 - ii. *it is any other act that takes place on or after 1 January 1994; and*
 - b) *it is not a past act; and*
 - c) *apart from this Act, either:*
 - i. *it validly affects native title in relation to the land or waters to any extent; or*
 - ii. *the following apply:*
 - A. *it is to any extent invalid; and*
 - B. *it would be valid to that extent if any native title in relation to the land or waters did not exist; and*
 - C. *if it were valid to that extent, it would affect the native title.*

To be a future act, the act must:

- 'affect' native title;
- be valid (or be valid if it were not for native title);
- have occurred on or after 1 January 1994 when the NT Act (Cwlth) commenced; and
- not be a past act.

ANNEXURE E

5.2 Extinguishment Effect

Where native title has been or can be deemed to be potentially extinguished by the Crown’s grant of a certain interest that is inconsistent with native title, any subsequent act will not be a future act, as the act cannot ‘affect’ native title or compliance with the native title legislation - a future acts regime is not required.

Section 23E of the NT Act (Cwlth) enables states and territories to enact laws which confirm the extinguishment of native title by previous exclusive possession act attributable to them. Accordingly, the NT Act (NSW) in Part 2, Division 2 provides similar provisions of the NT Act (Cwlth) as to the extinguishing effect of a previous exclusive possession act where the act was done by the State of NSW.

The previous exclusive possession act (PEPA) of alienation through former freehold ownership over the whole of the land in Eastgrove Park South Reserve (R71713) is a ‘past act’ inconsistent with the continued existence, enjoyment or exercise of the native title rights. Part 2, Division 2 of the NT Act (NSW) has the effect of extinguishing native title over those land parcels to the extent of the inconsistency.

If Subdivision J of the NT Act (Cwlth) applies to the act, the act will be valid and the non-extinguishment principle will apply unless the act is the construction or establishment of a public work, in which case native title will be extinguished.

5.3 Validity of ‘future acts’ and the draft plan of management

The assumption of the existence of native title on the land in Eastgrove Park South Reserve (R71713) is accepted, although the alienation due to former freehold ownership over the whole of the land in R71713 means that the extinguishment principle may be applied to the affected land.

The adoption of the plan of management and its proposed uses, development and authorised tenures are regarded as ‘future acts’ as these acts:

- ‘affect’ native title;
- would be valid (or be valid if it were not for native title);
- have occurred on or after 1 January 1994 when the NT Act (Cwlth) commenced; and
- are *not* a past act.

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). Table 4 sets out a summary of the cascading future acts regime in the NT Act (Cwlth).

Table 4: *Overview of future acts regime subdivisions (stopping at Subdivision J)*

Sub division	Summary of subdivision
B-E	Subdivisions B-E cover ILUAs. ILUAs can be negotiated when the other subdivisions of the future acts regime do not apply (subject to the agreement of the native title holders and/or native title claimants).
F	Subdivision F covers future acts where there is an absence of native title. A government body may obtain s. 24FA protection for future acts by making a non-claimant application in the Federal Court. A requirement is that there be no relevant native title claims over the whole or part of the area: see ss. 24FC(c) and 24FC(d).
G	Subdivision G deals with certain acts relating to primary production on areas subject to non-exclusive agricultural and pastoral leases that were granted on or before 23 December 1996.
H	Subdivision H relates to management or regulation of surface and subterranean water, living aquatic resources and airspace.
I	Subdivision I applies to acts which are pre-existing rights-based acts or acts that are permissible e.g. lease renewals.

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JA	Subdivision JA deals with public housing for the benefit of Aboriginal peoples or Torres Strait Islanders.
J	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.

Source: NSW Government: 'Native Title Managers Handbook' 2nd Edition 2019

The NT Act (Cwlth) allows for a range of future acts to occur on Crown land and specifies the level of consultation that must be carried out before the act can occur. Rather than attempt to prove that native title has been extinguished, the role of the Native Title Manager is to assume native title has NOT been extinguished and to proceed with the assessment of impact on native title of the act which is proposed.

See below for specific advice on a range of acts which may apply to the reserve covered in the Draft PoM.

- a) Construction of recreational facilities on the reserve (such as recreation and leisure facilities, sporting facilities and infrastructure, sheds, ablution blocks and the like) on the reserve which is consistent with the reserve purpose.

The construction of buildings such as recreation and leisure facilities, sporting facilities and infrastructure, sheds, ablution blocks, and the like may be validated under Subdivision J if the construction and operation of such facilities may affect native title and as such may be a future act. Assuming the construction is consistent with the reserve purpose (public recreation) then the good faith requirement under Section 24JA(1)(e)(i) is met.

- b) Construction of facilities on the reserve (such as roadways, footpaths, and gardens)

Construction of these various structures may affect native title and as such may be a future act. Assuming the construction is consistent with the reserve purpose (public recreation) then the good faith requirement under Section 24JA(1)(e)(i) is met.

- c) Issue of Leases or Licences

The issue of a lease or licence may affect native title and as such may be a future act. Assuming the issuing of the lease or licence is consistent with the reserve purpose then the good faith requirement under Section 24JA(1)(e)(i) is satisfied. If the issue of the lease or licence is 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, then the good faith requirement under Section 24JA(1)(e)(ii) is met.

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.

If Subdivision J applies to the act, then the act will be valid and the non-extinguishment principle will apply unless the act is the construction or establishment of a public work, in which case native title will be extinguished.

Table 5 sets out the compliance with the future acts regime criteria under Subdivision J.

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Table 5: 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 Handbook' 2nd Edition 2019

The adoption of the plan of management is to be done by Goulburn Mulwaree Council as a Council Manager in good faith. The plan of management proposed uses, development and authorised tenures are consistent with the reserve's purpose (in accordance with the reservation).

The adoption of the plan of management with proposed uses, developments and tenures that are in accordance with the reservation purpose of the reserve is a future act that meets the requirements of validation under the NT Act (Cwlth) Subdivision J, Section 24JA, Section (1) (a-e).

Procedural rights under the NT Act (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, such as approve (or submit for approval) a plan of management, do not require notification and do not confer other procedural rights.

5.4 Procedural rights

The procedural rights under Subdivision J, if applicable, are to notify any representative body, registered native title body corporate and registered native title claimant and provide them with an opportunity to comment.

However the notice is only required if the act consists of the construction or establishment of a public work, or the creation of a plan for the management of a National or State park intended to preserve the natural environment of an area.

Procedural rights under the NT Act (Cwlth) for potential native title claimants, such as notification or opportunity to comment, do not apply, as approve (or submit for approval) a plan of management, which is a future act validated under Subdivision J, and which is not a public work does not require notification and does not confer other procedural rights.

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5.5 Public Works

Public works are defined in s. 253 of the NT Act (Cwlth) as follows.

'Public work means:

- a) any of the following that is constructed or established by or on behalf of the Crown, or a local government body or other statutory authority of the Crown, in any of its capacities:
 - i. a building, or other structure (including a memorial), that is a fixture; or
 - ii. a road, railway or bridge; or
 - iii. where the expression is used in or for the purposes of Division 2 or 2A of Part 2—a stock-route; or
 - iv. a well, or bore, for obtaining water; or
 - v. any major earthworks; or
- b) a building that is constructed with the authority of the Crown, other than on a lease.

Native Title Manager Advice 5

The adoption of the plan of management by Council, in good faith, and with proposed uses, developments and tenures that are in accordance with the reservation, and the purpose of the Crown reserve is a future act that meets the requirements of validation under the NT Act (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 Eastgrove Park South Reserve (R71713), nor have there been any Native Title Determinations, Indigenous Land Use Agreements, Native Title Future Act Applications and Determinations, and neither Council or this Native Title Manager are aware of request for, or issue of a Native Title Certificates for Eastgrove Park South Reserve (R71713).

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 Valid creation of the reserve

Eastgrove Park South Reserve (R71713) was validly created by the State of NSW (the Crown) and Goulburn Mulwaree Council is the Council manager of the reserve.

6.3 Previous exclusionary possession acts

The whole of the land in Eastgrove Park South Reserve (R71713) has been subject to valid acts, being alienation through former freehold ownership that is a *previous exclusive possession act* (PEPA) on that affected land.

PEPAs, subject to the Commonwealth and NSW State native title legislation, have the effect to extinguish any native title in relation to the land or waters.

Council may have confidence that in the event of any native title claim over Eastgrove Park South Reserve (R71713), the (PEPA) act that affects the whole of the land through former freehold

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ownership will be regarded for the purposes of the NT Act (Cwlth) and the NT Act (NSW) as having the effect of having extinguished native title rights over the land.

6.4 Validity of Future Acts

The adoption of the draft plan of management by Council in good faith, and with proposed uses, developments and tenures that are in accordance with the reservation and the purpose of the reserve is a future act that meets the requirements of validation under the NT Act (Cwlth) Subdivision J, Section 24JA, Section (1) (a-e).

6.5 The plan of management

The adoption of the plan of management will not have an effect on native title rights over the PEPA-affected parts of the land in Eastgrove Park South Reserve (R71713) as the previous exclusive possession act (PEPA), being freehold ownership, has the effect of extinguishment on the land if subject to judgment in a native title claim.

The adoption of the plan of management with proposed uses, developments and tenures that are in accordance with the reservation and the purpose of the Crown reserve is a valid future act.

6.6 Outcome of advice

Goulburn Mulwaree Council may endorse the draft plan of management as a draft for referral, and as a submission for approval to adopt the Draft PoM, to The Minister administering the *Crown Land Management Act 2016* as a landowner representative of the State of NSW.

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APPENDICES

Appendix A: Reserve Summary – Titles, Gazette Notice, Diagrams, and Parish Maps

Appendix B: Native Title Manager letter of accreditation

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**APPENDIX A: RESERVE SUMMARIES – TITLES, GAZETTE NOTICE, DIAGRAMS,
AND PARISH MAPS**


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<u>Reserve 71713 for Public Recreation – Eastgrove Park South, Goulburn</u> <u>Parish of Towrang – County of Argyle</u>
<p>Reserve 71713 Summary</p> <p>R71713 for Public Recreation, known as Eastgrove Park South, comprises lots 1 and 2, Section 5, DP979849 in the Parish of Towrang, County of Argyle.</p> <p>The area comprising R71713 was originally part of an area known as “Eastgrove”, a private town subdivision and part of 240 acres originally owned by W. Warby and later shown on historical parish maps as owned by William Bradley.</p> <p>R71713 (comprising 9 acres 0 roods and 17.5 perches (approx. 3.7 ha)) was reserved for Public Recreation by notification of 26 October 1945.</p> <p>Aerial inspection indicates that R71713 comprises open turf with artificial cricket pitches, a perimeter fence and mature trees on the perimeter and a toilet block on the western boundary of the reserve.</p> <p>Based on the evidence R71713 was validly created and was formally freehold land which is a previous exclusionary possession act (PEPA) and is therefore inconsistent with the continued existence of Native Title over the area comprising R71713.</p>


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Certificate of Title Lot 1 Section 5 DP979849



LAND REGISTRY Title Search
SERVICES

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH



FOLIO: 1/5/979849

SEARCH DATE	TIME	EDITION NO.	DATE
27/9/2021	8:36 AM	-	-

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 1 OF SECTION 5 IN DEPOSITED PLAN 979849
AT GOULBURN
LOCAL GOVERNMENT AREA GOULBURN MULWAREE
PARISH OF TOWRANG COUNTY OF ARGYLE
TITLE DIAGRAM DP979849

FIRST SCHEDULE

THE STATE OF NEW SOUTH WALES (CA136406)

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 ***

For Carr Confoy


PRINTED ON 27/9/2021

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Certificate of Title Lot 2 Section 5 DP979849



LAND REGISTRY SERVICES

Title Search



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/5/979849

SEARCH DATE	TIME	EDITION NO	DATE
27/9/2021	8:36 AM	-	-

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 2 OF SECTION 5 IN DEPOSITED PLAN 979849
 AT GOULBURN
 LOCAL GOVERNMENT AREA GOULBURN MULWAREE
 PARISH OF TORWRANG COUNTY OF ARSYLE
 TITLE DIAGRAM DP979849

FIRST SCHEDULE

THE STATE OF NEW SOUTH WALES (CA136406)

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 287 (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

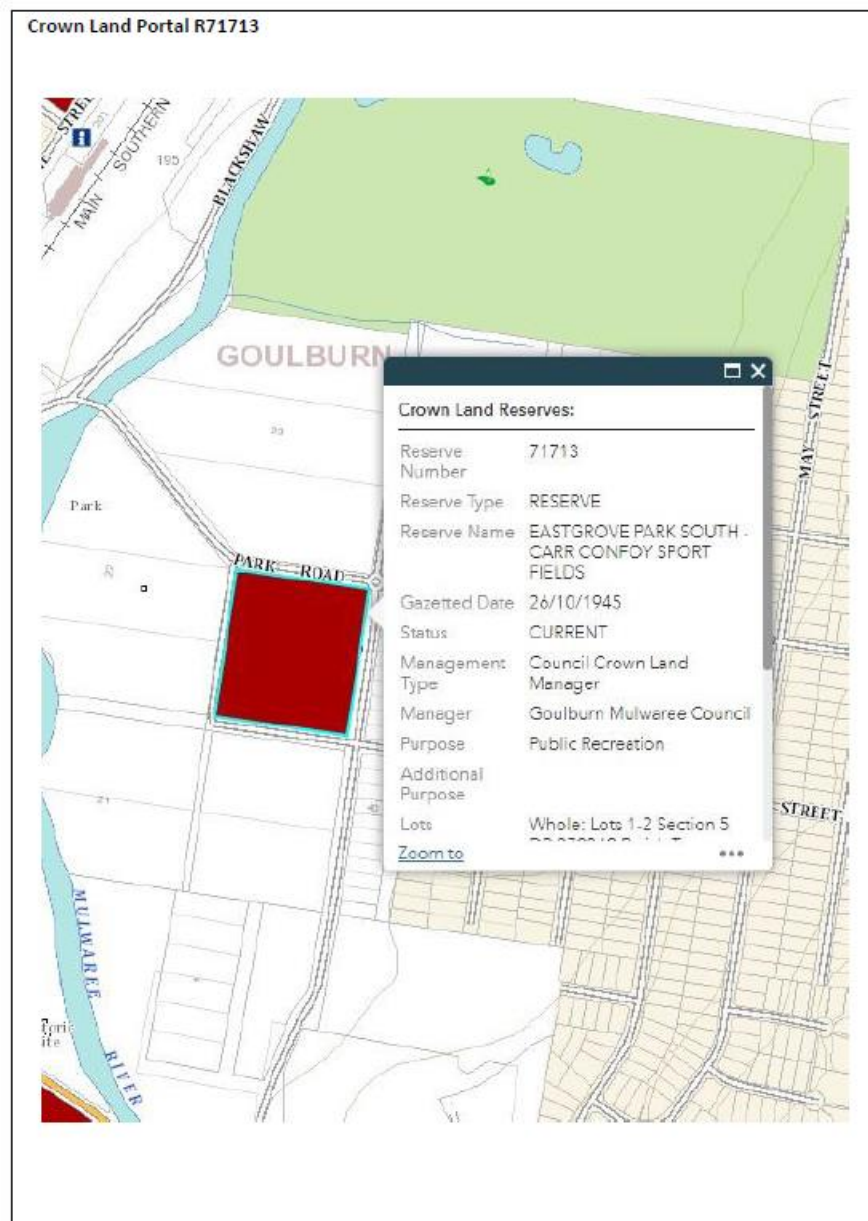
*** END OF SEARCH ***

PcM Carr Confoy PRINTED ON 27/9/2021

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Government Gazette 26 October 1945 (R71713)

Sydney 26th October, 1945.
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 hereunder described shall be reserved from sale for the public purposes hereinafter specified, and they are hereby reserved accordingly.
J. M. TULLY, Minister for Lands.

ACCESS, PUBLIC RECREATION AND PRESERVATION OF NATIVE FLORA AND FAUNA.
LAND DISTRICT—TARREY; SHIRE—STROUD.
 No. 71,717 from sale. Parish Puraley, county Gloucester, about 60 acres, within Cockatoo Island, Wallis Lake (includes portion 252). Mx. 2,495 M4, and G. 5,456-1,497. P. 45-5,815.

FOR PUBLIC RECREATION (ADDITION).
LAND DISTRICT—GOULBURN; MUNICIPALITY—GOULBURN.
 Parish Goulburn, county Argyle, about 15 acres, being part of portion 45, within the following boundaries: Commencing at the most westerly north-eastern corner of portion 369; and bounded thence by the south-western side of a public road from Goulburn to Bungain south-easterly; by the left bank of Mulwaree Ponds upwards, and the south-eastern and north-eastern boundaries of portion 369 to the point of commencement. Plan A. 27-642. P. 45-4,830.

(5120) Sydney, 26th October, 1945.
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.
J. M. TULLY, Minister for Lands.


FOR PUBLIC RECREATION.
LAND DISTRICT—BLAYNEY; SHIRE—LYNDSEURST.
 No. 71,710 from sale (71,711 from lease generally). Parish Lindsay, suburban lands Blayney, county Bathurst, 4 acres 0 roods 8 perches, within the following boundaries: Commencing at a south-west corner of portion 259 at its intersection with Farm-street, and bounded thence by part of a southern boundary of that portion east 540 links, by a line south 750 links, by a line west to Farm-street aforesaid, and by that street to the point of commencement. P. 45-5,180.

FOR PUBLIC RECREATION.
LAND DISTRICT—GOULBURN; MUNICIPALITY—GOULBURN.
 No. 71,713 from sale (71,714 from lease generally). Parish Turrag, county Argyle, about 9 acres 0 roods 17½ perches, being part of portion 247 bounded on the north by Park-road, on the east by Forbes street, on the south by Glendy street and on the west by Farm-road. A. 339-642 L.F. P. 45-3,394.

