



OUR VISION & VALUES ONE TEAM DELIVERING WITH
PRIDE
Passion | Respect | Innovation | Dedication | Excellence
OUR MISSION TO BE EASY TO DO BUSINESS WITH

BUSINESS PAPER

Ordinary Council Meeting

21 February 2023

Aaron Johansson
Chief Executive Officer

We hereby give notice that an Ordinary Meeting of Council will be held on:
 Tuesday, 21 February 2023 at 6pm
 in the Council Chambers, Civic Centre
 184 - 194 Bourke Street, Goulburn

Order Of Business

1	Opening Meeting.....	5
2	Acknowledgement of Country	5
3	Councillors Declaration and/or Prayer	5
4	Apologies	5
5	Applications for a Leave of Absence by Councillors	5
	Nil	
6	Attendance by Audio-visual link by Councillors	5
7	Late Items / Urgent Business	5
8	Disclosure of Interests	5
9	Presentations	6
	Nil	
10	Public Forum.....	6
11	Confirmation of Minutes.....	7
11.1	Minutes of the Extraordinary Meeting of Council held on 31 January 2023.....	7
11.2	Minutes of the Ordinary Meeting of Council held on 7 February 2023	14
12	Matters Arising.....	22
12.1	Matters Arising from Council Meeting Minutes from the 31 January 2023 & 7 February 2023.....	22
12.2	Outstanding Task List from All Previous Meetings.....	23
13	Mayoral Minute(s)	25
	Nil	
14	Notice of Motion(s)	25
	Nil	
15	Notice of Rescission(s)	25
	Nil	
16	Reports to Council for Determination	26
16.1	DA/0219/2223 - 2 lot Subdivision, 126 Addison Street, Goulburn.....	26
16.2	DA/0236/2223 - Dwelling, House, Garage, subdivision into 2 lots - 138 Addison Street, Goulburn	67
16.3	Draft Marulan Flood Study	119
16.4	Draft Plan of Management - Carr Confoy Sportsground & Park.....	125
16.5	Tender 2223T0012 - Sewer Rehabilitation	308
16.6	Rocky Hill War Memorial Museum Collection Policy.....	312

16.7	Rates Outstanding Report.....	320
16.8	Water Charges Outstanding Report	323
16.9	Debtors Outstanding	325
16.10	Monthly Financial Report.....	327
16.11	Statement of Investments & Bank Balances.....	341
16.12	Minutes of the Traffic Committee Meeting held on 2 February 2023.....	346
16.13	Marulan Village Discretionary Fund Working Party Minutes - 9 February 2023	359
16.14	Councils Operational Update - January 2023	362
17	Closed Session	481
17.1	Goulburn Mulwaree Award Working Party Minutes - 13 February 2023	481
17.2	Legal Options - St Johns Orphanage	481
18	Conclusion of the Meeting	482

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 ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS**7 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.

8 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.

9 PRESENTATIONS

Nil

10 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.

11 CONFIRMATION OF MINUTES

11.1 MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON 31 JANUARY 2023

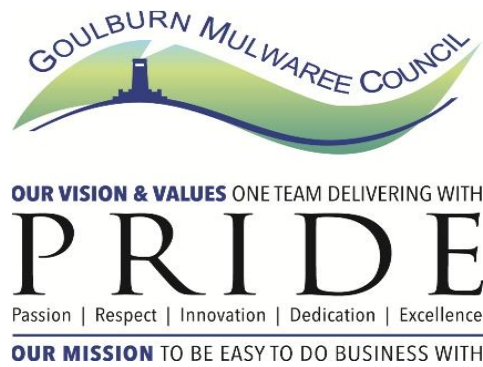
Author: Chief Executive Officer

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Minutes of the Extraordinary Meeting of Council held on 31 January 2023

RECOMMENDATION

That the Council minutes from Tuesday 31 January 2023 and contained in Minutes Pages No 1 to 7 inclusive and in Minute Nos 2023/01 to 2023/09 inclusive be confirmed.



MINUTES

Extraordinary Council Meeting

31 January 2023

Order Of Business

1	Opening Meeting.....	4
2	Acknowledgement of Country	4
3	Councillors Declaration and/or Prayer	4
4	Apologies	4
5	Applications for a Leave of Absence by Councillors	4
6	Late Items / Urgent Business	5
7	Disclosure of Interests	5
8	Public Forum / Addresses to Council.....	5
9	Mayoral Minute(s)	5
9.1	Mayoral Minute - Vale Dan Tetley	5
10	Reports to Council for Determination	6
10.1	REV/0001/2223 - 77 Corridale Drive, Marulan	6
10.2	Electoral Signage Policy.....	7
10.3	Advocacy Plan - 2023 State Government Election	7
11	Closed Session	7
	There were no closed session reports for determination.	
12	Conclusion of the Meeting	7

**MINUTES OF GOULBURN MULWAREE COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,
GOULBURN
ON TUESDAY, 31 JANUARY 2023 AT 6PM**

PRESENT: Mayor Peter Walker, Deputy Mayor Steven Ruddell, Cr Andrew Banfield, Cr Carol James, Cr Bob Kirk & Cr Daniel Strickland

PRESENT VIA ZOOM:

Cr Jason Shepherd & Cr Michael Prevedello

IN ATTENDANCE: Aaron Johansson (Chief Executive Officer), Brendan Hollands (Director Corporate and Community Services), Scott Martin (Director Planning and Environment), Marina Hollands (Director Utilities), George Angelis (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 Councillor Andrew Banfield.

4 APOLOGIES

RESOLUTION 2023/1

Moved: Cr Carol James

Seconded: Cr Steven Ruddell

That the apology received from Cr Andy Wood be accepted.

CARRIED

5 APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

RESOLUTION 2023/2

Moved: Cr Carol James

Seconded: Cr Steven Ruddell

That a leave of absence be granted for Cr Andy Wood due to other public commitments.

CARRIED

6 LATE ITEMS / URGENT BUSINESS**RESOLUTION 2023/3****Moved: Cr Steven Ruddell****Seconded: Cr Bob Kirk****That:**

- 1. Cr Michael Prevedello attends the Council Meeting via video link due to health reasons.**
- 2. Cr Jason Shepherd attends the Council Meeting via video link due to work commitments**

CARRIED**7 DISCLOSURE OF INTERESTS**

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

Cr Jason Shepherd declared a pecuniary conflict of interest in Item 10.2 "Electoral Signage Policy" as he will be representing the Labor Party at the upcoming State election. Cr Jason Shepherd will leave the meeting while discussion on this item takes place.

8 PUBLIC FORUM / ADDRESSES TO COUNCIL

Nil

9 MAYORAL MINUTE(S)**9.1 MAYORAL MINUTE - VALE DAN TETLEY****RESOLUTION 2023/4****Moved: Cr Peter Walker****That Council observe a minutes silence in remembrance of Council employee Dan Tetley who passed away recently.****CARRIED**

10 REPORTS TO COUNCIL FOR DETERMINATION**10.1 REV/0001/2223 - 77 CORRIDALE DRIVE, MARULAN****RESOLUTION 2023/5****Moved: Cr Andrew Banfield****Seconded: Cr Jason Shepherd****That Council Move into Committee of the Whole.**

Council moved into Committee of the whole at 6:19pm.