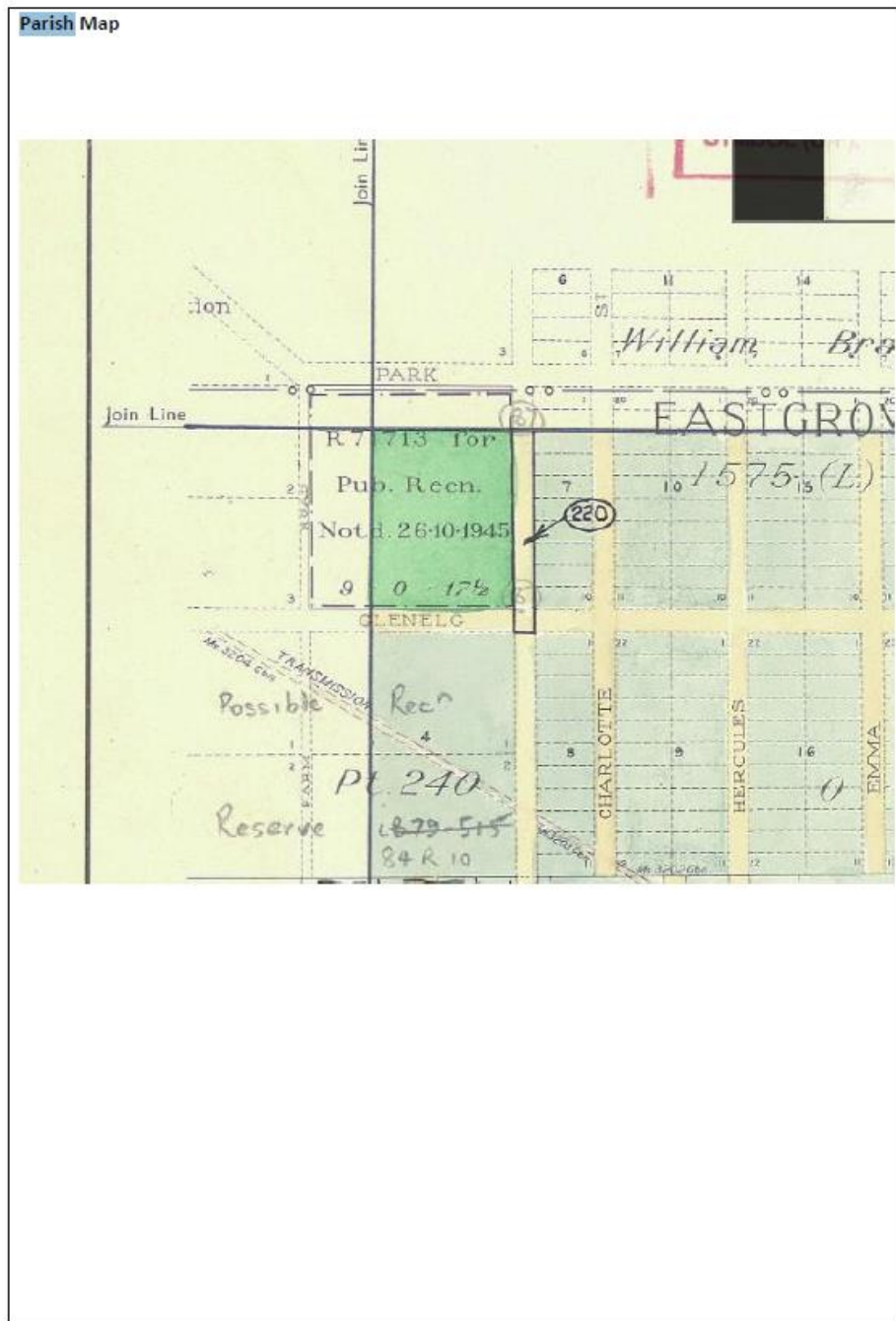
FOR PUBLIC RECREATION AND SHOWGROUND.
LAND DISTRICT—QUEANBEYAN; SHIRE—YARROWLUMLA.
 No. 71,715 from sale (71,716 from lease generally). Parish Wambain, village Bungendore, county Murray, 8 acres 3 roods 3 perches, being allotments 1 to 18, section 20. Plan B. 15-1,064. P. 45-4,557.

(5125) Sydney, 26th October, 1945.
RESERVES FROM SALE OR LEASE GENERALLY.
 It is hereby notified that, in pursuance of the provisions of section 29 of the Crown Lands Consolidation Act, 1913, the Crown lands hereunder described shall be and are hereby temporarily reserved from sale or lease generally.
J. M. TULLY, Minister for Lands.

LAND DISTRICT—NEWCASTLE; SHIRE—LAKE MACQUARIE.
 No. 71,712. Parish Kahliah, county Northumberland, 3 roods 18 perches, portions 616 to 621, 63 and 751 to 754. N. 6,827, 6,828, 6,829, 6,849, 6,852-2,111. P. 45-5,532.



ANNEXURE E

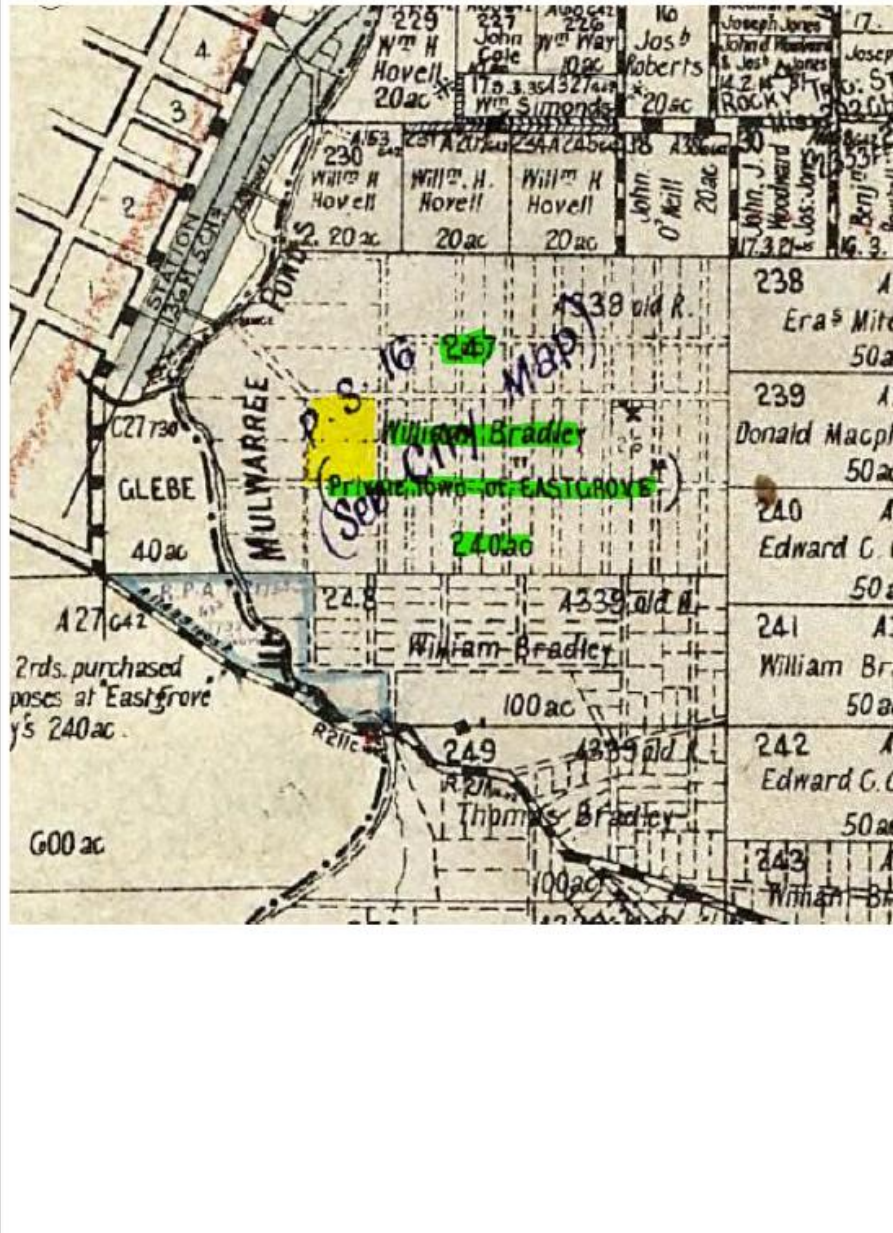


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Original Parish Map (showing freehold ownership) R71713 yellow colour

Portion 247 (containing R71713) details highlighted green



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APPENDIX B: 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

Yours sincerely

Rodney Hodder
 A/Executive Director Strategy and Policy
 Crown Lands

6/2/2020

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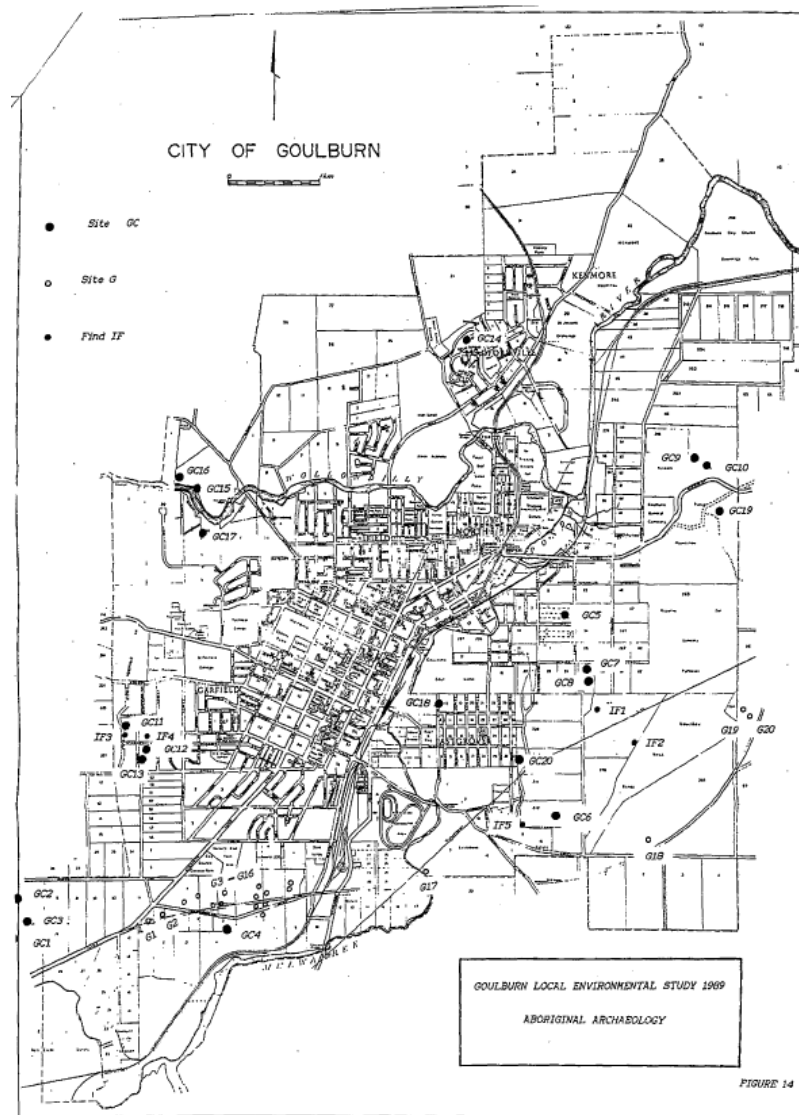
F. CULTURAL SIGNIFICANCE OF CARR CONFOY SPORTSGROUND AND PARK

ABORIGINAL ARCHAEOLOGICAL INVESTIGATIONS

A 1989 report for Goulburn Council prepared by Nicole Fuller of ANUTECH Pty Ltd, entitled Goulburn City - An Archaeological Investigation of Aboriginal Site Location, identifies site GC 18 as located on Carr Confoy Sportsground. An extract of the report addresses GC 18 as follows:

Zone 1: Major watercourses Site G17 (NPWS site number 51-6-21), located in 1983 during the survey of the proposed Hume Highway by-pass, is much larger and better preserved than the two sites (GC17 and GC18) located in this zone during the present survey. While partial destruction of this site (G17) will be caused by by-pass construction, detailed research is being carried out on the contents of that portion of the site which is to be affected, thereby providing a comprehensive picture of Aboriginal site use during the recent prehistoric past. Other sites in this zone are likely to contain similar material to that found in this site, however, disturbance resulting from ploughing which has taken place at Site G17 has affected the integrity of the archaeological deposits, and therefore other sites in this zone may reveal as much, or more, about the prehistoric Aboriginal occupation of the region. Sites GC17 and GC18 are likely to contain valuable information on Aboriginal site use and should these be threatened by development which would cause their destruction, it would be necessary for further site investigation to be carried out. The archaeologists of the National Parks and Wildlife Service will be able to assess the regional significance of these sites, once work has been completed at the G17 site, and will be in a position to recommend the level of necessary work which would be required should these other sites be threatened. Because these sites are not currently threatened, no immediate protective measures are required, however, monitoring of their condition should be carried out, to ensure that erosion or land use does not adversely affect them.

ANNEXURE F

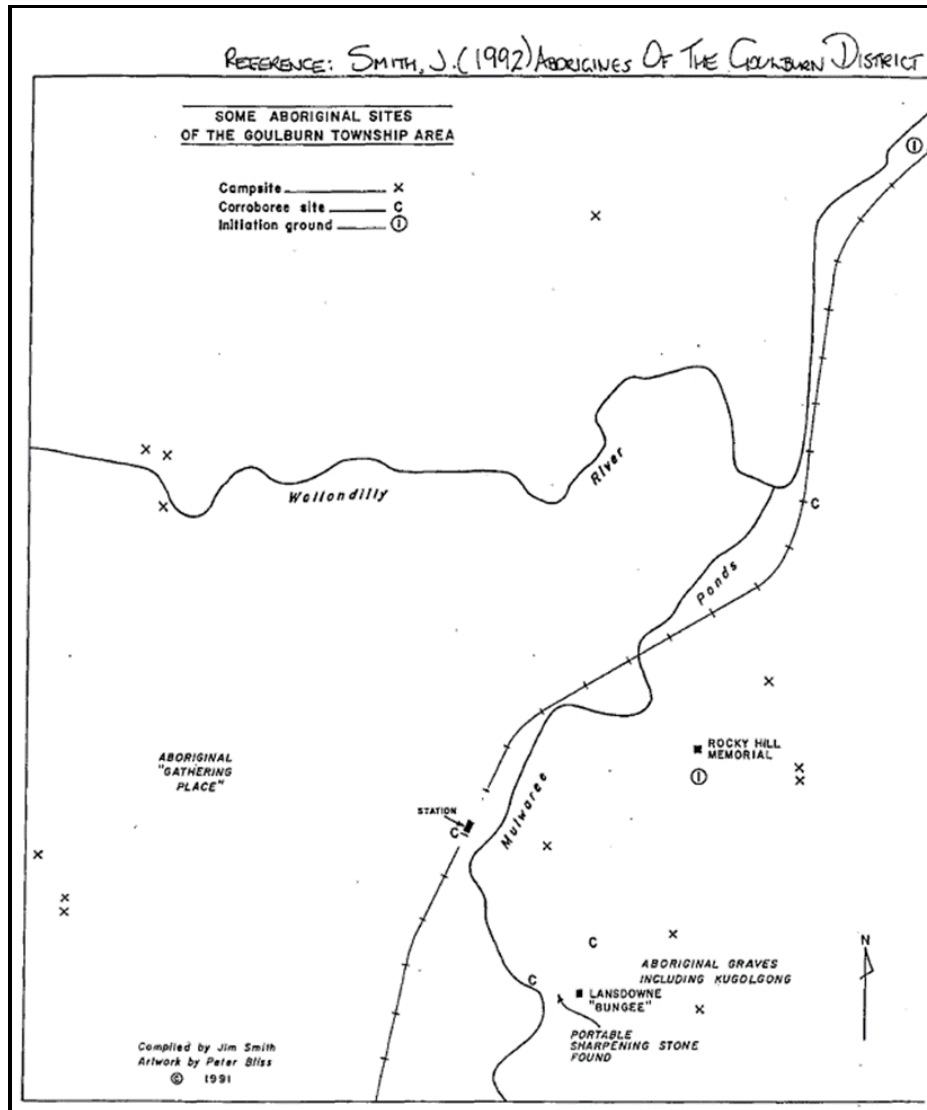


16. Figure extract - Aboriginal Archaeological Study 1989

Figure 15 extracted from the above noted report shows a plot of Aboriginal sites including campsites and corroboree grounds in the proximity of Carr Confoy Sportsground and Eastgrove south and an Aboriginal burial ground located to the south east.

James Smith in his publication of 1992 identified sites of Aboriginal cultural importance as plotted on the following mud map.

ANNEXURE F

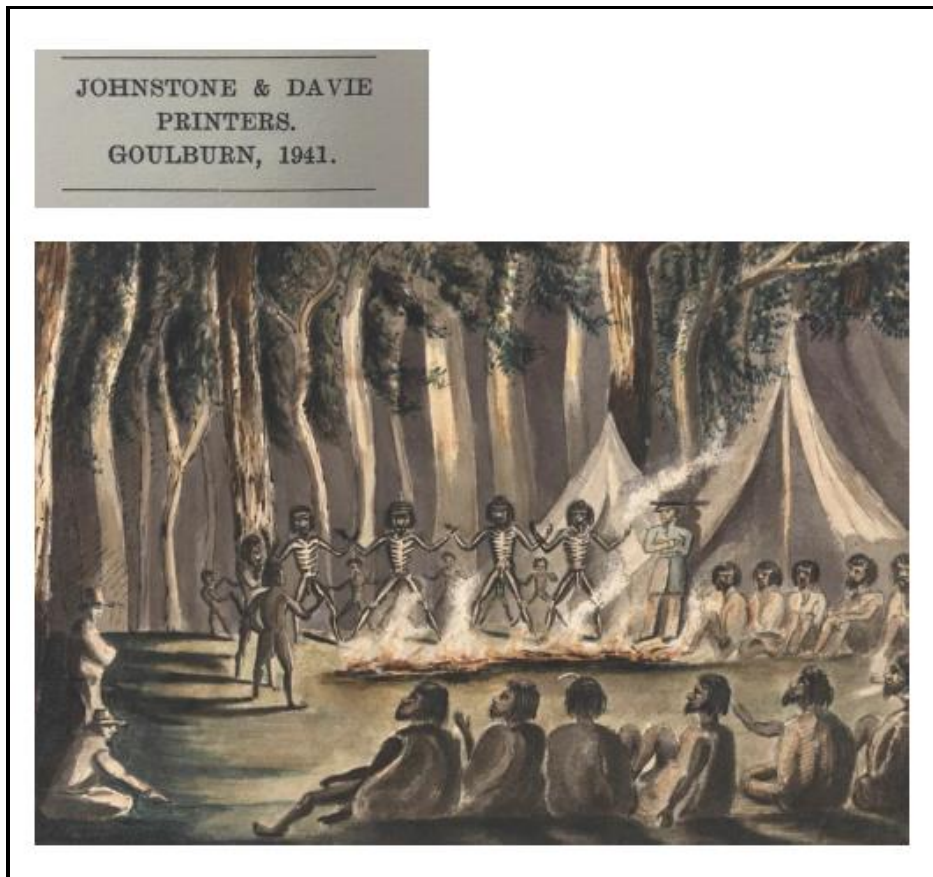


17. Figure - extract 1989 Aborigines of the Goulburn District Smith, J. 1992

Further diagrams and excerpts from newspapers and publications follow, providing additional references to relatively modern history and occupation of Aboriginal peoples of the Gundangurra and Ngunnawal language groups in the Goulburn Mulwaree area, particularly in proximity to Eastgrove.

ANNEXURE F

The images and remarks following have been submitted by the Mulwaree Aboriginal Community Inc,



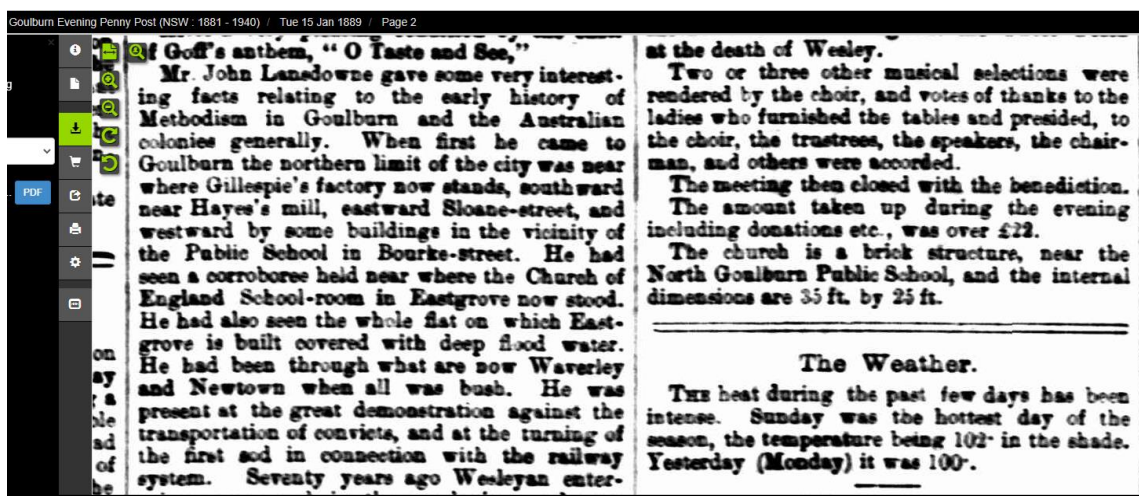
There are numerous newspaper articles in TROVE which relate to the Aboriginal people in and around East Goulburn and Rocky Hill and Lansdowne Park in Goulburn. They demonstrate an ongoing connection to Country and the lands on which Carr Confoy Park is located and should be celebrated in a relevant way to enable and ensure that the people of Goulburn Mulwaree LGA are able to acknowledge our past and not pretend that the Aboriginal people of this region did not live on these lands.

I have asked Heritage NSW / Dept of Premier and Cabinet to work with Council to enable the correct Traditional Custodians to be acknowledged, and expect that the Council will follow the information and instruction from the Dept.

ANNEXURE F

The following extract of newspaper article courtesy of Trove via MACI, from the *Goulburn Evening Penny Post* of Tuesday January 1899, relates a talk given by Mr John Lansdowne recounting his earlier experiences of:

- Methodism in Goulburn,
- flooding at Eastgrove,
- witnessing Corroboree at Eastgrove,
- the extent of Goulburn town limits,
- witnessing demonstration against transportation of convicts, and
- witnessing sod turning for the railway.



The article on the page following includes the reiteration of an account of the retaliation of the Lachlan People against the Bogan blacks who are reported to have marauded the Lachlan encampment to steal (*gins*).

The Lachlans pursued the Bogans but were forced to retreat and eventually routed with up to 150 of the Lachlan people slaughtered on the field of battle considered to be in the vicinity of what is now Parkes.

The retreating Lachlans split which proved disastrous for one party of 60, who were slaughtered by the advancing Bogans, the remaining Lachlans are reported to have survived by swimming the Bogan River in flood and returning to the encampment at the Bradley Estate with fewer than one third of their men.

ANNEXURE F

ECHOES OF THE PAST.
 (By George Clout)
 No. 11.
THE ABORIGINES.

To your untutored tastes are sweeter
 The dance of battle and the song of war,
 'Mid hostile ranks the deadly spear to throw,
 Or see the foeman staggering 'neath
 your blow.

—William Charles Westworth.

There has been much written about the Aborigine that is contradictory. Some writers have confidently stated that they are incapable of civilisation, that you cannot by any method of instruction improve their condition. Others with equal earnestness maintain the very reverse, that they are quite capable of being brought into a higher plane of enlightenment, that they are susceptible of being taught habits of industry and good conduct. Be that as it may, there is no doubt that in their natural state they are among the very lowest in the scale of humanity. The Aborigines of the Mission Stations come under a different category, they have a good sprinkling of white blood in them and their faculties are of a different nature. As to their spiritual welfare the churches do not appear to have much to take credit for. They evidently adhere to the Scriptural injunction, "A prophet is not without honor save in his own country and in his own house." The savage in Fiji must have attention before the savage at home. Drick has been largely responsible for their degradation, and from their point of view it seems to have been so closely associated with Christianity that they have been unable to separate them. Large sums of money have been spent by the Government in an endeavour to better their condition, but the harvest has not proved worthy of the seed time. The Aborigine of to-day in all the more settled portions of the State has almost ceased to exist. Nearly all the youngsters attending school at the Mission Stations are half-castes. It is pitiful now that they are fast disappearing from the scene, a very few years more and they will be reckoned among the extinct races of the earth.

When Batman made his pioneering trip to Port Phillip in 1835, he had five aboriginal natives of Sydney with him, and queer names they had, viz., Joe the Marlee, Pigeon, Bungit, Bullet, and Old Bull. It was at that time also that William Buckley, the wild white man of the Australian bush as he was called, made himself known to Batman's party after a sojourn of 32 years with the blacks. Buckley was transported for being implicated in a mutiny at Gibraltar, a conspiracy being rife there to assassinate the Duke of Kent. In 1803 Governor Collins, of Tasmania, was instructed to form a convict station at Port Phillip. He therefore landed there with 400 convicts, one of whom was Buckley, at or near where the present site of Torronto is, but the want of water and the barren nature

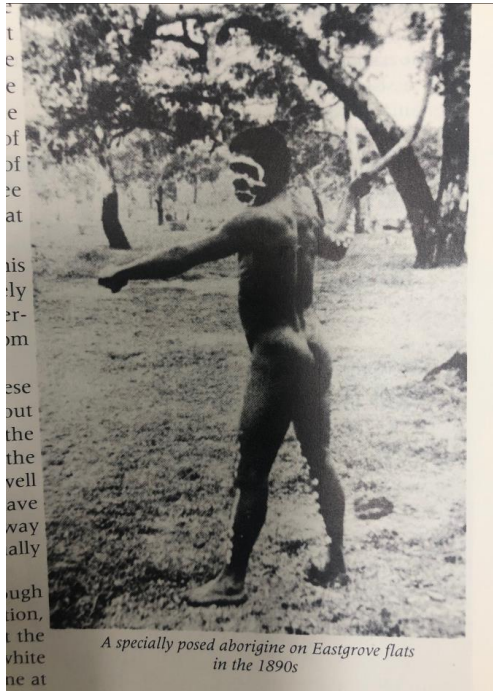
sent site of Torronto is, but the want of water and the barren nature of the soil rendered the expedition abortive. Before he left four of the convicts escaped into the bush, hoping to make their way to Sydney. One of these returned just in time to be taken on board. Two others it is thought must have perished in the wilds, and the other was William Buckley, who discovered himself in Batman's party at Port Phillip 32 years after. He had lost his language and had sunk to the level of a savage. He afterwards became very useful to the white settlers as an interpreter. He died at Hobart in 1856.

One might write volumes in reference to their depredations, and also with regard to the retaliatory measures of the white settlers. Their warlike tendencies have ever been apparent, and a battle royal between hostile tribes was by no means an infrequent occurrence in the days of long ago. The Argyle and the Lachlan tribes were among those most noted for their hostility, and an account of a tribal feud between the Lachlanders and the Bogan blacks is worth repeating. The latter had been trespassing on the domain of those of the Lachlan and had left an impression of their visit by stealing two young girls from the encampment. This of course meant war to the knife. As a result three hundred Lachlanders put on their warpaint and started forth in pursuit of the marauders, accompanied by a retinue of old men, girls and picnics. That they meant mischief was apparent from the hurried nature of their movements. Each warrior had twelve spears and a tomahawk, besides boomerangs, shields, etc. The girls carried all the camp paraphernalia. King Jimmy was the chief of the tribe and as he had worked on a station he could speak a little English. Their mode of warfare was different to that of the whites; they made no formal declaration of war, their object rather being to sneak on the foe and annihilate him in one act if possible. Their war path lay through the country near about where the township of Parker now stands and they overtook the Bogan blacks at the Bogan river, where they were camped at or near the present site of the Waterloo homestead, so-called on account of the battle that took place there. At early dawn, led by a blackfellow named Billy Boss, they made a charge on the sleeping Boganites, but before they reached them one of the girls gave the alarm. The Bogans were instantly on their feet, and as their weapons were at hand they were ready for fight immediately. A shower of spears from the Lachlans was not without its effect, as it placed about ten of the foe hors de combat, but the return fire of spears was equally effective, and brought the Lachlans to a halt. Then the boomerangs began to fly as the opposing parties got into closer quarters. The King of the Bogans, seeing he had an advantage

of nearly 2 to 1 over his opponents, lost no time in charging forward and making the Lachlans give way, but they rallied again almost immediately, fighting like demons. By this time a very considerable number of dead and wounded covered the ground, the Bogans apparently being the heaviest losers, but their preponderance of numbers gave them a great advantage, and their chief urging them on forced the Lachlanders to retreat, at first gradually but culminating in a rout, leaving 150 of their number on the battlefield, and the losses of their enemy were still greater. The victors followed the retreating blacks with great determination, slaughtering those that they overtook until after a chase of 50 miles the close of night arrested the carnage. About three scores of the fleeing blacks with their girls took another course, thinking they would be safer if away from the main body, but they sadly miscalculated their chances, as early on the third morning their blood-thirsty pursuers overtook them, when further slaughter took place. The remnant swam the flooded river and escaped that way. A very sorry looking lot was the Lachlan tribe when they got back to their old encampment. Only about half of the ladies and less than one-third of the men returned, and these had clay caked all over their heads, as that was the emblem of mourning for their friends. The present writer in his youthful days had many opportunities of seeing the burial places of the Argyle tribe of Aborigines at Lansdown, the head centre of the Bradley estate at Goulburn, where numbers of them were buried. It was there that I first saw their peculiar habit of covering their heads with clay or earth of some kind on the death of one of their number, as a symbol of mourning. Singular as this custom may appear to us, it is not without precedent. We read in Holy Writ that when Nephtai and Phinches, the sons of Eli the prophet, were killed in battle, the messenger who brought the ill-fated news to Eli "had his clothes rent and earth upon his head." Again when Saul and his three sons were slain on Mount Gilboa the messenger who brought the news to David was similarly decorated. It is curious, therefore, to note that the Aborigine of Australia has adopted a custom as a symbol of mourning which was practised by God's peculiar people when they were at the zenith of their power, one thousand years before the Christian era.

(to be continued)

ANNEXURE F



“A specially posed Aborigine on Eastgrove Flats in the 1890s” from page 243 of “Grand Goulburn” by Stephen J. Tazewell.

A specially posed aborigine on Eastgrove flats in the 1890s

ANNEXURE G

G. LEASES LICENCES - CARR CONFOY SPORTSGROUND AND PARK

Site	Tenant	Type	Start Date	End Date	Authorised Use
22 Farm Road	Goulburn Pony Club, Inc.	Council Lease	1.09.22	31.08.27	Equine Activity
22 Farm Road	RBA Holdings Pty Ltd	Council Lease	28.11.21	27.11.26	Digital relay tower
Eastgrove Park South Carr Confoy	GDJCA (Cricket)	Seasonal Hire	September to March		Cricket training and match play
Eastgrove Park South Carr Confoy	Goulburn Soccer Association	Seasonal Hire	March to September		Junior Soccer training and match play
Eastgrove Park South Carr Confoy	Goulburn Junior Rugby Union Club	Seasonal Hire	March to September / ad-hoc		Rugby Union training
Carr Confoy North	GDJCA	Seasonal Hire	September to March		Cricket training and match play
Carr Confoy North	GDJCA	Seasonal Hire	September to March		Cricket training and match play
Carr Confoy North	Goulburn Touch Football Association	Seasonal Hire	March to September		Touch Football training and match play
Carr Confoy Netball Courts	Goulburn & Districts Netball Association	Seasonal Hire	September to March		Netball training and match play

Short term hire arrangements are utilised for less frequent or once off community, social and sporting events such as:

- Relocation of other sporting codes due to ground closures for games and/or training,
- Netball gala event/s
- Relay for Life,
- Pictures and Popcorn,
- Sports tourism events including but not limited to:
 - ANZAC cup - cricket,
 - Ultimate Frisbee Challenge.

Sport field allocations are worked out through the Sports Council Committee of Council which are adopted by Council.



The charter of the Sports Council Committee is to allocate fields to user groups. The Sports Council Committee also works as an informal forum for negotiating expectations, addressing maintenance and prospective infrastructure projects.

15.2 STATEMENT OF INVESTMENTS & BANK BALANCES

Author: Business Manager Finance & Customer Service

Director Corporate & Community Services

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Statement of Investments & Bank Balances  

Link to Community Strategic Plan:	25. Our Civic Leadership CL1 Effect resourceful and respectful leadership and attentive representation of the community.
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That the report by the Director Corporate & Community Services on the Statement of Investments and Bank Balances be received.

BACKGROUND

To report on the Investment Performance and Bank Balances as at 13 January 2023.

REPORT

1. Monthly Investment Performance Indicators

Attached are the Investment Performance Indicators which compares Council’s portfolio against the Investment Policies Term Mix and Benchmark Interest Rates Performance indicators. Also attached is Council’s Investment Portfolio. Please note all interest rates and market values quoted in the Investment Portfolio Attachment are based on the latest available data.

Please note there is now one area where Council’s portfolio is outside of policy:

Benchmark Interest Rate Performance – with the recent and ongoing increases to the official cash rate, the 90-day BBSW has also increased significantly. This has seen a number of older investments now coming in under the benchmark of the 12 month average 90 day BBSW rate. These investments are all maturing in the next 3 months. The weighted average interest rate of our current portfolio is 2.47% which is well above the current benchmark of 1.65%

2. Statement of Investments and Bank Balances

The amount of investments and bank balances reported to Council as at the end of November 2022 was \$115,671,286 meaning that this month’s balance of \$114,412,368 equates to a decrease of \$1,258,918 in investments and cash held.

The following table outlines the reasons for this increase.

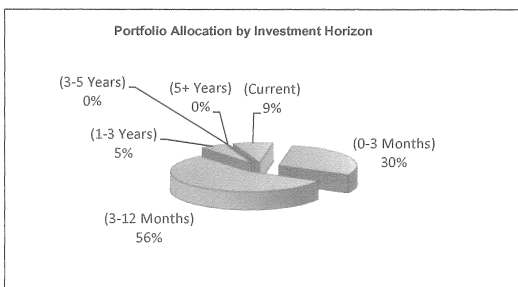
Receipts		
Rates & Water Receipts	4,017,261	
Financial Assistance Grant	0	
Sundry Debtors	717,735	
Grants & Contributions Received	1,602,946	
Other Income (including interest)	2,982,921	
Total Receipts		9,320,863
Payments		
Salaries and Wages	2,066,614	
Payments to Creditors	8,513,167	
Total Payments		10,579,781
Increase/(Decrease) in Cash & Investments		-1,258,918

Performance Indicators - Investments and Interest Earned - As at 13 January 2023

Diversification & Credit Risk							
Rating	Long Term Ratings	Short Term Rating	Long Term	Short Term	Total	Total %	Max
Scale	(Standard & Poors)	(Standard & Poors)	Actual	Actual	Actual	Actual	
1	AA+ to AA-	A1+	0	78,328,749	78,328,749	70.68%	100%
2	A+ to A	A1	0	16,000,000	16,000,000	14.44%	100%
3	BBB+ to BBB	A2	0	16,500,000	16,500,000	14.89%	30%
4	Hourglass		0	0	0	0.00%	0%
5	Other		0	0	0	0.00%	5%
			0	110,828,749	110,828,749	100.00%	
1	Within Policy Guidelines						
2	Within Policy Guidelines						
3	Within Policy Guidelines						
4	Within Policy Guidelines						
5	Within Policy Guidelines						

Portfolio - Term Mix					
		Actual	Actual %	Maximum	
A	At Call	(Current)	9,328,749.07	8.42%	100.00%
B	Working Capital	(0-3 Months)	33,000,000.00	29.78%	90.00%
C	Short Term	(3-12 Months)	62,500,000.00	56.39%	80.00%
D	Medium Term	(1-3 Years)	6,000,000.00	5.41%	30.00%
E	Medium To Long Term	(3-5 Years)	-	0.00%	30.00%
F	Long Term	(5+ Years)	-	0.00%	0.00%
			110,828,749		
A	Within Policy Guidelines				
B	Within Policy Guidelines				
C	Within Policy Guidelines				
D	Within Policy Guidelines				
E	Within Policy Guidelines				
F	Within Policy Guidelines				

Benchmark Interest Rates Performance			
1	Benchmark Rate - Average for 2022/23		
	Benchmark Rate - Average for 2022/2023		1.6511%
	Portfolio Over Benchmark	66,477,500	65.50%
	Portfolio under Benchmark	35,022,500	34.50%
	Total	101,500,000	
	Excludes At Call	9,328,749	
	Total including At Call	110,828,749	
2	Average Benchmark Rate for Financial Year		
	Benchmark - 90 Day BBSW Average for July 2022		2.0723%
	Benchmark - 90 Day BBSW Average for August 2022		1.8945%
	Benchmark - 90 Day BBSW Average for September 2022		2.7672%
	Benchmark - 90 Day BBSW Average for October 2022		2.9704%
	Benchmark - 90 Day BBSW Average for November 2022		3.6670%
	Benchmark - 90 Day BBSW Average for December 2022		3.1604%
	Benchmark - 90 Day BBSW Average for January 2022		0.0682%
	Benchmark - 90 Day BBSW Average for February 2022		0.0742%
	Benchmark - 90 Day BBSW Average for March 2022		0.1634%
	Benchmark - 90 Day BBSW Average for April 2022		0.3864%
	Benchmark - 90 Day BBSW Average for May 2022		0.9895%
	Benchmark - 90 Day BBSW Average for June 2022		1.5993%
	Average Benchmark Rate for Financial Year to Date		1.6511%



Statement of Investment and Bank Balances as at 13 January 2023

Description	Maturity Date	Investment Type	Rating	Current Interest Rate	Amount Invested
Comm Bank - Cash Management Account		AC	A1+	0.10%	9,328,749
MyState Bank 364 Day Term Deposit - Curve	23/01/2023	TD	A2	0.75%	1,000,000
Bank of Queensland 365D TD Rolled over from IN0784	2/02/2023	TD	A2	0.85%	2,000,000
Police & Nurses Ltd 365D TD - Curve	14/02/2023	TD	A2	0.90%	1,000,000
Commonwealth Bank of Australia 365 Day TD - CBA Rolled from INV0757	17/02/2023	TD	A1+	0.80%	10,000,000
ING Bank Australia 365 Day TD - IAM Rolled from INV0740	22/02/2023	TD	A1	0.70%	2,000,000
National Australia Bank 732 Day Term Deposit - Curve Rolled From Inv0790	26/02/2024	TD	A1+	1.70%	4,000,000
Macquarie Bank 365 Day Term Deposit - Curve Rolled from INV0758	3/03/2023	TD	A1	0.95%	1,000,000
Commonwealth Bank of Australia 365D TD Rolled from INV0759	7/03/2023	TD	A1+	1.00%	10,000,000
Bank of Queensland 365 TD Rolled over from IN0786	16/03/2023	TD	A2	1.15%	3,000,000
ING Bank Australia 733 Day TD - Curve	19/03/2024	TD	A1	2.02%	2,000,000
ING Bank Australia 365 Day TD - Curve	29/03/2023	TD	A1	1.62%	3,000,000
ING Bank Australia 365 Day TD - Curve	19/04/2023	TD	A1	2.21%	3,000,000
ING Bank of Australia 365 Day TD - Curve	19/05/2023	TD	A1	3.11%	3,000,000
NAB 365 Day TD - NAB 9295 1144	2/06/2023	TD	A1+	3.00%	10,000,000
Commonwealth Bank of Australia 365 Day TD - CBA	8/06/2023	TD	A1+	3.68%	15,000,000
ME Bank 365 Day TD - Curve	23/06/2023	TD	A2	3.98%	2,000,000
Westpac 365 Day TD	27/06/2023	TD	A1+	3.81%	5,000,000
Commonwealth Bank of Australia 365 Day TD - CBA	29/06/2023	TD	A1+	3.93%	10,000,000
Bank of Queensland 365 Day TD - Curve	25/07/2023	TD	A2	4.00%	3,000,000
ING Bank of Australia 365 Day TD - Curve	28/09/2023	TD	A1	4.55%	2,000,000
National Australia Bank 365 Day TD - Curve	16/11/2023	TD	A1+	4.28%	5,000,000
BankVic 365D TD - IAM	7/12/2023	TD	A2	4.60%	2,500,000
AMP 367 Day TD - Income AM	11/12/2023	TD	A2	4.35%	2,000,000
Total Investments Held					\$ 110,828,749
Total Investments Held					\$ 110,828,749
Balance as per Passbook-Commonwealth Bank				2,815,119.53	
Add: Outstanding deposits				13,628.28	
Less: Unpresented cheques				18,315.17	
Balance as per Cash Book-Commonwealth Bank					2,810,432.64

Add- Trust Fund	773,186.98
Total Cash & Investments @ 13/01/2023	114,412,368.69

15.3 MONTHLY FINANCIAL REPORT

Author: Business Manager Finance & Customer Service
 Director Corporate & Community Services

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Monthly Financial Report [↓](#) 

Link to Community Strategic Plan:	25. Our Civic Leadership CL1 Effect resourceful and respectful leadership and attentive representation of the community.
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That the report by the Director Corporate & Community Services on the Monthly Financial Report be received.