CARRIED**RESOLUTION 2023/6****Moved: Cr Andrew Banfield****Seconded: Cr Steven Ruddell****That Council move back into Open Council.**

Council moved back into Open Council at 6:37pm.

CARRIED**RESOLUTION 2023/7****Moved: Cr Steven Ruddell****Seconded: Cr Andrew Banfield****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 by way of refusal be upheld with the removal of reasons 3, 4, 5 part 1.2(2)(i) and Part 1, Clause 1.2(2)(k), 6, 7, 8, 10, 11, 12 and 13.**

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, Steven Ruddell, Daniel Strickland, Jason Shepherd and Peter Walker

Against: Cr Michael Prevedello

10.2 ELECTORAL SIGNAGE POLICY

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

RESOLUTION 2023/8

Moved: Cr Carol James

Seconded: Cr Bob Kirk

That:

1. The report of the Director Planning & Environment be received.
2. The Electoral Signage Policy be adopted as per the amended draft Policy.

CARRIED

At 6:45 pm, Cr Jason Shepherd returned to the meeting.

10.3 ADVOCACY PLAN - 2023 STATE GOVERNMENT ELECTION

RESOLUTION 2023/9

Moved: Cr Michael Prevedello

Seconded: Cr Andrew Banfield

That Council endorses the Advocacy Plan – 2023 State Government Election.

CARRIED

11 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.

12 CONCLUSION OF THE MEETING

The Meeting closed at 6.55pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Goulburn Mulwaree Council held on 21 February 2023.

.....
Cr Peter Walker
Mayor

.....
Aaron Johansson
Chief Executive Officer

11.2 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 7 FEBRUARY 2023

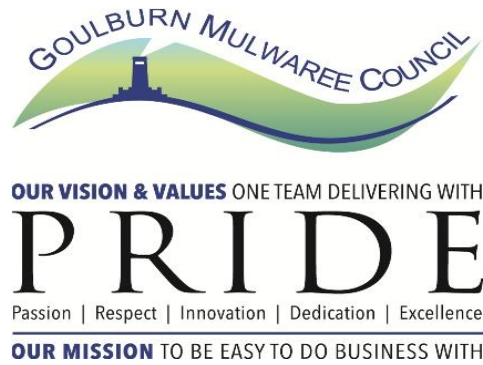
Author: Chief Executive Officer

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Minutes of the Ordinary Meeting of Council held on 7 February 2023

RECOMMENDATION

That the Council minutes from Tuesday 7 February 2023 and contained in Minutes Pages No 1 to 7 inclusive and in Minute Nos 2023/10 to 2023/18 inclusive be confirmed.



MINUTES

Ordinary Council Meeting

7 February 2023

Order Of Business

1	Opening Meeting.....	4
2	Acknowledgement of Country	4
3	Councillors Declaration and/or Prayer	4
4	Apologies	4
5	Applications for a Leave of Absence or attendance by audio-visual link by councillors	4
6	Late Items / Urgent Business.....	4
7	Disclosure of Interests	5
8	Presentations	5
	Nil	
9	Public Forum.....	5
10	Confirmation of Minutes.....	5
	10.1 Minutes of the Ordinary Meeting of Council held on 20 December 2022	5
11	Matters Arising.....	5
	11.1 Matters Arising from Council Meeting Minutes from the 20 December 2022.....	5
	11.2 Outstanding Task List from All Previous Meetings.....	5
12	Mayoral Minute(s)	6
	Nil	
13	Notice of Motion(s)	6
	13.1 Notice of Motion - Time Restricted Parking in Front of General Stores.....	6
14	Notice of Rescission(s)	6
	Nil	
15	Reports to Council for Determination	6
	15.1 Draft Plan of Management - Carr Confoy Sportground and Park	6
	15.2 Statement of Investments & Bank Balances.....	6
	15.3 Monthly Financial Report.....	6
	15.4 Grants Update.....	6
	15.5 Goulburn Rail Trail Steering Committee Meeting Minutes - 7 December 2022	7
	15.6 Goulburn Mulwaree Award Working Party Minutes - 19 December 2022	7
	15.7 External Meeting Minutes.....	7
16	Closed Session	7
	There were no closed session reports for determination.	
17	Conclusion of the Meeting	8

**MINUTES OF GOULBURN MULWAREE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 184 - 194 BOURKE STREET,
GOULBURN
ON TUESDAY, 7 FEBRUARY 2023 AT 6PM**

PRESENT: Cr Peter Walker – Mayor, Cr Steven Ruddell – Deputy Mayor, 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), Brendan Hollands (Director Corporate and Community Services), Scott Martin (Director Planning and Environment), Marina Hollands (Director Utilities), George Angelis (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 declaration was read by Cr Bob Kirk.

4 APOLOGIES

Nil

5 APPLICATIONS FOR A LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS

RESOLUTION 2023/10

Moved: Cr Bob Kirk

Seconded: Cr Carol James

That Cr Michael Prevedello attends the Council Meeting via video link due to health reasons.

CARRIED

6 LATE ITEMS / URGENT BUSINESS

Item 13.1 Notice of Motion - Time Restricted Parking in Front of General Stores Notice of Motion & Item 15.1 Draft Plan of Management - Carr Confoy Sportsground and Park has been withdrawn from the Council Meeting.

7 DISCLOSURE OF INTERESTS

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

8 PRESENTATIONS

Nil

9 PUBLIC FORUM

Nil

10 CONFIRMATION OF MINUTES**10.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 20 DECEMBER 2022****RESOLUTION 2023/11**

Moved: Cr Michael Prevedello

Seconded: Cr Steven Ruddell

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.

CARRIED

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

Nil

11.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS**RESOLUTION 2023/12**

Moved: Cr Daniel Strickland

Seconded: Cr Jason Shepherd

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

CARRIED

12 MAYORAL MINUTE(S)

Nil

13 NOTICE OF MOTION(S)

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

This motion was withdrawn.

14 NOTICE OF RESCISSION(S)

Nil

15 REPORTS TO COUNCIL FOR DETERMINATION

15.1 DRAFT PLAN OF MANAGEMENT - CARR CONFOY SPORSTGROUND AND PARK

This item has been withdrawn.

15.2 STATEMENT OF INVESTMENTS & BANK BALANCES

RESOLUTION 2023/13

Moved: Cr Steven Ruddell

Seconded: Cr Michael Prevedello

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

CARRIED

15.3 MONTHLY FINANCIAL REPORT

RESOLUTION 2023/14

Moved: Cr Andrew Banfield

Seconded: Cr Bob Kirk

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

CARRIED

15.4 GRANTS UPDATE

RESOLUTION 2023/15

Moved: Cr Steven Ruddell

Seconded: Cr Carol James

That the report on the grants update from the Senior Grants Officer and the Director of Corporate and Community Services be received and noted.

CARRIED

15.5 GOULBURN RAIL TRAIL STEERING COMMITTEE MEETING MINUTES - 7 DECEMBER 2022

RESOLUTION 2023/16

Moved: Cr Bob Kirk

Seconded: Cr Michael Prevedello

That Goulburn Rail Trail Steering Committee Meeting Minutes held on the 7 December 2022 be received.

CARRIED

15.6 GOULBURN MULWAREE AWARD WORKING PARTY MINUTES - 19 DECEMBER 2022

RESOLUTION 2023/17

Moved: Cr Steven Ruddell

Seconded: Cr Andy Wood

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.

CARRIED

15.7 EXTERNAL MEETING MINUTES

RESOLUTION 2023/18

Moved: Cr Andrew Banfield

Seconded: Cr Jason Shepherd

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**

CARRIED

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 Meeting closed at 6.23pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 February 2023.

.....
Cr Peter Walker
Mayor

.....
Aaron Johansson
Chief Executive Officer

12 MATTERS ARISING

12.1 MATTERS ARISING FROM COUNCIL MEETING MINUTES FROM THE 31 JANUARY 2023 & 7 FEBRUARY 2023

Author: Chief Executive Officer

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: Nil

12.2 OUTSTANDING TASK LIST FROM ALL PREVIOUS MEETINGS

Author: Chief Executive Officer

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Task List - 21 February 2023  

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
<u>South Goulburn Threaten Species Master Plan</u> Review Master Plan	Director Planning & Environment	Preliminary review completed. Councillors Briefed 14 February 2023. Report to be presented to Council in March 2023.
<u>St John's Orphanage</u> <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 	Director Planning & Environment	Demolition deadline missed. Council's legal provider has been briefed and an options matrix prepared. Report included in this Business Paper
<u>Water Treatment Plants – Goulburn</u> Seeking rezoning to allow expansion of Treatment Plants	Director Planning & Environment	The consultant option report on sludge handling and backwash water management is expected in March 2023 to inform whether alternate options to rezoning are suitable. The Goulburn Planning Proposal remains ongoing.
<u>Draft Victoria Park & Carr Confoy Plans of Management</u> <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 	Director Corporate and Community Services	Further report provided in this Business Paper. To be placed on exhibition for a further 28 days with amendments.
<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.	Operations Directorate	External consultant is currently being engaged to carry out condition assessment. Anticipate condition assessment report by the end February 2023. Following receipt of report a presentation will be prepared for a Councillor Briefing Session in March 2023.

13 MAYORAL MINUTE(S)

Nil

14 NOTICE OF MOTION(S)

Nil



15 NOTICE OF RESCISSION(S)



Nil

16 REPORTS TO COUNCIL FOR DETERMINATION**16.1 DA/0219/2223 - 2 LOT SUBDIVISION, 126 ADDISON STREET, GOULBURN****Author:** Senior Development Assessment Officer

Director Planning & Environment

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Subdivision Plan  

2. Clause 4.6 Variation  

Reference to LSPS:	Planning Priority 4: Housing – Vision 2040 - A range and diversity in housing type, which is contextual and affordable and is primarily centred around Goulburn and Marulan.
DA Number:	DA/0219/2223
Address:	126 Addison Street, Goulburn Lot 1 DP 364806
Proposal Description:	Torrens title subdivision into two (2) lots
Type of Development:	Local
Zone:	R1 General Residential
Variations to Policy:	Clause 4.1(3) Minimum Subdivision Lot Size of the <i>Goulburn Mulwaree Local Environmental Plan 2009</i>
Submissions:	Nil
Key Issues:	Greater than 10% non-compliance with Clause 4.1(3) - Minimum Subdivision Lot Size development standard

RECOMMENDATION

That:

- The staff assessment report for Development Application DA/0219/2223 for the proposed *Torrens title subdivision into two (2) lots* be received.
- Consent be granted for DA/0219/2223 for a *Torrens title subdivision into two (2) lots* located at 126 Addison Street, Goulburn, subject to the following conditions:

SECTION A: GENERAL CONDITIONS1. Approved Development and Use

Development consent has been granted in accordance with this Notice of Determination for the purposes of a *Torrens title subdivision into two (2) lots* under the *Goulburn Mulwaree Local Environmental Plan 2009*.

(Reason: *To confirm the components of the approval)*

2. Development in Accordance with Documentation

The development must only be carried out:

- in compliance with the conditions of this Notice of Determination; and
- in accordance with the approved plans and documentation listed in the table below.

Architectural plan prepared by Mitz Design			
DRAWING NO.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
Page No. 02	-	Sub-Division Plan	14/04/2022

(Reason: *To ensure that the development is undertaken in accordance with the submitted plans and documents as amended)*

3. Documentation Inconsistency

In the event of any inconsistency between the conditions of this Notice of Determination, the drawings and any accompanying documentation referred to above, the conditions of this Notice of Determination prevail, to the extent of the inconsistency.

(Reason: *To ensure that the development is undertaken in accordance with the submitted plans and documents as amended)*

4. Documentation to be Kept on Site

At all times, a complete set of all endorsed plans, specifications and any other documentation referenced by this Notice of Determination must be kept on **'site'** and be readily available for perusal by any officer of **'Council'** or the **'Principal Certifier'** upon their request.

(Reason: *To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance)*

SECTION B: PRESCRIBED CONDITIONS IMPOSED UNDER EP&A ACT, THE REGULATION, AND OTHER RELEVANT LEGISLATION

5. Building Code of Australia Compliance

All building work must be carried out in accordance with the provisions of the National Construction Code Series.

(Reason: *Prescribed by **'the Regulation'***)

6. Subdivision Works Certificate Requirements

Subdivision work in accordance with the Notice of Determination must not be commenced until a Subdivision Works Certificate required by s.6.3 of **'the Act'** for the relevant part of the works has been issued in accordance with the provisions of **'the Act'** and **'the Regulation'**.

(Reason: *Prescribed by legislation)*

7. s.138 Roads Act Requirements

Where works are proposed within the road reserve, the developer must obtain approval from **'Council'** (as the Roads Authority and/or as required under s.138 of the *Roads Act 1993*) before any **'Works'** are undertaken. **'Works'** within the road reserve may include activities such as erect a structure, dig up or disturb the surface of a public road, remove or interfere with a structure, or any other activities as defined within the *Roads Act 1993*.

The following details must be submitted to **'Council'** in order to obtain the s.138 approval: -

- A copy of the endorsed approved plans related to the development and proposed works to be undertaken.
- Traffic Control Plan (TCP) to provide protection for those within and adjacent to the work site, including the travelling and pedestrian public. The TCP must comply with the Roads and Traffic Authority's manual "Traffic Control at Work Sites". Warning and protective devices shall comply with the provisions of AS1742.3 - 2002 Traffic Control Devices for Works on Roads. The plan must be prepared and certified by a person holding the appropriate Roads and Traffic Authority accreditation, and
- Insurance details - Public Liability Insurance to an amount of no less than \$20 million, to be held by applicant / contractor undertaking the works.

Advice: *Council's Development Engineer is to be contact for advice relating to the kerb alignment.*

Where works are required within a Classified Road, the Developer must obtain the concurrence and / or the approval of the Roads and Traffic Authority for engineering design plans, Traffic Control Plans and approvals under s.138 of the Roads Act 1993.

All driveway vehicular access ways, crossovers and laybacks are to be a minimum 1000mm from any power or lighting pole, 750mm from any electrical pillar or kerb inlet pit lintel, and 2.5m from any street tree.

Any relocation of the lighting pole must be coordinated with and approved by Essential Energy and be subject to their requirements.