BACKGROUND

To provide details on Council’s actual income and expenditure compared to the estimate of Council’s income and expenditure.

This report is made in compliance with the requirements of the *Local Government (General) Regulation 2005 – Reg 202 (a)*, relating to Council's responsible accounting officer to maintain a system for budgetary control.

REPORT

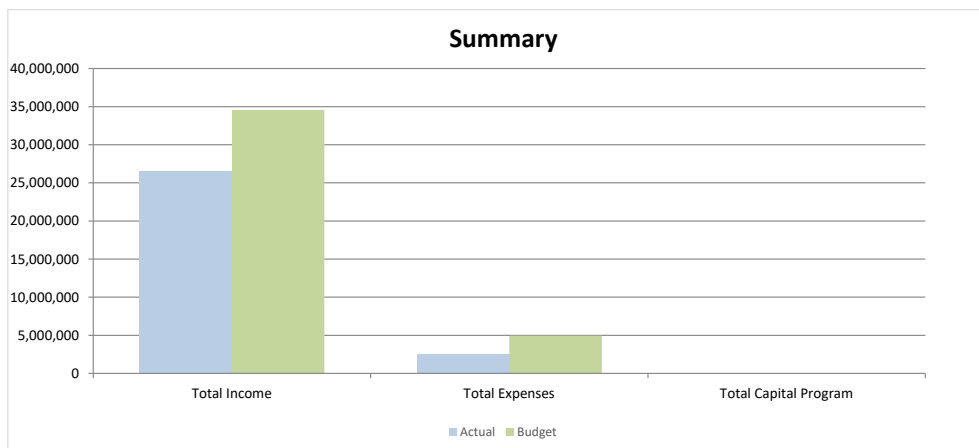
The Attachment includes the Capital Expenditure Year-to-Date Reports by Directorate along with Directorate reports comparing Council’s year-to-date income and expenditure against the annual budget for the 2022/23 financial year.



Council Directorate Summary Report for 2022/23
for YTD Period Ending December

Date Report Run: 10-Jan-2023

Executive Services								% of Time:	55%
Description	Original Budget 23PJOB	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Budget	
Income									
Rates & Annual Charges	22,811,239	<u>22,788,205</u>	0	0	22,788,205	22,811,239	23,034	100%	
Interest & Investment Revenue	250,000	<u>129,773</u>	0	0	129,773	250,000	120,227	52%	
Other Revenues	137,915	<u>12,754</u>	0	0	12,754	137,915	125,161	9%	
Operating Grants & Contributions	6,645,750	<u>1,234,132</u>	0	0	1,234,132	6,645,750	5,411,618	19%	
Internal Income	4,713,609	<u>2,356,805</u>	0	0	2,356,805	4,713,609	2,356,805	50%	
Total Income	34,558,513	26,521,668	0	0	26,521,668	34,558,513	8,036,845	77%	
Expense									
Employee costs	3,011,085	<u>1,583,906</u>	7,064	0	1,590,970	2,970,792	1,379,822	54%	
Materials & Contracts	1,030,829	<u>492,935</u>	122,975	0	615,910	1,030,829	414,919	60%	
Depreciation & Impairment	1,856	<u>0</u>	0	0	0	1,856	1,856	0%	
Other Expenses	394,926	<u>179,036</u>	123	0	179,158	394,926	215,768	45%	
Internal Expenses	537,351	<u>334,564</u>	0	0	334,564	537,351	202,787	62%	
Total Expense	4,976,048	2,590,441	130,161	0	2,720,602	4,935,754	2,215,152	55%	
Operating Surplus/(Deficit) before Capi	29,582,465	23,931,227	-130,161	0	23,801,066	29,622,759	5,821,692	80%	
Capital Income									
Operating Surplus/(Deficit) after Capite	29,582,465	23,931,227	-130,161	0	23,801,066	29,622,759	5,821,692	80%	
Non Cash									
Depreciation & Impairment	1,856	0	0	0	0	1,856	1,856	0%	
Total Non Cash	1,856	0	0	0	0	1,856	0	0%	
Investing Fund Flows									
Capital Works	0	<u>0</u>	0	0	0	0	0	0%	
Asset Sales	0	<u>0</u>	0	0	0	0	0	0%	
Total Investing Fund Flows	0	0	0	0	0	0	0	0%	
Financing Fund Flows									
Total Financing Fund Flows	0	0	0	0	0	0	0	0%	
Net Inc/(Dec) in Funds before Transfers	29,584,321	23,931,227	-130,161	0	23,801,066	29,624,615	5,823,548	80%	
Reserve Movements									
Transfers to Internal Reserves	-872,190	<u>-410,488</u>	0	0	-410,488	-872,190	-461,702	47%	
Total Reserve Movements	-872,190	-410,488	0	0	-410,488	-872,190	-461,702	47%	
Net Inc/(Dec) in Unrestricted Funds	28,712,131	23,520,739	-130,161	0	23,390,578	28,752,425	5,361,846	81%	

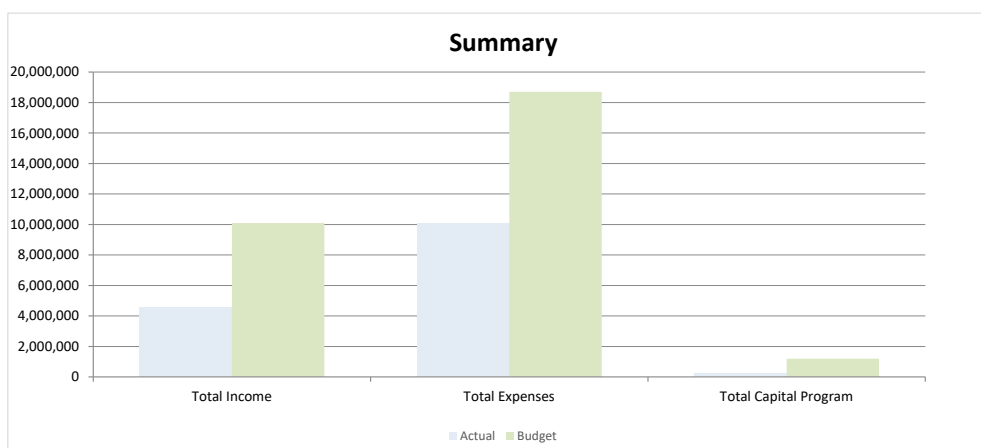




Council Directorate Summary Report for 2022/23
for YTD Period Ending December

Date Report Run: 10-Jan-2023

Corporate and Community Services								% of Time: 53%
Description	Original Budget 23PJOB	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Budget
Income								
Rates & Annual Charges	-46,109	<u>-23,353</u>	0	0	-23,353	-46,109	-22,757	51%
User Charges & Fees	853,020	<u>425,889</u>	0	0	425,889	853,020	427,131	50%
Interest & Investment Revenue	35,000	<u>17,334</u>	0	0	17,334	35,000	17,666	50%
Other Revenues	686,532	<u>388,966</u>	0	0	388,966	686,532	297,566	57%
Operating Grants & Contributions	598,745	<u>414,748</u>	0	0	414,748	576,745	161,998	72%
Internal Income	6,734,545	<u>3,367,272</u>	0	0	3,367,272	6,734,545	3,367,273	50%
Total Income	8,861,733	4,590,856	0	0	4,590,856	8,839,733	4,248,877	52%
Expense								
Employee costs	7,632,920	<u>4,013,387</u>	3,232	0	4,016,620	7,848,878	3,832,258	51%
Materials & Contracts	6,396,977	<u>4,340,303</u>	672,047	41,052	5,053,402	6,326,901	1,273,499	80%
Borrowing Costs	166,743	<u>20,739</u>	0	0	20,739	166,743	146,004	12%
Depreciation & Impairment	1,249,137	<u>0</u>	0	0	0	1,249,137	1,249,137	0%
Other Expenses	217,146	<u>171,363</u>	0	0	171,363	217,146	45,783	79%
Internal Expenses	2,889,853	<u>1,503,556</u>	0	0	1,503,556	2,889,853	1,386,297	52%
Total Expense	18,552,776	10,049,348	675,279	41,052	10,765,680	18,698,657	7,932,978	58%
Operating Surplus/(Deficit) before Capi	-9,691,043	-5,458,492	-675,279	-41,052	-6,174,823	-9,858,924	-3,684,101	63%
Capital Income								
Operating Surplus/(Deficit) after Capita	-9,691,043	-5,458,492	-675,279	-41,052	-6,174,823	-9,858,924	-3,684,101	63%
Non Cash								
Depreciation & Impairment	1,249,137	0	0	0	0	1,249,137	1,249,137	0%
Total Non Cash	1,249,137	0	0	0	0	1,249,137	0	0%
Investing Fund Flows								
Capital Works	-1,080,000	<u>-234,678</u>	-5,664	-229,406	-469,748	-1,189,608	-719,860	39%
Asset Sales	0	<u>0</u>	0	0	0	0	0	0%
Total Investing Fund Flows	-1,080,000	-234,678	-5,664	-229,406	-469,748	-1,189,608	-719,860	39%
Financing Fund Flows								
Loan Principal	-549,463	<u>-49,770</u>	0	0	-49,770	-549,463	-499,693	9%
Total Financing Fund Flows	-549,463	-49,770	0	0	-49,770	-549,463	-499,693	9%
Net Inc/(Dec) in Funds before Transfers	-10,071,369	-5,742,940	-680,943	-270,458	-6,694,341	-10,348,858	-3,654,517	65%
Reserve Movements								
Transfers to Other External Reserves	0	<u>-163</u>	0	0	-163	0	163	0%
Transfers from Internal Reserves	1,166,946	<u>0</u>	0	0	0	1,264,327	1,264,327	0%
Transfers from Other External Reserves	15,000	<u>0</u>	0	0	0	15,000	15,000	0%
Total Reserve Movements	1,181,946	-163	0	0	-163	1,279,327	1,279,490	0%
Net Inc/(Dec) in Unrestricted Funds	-8,889,423	-5,743,102	-680,943	-270,458	-6,694,504	-9,069,531	-2,375,027	74%

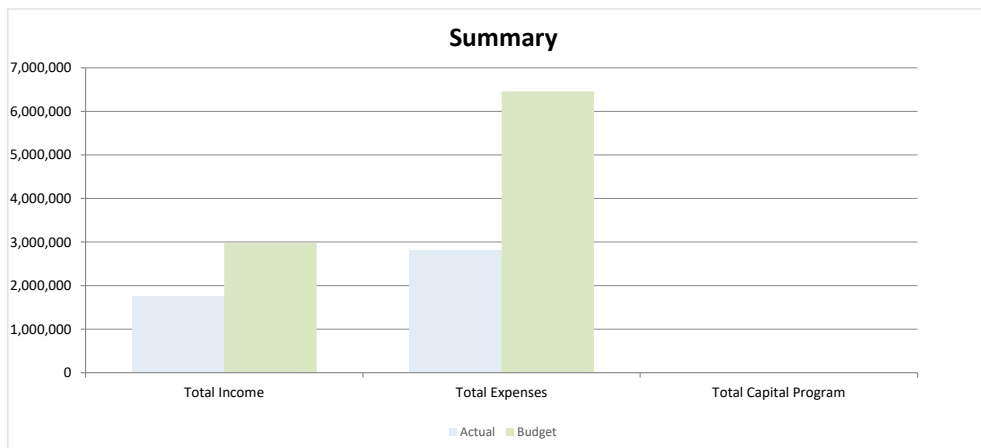




Council Directorate Summary Report for 2022/23
for YTD Period Ending December

Date Report Run: 10-Jan-2023

Description	Original Budget 23PJOB	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Time:
								53%
Income								
Rates & Annual Charges	-1,379	-607	0	0	-607	-1,379	-773	44%
User Charges & Fees	2,134,973	999,250	0	0	999,250	2,134,973	1,135,723	47%
Other Revenues	390,809	180,948	0	0	180,948	390,809	209,861	46%
Operating Grants & Contributions	453,000	401,930	0	0	401,930	431,800	29,870	93%
Total Income	2,977,403	1,581,521	0	0	1,581,521	2,956,203	1,374,682	53%
Expense								
Employee costs	4,224,029	1,796,289	0	0	1,796,289	4,258,598	2,462,308	42%
Materials & Contracts	468,455	353,602	253,574	0	607,176	625,455	18,279	97%
Depreciation & Impairment	18,019	0	0	0	0	18,019	18,019	0%
Other Expenses	0	1,762	0	0	1,762	0	-1,762	0%
Internal Expenses	1,556,681	668,136	0	0	668,136	1,556,681	888,545	43%
Total Expense	6,267,185	2,819,790	253,574	0	3,073,363	6,458,753	3,385,390	48%
Operating Surplus/(Deficit) before Capi	-3,289,782	-1,238,268	-253,574	0	-1,491,842	-3,502,550	-2,010,708	43%
Capital Income								
Capital Grants & Contributions	250,000	179,472	0	0	179,472	385,000	205,528	47%
Operating Surplus/(Deficit) after Capite	-3,039,782	-1,058,797	-253,574	0	-1,312,370	-3,117,550	-1,805,180	42%
Non Cash								
Depreciation & Impairment	18,019	0	0	0	0	18,019	18,019	0%
Total Non Cash	18,019	0	0	0	0	18,019	0	0%
Investing Fund Flows								
Capital Works	-51,200	0	0	0	0	-1,200	-1,200	0%
Asset Sales	0	0	0	0	0	0	0	0%
Total Investing Fund Flows	-51,200	0	0	0	0	-1,200	-1,200	0%
Financing Fund Flows								
Total Financing Fund Flows	0	0	0	0	0	0	0	0%
Net Inc/(Dec) in Funds before Transfers	-3,072,963	-1,058,797	-253,574	0	-1,312,370	-3,100,731	-1,788,361	42%
Reserve Movements								
Transfers to Developer Contributions	-556,000	-572,941	0	0	-572,941	-566,000	6,941	101%
Transfers from Internal Reserves	100,000	0	0	0	0	151,900	151,900	0%
Transfers from Developer Contributions	0	0	0	0	0	1,300	1,300	0%
Transfers from Other External Reserves	0	0	0	0	0	30,801	30,801	0%
Total Reserve Movements	-456,000	-572,941	0	0	-572,941	-381,999	190,942	150%
Net Inc/(Dec) in Unrestricted Funds	-3,528,963	-1,631,738	-253,574	0	-1,885,311	-3,482,730	-1,597,419	54%

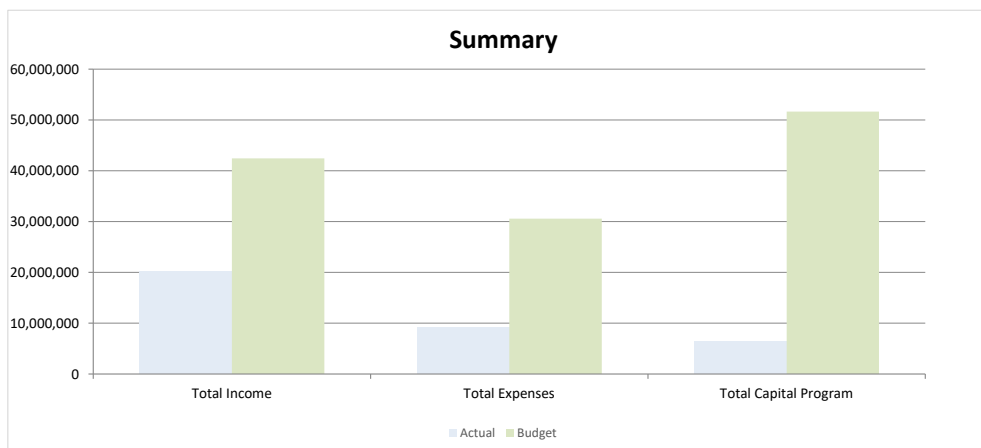




Council Directorate Summary Report for 2022/23
for YTD Period Ending December

Date Report Run: 10-Jan-2023

Description	Original Budget 23PJOB	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Time:	% of Budget
								55%	
Utilities									
Income									
Rates & Annual Charges	18,321,470	<u>12,099,898</u>	0	0	12,099,898	18,321,470	6,221,571		66%
User Charges & Fees	14,785,876	<u>5,768,847</u>	0	0	5,768,847	14,785,876	9,017,029		39%
Interest & Investment Revenue	660,500	<u>-135,168</u>	0	0	-135,168	660,500	795,668		-20%
Other Revenues	175,112	<u>141,405</u>	0	0	141,405	175,112	33,707		81%
Operating Grants & Contributions	0	<u>36,393</u>	0	0	36,393	0	-36,393		0%
Internal Income	2,851,315	<u>0</u>	0	0	0	2,851,315	2,851,315		0%
Total Income	36,794,273	17,911,376	0	0	17,911,376	36,794,273	18,882,897		49%
Expense									
Employee costs	6,883,347	<u>2,990,231</u>	0	0	2,990,231	6,895,082	3,904,851		43%
Materials & Contracts	7,498,456	<u>2,593,814</u>	0	1,613,655	4,207,469	7,498,456	3,290,987		56%
Borrowing Costs	1,059,323	<u>406,851</u>	0	0	406,851	1,059,323	652,472		38%
Depreciation & Impairment	5,645,039	<u>0</u>	0	0	0	5,645,039	5,645,039		0%
Internal Expenses	9,467,263	<u>3,249,085</u>	0	0	3,249,085	9,467,263	6,218,178		34%
Total Expense	30,553,428	9,239,981	0	1,613,655	10,853,636	30,565,163	19,711,527		36%
Operating Surplus/(Deficit) before Capi	6,240,845	8,671,395	0	-1,613,655	7,057,740	6,229,110	-828,630		113%
Capital Income									
Capital Grants & Contributions	6,125,123	2,357,236	0	0	2,357,236	6,590,030	4,232,794		36%
Operating Surplus/(Deficit) after Capita	12,365,968	11,028,632	0	-1,613,655	9,414,976	12,819,140	3,404,164		73%
Non Cash									
Depreciation & Impairment	5,645,039	0	0	0	0	5,645,039	5,645,039		0%
Total Non Cash	5,645,039	0	0	0	0	5,645,039	0		0%
Investing Fund Flows									
Capital Works	-49,343,492	<u>-6,371,370</u>	0	-8,903,314	-15,274,685	-51,657,954	-36,383,269		30%
Asset Sales	0	<u>0</u>	0	0	0	0	0		0%
Total Investing Fund Flows	-49,343,492	-6,371,370	0	-8,903,314	-15,274,685	-51,657,954	-36,383,269		30%
Financing Fund Flows									
Loan Principal	-630,097	<u>-528,471</u>	0	0	-528,471	-630,097	-101,626		84%
Total Financing Fund Flows	-630,097	-528,471	0	0	-528,471	-630,097	-101,626		84%
Net Inc/(Dec) in Funds before Transfers	-31,962,582	4,128,791	0	-10,516,970	-6,388,179	-33,823,872	-27,435,693		19%
Reserve Movements									
Transfers to Developer Contributions	-1,000,000	<u>-968,104</u>	0	0	-968,104	-1,000,000	-31,896		97%
Transfers from Internal Reserves	2,384,492	<u>0</u>	0	0	0	2,669,910	2,669,910		0%
Transfers from Developer Contributions	4,159,103	<u>0</u>	0	0	0	4,745,979	4,745,979		0%
Transfers from Other External Reserves	17,845,452	<u>0</u>	0	0	0	18,961,437	18,961,437		0%
Total Reserve Movements	23,389,047	-968,104	0	0	-968,104	25,377,326	26,345,430		-4%
Net Inc/(Dec) in Unrestricted Funds	-8,573,535	3,160,686	0	-10,516,970	-7,356,283	-8,446,546	-1,090,263		87%