(Reason: *To ensure the necessary approvals are obtained from the roads authority)*

SECTION C: TO THE SATISFACTION OF COUNCIL PRIOR TO ISSUE OF A SUBDIVISION WORKS CERTIFICATE

8. s.68 Local Government Act Requirements

Prior to the issue of any Subdivision Works Certificate, an application under s.68 of the *Local Government Act 1993* must be made to, and an approval issued by, **'Council'** for the following works:

- Sanitary/Sewerage and drainage.

Documentation demonstrating compliance with the above must be submitted to, and approved by the **'Certifier'** prior to the release of a Construction Certificate.

(Reason: *To ensure approvals under the provisions of the Local Government Act 1993 are obtained before **'works'** commence)*

9. s.306 Compliance Certificate

A s.306 Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* must be obtained from **'Council'** as the sewer and water authority prior to the issue of any Subdivision Works Certificate.

Note: *s.64 of the Local Government Act 1993 authorises **'Council'** to issue Certificates of Compliance under s.306 of the Water Management Act 2000 and to impose pre-conditions to the issuing of Certificates of Compliance.*

*To obtain a s.306, a s.305 application must be lodged with **'Council'**.*

(Reason: *To retain a level of service for the existing population and to provide the same level of service to the population resulting from new developments)*

10. Hydraulic Engineering Plans

The following Hydraulic Engineering plans, details and specifications must be prepared by a suitably qualified experienced professional Engineer or Person and be submitted to **'Council'** for approval prior to issue of any Subdivision Works Certificate, s.68 approval under the *Local Government Act 1993*, or s.306 Compliance Certificate:

- Sanitary/Sewerage and drainage.

Due to the distance between the existing sewer main and the proposed boundary between the two lots, a sewer main extension will be required to service the existing dwelling. The Sanitary/Sewerage drainage details must include the following:

- Long sections (chainage, grade, material, pipe class, invert & manhole level/depth, surface level, diameter, junction location and depth);
- Alignment with easement widths complying with policy;
- MH details complying with sewer construction standards;
- Junction details complying with sewer construction standards;
- Sewer main is to be centrally located over dedicated easement and easement width is to comply with Council's Clearance & Easements Policy; and
- Sewer specifications complying with Goulburn Mulwaree Council and WSAA construction standard.

Note: *All plans and details are to include a long section and details showing adequate clearances from any electrical infrastructure, including electrical pillars, located in the road reserve adjacent to the site.*

Each lot will require an individual sewer junction connection. Council can install additional sewer connection upon application, at the applicant's expense. Inter allotment drainage is not

permitted (sewer connections must wholly service the lot it lies within).

The plans must demonstrate compliance with AS.3500, include trench layout and design, separation details between services, all drainage is to be contained within any easements and common property where required.

(Reason: *To ensure that the development complies with s.68 Local Government Act 1993)*

11. Damage to Public Infrastructure

A dilapidation survey and report (including photographic record) must be prepared by a suitably qualified consultant/person which details the pre-developed condition of the existing public infrastructure in the vicinity of the development **'site'**. Attention must be paid to accurately recording any pre-development damage so that **'Council'** is informed when assessing any future damage to public infrastructure caused as a result of the development. The dilapidation survey and report must be submitted to, and approved in writing by **'Council'** prior to the issue of any Subdivision Works Certificate.

The person entitled to act upon this Notice of Determination will be held liable for all damage to public infrastructure in the vicinity of the development **'site'** where such damage is not accurately recorded and demonstrated as pre-existing under documentation provided by this condition.

Note: *Vicinity is defined as all public infrastructure immediately adjacent to the **'site'** (full road reserve width) and to a distance of **10m** beyond the **'site'** boundaries.*

(Reason: *To record the condition of public infrastructure prior to the commencement of construction to the consent authority's satisfaction)*

12. s.7.11 Contributions

Prior to the issue of a Subdivision Works Certificate the person having the benefit of this Notice of Determination must pay the following contributions to **'Council'** for:

Community facilities	\$1,848
Open space and recreation facilities	\$4,669
Roads and active transport facilities	\$12,492
Plan administration and management	\$285

The total contribution payable to Council under this condition is \$19,296.00 as calculated at the date of this consent, in accordance with the *Goulburn Mulwaree Local Infrastructure Contributions Plan 2021*.

The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the plan.

Documentation as issued by **'Council'** demonstrating that the contribution has been paid must be submitted to, and approved by the **'Certifier'** prior to the issue of a Subdivision Works Certificate.

Note: *Copies of the Contributions Plans can be downloaded from **'Council's'** website.*

Payment is to be accompanied by the attached sheet entitled "Summary of Charges". If payment is by personal or company cheque the plans subject to this approval will not be available for collection until such time as the cheque has been honoured (i.e. a minimum of 10 days).

(Reason: *To retain a level of service for the existing population and to provide the same level of service to the population resulting from new development)*

SECTION D: SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

13. Release of Subdivision Works Certificate

Prior to the issue of any Subdivision Works Certificate the person having the benefit of this Notice of Determination must demonstrate to the **"Certifier"** that all the necessary prerequisite conditions set out within this Notice of Determination have been complied with. A Subdivision Works Certificate must not be issued where the development undertaken is in breach of this Notice of Determination.

(Reason: To ensure all matters required to be addressed prior to the issue of any Subdivision works Certificate have been fulfilled)

14. Waste Management Plan

A waste management plan is to be submitted to, and approved by the **'Certifier'** prior to the issue of any Subdivision Works Certificate. The plan must include, but not be limited to, the estimated volume of waste and method of lawful disposal for the demolition, **'site'** **'works'**, construction and operation phases of the development, all landfill removed from the **'site'**, haulage routes, design of on-site wind proof waste storage and recycling area and administrative arrangements for waste and recycling management during the construction process.

The approved waste management plan must be complied with at all times in the carrying out of the development.

Note: A Waste Management Plan Template is available on Council's Website:

(Reason: To ensure the lawful management and recycling of waste)

SECTION E: PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION, BUILDING OR SUBDIVISION WORKS

15. Prior to Commencement

'Works' must not commence on **'site'** in connection with this Notice of Determination until:

- a) a Subdivision Works Certificate (where required) for the building work has been issued by:
 - i. the consent authority; or
 - ii. an **'Accredited Certifier'**; and
- b) the person having the benefit of the development consent has:
 - i. appointed a **'Principal Certifier'** for the building work.
- c) the **'Principal Certifier'** has, no later than two (2) days before the building work commences:
 - i. notified the **'Council'** of his or her appointment, and
 - ii. notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- d) the person having the benefit of this Notice of Determination has given at least two (2) days' notice to the **'Council'** of the person's intention to commence building work.

Documentary evidence confirming the above statutory requirements have been satisfied must be submitted to **'Council'** not less than two (2) days before any commencement of **'works'**.

(Reason: Statutory; to ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

16. Temporary Site Fences

A temporary timber hoarding or temporary construction **'site'** fence must be erected between the work **'site'** and adjoining lands before any commencement of works and must be maintained and be kept in place until after the completion of the works if the works:

- a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- b) could cause damage to adjoining lands by falling objects, or
- c) involve the enclosure of a public place or part of a public place.

The installation is to be confirmed by the **'Principal Certifier'** prior to any further commencement of **'site'** **'works'**.

(Reason: To ensure that the safety of the public is not compromised)

17. Damage Bond General

A public infrastructure damage deposit of \$2,780 must be paid to **'Council'**.

The damage bond will only be eligible for refund upon satisfactory completion of all **'works'** and following the issue of the final Subdivision Certificate. All costs associated with any reinstatement works required to be carried out by **'Council'** to rectify any damage caused by the **'works'**, shall be deducted from the damage deposit.

Documentation demonstrating compliance with this condition must be submitted to, and approved by the **'Private**

'Certifier' prior works commencing on site.

Note: A bond administration fees applies to the lodgement of this bond. Bond values and administration fees are calculated at time of actual lodgement in accordance with Council's adopted Fees and Charges and may differ from the above.

All required damage to Council property, however caused, by undertaking the **'works'** must be reinstated on a like for like basis and in accordance with **'Council's'** engineering standards prevailing at the time to the satisfaction of **'Council'** as the roads authority and prior to the issue of an Subdivision Certificate.

(Reason: Protection of Council infrastructure and to ensure any damage to public infrastructure is rectified)

18. Sediment and Erosion Control

Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control must be provided. As a minimum, control techniques are to be in accordance with The Blue Book published by Landcom provisions on Erosion and Sediment Control.

All required erosion and sedimentation techniques must be properly installed prior to the commencement of any **'site'** **'works'** and maintained in a functional and effective condition throughout the construction activities until the **'site'** is stabilised.

The installation is to be approved by the **'Principal Certifier'** prior to any further commencement of **'site'** **'works'**.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

19. Stabilised Access

Unless an existing stabilised **'site'** access is utilised, stabilised access to the **'site'** consisting of at least 200mm of aggregate at 30–60mm in size, be a minimum of three (3) metres in width and must be provided from the road edge to the front of the building being constructed. The stabilised access must be fully maintained and removed from the **'site'** when a permanent driveway has been constructed.

The installation is to be approved by the **'Principal Certifier'** prior to any further commencement of **'site'** **'works'**.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

20. Site Facilities

'Site' facilities must be provided as follow;

- a) if the development involves building work or demolition work the **'site'** must be fully enclosed by a temporary security fence (or hoarding) before **'works'** commence. Any such hoarding or fence is to be removed when the **'works'** have been completed;
- b) a minimum width of 1.5m must be provided between the **'site'** and the edge of the roadway so as to facilitate the safe movement of pedestrians. If trees are present in the footpath the minimum width must be provided to one side of the trees;
- c) a garbage receptacle fitted with a tight-fitting windproof lid for the reception of all putrescible and all waste capable of being windblown from the work **'site'** must be provided prior to **'works'** commencing and must be maintained and serviced for the duration of the **'works'**; and
- d) adequate toilet facilities must be provided on the work **'site'**. Each toilet provided must be a standard flushing toilet, connected to a public sewer, or if connection to a public sewer is not available, to an on-site effluent disposal system approved by the **'Council'**, or an approved temporary chemical closet. The provision of toilet facilities must be completed before any other **'works'** are commenced.

The installation of the site facilities must be approved by the **'Principal Certifier'** prior to any further commencement of **'site'** **'works'** and prior to the first inspection.

(Reason: To ensure the health and safety of the community and workers on the site)

21. Protection of Street Trees During Works

Prior to the commencement of any **'site' 'works'** the street tree(s) immediately adjacent to the **'site'** and to a distance of 5m beyond the **'site'** boundaries must be protected by

- the installation of four (4) 1.8m high star pickets positioned not less than 1m apart;
- star pickets to be provided with yellow safety caps;
- installation of 1m high orange safety barrier mesh cable tied to perimeter of star pickets.

The tree protection must be maintained throughout the duration of **'works'** on the **'site'** and removed and the area made good upon completion of the **'works'**.

The installation is to be confirmed by the **'Principal Certifier'** prior to any further commencement of **'site' 'works'**.

(Reason: *To ensure the protection of Council assets and to retain visual amenity of the neighbourhood)*

SECTION F: CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION, BUILDING OR SUBDIVISION WORKS

22. Construction Hours

All **'works'** must be restricted to within the hours of 7.00 am to 6.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Demolition and excavation works must be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday only.

All builders, excavators must display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

Demolition work means any physical activity to tear down or break up a structure (or part thereof) or surface, or the like, and includes the loading of demolition waste and the unloading of plant or machinery.

Excavation work means the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders, or the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site and includes the unloading of plant or machinery associated with excavation work.

(Reason: *To ensure that works do not interfere with reasonable amenity expectations of residents and the community)*

23. Use of Road Reserve

All **'works'**, processes, storage of materials, loading and unloading associated with the development must occur entirely within the property. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained from **'Council'** as the Roads Authority.

Works and /or activities required to be undertaken within the road reserve are controlled through the issue of an approval/permit under s.138 Roads Act 1993.

(Reason: *To ensure public safety and amenity on public land)*

24. Dust Emissions and Air Quality

Any person acting on this Notice of Determination must ensure that:-

- a) materials must not be burnt on the **'site'**;
- b) vehicles entering and leaving the **'site'** with soil or fill material must be covered;
- c) dust suppression measures as required must be carried out throughout the undertaking of the **'works'** to minimise wind-borne emissions;
- d) exposed surfaces and stockpiles are suppressed by regular watering or hydro mulching;
- e) odour suppression measures must be carried out where appropriate so as to prevent nuisance occurring at adjoining properties;
- f) public roads used by these trucks are kept clean; and
- g) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

(Reason: *To protect the environment and the amenity of the surrounding area)*

25. Removal of Waste

Any removal of contaminated solids from the **'site'** must comply with applicable laws for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed of on land without:

- a) Permission of the landowner;
- b) An environment protection licence from the NSW Environment Protection Authority;
- c) Compliance with the provisions of the Protection of the Environment and Operations Act;
- d) The builder is to ensure that persons working on the site comply with the SafeWork NSW requirements;
- e) Any works involving asbestos based products must be undertaken in accordance with the requirements of the SafeWork NSW in relation to removal, handling and disposing of material, and the Work Safe Australia Asbestos Code of Practice. (Refer to the information publications provided in your approvals package for more specific information).
- f) Any works involving lead removal must not cause lead contamination of air or ground, and the Work Plan submitted must comply with the requirements of AS.4361.2-1998: *Guide to lead paint management - Residential and commercial buildings*. Particular attention must be given to the control of dust levels on the **'site'**.
- g) Erosion and sediment controls be provided in accordance with the details shown on the approved plans, prior to the disturbance of any soil on the **'site'** and must be maintained in a functional condition throughout the construction activities until the **'site'** is fully stabilised; and
- h) The **'site'** must be left free of waste and debris when **'works'** have been completed

All records demonstrating the lawful disposal of waste must be retained and kept readily accessible for inspection by **'Council'** and any other government agency.

(Reason: *To protect the environment from contaminated material from development sites)*

SECTION G: CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

26. Release of Subdivision Certificate

Prior to the issue of any Subdivision Certificate the person having the benefit of this Notice of Determination must demonstrate to **'Council'** that all conditions set out within this Notice of Determination have been complied with and that all works completed. A Subdivision Certificate must not be issued where the development undertaken is in breach of this Notice of Determination.