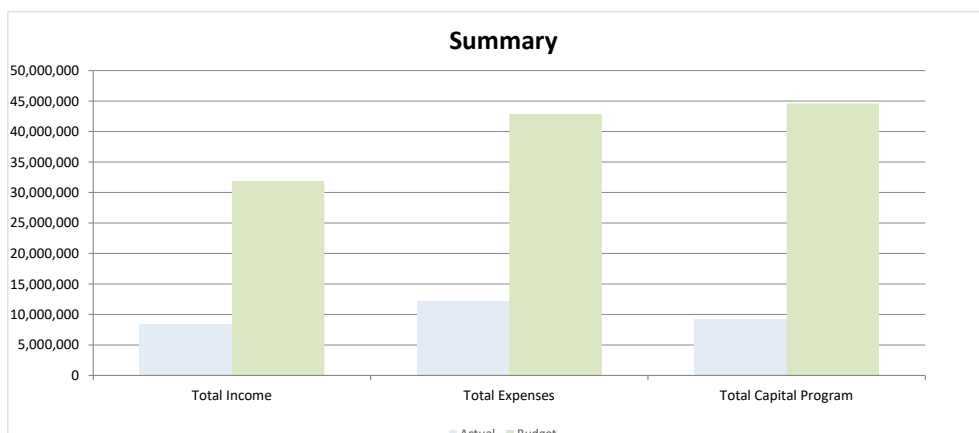




Council Directorate Summary Report for 2022/23
for YTD Period Ending December

Date Report Run: 10-Jan-2023

Operations							% of Time:	55%
Description	Original Budget 23PJOB	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Budget
Income								
Rates & Annual Charges	-219,063	-112,030	0	0	-112,030	-219,063	-107,032	51%
User Charges & Fees	597,849	750,921	0	0	750,921	597,849	-153,072	126%
Other Revenues	298,155	115,857	0	0	115,857	298,155	182,298	39%
Operating Grants & Contributions	3,721,452	1,475,884	0	0	1,475,884	9,773,584	8,297,700	15%
Internal Income	5,703,234	2,912,635	0	0	2,912,635	5,688,014	2,775,379	51%
Total Income	10,101,628	5,143,267	0	0	5,143,267	16,138,540	10,995,273	32%
Expense								
Employee costs	7,912,182	4,267,338	0	0	4,267,338	8,059,197	3,791,859	53%
Materials & Contracts	7,225,207	5,129,509	0	3,218,906	8,348,415	13,143,517	4,795,103	64%
Borrowing Costs	474,311	189,072	0	0	189,072	474,311	285,239	40%
Depreciation & Impairment	15,752,480	0	0	0	0	15,752,480	15,752,480	0%
Other Expenses	595,000	188,014	0	0	188,014	595,000	406,986	32%
Internal Expenses	4,852,120	2,507,619	0	0	2,507,619	4,859,271	2,351,652	52%
Total Expense	36,811,299	12,281,553	0	3,218,906	15,500,458	42,883,775	27,383,317	36%
Operating Surplus/(Deficit) before Capita	-26,709,671	-7,138,285	0	-3,218,906	-10,357,191	-26,745,236	-16,388,044	39%
Capital Income								
Capital Grants & Contributions	21,135,806	3,299,494	0	0	3,299,494	27,040,689	23,741,195	12%
Operating Surplus/(Deficit) after Capita	-5,573,865	-3,838,792	0	-3,218,906	-7,057,697	295,454	7,353,151	-2389%
Non Cash								
Depreciation & Impairment	15,752,480	0	0	0	0	15,752,480	15,752,480	0%
WDV of Asset Disposals	0	60,225	0	0	60,225	0	-60,225	0%
Total Non Cash	15,752,480	60,225	0	0	60,225	15,752,480	0	0%
Investing Fund Flows								
Capital Works	-35,935,047	-9,210,242	0	-17,484,370	-26,694,612	-44,615,695	-17,921,083	60%
Asset Sales	320,000	5,597	0	0	5,597	320,000	314,403	2%
Total Investing Fund Flows	-35,615,047	-9,204,645	0	-17,484,370	-26,689,015	-44,295,695	-17,606,680	60%
Financing Fund Flows								
Loan Principal	-1,340,940	-721,312	0	0	-721,312	-1,340,940	-619,628	54%
Proceeds from Borrowings	4,000,000	0	0	0	0	4,000,000	4,000,000	0%
Total Financing Fund Flows	2,659,060	-721,312	0	0	-721,312	2,659,060	3,380,372	-27%
Net Inc/(Dec) in Funds before Transfers	-22,777,373	-13,704,524	0	-20,703,276	-34,407,799	-25,588,702	8,819,097	134%
Reserve Movements								
Transfers to Internal Reserves	627,576	0	0	0	0	527,576	527,576	0%
Transfers to Developer Contributions	-2,263,500	-2,005,736	0	0	-2,005,736	-2,263,500	-257,764	89%
Transfers to Other External Reserves	158,182	0	0	0	0	1,154,794	1,154,794	0%
Transfers from Internal Reserves	1,411,711	0	0	0	0	2,435,862	2,435,862	0%
Transfers from Developer Contributions	1,335,000	0	0	0	0	2,361,489	2,361,489	0%
Transfers from Other External Reserves	1,800,225	0	0	0	0	5,540,601	5,540,601	0%
Total Reserve Movements	3,069,194	-2,005,736	0	0	-2,005,736	9,756,822	11,762,558	-21%
Net Inc/(Dec) in Unrestricted Funds	-19,708,179	-15,710,260	0	-20,703,276	-36,413,536	-15,831,880	20,581,655	230%

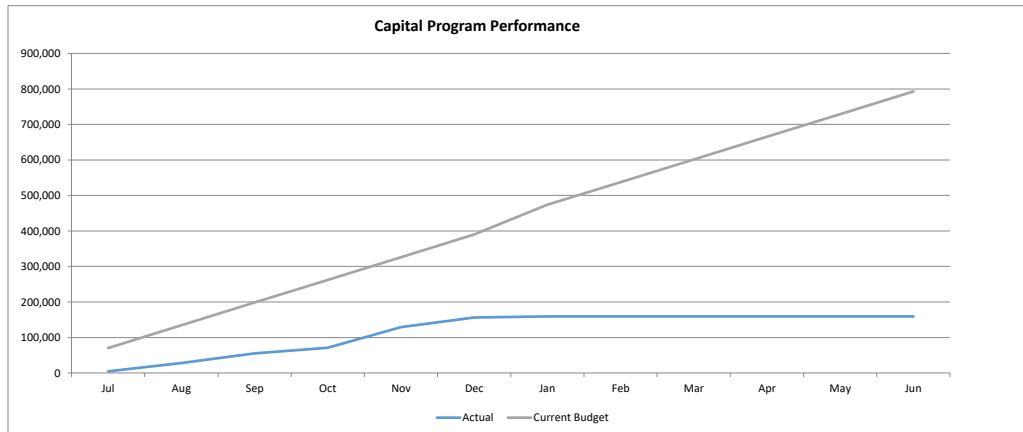




Corporate and Community Services Capital Report by Business Unit for 2022/23
for YTD Period Ending December

Date Report Run: 10-Jan-2023

Description	Renewal %	Original Budget 23PJ08	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Time:	% of Budget	Status	Comments
									57%			
140 - Innovation & Technology												
IT Renewal Assets	Renewal 100%	470,000	83,539	0	148,426	231,964	470,000	238,036		49%	On time, on budget	
Contingency	Renewal 0%	50,000	0	0	0	0	50,000	50,000		0%	On time, on budget	
56 Clinton St IT Upgrade	Renewal 100%	71,000	0	0	0	0	71,000	71,000		0%	Not commenced	
21/22 NSW Emergency Operations Centre Upgrade (G)	Renewal 0%	0	7,605	0	7,605	15,209	0	-15,209		0%	Late, expected to be overspent	This is the last part of the Chambers upgrade. It is for new desks at the informal end. There has been a delay in the design / building of the desks.
		591,000	91,143	0	156,030	247,173	591,000	343,827		42%		
180 - Marketing & Culture												
VIC Replacement Assets	Renewal 100%	30,000	0	0	0	0	30,000	30,000		0%		
VIC New Assets	Renewal 0%	5,000	8,964	0	0	8,964	8,964	0		100%		
Library Renewal Assets	Renewal 100%	23,000	24,629	0	0	24,629	24,629	0		100%		
Book Resources Gbn Library	Renewal 100%	123,000	63,631	0	56,180	119,811	123,000	3,189		97%		
Art Gallery Acquisitions	Renewal 0%	10,000	0	0	0	0	10,000	10,000		0%		
Art Gallery - P&E Renewal	Renewal 100%	8,000	0	3,928	0	3,928	8,000	4,072		49%		
Museum Capital Works - Renewal	Renewal 100%	15,000	2,640	0	0	2,640	28,374	25,734		9%		
St Clair Museum Restoration Works (G)	Renewal 100%	0	0	0	5,455	5,455	54,674	49,219		10%		
Waterworks Upgrades	Renewal 100%	0	12,812	0	4,956	17,768	34,745	16,977		51%		
Rocky Hill Beacon Light Replacement (G)	Renewal 100%	0	1,222	0	0	1,222	1,222	0		100%		
Collection Conservation/Framing	Renewal 0%	5,000	0	0	0	0	5,000	5,000		0%		
Rocky Hill Memorial Remediation Works	Renewal 0%	0	2,518	0	0	2,518	0	-2,518		0%		
		219,000	116,415	3,928	66,591	186,934	328,608	141,674		57%		
270 - Property & Community Services												
Crown Road Tarago Transfer	Renewal 0%	0	0	230	0	230	0	-230		0%		
Clinton St Offices Upgrade	Renewal 100%	250,000	8,297	0	0	8,297	250,000	241,703		3%		
GPAC Capital Upgrades/Plant & Equipment	Renewal 0%	20,000	10,924	1,736	0	12,661	20,000	7,339		63%		
Creative Capital Funding - GPAC (G)	Renewal 0%	0	7,898	0	6,785	14,683	0	-14,683		0%		
		270,000	27,119	1,966	6,785	35,870	270,000	234,130		13%		
Total Capital Program		1,080,000	234,678	5,894	229,406	469,978	1,189,608	719,630		0%		

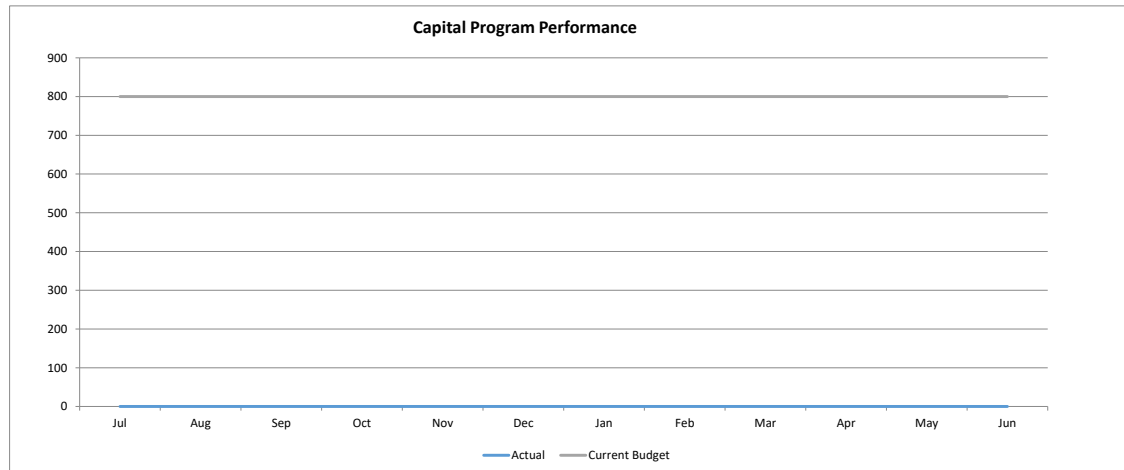




Planning & Environment Capital Report by Business Unit for 2022/23
for YTD Period Ending December

Date Report Run: 10-Jan-2023

Description	Renewal %	Original Budget 23PJOB	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Time: 53%		Status	Comments
									% of Budget	% of Budget		
190 - Environment & Health												
Companion Animal Plant & Equipment	Renewal 0%	1,200	0	0	0	0	1,200	1,200		0%	On time, on budget	
Dog Run Upgrades	Renewal 20%	50,000	0	0	0	0	0	0		0%	Not commenced	
Total Capital Program		51,200	0	0	0	0	1,200	1,200		4%		





Utilities Capital Report by Business Unit for 2022/23
for YTD Period Ending December

Date Report Run: 10-Jan-2023

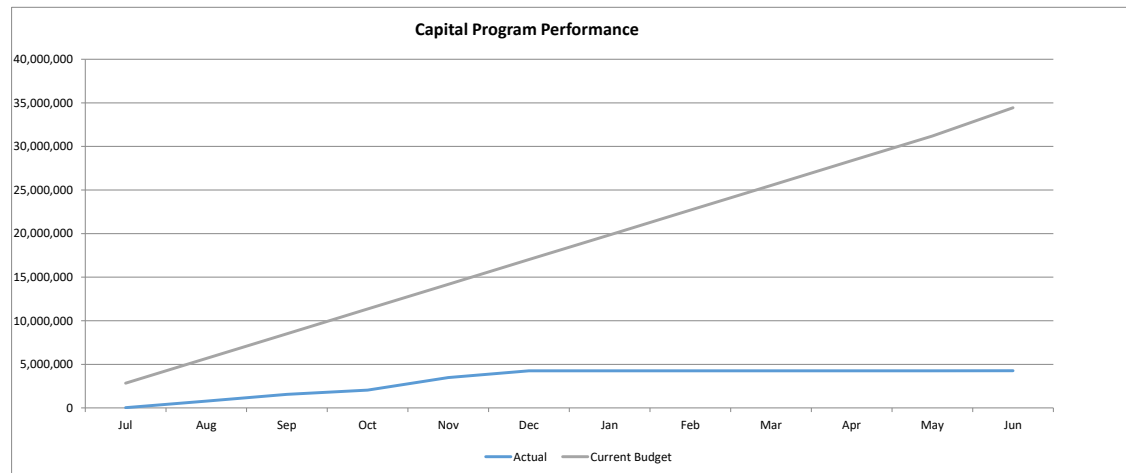
Description	Renewal %	Original Budget 23PJ0B	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Time: 55%		Status	Comments
									% of Budget	% of Budget		
240 - Waste Management												
Environmental Improvement Works Goulburn	Renewal 100%	100,000	41,205	0	36,656	77,861	127,672	49,811	61%	61%	On time, on budget	
Environmental Improvement Works Marulan	Renewal 100%	175,000	0	0	0	0	175,000	175,000	0%	0%	On time, on budget	
Replacement Bins & Lifters	Renewal 100%	66,000	0	0	0	0	66,000	66,000	0%	0%	On time, on budget	
Goulburn WMC Drilling Mud Facilities	Renewal 0%	1,830,595	0	0	0	0	1,830,595	1,830,595	0%	0%	On time, on budget	
Goulburn WMC Improvements - New	Renewal 0%	3,775,754	2,327,270	0	4,197,653	6,524,923	4,750,989	-1,773,934	137%	137%	Quarterly review, carryover required	
Commercial Waste Tubs - Renew	Renewal 100%	35,000	0	0	0	0	35,000	35,000	0%	0%	On time, on budget	
Commercial Waste Tubs - New	Renewal 0%	5,000	13,900	0	0	13,900	5,000	-8,900	278%	278%	Quarterly review, carryover required	
WMC Landscaping	Renewal 0%	40,000	0	0	0	0	40,000	40,000	0%	0%	On time, on budget	
Truck Cameras/Software	Renewal 0%	0	276	0	0	276	0	-276	0%	0%	On time, on budget	
Compactor "Wrapping"	Renewal 0%	4,650	0	0	9,091	9,091	4,650	-4,441	196%	196%	Quarterly review, carryover required	
		6,031,999	2,382,652	0	4,243,400	6,626,051	7,034,906	408,855	94%	94%		
250 - Water Services												
Goulburn WTP Raw Water Augmentation	Renewal 0%	4,500,000	34,780	0	79,141	113,921	4,927,130	4,813,209	2%	2%	On time, on budget	
Goulburn Reticulation Renewal	Renewal 100%	2,000,000	215,411	0	1,784,589	2,000,000	2,000,000	0	100%	100%	On time, on budget	
Water Connections - Private Works	Renewal 100%	231,826	124,860	0	5,381	130,241	231,826	101,585	56%	56%	On time, on budget	
Water Meter Replacement	Renewal 100%	60,000	18,991	0	18,991	60,000	60,000	41,009	32%	32%	On time, on budget	
Marulan WTP Renewal	Renewal 100%	5,537,532	68,482	0	219,277	287,759	5,547,656	5,259,897	5%	5%	On time, on budget	
Marulan PS Pontoon Design & Replacement/Sandbagging of Bank	Renewal 100%	339,734	1,108	0	0	1,108	339,734	338,626	0%	0%	On time, on budget	
Lab Equipment Renewal	Renewal 100%	20,000	10,426	0	8,077	18,503	20,000	1,497	93%	93%	On time, on budget	
Gbn WTP Mechanical/Electrical Renewal	Renewal 100%	0	7,000	0	10,825	17,825	0	-17,825	0%	0%	Quarterly review, carryover required	Wrong work order number used, journal has been completed to allocate works to correct number
Water Treatment Security	Renewal 100%	45,000	0	0	0	0	45,000	45,000	0%	0%	On time, on budget	
Asset Renewals - Dams	Renewal 100%	0	0	0	25,722	25,722	0	-25,722	0%	0%	Quarterly review, carryover required	No budget allocated, quarterly review to be completed
Asset Renewals - Goulburn Water Treatment Plant	Renewal 100%	30,000	6,396	0	7,265	13,661	30,000	16,339	46%	46%	On time, on budget	
Asset Renewals - Marulan Water Treatment Plant	Renewal 100%	10,000	0	0	0	0	10,000	10,000	0%	0%	On time, on budget	
Goulburn WTP Clarifiers Rehabilitation	Renewal 100%	280,000	193	0	0	193	280,000	279,807	0%	0%	On time, on budget	
Asset Renewals - Goulburn Reservoirs	Renewal 100%	80,000	0	0	0	0	80,000	80,000	0%	0%	On time, on budget	
Asset Renewals - Marulan Reservoirs	Renewal 100%	20,000	0	0	0	0	20,000	20,000	0%	0%	On time, on budget	
Water Distribution Plant & Equipment	Renewal 0%	30,000	17,543	0	5,473	23,016	30,000	6,984	77%	77%	On time, on budget	
		13,184,092	505,191	0	2,145,749	2,650,940	13,621,346	10,970,406	19%	19%		
260 - Waste Water Services												
Marulan Pump Station Improvements	Renewal 100%	984,845	24,868	0	0	24,868	962,507	937,639	3%	3%	Late, expected to be on budget	
Goulburn Mains Rehabilitation	Renewal 100%	1,000,000	193	0	0	193	1,000,000	999,807	0%	0%	Late, expected to be on budget	
Sewer Connections - Private Works	Renewal 100%	90,000	22,802	0	2,394	25,196	90,000	64,804	28%	28%	On time, on budget	
Marulan WWTP - Renewal	Renewal 100%	17,744,597	11,714	0	35,228	46,942	17,754,147	17,707,205	0%	0%	On time, on budget	
STWRIS Stage 2 Reuse Irrigation Scheme (G)	Renewal 0%	4,300,000	3,003,457	0	1,789,750	4,793,207	4,978,286	185,079	96%	96%	On time, on budget	
Nth Gbn PS Rising Main-Capacity & Storage	Renewal 100%	500,000	0	0	0	0	500,000	500,000	0%	0%	Late, expected to be on budget	
The Avenue PS Renewal	Renewal 50%	600,000	0	0	0	0	600,000	600,000	0%	0%	On time, on budget	
SN Growing Local Economies Common St (G)	Renewal 0%	880,000	206,527	0	539,028	745,555	1,088,803	343,248	68%	68%	On time, on budget	
Rec Area Sewer Pump Station Construction	Renewal 100%	372,959	118,565	0	66,659	185,224	372,959	187,735	50%	50%	On time, on budget	
Sewer Distribution Plant & Equipment	Renewal 0%	10,000	467	0	0	467	10,000	9,533	5%	5%	On time, on budget	
May St SPS Upgrade	Renewal 100%	800,000	4,630	0	0	4,630	800,000	795,370	1%	1%	On time, on budget	
Min CED Decommission Project	Renewal 100%	1,500,000	0	0	0	0	1,500,000	1,500,000	0%	0%	Quarterly review, carryover required	
Goulburn WWTP Security	Renewal 0%	50,000	0	0	0	0	50,000	50,000	0%	0%	On time, on budget	
WWTP Lab Equipment	Renewal 100%	10,000	8,107	0	13,916	22,023	10,000	-12,023	220%	220%	Quarterly review, carryover required	Quarterly review to be completed to account for overspend
Dewatering Processing Equipment Goulburn	Renewal 0%	690,000	0	0	0	0	690,000	690,000	0%	0%	On time, on budget	
Asset Renewals - Goulburn Sewer Pump Stations	Renewal 100%	25,000	0	0	0	0	25,000	25,000	0%	0%	On time, on budget	