Notes: *A tabularised statement that separately identifies the conditions contained within the Notice of Determination, details how the conditions have been complied with and is provided with clear references to any supporting evidence being submitted to satisfy a condition is required.*

(Reason: *To ensure that the development is completed to an acceptable standard prior to registration)*

27. House Numbering

A Subdivision Certificate must not be issued until the approved street numbering has been installed to the kerb directly in front of each Lot.

DWELLING/UNIT OR LOT	ASSIGNED NUMBER	STREET ADDRESS
Lot 1	5	Sanita Street
Lot 2	126	Addison Street

Documentary evidence confirming that this condition has been satisfied must be provided to the **'Certifier'** prior to the issue of any Subdivision Certificate.

Note: *Street/unit identification numbers are at least 7 centimetres in height white in colour with blue background 130mm high and must to be displayed in a prominent location clearly visible from the street frontage*

(Reason: *To ensure that the property is correctly addressed and visible from the public road)*

28. Landscaping to Nature Strip

All disturbed and unvegetated areas of land to the front of the building line and the nature strip must be fully landscaped with grass turf to prevent soil erosion and migration prior to the release of any Subdivision

Certificate.

(Reason: *To preserve the amenity of the streetscape and to prevent pollution of the environment)*

29. Infrastructure Repair Prior to Completion of Works

The person having the benefit of this Notice of Determination must fully complete all required **'works'** -

- a) to any footpath, verge, nature strip, road, kerb and guttering, driveway crossover, stormwater and utilities infrastructure within the road reserve;
- b) must repair all damage caused by the **'works'** to any damaged public infrastructure caused as a result of any works relating to the development (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete vehicles) must be fully repaired; and
- c) all damage must be made good in accordance with **'Council's'** engineering standards and at no cost to **'Council'**

Documentary evidence from **'Council'** as the roads authority confirming that this condition has been satisfied must be provided to the **'Principal Certifier'** Prior to the issue of any Subdivision Certificate.

(Reason: *To ensure any damage to public infrastructure is rectified)*

30. Easements, Rights of Way and Restrictions as to User

All easements, rights-of-way, right-of-carriageway, and restrictions-as-to-user as indicated on the plans submitted with the application for a Subdivision Certificate, together with the following additional easements/rights-of-way/restrictions, naming Goulburn Mulwaree Council as the sole authority empowered to release or modify the same are to be prepared for registration on the title of the relevant Lots:

- a) All **'Council'** sewer and stormwater infrastructure;
- b) An easement across Lot 1 for the disposal of sewerage in favour of Lot 2;
- c) All restrictions-as-to-user applicable under Deposited Plan 364806 are to be applicable to all Lots created under this subdivision.

Documentary evidence in the form of an endorsed instrument for registration by **'Council'** under section 88 of the *Conveyancing Act 1919* must be provided to the **'Certifier'** prior to the issue of any Subdivision Certificate.

Note: *Any reference to a plan must include the details of the title, author, drawing number, revision number and date of issue.*

(Reason: *To ensure proper management of land)*

31. Subdivision Certification

A Subdivision Certificate that authorises the registration of a plan of subdivision at the NSW Land Registry Services must be obtained. The following must be submitted to **'Council'** with any application for a Subdivision Certificate:

- a) the original plans of subdivision and administration sheets plus two (2) copies of each, and any original s.88B instrument to be endorsed, all enclosed in a protective sleeve (to prevent damage during transfer);
- b) an electronic version of all files being submitted including Word documents of all s.88 instruments;
- c) application for subdivision certificate form duly completed with payment of fees current at lodgement;
- d) written evidence in the form of a full condition compliance table that demonstrates how all the conditions contained within this Notice of Determination have been satisfied (including submission of all required certificates and/or information where required); and
- e) all other information required by the **'the Act'** and **'the Regulation'**.

Notes: ***'Council'** will check the consent conditions on the relevant subdivision consent. Failure to submit the required information will delay endorsement of the plan of subdivision and may require payment of rechecking fees or refusing the certificate.*

***'Council'** will not accept bonds in lieu of completing subdivision works.*

(Reason: *To ensure compliance with relevant legislative requirements and maintenance of up to date Council records)*

32. Water Management Act

A Compliance Certificate issued under s.307 of the *Water Management Act 2000* must be obtained from the

Utilities Division of **'Council'** prior to the issue of any Subdivision Certificate.

(Reason: *To ensure compliance with the statutory requirements)*

33. Water Meter

Each lot/dwelling will require a metered water supply. Water meters are to be supplied and installed by Council at the expense of the Developer. A water meter as issued and installed by Goulburn Mulwaree Council Utilities department must be connected to the town's reticulated water supply.

The installation is to be confirmed by the **'Principal Certifier'** prior to the issue of any Subdivision Certificate.

(Reason: *To ensure an adequate supply of potable water is provided to the site)*

34. Gas Service Provision

Prior to the issue of the Subdivision Certificate, written evidence including works as executed plan(s) from the gas supply authority (i.e. Jemena) must be supplied to **'Council'** to confirm that the gas network has been extended into and throughout the subdivision to service each new allotment.

All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to **'Council'**.

(Reason: *To ensure adequate servicing of the development)*

35. Electrical Supply Services

Prior to the issue of any Subdivision Certificate a Notification of Arrangements from the electricity supply authority (i.e. Essential Energy) must be supplied to **'Council'** confirming that electrical infrastructure has been installed and that satisfactory arrangements have been made for the supply of low voltage reticulated electricity to each proposed Lot.

All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to **'Council'**.

(Reason: *To ensure adequate servicing of the development)*

36. NBN Services within Lots

Prior to the issue of the Subdivision Certificate, a letter of practical completion from the telecommunications infrastructure provider (i.e. NBN) must be provided to **'Council'** confirming that arrangements have been made for the provision of underground telecommunications at the front boundary of each allotment in the subdivision.

(Reason: *To ensure adequate servicing of the development)*

37. Works As Executed Drawings

The Developer must provide a copy of the Work As Executed (WAE) information on disk (PDF and DWG format) prior to the issue of the Subdivision Certificate.

The WAE plans are generally the design plans amended to indicate the as-built nature of the work and must include the following: -

- any departure from the approved plans;
- any additional work that has been undertaken;
- the location of council conduits, subsoil drains associated with road pavements;
- stop valves, hydrants, sewer manholes, sewer junctions, interlot drainage inlet junctions and stormwater drainage pits;
- all other details of works to be handed over to Council; and
- certification by the developer's registered surveyor that the WAE drawings are a full and accurate representation of the constructed works. This may be achieved by the stamping and signing of each plan.

Documentation demonstrating compliance with the requirements of this condition must be submitted to, and approved by the **'Certifier'** prior to the issue of any Subdivision Certificate.

(Reason: *To ensure Council has an accurate record of public infrastructure)*

38. Site clean-up

All miscellaneous materials and items located at the rear of the site (on the approved Lot 1), including building and brick rubble, is to be removed from the site and disposed of at an appropriate off-site facility.

The **'site'** must be left free of waste and debris when **'works'** have been completed.

All disturbed and unvegetated areas of land on the approved Lot 1 must be fully landscaped with grass turf to prevent soil erosion and migration prior to the release of any Subdivision Certificate.

Prior to the issue of any Subdivision Certificate the person having the benefit of this Notice of determination must provide to the **'Principal Certifier'** copies of all waste disposal receipts and any documentation as necessary demonstrating that all demolition and construction waste has been lawfully disposed of or recycled in accordance with the Waste Management Plan.

The **'Principal Certifier'** is to ensure that this condition is complied with prior to the issuing of any Subdivision Certificate.

(Reason: To ensure encroachments onto Crown Lands are removed)

39. Asbestos and Other Hazardous Materials Disposal

Prior to the issue of any Subdivision Certificate the person having the benefit of this Notice of determination must provide to the **'Principal Certifier'** copies of all waste disposal receipts and documentation demonstrating that all/any asbestos containing materials and other hazardous waste has been lawfully disposed.

Where asbestos based products have been removed or altered, an asbestos clearance certificate signed by an appropriately qualified person (being an Occupational Hygienist or Environmental Consultant) must be submitted to the **'Principal Certifier'** (and a copy forwarded to **'Council'**) for the building which certifies the following:-

- a) the building and surrounding land contained within the property lot is free of asbestos; or
- b) the building has asbestos that is presently deemed safe.

The certificate must be accompanied by tipping receipts, which detail that all asbestos waste has been disposed of at an approved asbestos waste disposal facility. If asbestos is retained on **'site'** the certificate must identify the type, location, use, condition and amount of such material.

The **'Principal Certifier'** must be satisfied that quantity of waste disposed of or recycled is commensurate to the quantity of waste actually generated by the **'works'**.

The **'Principal Certifier'** is to ensure that this condition is complied with prior to the issuing of any Subdivision Certificate.

(Reason: To ensure waste material is appropriately recycled and lawfully disposed)

40. Front, side and rear boundary fencing

The following new or altered fencing is required for the approved Lot 1 adjacent to Sanita Street:

- The front boundary fencing adjacent to Sanita Street is to be removed.
- The side boundary fencing extending from the front boundary for a distance of 4.5m along both side boundaries, is to be lowered to a maximum height of 1.2m.
- A 1.8m rear boundary fence is to be installed on the property boundary separating the approved Lots.

The **'Principal Certifier'** is to ensure that this condition is complied with prior to the issuing of any Subdivision Certificate.

(Reason: To ensure appropriate front fencing is provided to the new approved Lot 1)

SECTION H: CONDITIONS TO BE COMPLIED WITH AT ALL TIMES41. Compliance with Council Policies

Development must comply with the following Council Policy's:

- Council's Water Metering and Connection Policy
- Council's Clearance & Easement requirements for Structures adjacent to Sewer & Stormwater Mains Policy
- Goulburn Mulwaree Council's Water Construction Standards
- Goulburn Mulwaree Council's Sewer Construction Standards

(Reason: *To ensure appropriate and safe luminance levels of external lighting that are desired for the locality and do not interfere with amenity of nearby properties)*

42. Stormwater Disposal

At all times, all stormwater from the development, including all hardstandings and overflows from rainwater tanks and raingardens must be collected and disposed of by way of properly constructed stormwater lines to the kerb and gutter (piped). If concrete footpath exists; pipework is to be under bored to the existing kerb inlet.

(Reason: *To ensure the suitable disposal of stormwater generated by the development)*

SECTION I: CONCURRENCE AGENCY CONDITIONS

43. Essential Energy

- As part of the subdivision, an easement is created for any existing electrical infrastructure. The easement is to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision;
- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
- Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions;
- In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*;
- Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995* (NSW);
- Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the *Code of Practice – Work near Overhead Power Lines* and *Code of Practice – Work near Underground Assets*.

(Reason: *To ensure 'works' do not adversely affect electricity infrastructure)*

SECTION J: ADVISORY INFORMATION

- a) Prior to commencing any building, subdivision or associated constructions works, the following provisions of **'the Act'** are to be complied with:
 - (i) A Subdivision Certificate is to be obtained in accordance with Section 6.3 of **'the Act'**.
 - (ii) A Principal Certifier is to be appointed and Council is to be notified of the appointment in accordance with Section 6.6 of the Act.
 - (iii) Council is to be notified at least two (2) days of the intention to commence building works, in accordance with Section 6.6(2)(a) of the Act.
- b) Changes to the layout of the subdivision configuration may require the submission of a further modification under Section 4.55 of **'the Act'**.
Discussion with Council Development Liaison Team would assist in identifying such changes which may require the submission of a modification of a Development Application under Section 4.55 of **'the Act'**.
- c) Prior to any **'Work'** commencing on **'site'** all services should be clearly located and identified by contacting "Dial before you Dig" by telephoning 1100 or utilising www.1100.com.au
- d) **'Council's'** fees and charges are adjusted annually on the 1st July, all fees are calculated at the time of payment this may mean that amounts required to be paid increase.

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

BACKGROUND

In accordance with Council's Development Assessment & Decision Making Policy this development application is to be determined by Council due to non-compliance with Clause 4.1(3) Minimum Subdivision Lot Size of the *Goulburn Mulwaree Local Environmental Plan 2009*.

The Department issued Planning Circular No.PS20-002, dated 5th May 2020, notified Councils that *"The Secretary's concurrence may not be assumed by a delegate of council if: the development contravenes a numerical standard by greater than 10%"*. As the breach of the development standard is greater than 10%, the matter is referred to Council for determination.

REPORT

Site and Locality Description

Site characteristics

The subject site is described as Lot 1, DP 364806 and is a residential allotment containing an existing dwelling house fronting Addison Street. There are no trees or significant vegetation at the rear of the site – see Figure 1.

The site is rectangular in shape with a total area of 928.72m². The subject site has lengths of approximately 60.94m, a front (Addison Street) and rear (Sanita Street) boundary lengths of 15.24m.

The site is generally flat with a moderate slope to both Addison and Sanita Streets.



Figure 1: Aerial View of the subject site (marked with red pointer)

Locality characteristics

The site is located in the R1 General Residential Zone. A Heritage item (No. 1042), described as a "Rectory (circa 1900)", adjoins the site to the north-west (128 Addison Street) and dwelling houses adjoin the site to the south-east (124 Addison Street and 3 Sanita Street). The surrounding locality consists primarily of dwelling houses.

Photos of the Subject Site

Photo 1: View of the existing dwelling fronting Addison Street



Photo 2: View of the site from Sanita Street



Photo 3: View of road reserve on Sanita Street adjacent to the site (looking north-west)



Photo 4: View of road reserve on Sanita Street adjacent to the site (looking south-east)



Photo 5: View of rear of the site



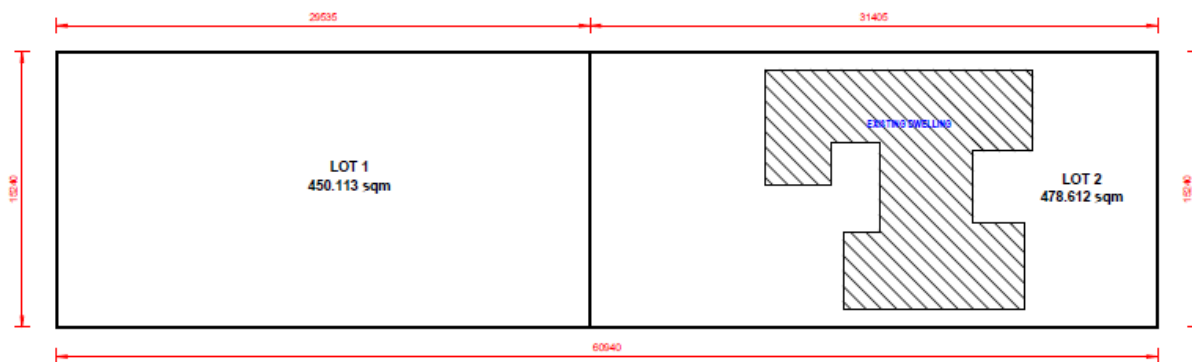
Photo 6: Indicative view of streetscape looking north-west along Sanita Street