Utilities Capital Report by Business Unit for 2022/23
for YTD Period Ending December

Date Report Run: 10-Jan-2023

Description	Renewal %	Original Budget 23PJOB	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Time: 55%		Status	Comments
									% of Budget			
Asset Renewals - Marulan Sewer Pump Stations	Renewal 100%	20,000	0	0	0	0	20,000	20,000	0%		On time, on budget	
Kenmore Hospital PS Power	Renewal 0%	200,000	0	0	0	0	200,000	200,000	0%		On time, on budget	
Asset Renewals - Goulburn Waste Water Treatment Plant	Renewal 100%	125,000	0	0	0	0	125,000	125,000	0%		On time, on budget	
Asset Renewals - Marulan Waste Water Treatment Plant	Renewal 100%	25,000	0	0	0	0	25,000	25,000	0%		On time, on budget	
Goulburn WWTP MOS Tanks Construction	Renewal 0%	200,000	0	0	0	0	200,000	200,000	0%		On time, on budget	
The Avenue Repair Works	Renewal 0%	0	82,188	0	67,192	149,380	0	-149,380	0%		On time, on budget	Double up of 490021
Total Capital Program		49,343,492	3,483,518	0	2,514,166	5,997,684	31,001,702	25,004,018	19%			





Operations Capital Report by Business Unit for 2022/23
for YTD Period Ending December

Date Report Run: 10-Jan-2023

Description	Renewal %	Original Budget 23PJ0B	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Time:		Status	Comments
									% of Budget	55%		
200 - Projects												
Performing Arts Centre (G)	Renewal 0%	0	1,954	0	3,507	5,460	0	-5,460	0%	0%	Quarterly review, carryover required	Land acquisition required
18-22 North Gbn Employment Precinct and Roundabout1	Renewal 0%	3,073,533	104,156	0	5,566,654	5,670,810	5,503,323	-167,487	103%	103%	Late, expected to be on budget	Job has commenced on site
Aquatic Centre Upgrade (G)	Renewal 0%	0	572,224	0	25,746	597,970	535,936	-62,034	112%	112%	Quarterly review, carryover required	Under review re financials
Towrang Road Bridge Replacement	Renewal 100%	0	371,501	0	214,591	586,093	862,247	276,154	68%	68%	Completed	Finalising land acquisitions
Japanese Garden - Victoria Park	Renewal 0%	0	87,422	0	102,157	189,580	0	-189,580	0%	0%	Quarterly review, carryover required	Concept Design Prepared - Consultant continuing with design
Hockey Redevelopment - Car Park (G)	Renewal 0%	0	0	0	12,830	12,830	0	-12,830	0%	0%	Completed	Overspend distributed through other project items, additional budget to be allocated,
Hockey Redevelopment - New Amenities (G)	Renewal 0%	0	69,954	0	1,288,862	1,358,816	756,461	-602,355	180%	180%	Quarterly review, carryover required	Construction Certificate Approved - Work is to commence January 2023, additional budget to be allocated
Hockey Redevelopment - Existing Amenities Refurb (G)	Renewal 100%	0	15,612	0	585,377	600,989	143,380	-457,609	419%	419%	Quarterly review, carryover required	Construction Certificate Approved - Work is to commence January 2023, additional budget to be allocated
Wollondilly Walking Track - Cemetery St (G)	Renewal 0%	467,658	174,876	0	589,406	764,282	872,443	108,161	88%	88%	Late, expected to be on budget	Land acquisition to be finalised, approval delays.
RHL Mogo Road - Hi Quality S94	Renewal 100%	0	0	0	0	0	370,944	370,944	0%	0%	On time, on budget	Pre construction activities
Carrick Road Bridge Upgrade (G)	Renewal 100%	0	406,258	0	46,134	452,392	347,778	-104,614	130%	130%	Completed	Bridge complete, budget overspend covered by underspend on Towrang Bridge
LRCI - Tallong Village Project Capital (G)	Renewal 0%	0	758	0	0	758	835	77	91%	91%	Completed	
Shared Path - Mulwaree High to Middle Arm (G)	Renewal 0%	0	991	0	3,305	4,295	11,412	7,117	38%	38%	Completed	Commitment to be cancelled as project closed
Pedestrian Refuge - Newton St (G)	Renewal 0%	0	0	0	0	0	88,786	88,786	0%	0%	Completed	Project Completed last Financial Year
Upgrade Zebra Crossing - Fitzroy St (G)	Renewal 0%	0	0	0	17,782	17,782	39,036	21,254	46%	46%	Late, expected to be on budget	Scope change being approved by TfNSW
Upgrade Zebra Crossing - Deccan St (G)	Renewal 0%	13,455	0	0	15,427	28,882	37,537	8,655	77%	77%	Completed	Finalising financials
Raised Crossing - Clinton St (G)	Renewal 0%	0	0	0	22,627	22,627	45,078	22,451	50%	50%	Completed	Finalising financials
West and St Peter & Pauls Footpaths (G)	Renewal 0%	0	0	0	0	0	140,327	140,327	0%	0%	Completed	Completed, finalising financials
Gbn High & Trinity Footpaths (G)	Renewal 0%	0	0	0	0	0	4,690	4,690	0%	0%	Completed	Completed, finalising financials
Bradfordville School Footpaths (G)	Renewal 0%	0	99,834	0	36,579	136,413	341,891	205,478	40%	40%	Completed	
Shared Path - Hume St (G)	Renewal 0%	0	972	0	0	972	54,313	53,341	2%	2%	Completed	
Kinghorne/Albert Roundabout - Blackspot (G)	Renewal 50%	376,860	8,095	0	0	8,095	409,060	400,965	2%	2%	Not commenced	Under negotiations with preferred contractor revising scope to reduce costs in line with budget
Jerrara Road Upgrade - Blackspot (G)	Renewal 50%	1,600,181	81,794	0	11,724	93,518	1,740,994	1,647,476	5%	5%	On time, on budget	variation for time and scope to be requested from funding body
Deccan Street Rehabilitation - FLR (G)	Renewal 100%	1,979,466	43,426	0	799	44,225	1,989,108	1,944,883	2%	2%	Not due to commence	Re-tendering due to scope change. Time and scope vriation being discussed with funding body
BLER - Tallong Village Project - Capital	Renewal 0%	0	52,367	0	14,655	67,022	153	-66,869	43805%	43805%	On time, on budget	Reviewing financials
BLER - Tarago Village Projects - Capital	Renewal 0%	0	1,526	0	42,090	43,616	101,434	57,818	43%	43%	On time, on budget	Reviewing financials
Mayfield Road Bridge Replacement	Renewal 100%	2,288,000	813	0	11,893	12,705	500,000	487,295	3%	3%	Not commenced	Scope being reviewed
North Park Pavillion - LRCI/RSFF (G)	Renewal 0%	1,532,603	740,100	0	665,573	1,405,673	1,582,603	176,930	89%	89%	On time, on budget	
North Park Landscaping/Access - SCCF (G)	Renewal 0%	345,925	83,087	0	126,498	209,585	292,104	82,519	72%	72%	On time, on budget	
Bradley Street Drainage Upgrade Works	Renewal 100%	570,000	37,903	0	12,203	50,106	1,550,000	1,499,894	3%	3%	On time, on budget	Mobilisation underway
Bourke St Wombat Crossing (G)	Renewal 0%	50,000	0	0	3,800	3,800	57,549	53,749	7%	7%	Completed	Reviewing financials
School Zone Patches & Dragon Teeth (G)	Renewal 100%	0	104,568	0	38,040	142,607	182,745	40,138	78%	78%	Completed	Reviewing financials
Playground - Tony Onions Park - Everyone Can Play (G)	Renewal 10%	390,000	241	0	0	241	400,000	399,759	0%	0%	Late, expected to be on budget	Delayed start til Feb 2023 after consultation
Cullulla Road Causeway Renewal S 94	Renewal 100%	0	289,826	0	141,913	431,739	522,506	90,767	83%	83%	Completed	Reviewing financials
Carr Confoy Pavillion - BBRF (G)	Renewal 50%	8,000,000	51,241	0	107,656	158,897	8,000,000	7,841,103	2%	2%	Quarterly review, carryover required	Only Design phase considered for this financial year.
Seiffert Oval Amenities and Landscaping (G)	Renewal 100%	0	87,561	0	141,555	229,116	131,861	-97,255	174%	174%	Quarterly review, carryover required	Reviewing financials
North Park Pavillion (G)	Renewal 0%	0	217	0	0	217	0	-217	0%	0%		Expenditure to be journalled in 190376 and project closed
21-22 Jerrara-Oallen Ford Road Rehabilitation Streets as shared spaces	Renewal 100%	0	350,758	0	1,885,997	2,236,755	0	-2,236,755	0%	0%	Quarterly review, carryover required	
Copford Reach Amenities Project	Renewal 0%	0	377,987	0	18,815	396,802	244,105	-152,697	163%	163%	Quarterly review, carryover required	Project budget entered incorrectly, reviewing financials
Riverside Park Pump Track Project	Renewal 100%	0	54,363	0	78,285	132,647	117,379	-15,268	113%	113%	On time, on budget	Construction commenced
GMC Emergency Operations Centre	Renewal 0%	0	9,655	0	0	9,655	548,600	538,945	2%	2%	On time, on budget	Tender Awarded - Design to be progressed
Goulburn Waterworks - Access Inclusion RTAF	Renewal 50%	0	10,871	0	10,871	10,871	0	-10,871	0%	0%	Quarterly review, carryover required	Meeting to be convened between GMC and SES to review budget concerns
Wilson Drive - Road Opening and Closing	Renewal 0%	0	83,466	0	11,868	95,334	0	-95,334	0%	0%	Quarterly review, carryover required	Concrete Pathway RFQ received. Not actioned yet as over budget
Wilson Drive - Road Opening and Closing	Renewal 0%	0	3,424	0	35,362	38,786	0	-38,786	0%	0%	Quarterly review, carryover required	



Operations Capital Report by Business Unit for 2022/23
for YTD Period Ending December

Date Report Run: 10-Jan-2023

Description	Renewal %	Original Budget 23PJ0B	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Time: 55%		Status	Comments
									% of Budget	% of Budget		
Unallocated Capital Salaries - Project Management	Renewal 0%	0	0	0	0	0	0	0	0%	0%		
Tarago Village Projects (Veolia Host Fee)	Renewal 100%	150,000	0	0	0	0	150,000	150,000	0%	0%	On time, on budget	In progress
210 - Operations		20,824,226	4,393,255	0	11,879,710	16,272,965	28,676,618	12,403,653	57%	57%		
RRBG - Highland Way (G) - Rural	Renewal 100%	0	13,074	0	0	13,074	0	-13,074	0%	0%	Not due to commence	Project closed last Financial year. New project FA 190375
RRBG - Taralga Road - Rural (G)	Renewal 100%	0	0	0	40,636	40,636	0	-40,636	0%	0%	Not due to commence	
RRBG - Taralga Road - Urban (G)	Renewal 100%	0	0	0	12,218	12,218	0	-12,218	0%	0%	Not due to commence	
Drainage General Urban	Renewal 100%	0	77,737	0	54,009	131,746	78,350	-53,396	168%	168%	On time, on budget	
Gravel Resheeting	Renewal 100%	550,001	197,364	0	49,568	246,932	550,001	303,069	45%	45%	On time, on budget	3 completed and 2 to be completed by May-June 2023
Guardrails - Sealed Rural - Local	Renewal 100%	195,467	40,045	0	0	40,045	195,467	155,422	20%	20%	On time, on budget	
RHL Collector Rd - Veolia Sec94	Renewal 100%	300,000	4,377	0	585	4,962	300,000	295,038	2%	2%	Not due to commence	Works to start on 30th January 2023 by Gary Anable
RHL Bungendore Rd - Veolia Sec 94	Renewal 100%	0	6,033	0	85,455	91,488	0	-91,488	0%	0%	Not due to commence	Expenditure journalled to 190429 and project closed
Rural Resealing	Renewal 100%	687,402	301,092	0	379,309	680,401	687,402	7,001	99%	99%	On time, on budget	
Urban Resealing	Renewal 100%	141,976	1,126	0	135,178	136,305	141,976	5,671	96%	96%	On time, on budget	
St Lighting and Traffic facilities	Renewal 0%	50,500	17,386	0	473	17,859	50,500	32,641	35%	35%	On time, on budget	
Light Fleet Replacements	Renewal 0%	500,000	149,262	0	422,095	571,358	637,904	66,546	90%	90%	On time, on budget	
Minor Plant Replacements	Renewal 0%	45,000	10,408	0	0	10,408	45,000	34,592	23%	23%	On time, on budget	
Heavy Fleet Replacements	Renewal 0%	1,760,000	295,349	0	1,801,424	2,096,773	2,011,038	-85,735	104%	104%	On time, on budget	
Footpath Replacement	Renewal 100%	90,000	0	0	0	0	90,000	90,000	0%	0%	Not commenced	Project not proceeding
Hetherington St Depot Workshop Renewal	Renewal 100%	0	45,296	0	35,196	80,492	0	-80,492	0%	0%	Completed	
RHL - Hi Quality Sec94	Renewal 100%	0	687	0	192,508	193,195	0	-193,195	0%	0%		Commitment to be canceled and project closed.
RHL Brayton Rd - Gunlake Sec 94	Renewal 100%	95,000	526	0	20,450	20,976	95,000	74,024	22%	22%	On time, on budget	
RHL Ambrose Rd - Gunlake Sec 94	Renewal 100%	95,000	56,827	0	43,557	100,383	95,000	-5,383	106%	106%	On time, on budget	
RHL - MultiQuip Sec94	Renewal 100%	0	58,782	0	16,759	75,541	0	-75,541	0%	0%	On time, on budget	
RHL Sth Marulan - Boral Sec 94	Renewal 100%	80,000	165,287	0	13,591	178,879	80,000	-98,879	224%	224%	On time, on budget	
Urban Road Rehabilitation	Renewal 100%	0	0	0	9,240	9,240	0	-9,240	0%	0%		No Project, commitment to be cancelled and project closed.
Gravel Pit Rehab/Improvements	Renewal 50%	20,000	5,890	0	0	5,890	20,000	14,110	29%	29%	On time, on budget	Reactive project
Kerb & Gutter Replacement	Renewal 100%	55,000	36,383	0	0	36,383	55,000	18,617	66%	66%	Not due to commence	Proposal to defer into next Financial year.
Drainage-Tarago Roseberry St	Renewal 0%	200,000	129,929	0	95,913	225,842	396,770	170,928	57%	57%	Late, expected to be on budget	Issues with wet ground on Roseberry st. drainage project.
Victoria Park Precinct Parking Alterations	Renewal 70%	185,100	0	0	0	0	185,100	185,100	0%	0%	Not due to commence	
Mountain Ash Road - Pavement Renewal (G)	Renewal 100%	0	301,700	0	2,781	304,481	0	-304,481	0%	0%	On time, on budget	Funding grants needs to be moved this FY. It was put in this quarterly review but didn't go through.
CPTIGS 2019-21 Bus Shelters	Renewal 50%	0	12,786	0	10,971	23,757	0	-23,757	0%	0%	On time, on budget	
Windellama Road - Fixing Local Rds (G)	Renewal 90%	3,473,445	657,857	0	1,716,416	2,374,273	3,473,445	1,099,172	68%	68%	Late, expected to be on budget	Weather Delays, consideration for EOT
Urban Asphalt Program	Renewal 100%	815,000	162,158	0	11,813	173,971	815,000	641,029	21%	21%	On time, on budget	Mary mount intersection completed. Rest to be done in February 2022
Village Footpaths - LRC13 (G)	Renewal 0%	300,000	0	0	0	0	300,000	300,000	0%	0%	Not due to commence	
Rosemont Road Rehabilitation	Renewal 100%	324,000	108,883	0	109,580	218,463	324,000	105,537	67%	67%	Completed	
Middle Arm Road Rehabilitation 22/23	Renewal 100%	226,000	11,095	0	0	11,095	226,000	214,905	5%	5%	Quarterly review, carryover required	Consideration for swapping the budget for Currawang road.
Kinghorne Street Rehabilitation (Albert-Hoskins)	Renewal 100%	500,000	0	0	0	0	500,000	500,000	0%	0%	Not due to commence	
Taralga Road - Union Street - RRBG 22/23	Renewal 100%	181,000	0	0	0	0	181,000	181,000	0%	0%		
Highland Way - RRBG/RRRP 22/23	Renewal 100%	300,000	6,718	0	0	6,718	426,293	419,575	2%	2%	Not commenced	Design review and REF completed. Works planned in March/April 23
Garroorirang Stormwater Improvements	Renewal 100%	270,000	14,903	0	0	14,903	270,000	255,098	6%	6%	On time, on budget	
Deterioration Works - Gurrundah Road	Renewal 100%	400,000	499,769	0	21,477	521,246	516,682	-4,564	101%	101%	Completed	
Deterioration Works - Pomeroy Road	Renewal 100%	165,000	287,351	0	0	287,351	280,000	-7,351	103%	103%	Completed	
Deterioration Works - Middle Arm Rd	Renewal 100%	325,000	169,752	0	0	169,752	163,909	-5,843	104%	104%	Completed	
Deterioration Works - Wollumbi Road	Renewal 100%	260,000	191,699	0	0	191,699	189,409	-2,290	101%	101%	Completed	
Urban Stormwater Drainage Upgrade	Renewal 50%	750,000	177,065	0	14,831	191,896	824,240	632,344	23%	23%	On time, on budget	
Clinton Street Upgrades (Hume St to Deccan St)	Renewal 100%	158,182	278	0	0	278	158,182	157,904	0%	0%		No Project. Should be merged with HVSP grant project.
Recreation Area Drainage Improvements	Renewal 10%	0	0	0	0	0	20,000	20,000	0%	0%	Not commenced	
Deterioration Works - Oallen Ford Rd	Renewal 100%	0	36,784	0	0	36,784	0	-36,784	0%	0%	Not commenced	Works approved by Exec report. No budget available.



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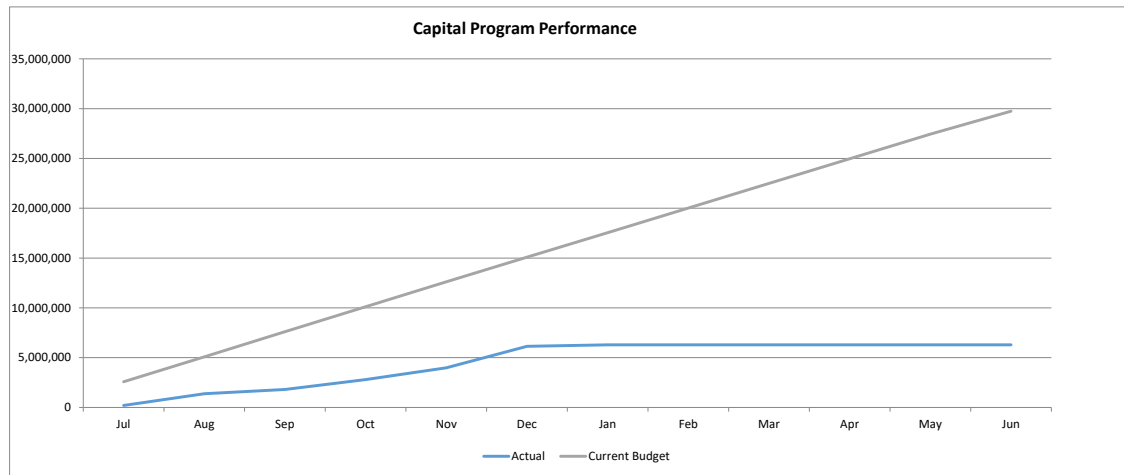
Description	Renewal %	Original Budget 23PJ0B	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Time:		Status	Comments
									% of Budget	55%		
RRRP/ s94 Collex Bungendore Rd	Renewal 100%	0	12,296	0	0	12,296	0	-12,296	0%	0%	Quarterly review, carryover required	No Project
Currawang Road Rehab	Renewal 100%	0	90,231	0	11,557	101,788	0	-101,788	0%	0%	Quarterly review, carryover required	Consideration to move gravel royalty and middle arm rd budget.
Deterioration Works - Towrang Rd	Renewal 100%	0	305,482	0	202,947	508,428	0	-508,428	0%	0%	Quarterly review, carryover required	QBR required, money (500,000) to be transferred from Kinghorne Street
Unallocated Capital Salaries - Roads Management	Renewal 0%	0	0	0	0	0	0	0	0%	0%		
220 - Community Facilities		13,498,073	4,659,666	0	5,510,536	10,170,203	14,382,668	4,212,465	71%	71%		
Outdoor/Indoor Ancillary Area Renewals	Renewal 100%	20,000	14,302	0	0	14,302	20,000	5,698	72%	72%	On time, on budget	Reactive capital for replacement of plant failures
Plant & Equipment - Aquatic Centre	Renewal 100%	20,000	4,127	0	0	4,127	20,000	15,873	21%	21%	On time, on budget	Reactive capital for replacement of plant failures
Recreation Area Improvements	Renewal 100%	25,000	16,494	0	7,120	23,614	25,000	1,386	94%	94%	On time, on budget	Reactive capital for replacement of plant failures
Belmore Park Improvements	Renewal 100%	44,750	16	0	2	18	44,750	44,732	0%	0%	On time, on budget	Finalising procurement for works on Rotunda as per heritage report
CBD Asset Renewals	Renewal 100%	20,000	4,359	0	0	4,359	20,000	15,641	22%	22%	On time, on budget	Reactive Capital for replacement.
Memorial Gardens Beams	Renewal 0%	25,000	0	0	0	0	25,000	25,000	0%	0%	On time, on budget	Work commenced, incorrect job codes issued, journal underway
Building Asset Replacement	Renewal 100%	70,000	3,231	0	10,159	13,391	70,000	56,609	19%	19%	On time, on budget	Finalising procurement
Civic Centre Furniture & Fittings	Renewal 100%	30,000	8,043	0	23,200	31,243	30,000	-1,243	104%	104%	Quarterly review, carryover required	finalising procurement, expected to be on budget.
CBD Masterplan Implementation	Renewal 0%	0	1,329	0	0	1,329	0	-1,329	0%	0%	Completed	Incorrect job code issued, journal underway
Other Parks/Reserves Replacements	Renewal 100%	20,000	97	0	0	97	20,000	19,903	0%	0%	On time, on budget	Commencing works in Roberts Park area
City Wide Creek Bed Improvements	Renewal 100%	40,000	42,118	0	0	42,118	56,799	14,681	74%	74%	On time, on budget	Commencing works in Marsden Weir
Public Conveniences Renewal	Renewal 100%	100,000	0	0	0	0	0	0	0%	0%	Completed	Money added to grant funding for public amenities. Placed back in reserve
City Entrances	Renewal 100%	20,000	3,409	0	0	3,409	20,000	16,591	17%	17%	On time, on budget	
Active Recreation Facilities Renewal Future Years	Renewal 100%	50,000	16,214	0	4,000	20,214	50,000	29,786	40%	40%	On time, on budget	
Copford Reach Improvements	Renewal 0%	183,000	0	0	49,350	49,350	183,000	133,650	27%	27%	Late, expected to be on budget	Weather delays, and poor ground conditions
Roberts Park Landscaping	Renewal 0%	0	5,732	0	0	5,732	5,465	-267	105%	105%	Quarterly review, carryover required	Closing out grant funding
Wollondilly Walking Track Amenities Block (G)	Renewal 0%	0	10,802	0	0	10,802	20,997	10,195	51%	51%	Quarterly review, carryover required	Closing out grant funding
Mistful Park Reserve Improvements	Renewal 0%	25,000	21,005	0	0	21,005	25,000	3,995	84%	84%	On time, on budget	
Cemetery Signage Upgrades	Renewal 0%	10,000	0	0	0	0	10,000	10,000	0%	0%	On time, on budget	Commenced design phase, expected completion prior to June 30
Marulan Pre-School Asbestos Removal	Renewal 100%	50,000	950	0	0	950	50,000	49,050	2%	2%	On time, on budget	Procurement phase underway
Netball Court Resurfacing - SCCF (G)	Renewal 100%	699,998	0	0	0	0	699,998	699,998	0%	0%	On time, on budget	
BMX Track Upgrade	Renewal 100%	150,000	0	0	0	0	150,000	150,000	0%	0%	On time, on budget	
Marulan Hall Supper Room Air Conditioner	Renewal 0%	0	3,810	0	0	3,810	0	-3,810	0%	0%	Quarterly review, carryover required	Awaiting journal from Marulan Discretionary fund
230 - Asset & Design		1,602,748	156,039	0	93,831	249,870	1,546,009	1,296,139	16%	16%		
Survey Equipment	Renewal 100%	10,000	1,282	0	293	1,574	10,000	8,426	16%	16%	On time, on budget	
LRCI - Tarago Village Projects Capital (G)	Renewal 0%	0	0	0	0	0	400	400	0%	0%	Completed	Project completed last financial year.
		10,000	1,282	0	293	1,574	10,400	8,826	15%	15%		
Total Capital Program		35,935,047	9,210,242	0	17,484,370	26,694,612	44,615,695	17,921,083	0%	0%		



Operations Capital Report by Business Unit for 2022/23
for YTD Period Ending December

Date Report Run: 10-Jan-2023

Description	Renewal %	Original Budget 23PJOB	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	% of Time: 55%		Status	Comments
								\$ Variance	% of Budget		



15.4 GRANTS UPDATE

Author: Senior Grants Officer

Director Corporate & Community Services

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Grants Council Report 1 October 2022 to 31 December 2022.pdf [↓](#)



Link to Community Strategic Plan:	28. Our Civic Leadership CL4 Actively investigate and communicate funding sources and collaboration opportunities that can strengthen the region.
Cost to Council:	Income generated as noted below.
Use of Reserve Funds:	Nil

RECOMMENDATION
 That the report on the grants update from the Senior Grants Officer and the Director of Corporate and Community Services be received.

BACKGROUND

This report provides an update on grant activities from 1 October 2022 to 31 December 2022.

REPORT

A copy of the grant update report is attached for information.



Quarterly Council Grant Report for 01-Oct-2022 to 31-Dec-2022

Successful Grants

Grant ID	Grant Project Name	Grant Program	Notification Date	Grant Amount Approved
2022-000020	Eastgrove Shared Pathway Project	Walking and Cycling - Active Transport	26/10/2022	\$ 2,015,000
2023-000024	Goulburn Regional Art Gallery - New Gallery Development	Creative Capital Minor Works and Equipment Round 2	16/11/2022	\$ 119,356
2023-000040	Clinton Street Heavy Vehicle Route Upgrade	Heavy Vehicle Safety and Productivity Programme	23/11/2022	\$ 2,386,494
2023-000044	Goulburn Australia Day 2023	National Australia Day Council	29/11/2022	\$ 30,000
2023-000049	Pothole Repair LGA	Fixing Local Roads - Pothole Repair Program	29/11/2022	\$ 439,896
2022-000110	Prell Oval Amenities Block	Crown Reserves Improvement Fund	9/12/2022	\$ 120,871
2023-000051	Tarlo Street Graffiti Project	Graffiti Management Program	19/12/2022	\$ 71,517
2023-000041	Goulburn Rail Trail Business Case Development	Regional NSW - Business Case and Strategy Development Fund Round 1	20/12/2022	\$ 147,775
2023-000047	Small Heritage Grants Program and Heritage Advisor	Local Government Heritage Grants	20/12/2022	\$ 25,000
2023-000034	Connect, Support and Empower Youth Program	Youth Investment Program	21/12/2022	\$ 583,579
2023-000026	Carr Confoy Netball Court Lighting Upgrade	Stronger Country Communities Fund	21/12/2022	\$ 286,800
2023-000027	Marulan Soccer Fields Lighting/Drainage Upgrade	Stronger Country Communities Fund	21/12/2022	\$ 423,850
2023-000028	Riverside Park Amenities and Park Infrastructure	Stronger Country Communities Fund	21/12/2022	\$ 199,575
2023-000029	Bladwell Park Infrastructure Upgrade	Stronger Country Communities Fund	21/12/2022	\$ 290,300
				\$ 7,144,074

Unsuccessful Grants

Grant ID	Grant Project Name	Grant Program	Notification Date	Grant Amount Requested
2023-000037	Australian Blackspot	Windellama Road	7/12/2022	\$ 413,000
2023-000033	New Paperback Cafe Program	Youth Investment Program	20/12/2022	\$ 405,442
				\$ 818,442



Quarterly Council Grant Report for 01-Oct-2022 to 31-Dec-2022

Grants Awaiting Notification

Grant ID	Grant Project Name	Grant Program	Expected Notification Date	Grant Amount Requested
2023-000046	Ross Whitaker Pavilion Female Facilities Upgrade	Female Friendly Community Sport Facilities and Lighting Upgrades Program 2022/23	31/01/2023	\$ 130,673
2023-000031	Windellama Road Rehabilitation (Stage 2)	Fixing Local Roads	16/11/2022	\$ 3,000,000
2023-000032	Towrang Road Rehabilitation	Fixing Local Roads	16/11/2022	\$ 740,407
2023-000004	Copford Reach Boat Ramp Upgrade Project	Boating Now Program	30/11/2022	\$ 256,788
2023-000042	Mighty Playwrights 2023	Children and Young People Wellbeing Recovery Initiative - Small Grants	30/12/2022	\$ 10,000
2023-000036	Crown Lands Floods Applications for Recreation Ground	Crown Land Flood Recovery Program	31/12/2022	\$ 52,150
2023-000025	Balancing Act - Youth Circus Engagement and Well-being Project	Australia Council for the Arts	31/12/2022	\$ 60,993
2023-000030	Goulburn Water Treatment Plant Upgrade (Stage 2)	Accelerated Infrastructure Fund Round 3	31/12/2022	\$ 11,261,775
2023-000043	Goulburn Mulwaree Library Technology Upgrade	Public Library Infrastructure	31/01/2023	\$ 81,000
2023-000045	Currawang Causeway Betterment	Infrastructure Betterment Fund	1/02/2023	\$ 3,443,054
2023-000058	Youth Week 2023	Youth Week Grants Program	6/02/2023	\$ 4,061
2023-000050	Marsden Weir Shared Pathway Access Project	Open Spaces - Places to Swim	15/02/2023	\$ 370,738
2023-000059	Goulburn Mulwaree - Road Pot Holes Repair	Regional and Local Roads Repair Program	15/02/2023	To be Confirmed
2023-000038	BMX Bike Track	Club Grants - Infrastructure Grants	21/02/2023	\$ 150,000
2023-000055	Youth Mentoring Kokoda Trek 2023	Children & Young People Wellbeing Recovery Initiative	1/03/2023	\$ 50,000
2023-000054	CBD/South Goulburn Connection Pathway	NSW Get Active	2/03/2023	\$ 3,217,280
2023-000053	Eastgrove South Sports Field Improved drainage and levelling	Essential Community Sport Assets Program	9/03/2023	\$ 1,000,000
2023-000048	Goulburn Historic Waterworks - painting of the 1880s Pumphouse	Caring for State Heritage	15/03/2023	\$ 17,700
2023-000057	Tallong War Memorial Mortar Restoration	Community War Memorials	14/04/2023	\$ 10,000
2023-000056	Mighty Playwrights	Ansvar Insurance community education Program	1/05/2023	\$ 22,000
				\$ 25,495,964



Quarterly Council Grant Report for 01-Oct-2022 to 31-Dec-2022

Grants In Progress

Grant ID	Grant Project Name	Grant Program	Due Date	Grant Amount Requested
2023-000060	Rocky Hill Memorial Tower Conservation	Saluting Their Service	7/02/2023	TBA - Up to \$150,000
2023-000061	Carr Confoy Cricket Pitches and Practice Facilities Refurbishment	Natural Disaster Recovery Fund - Cricket Australia	30/04/2023	\$ 30,000
				\$ 30,000

15.5 GOULBURN RAIL TRAIL STEERING COMMITTEE MEETING MINUTES - 7 DECEMBER 2022

Author: Chief Executive Officer

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. **Goulburn Rail Trail Steering Committee Meeting Minutes - 7 December 2022** [↓](#) 

Link to Community Strategic Plan:	19. Our Infrastructure IN4 Maintain and update existing community facilities, and support the development of new community infrastructure as needed.
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That Goulburn Rail Trail Steering Committee Meeting Minutes held on the 7 December 2022 be received.

REPORT

Please find attached the Goulburn Rail Trail Steering Committee Meeting Minutes from the 7 December 2022 for your information.

No action or expenditure is required by Council at this time.



Goulburn Rail Trail Steering Committee Minutes

Meeting Details

Wednesday 7 December 2022, 3.20pm
Council Chambers, Civic Centre

Invited Attendees

Cr Bob Kirk, Cr Michael Prevedello, Darren Plumb, Alan Collins, Andrew Collins, Adrian Beresford-Wylie, Bradley Nichol & Wendy Nichol

Also attended

Deputy Mayor Steve Ruddell

Apology

Nil

Discussion Items

1. Welcome and Introductions
 - Completed
2. Appointment of Chairperson
 - Cr Bob Kirk appointed
3. Acceptance of Goulburn Rail Trail Steering Committee Terms of Reference
 - All members have accepted the terms of reference
4. Signing of Confidentiality Agreement
 - All members have signed confidentiality agreement.
5. Media Policy
 - Noted
6. Discussion regarding the background of the Goulburn – Crookwell Rail Trail to date included:-
 - a) The original rail trial proposal from 2014 & the NSW Rail Trail Framework
 - b) The 2015 Feasibility Study provides the basis to build on, and the two existing pilot rail trails in NSW.
 - c) Proposed track going around Sooley Dam from a tourism point of view (Marble Hill to Kingsdale to Sooley down Chainman's Lane)
 - d) The growing traffic on our shared paths along the river to show how it attracts many users. Discussed trails (shared paths) throughout Goulburn and how this rail trail will build upon that.
 - e) A sealed track as opposed to a gravel track.
 - f) Access for emergency vehicles on the track.
 - g) Maintenance of the track which would have to allow access to a quad bike as well as accessibility.
 - h) Sharing with horses not being compatible
 - i) The existing Tablelands 20 Trails (road cycling) will be complimentary to this proposal.
 - j) The opposition of property owners and the major biosecurity issues which were their main concern.
7. General Business
 - As above

Meeting closed 5.10pm

Page 1 of 2



**Goulburn Mulwaree Award
Working Party Discussion Items & Action List**

**Goulburn Rail Trail Steering Committee
Action Task List**

No	Task	Working Party Members	Update on actions
1	Contact The Hon Wendy Tuckerman MP to inform her of this committee’s formation, and to follow up on when the current grant application is expected to be announced	Cr Bob Kirk	
2	Copy of the mud map of potential pathways/trails to be provided to committee members	Cr Bob Kirk	
3	Committee members contact details to be circulated to all members	Cr Bob Kirk	Complete

15.6 GOULBURN MULWAREE AWARD WORKING PARTY MINUTES - 19 DECEMBER 2022

Author: Chief Executive Officer

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Goulburn Mulwaree Award Working Party Minutes 19 December 2022  

Link to Community Strategic Plan:	Our Civic Leadership
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That the report from the Chief Executive Officer in relation to the Goulburn Mulwaree Award Working Party Meeting Minutes held on the 19 December 2022 be received.

BACKGROUND

A meeting of the Goulburn Mulwaree Goulburn Mulwaree Award Working Party was held on the 19 December 2022.

Please find attached the minutes from this meeting. There are no recommendations from this meeting that require a resolution from Council.



Goulburn Mulwaree Award Working Party Minutes

Meeting Details

Monday 19 December 2022 at 10am
Goulburn Room, Civic Centre

Invited Attendees

Present: Danae Vitnell, Mayor Peter Walker, Cr Bob Kirk, Sam Rowland (via Zoom) & Gary Lourigan

Also Present: Amy Croker

Apology

Jodie Divall & Richard Ernest

Discussion Items

1. Confirmed Minutes from 31 October 2022 Goulburn Mulwaree Award Working Party
2. Task List - noted
3. Nomination discussion took place
4. General Business
5. Schedule next Meeting Date & Time
Monday 13 February 2023 at 10am in the Goulburn Room, Council Civic Centre



**Goulburn Mulwaree Award
Working Party Discussion Items & Action List**



Task List

No	Project	Working Party Members	Update on actions
1	Nil		

15.7 EXTERNAL MEETING MINUTES

Author: Chief Executive Officer

Authoriser: Aaron Johansson, Chief Executive Officer

- Attachments:**
1. **Holcim Lynwood Quarry Community Consultative Committee Meeting held 2 December 2022** [↓](#) 
 2. **Gunlake Community Consultative Committee Meeting 2 December 2022** [↓](#) 

Link to Community Strategic Plan:	27. Our Civic Leadership CL3 Collaborate and cooperate to achieve efficiencies and a greater voice in regional decision-making, and encourage similar cooperation across other sectors and community groups.
Cost to Council:	There are no financial implications for this report
Use of Reserve Funds:	Nil

RECOMMENDATION

That the report from the Chief Executive Officer on the following external Committee meeting minutes be received:

1. Holcim Lynwood Quarry Community Consultative Committee Meeting held 2 December 2022
2. Gunlake Community Consultative Committee Meeting 2 December 2022

REPORT

Please find attached the minutes from the:

1. Holcim Lynwood Quarry Community Consultative Committee Meeting held 2 December 2022
2. Gunlake Community Consultative Committee Meeting 2 December 2022

These minutes are attached for your information and no Council decision is required other than noting the minutes.



Meeting notes

Holcim Australia

Meeting	Community Consultative Committee	Date	2 December 2022
Project	Lynwood Quarry	Time	12.00pm – 1.15pm
Chair	Brendan Blakeley	Recorder	Jacinta Spies
Attendees	Rosemary Turner, Marulan and District Historical Society Clr Bob Kirk, Goulburn Mulwaree Council Susan Pearson, Cockbundoon Heritage & Preservation Commerce John Nicastri, Site neighbour David Humphries, Marulan Region Chamber of Commerce Mahsen Vafeei Fard, Holcim Wayne Beattie, Holcim Fred Adams, Holcim Lisa Mackay-Sim, Holcim	Apologies	Peter Simpson, Site neighbour Alan Goulder, Towrang Valley Progress Group Rebecca McLean, Holcim

Item	Discussion Point	Actions
1.	<p>Welcome and introductions</p> <ul style="list-style-type: none"> - Brendan Blakeley welcomed CCC members and acknowledged the traditional custodians of the land Lynwood is located upon. - Introductions were made, noting Lisa’s attendance online. - Brendan Blakeley ran through the agenda for the meeting and noted apologies. 	
2.	<p>Partnership and Indigenous engagement</p> <p>Lisa Mackay-Sim, Fred Adams and Wayne Beattie spoke about the Memorandum of Understanding (MOU) engagement work with the local Indigenous community.</p> <ul style="list-style-type: none"> - The MOU is to formalise employment and training opportunities for the local Indigenous community. - Recent surveys are being reviewed and planning for an upcoming meeting with key stakeholders is underway. 	
3.	<p>Site operations update</p> <p>Wayne Beattie Hewson updated the committee on site operations (see presentation attached). The main points discussed were as follows:</p> <ul style="list-style-type: none"> - Holcim is currently recruiting for a new NSW/ACT Environmental Manager. - Mohsen Vafeei Fard has joined Lynwood as a Support Services Supervisor and will assist Wayne while Rebecca is on maternity leave. 	

Item	Discussion Point	Actions
	<ul style="list-style-type: none"> - Lynwood Quarry EA 2021 will be up for renewal in 2023 and discussion with the work group will begin shortly. - There has been an increase in enquiries for job positions at Lynwood Quarry. The Quarry has recently hired two carpenters, acknowledging there are benefits of offering opportunities to people that are not from the industry. - Holcim is on track to produce 2.2 million tonnes this year, which is a slight drop from last year. This is due to market constraints and wet weather. - Wet weather in Sydney has slowed down the volume that can leave the quarry, resulting in large stock remaining on site. Site capacity is 2.1 tonnes and once this has been filled, work must stop. - Holcim continues to review resources to suit the quarry output and have assessed contractor requirements to strengthen local suppliers. - There have been two reportable incidents since the last CCC meeting, both being from dust monitoring activities. - The government has encouraged businesses to assess their dust generation, and rather than wear PPE, limit dust generation from the source. - Lynwood Quarry is undertaking real-time dust monitoring to identify the cause of dust and have additional resources in place. This includes the monitoring of crystalline silica and respirable dust levels. By the next meeting there should be results of the main cause of the dust generation. - The upgrade to the Primary Scalping Circuit continues to present issues so will be changed over Christmas. - Two excavators are being trialled as primary loading tools. They will reduce the amount of fuel usage by a quarter and increase efficiency. - Lynwood Quarry has several projects for the next year. Western Sydney Airport (WSA) is too large a job for one company, so Holcim is among several companies on the job. The challenges with WSA will be the weather and the logistics of moving equipment to the Airport. 	
4.	<p>Granite pit update</p> <p>Wayne Beattie gave an update on the granite pit (see presentation attached). The main points discussed were as follows:</p> <ul style="list-style-type: none"> - Progressing as per the development consent and 5 Year Mine Plan. - Overburden removal is in line with production demands. - 2023 pit plan is to continue to expand the pit shell to the West as seen on slide 6 of the presentation. As the granite has been opened, overburden was heavy, however this will reduce next year. Once the pit shell is open the focus will be on mining rock. - Overburden Striping Contract is up for renewal with three companies who have responded and tendered. Holcim will make a decision next week. - The amenity bund main structure was completed in August. - Planting of 1500 trees on the Southern end of the bund was completed yesterday. The Northern end of the bund was completed 6 months ago and is now waist height. - The Eastern face has been covered by topsoil and is growing natural vegetation. - During the plantings a maintenance plant was included with a guaranteed 95% survival rate. <p><i>Clr Kirk noted the rules and regulations for mining don't apply to a quarry, however raised that "mining" rock had been mentioned several times in this meeting and asked what is the difference?</i></p> <ul style="list-style-type: none"> - Wayne advised the difference between a mine and a quarry is what is being mined: a mine extracts minerals and a quarry extract rocks. - Wayne added the regulator is starting to hold quarries more accountable, similar to coal mines. 	
5.	<p>Community update</p>	

Item	Discussion Point	Actions
	<p>Wayne Beattie gave an update on Holcim's community engagement program (see presentation attached). The main points discussed were as follows:</p> <ul style="list-style-type: none"> - All applications for sponsorships received in 2022 were assessed as they were submitted. This will be the process moving forward as all submissions now require CEO approval. - Fred emphasised if there any requests, please provide sufficient notice so Holcim can plan ahead and please include a specific dollar figure to simplify the process. - Lynwood Quarry will continue to support the local community and businesses as much as possible and are looking for opportunities to volunteer. - Lisa said Holcim is looking to bring value to the community through shelter, education, health and diversity. <p><i>David said the local cricket club in Marulan was looking to buy a defibrillator and asked how could this be supported?</i></p> <ul style="list-style-type: none"> - Fred advised this request should be sent to them in writing, providing a dollar value and explaining the community value. - Wayne said he will provide his business card to the CCC members and can issue them with a form to complete. <p><i>Rosemary noted both the soccer and cricket club have discussed taking a defibrillator to every game as there are currently seven defibrillators in the community in the SES vehicles.</i></p> <p><i>Susan noted that there are plans to create a garden behind the War Memorial. They have received money and rock from Bowral but also need volunteers.</i></p> <ul style="list-style-type: none"> - Wayne responded that Holcim could coordinate assistance. <p><u>Community Engagement Program 2021</u></p> <ul style="list-style-type: none"> - Wayne listed the community activities Holcim have supported throughout 2022 as seen on slide 13 of the presentation. <p><u>Complaints</u></p> <ul style="list-style-type: none"> - Since November 2022, Lynwood has not received any complaints from the community. - Holcim continues to engage with the community regarding blasting enquiries and requests to continue to be added to the blast notification register as advertised in the monthly Marulan newsletter. <p><u>Community Dust Sampling</u></p> <ul style="list-style-type: none"> - Holcim met with the EPA for a site visit in June 2021 to discuss a pathway forward from the Independent Health Assessment Report. Holcim elected to fund a further PM2.5 sampling investigation, which concluded in October. The results are being reviewed by an independent consultant who will be providing a report back to the EPA. 	
6.	<p>Environmental update</p> <p>Wayne Beattie presented an update on Holcim's compliance, monitoring and management plans (see presentation attached). The main points discussed were as follows:</p> <p><u>Compliance</u></p> <ul style="list-style-type: none"> - Compliant in all areas as seen on slide 17 of the presentation. <p><i>John mentioned there was a loud blast about 3 or 4 o'clock the other day, that sounded like a train.</i></p> <ul style="list-style-type: none"> - Wayne said blasts normally occur at 1 or 2 o'clock and unsure what that noise could have been. - The trial update to the Hi-Volume dust samplers have proved more efficient. HVAS1 and HVAS2 will both be updated pending DPIE approval. <p><u>Monitoring</u></p> <ul style="list-style-type: none"> - Reference to slide 19 of the presentation shows the depositional dust monitoring results have been trending down. 	

Item	Discussion Point	Actions
	<ul style="list-style-type: none"> - Several dust control methods have been in place including a fog cannon spraying mist and the use of foam to coat the rock before it is crushed. - Wayne noted the recent wet weather has also assisted. - There have been four occasions this year where the quarry was shut down due to high winds. <p><u>Management Plans</u></p> <ul style="list-style-type: none"> - The Box Gum Woodland Management Plan is currently being reviewed and updated with assistance from the DAWE. - Holcim has engaged an environmental specialist to conduct various test samples to ensure the greatest success rate of targeted rehabilitation. There are 11 areas to rehabilitate. - The Aboriginal Heritage plan has been updated and approved and should be published online next week. - Holcim is working with the NSW Conservation Biodiversity Trust to finalise the conservation agreement. Wayne noted all fencing has been moved and the conservation area will be confirmed in the next 6 months. <p><i>David asked whether this is an income earner for Holcim?</i></p> <ul style="list-style-type: none"> - Wayne advised normally it would be, however as it is part of Holcim's consent it is not. - Wayne said the conservation agreement mentions specific conservation methods such as cool burns and slashing at a certain height. <p><i>Rosemary said she had heard the neighbours had not been happy and asked why?</i></p> <ul style="list-style-type: none"> - Wayne responded the Cassinia plant has been challenging to manage and a lot of weeds are entering neighbouring property. - The Lynwood Aboriginal Cultural Heritage Project has been approved by Council and Cameron Madeira has been appointed as the project manager. 	
7.	<p>Next six months</p> <p>Wayne Beattie gave an overview of Holcim's planned activities for the next six months. Activities listed were as follows:</p> <ul style="list-style-type: none"> - To formalise the agreement for the conservation area. - Improve compliance with management plan. Continue to remove overburden as the granite pit expands west. - Commence construction of the Cultural Heritage Centre. <p><i>David asked what is the construction time?</i></p> <ul style="list-style-type: none"> - Wayne responded that construction of the building will only take a couple of months. However, the civils and landscaping that is involved will take longer. - Holcim already has a heritage clearance to start construction, however people will need to be present during the groundwork to ensure no heritage items are found. - Holcim anticipates the Cultural Heritage Centre will be able to generate its own income after five years, which will be managed by the Indigenous community. - Wayne noted there are already 20,000 artefacts stored on site which will be moved to the Heritage Centre for community and educational purposes. <p><i>Clr Kirk asked about the engagement with the Pejar and Gundungurra people?</i></p> <ul style="list-style-type: none"> - Wayne responded that engagement is occurring with both groups. - Lynwood Quarry has more than 70 sites of cultural significance. The pit only takes up a small portion of the site so the remainder can be preserved. Surveys are conducted twice a year by archaeologists and representatives from Gundungurra and Pejar to preserve what is found. - Wayne noted the surface area for the Cultural Heritage Centre has already been cleared. Holcim spent three days to check there were no artefacts or areas of significance. 	

Item	Discussion Point	Actions
8.	<p>Other matters</p> <p>Brendan Blakeley asked the group if there were any other matters to discuss: <i>Susan asked whether another quarry would be created next year?</i></p> <ul style="list-style-type: none"> - Wayne responded that Cleary Bros are considering the area, particularly the northern side of the Lynwood Quarry pit, near Carrick. <p><i>Brendan asked whether this is in the EIS stage or more preliminary?</i></p> <ul style="list-style-type: none"> - Fred clarified they are just scoping the area and no formal proposal has been submitted as yet. - The Chair noted that any detailed questions about the proposal need to be directed to Cleary Brothers. <p><i>David noted last time he spoke to Cleary Bros it was on hold.</i></p> <p><i>Susan said she saw some dust yesterday but does not believe it was from Lynwood Quarry.</i></p> <ul style="list-style-type: none"> - Wayne confirmed Holcim had fired a blast at 1pm that could have caused the dust. <p><i>Rosemary mentioned she writes for the Marulan Messenger and asked for content from Holcim to inform the community about updates at the Quarry. This could include tree planting and Holcim's outlook.</i></p> <ul style="list-style-type: none"> - Fred mentioned Lisa can provide content in this area. - Wayne noted the photos from the presentation can be shared. <p><i>Rosemary suggested that as the Marulan Messenger is released every month, Holcim could have a page or paragraph in each release.</i></p> <p><i>Rosemary asked about progress on the Holcim sign.</i></p> <ul style="list-style-type: none"> - Wayne explained that because Lynwood Quarry is within a conservation area there cannot be any signs on their land, noting the area that fronts the highway is all included in the conservation agreement. <p><i>David asked if this objection was raised during the Development Application?</i></p> <ul style="list-style-type: none"> - Wayne noted the conservation agreement was very specific with location. - Wayne questioned whether conversation had continued about a sign in town or electronic boards? <p><i>Rosemary said electronic boards are too expensive. However, to attract people the town needs signage; people drive through the town and don't realise it is Marulan.</i></p> <p><i>David suggested the sign could be placed further south near the neighbour with an airstrip.</i></p> <p><i>Clr Kirk added Council and RMS have policies on roadside signage.</i></p> <p><i>John asked if the flagpole in the Tony Onions Memorial Park could be replaced as it can no longer be raised?</i></p> <ul style="list-style-type: none"> - Wayne said he will investigate its replacement with Mahsen. 	
9.	<p>Close</p> <p>It was agreed the next meeting will be tentatively scheduled for March 2023.</p> <p>Brendan reminded the group if there are urgent matters in the meantime, to raise them with Wayne, Jacinta or Brendan as soon as possible.</p> <p>Brendan thanked the group for their attendance and the meeting was closed.</p>	

**Minutes of Meeting of Gunlake Quarries Community Consultative Committee
held at Marulan Community Hall at 10.00am on 2 December 2022**

- 1) **Attendance:**
Don Elder (Chairman), Ken Wray (CM), Marie Pender (CM), Jackie Harding (CM), Tony Mulvihill (CM), Geoff Kettle (Gunlake), Andrew Wade (Gunlake), Scott Martin (GMC), Ed O'Neil (Gunlake), Cheryl Bell (CM), David Blissett (CM), Councillor Jason Shepherd (GMC), David Humphreys (CM)
- 2) **Apologies:** David Kelly (Gunlake), Angus Richmond (Gunlake), Ron Switzer (CM).
- 3) **Declaration of pecuniary or other interests:** David Blissett disclosed that he, in conjunction with the Marulan Progress Association, has organised a Marulan Christmas Kids Disco and that he had approached Gunlake which is a major sponsor. The Chairman ruled that there was no conflict of interest.
- 4) **Minutes of meeting held on 12 August 2022** were confirmed.
- 5) **Business arising from the Minutes:**
 - a) Road Signs – The sign that was requested at the last meeting has been installed. A suggestion for 'Concealed Driveway' signs at Jim and Leanne Divall's entrance. GK to liaise with Council RSO.
 - b) Amendments to CCC Guidelines – Chairman attended a Zoom meeting on behalf of the Gunlake CCC, where these were discussed with DPE staff and other CCC Chairpersons.
 - c) Mod 1 – Discussed in the Company Report.
 - d) Speed limit – Reduction request is ongoing and in the hands of the RMS.
- 6) **Correspondence**
 - a) Cr Jason Shepherd to Chairman – Availability for discussion.
- 7) **Company Report** (attached with the minutes). Read by GK
SM: Speed Reduction Signage needs to be authorised by police;
New Road crews being trained;
Coldmix and contractors in short supply.
TM: Questioned if council was holding S94 fees in escrow for maintenance and repairs on haul road.
SM: Explained process of spending and lack of materials etc currently.
Staff are being actively recruited by council and training in place. Endorsed the purchase (12month lead time) on Jetpatcher.
TM: Acknowledged SM's comments but is questioning the fervour of Council's efforts.

GK: Reported that ongoing discussions on the future maintenance of the Transport Route are occurring weekly between Gunlake and GMC and we are hopeful of a positive outcome soon.

SM: Reported that Council is sharing the limited resources between the local haul routes.

GK: Local Police have increased patrols on the haul route.

GK: Gunlake is actively recruiting apprentices and other staff.

KW: Asked what effect the refusal of the Biodiversity Mod would have on quarry operations.

EO'N: Explained that there would be no impact and Gunlake is still considering its options post refusal.

GK: Continuation Project still under assessment.

KW: Asked about the positioning of culverts on the haulage route and suggested maybe more might be needed on Red Hills Road.

SM: Took the question on notice.

MP: Thanked Gunlake for its support of the Marulan Messenger.

Cr JS: Spoke about obtaining additional funding for roads from State and Federal.

EO: Advised that timely maintenance is key to maintaining integrity of surface.

Cr JS: Advised that Gunlake is more proactive with reporting maintenance issues than other local companies.

8) **General Business**

a) SM advised that Matt O'Rourke had resigned and Council has appointed George Angeliss (ex Sydney City) as the new Director of Operations and he will be commencing early January.

b) SM advised that Andy Cartwright has resigned.

Next Meeting

The next meeting is to be held at 10.00am, 24th March 2023 at the Marulan Community Hall.

The meeting closed at 10.40 am.

Confirmed

Chairman

16 CLOSED SESSION

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

There were no closed session reports for determination.

17 CONCLUSION OF THE MEETING

The Mayor will close the meeting.