Proposed Development

DA/0219/2223 was lodged with Council on 23 November 2022. The proposal consists of a *Torrens title subdivision into two (2) lots* at 126 Addison Street, Goulburn, as follows:

- Lot 1 (fronting Sanita Street) = 450.113sqm
- Lot 2 (fronting Addison Street) = 478.612sqm

The proposed plan of subdivision is as follows:



1 X- Sub-Division Plan
1:200

Section 4.15 Assessment under the Environmental Planning and Assessment Act 1979

State Planning Control – State Environmental Planning Policies (SEPPs)

The following State Environmental Planning Policies apply to the proposal:

SEPP (Resilience and Hazards) 2021	<p>The SEPP requires the consent authority to consider whether land is contaminated prior to granting consent to the carrying out of any development on that land, and to be satisfied that the land is suitable for the proposed use.</p> <p>A review of the site was conducted which did not reveal any uses that would lead to contamination of land. It is noted that the site is an established allotment within Goulburn with a history of residential use. Therefore, Council is satisfied that the land on which the proposal is located is suitable for the proposed subdivision and a potential future dwelling house on the new allotment. Building rubble from a previously demolished structure must be cleared from the site and this has been appropriately conditioned.</p>
SEPP (Biodiversity and Conservation) 2021	<p><u>Sydney Catchment - NorBE</u></p> <p>A 'Neutral or Beneficial Effect on Water Quality' (NorBE) assessment was carried out with the System outcome being deemed satisfied. The proposal is therefore satisfactory in regard to Water NSW NorBE requirements and the SEPP.</p>

	<p><u>Biodiversity</u></p> <p>The subject site is not mapped as Terrestrial Biodiversity under Clause 7.2 of the <i>Goulburn Mulwaree LEP 2009</i> and it is not indicated to be affected by biodiversity on the Biodiversity Values Map as shown on the NSW Planning Portal.</p> <p>Considering the location and nature of the subject site and proposal, being the subdivision of an existing allotment within Goulburn, the proposal is satisfactory in regards to biodiversity issues.</p>
<p>SEPP (Transport and Infrastructure) 2021</p> <p>Refer to Clause 2.48 for development within or immediately adjacent to an easement for electricity</p>	<p>The proposal was referred to Essential Energy who raised no objections to the proposal and provided comments that have been included in the proposed Notice of Determination under the heading “<i>Concurrence Agency Conditions</i>”.</p> <p>The proposal is therefore considered satisfactory in regards to the SEPP.</p>

Goulburn Mulwaree Local Environmental Plan 2009

PART 2 Permitted or Prohibited Development

Land Use Table

The subject site is located within the R1 General Residential zone.

The objectives of the R1 General Residential zone are as follows:

- To provide for the housing needs of the community
- To provide for a variety of housing types and densities
- To enable other land uses that provide facilities or services to meet the day to day needs of residents
- To maintain the economic strength of commercial centres by limiting the retailing of food and clothing.

The proposal is satisfactory in regard to the objectives specified in bullet points 1 and 2 of the R1 General Residential zone as a future dwelling house will provide for the housing needs of the community and will potentially provide for a variety of housing types and densities.

The proposal is not inconsistent with the objectives specified in bullet points 3 and 4 of the R1 General Residential zone.

The proposal is permissible with Council consent within the R1 General Residential zone.

PART 4 Principal Development Standards

Clause 4.1 Minimum Subdivision Lot Size

The minimum subdivision Lot size for the site is 700sqm, as per the Lot Size Map of the *Goulburn Mulwaree LEP 2009*. The proposal thus represents a numerical breach of the Minimum Lot Size, as per the following:

- Lot 1 (450.113sqm) = 249.998sqm OR 35.7% breach of the 700sqm development standard
- Lot 2 (478.612sqm) = 221.388sqm OR 31.6% breach of the 700sqm development standard

See discussion below under “*Clause 4.6 - Exceptions to development standards*”.

Clause 4.6 Exceptions to Development Standards

Clause 4.6 of the *Goulburn Mulwaree LEP 2009* allows a contravention of a development standard with the objectives being to allow an appropriate degree of flexibility in applying certain development standards to particular development and to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Clause 4.6(3) stipulates that a written request is required from the applicant that justifies the contravention of the development standard by demonstrating that compliance with is unreasonable or unnecessary and that there are sufficient environmental planning grounds to justify the contravention.

The applicant has provided a written request in relation to the departure in accordance with Clause 4.6(3) – refer to **Attachment 2**.

The applicant's submitted Clause 4.6 Written Request ("written request") has adequately addressed the matters specified in Clause 4.6(3)(a) and (b).

Clause 4.6(4)(a)(i) requires the consent authority to be satisfied that the applicant's written request, seeking to justify the contravention of the development standard, has adequately addressed the matters required to be addressed by Clause 4.6(3). There are two separate matters for consideration contained within Clause 4.6(3) and these are addressed as follows:

a. That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

Assessment:

The written request is considered to have adequately addressed how compliance is unreasonable and unnecessary in the circumstances of the case. The written request states that compliance with the *Minimum Subdivision Lot Size* development standard is unreasonable and unnecessary as the objective of the relevant development standard is achieved.

The applicant makes the following points in their written request that are largely agreed with and accepted (refer to **Attachment 2**):

- The proposal is consistent with the area's residential character.
- The proposed subdivision is generally compatible and consistent with the existing subdivision pattern within Addison Street, which contains numerous examples of subdivisions taking advantage of the dual street frontages to Addison Street and Sanita Street.
- The proposal is consistent with the development standard's objective as stated in Clause 4.1(1) of the Goulburn Mulwaree LEP 2009, being "*to provide a minimum lot size for the subdivision of land*".

The following diagrams show the existing subdivision pattern within Addison Street:



Figure 2: Existing subdivision pattern in Addison Street

It is noted from the above diagram that there are six (6) dwelling houses fronting Sanita Street as follows:

- No. 3 Sanita Street – subdivided from 124 Addison Street
- No. 13 Sanita Street – subdivided from 136 Addison Street
- No. 15 Sanita Street – subdivided from 140 Addison Street
- No. 17 Sanita Street – subdivided from 142 Addison Street
- No. 19 Sanita Street – subdivided from 146 Addison Street
- No. 21 Sanita Street – subdivided from 148 Addison Street

The proposed subdivision and a potential future dwelling house (to be known as 5 Sanita Street) is therefore, consistent with the established subdivision pattern within Addison Street and a future dwelling house will not be out of context within the existing streetscape.

By virtue of the fact that the proposal is consistent with the existing subdivision pattern, with each lot having a full frontage to a street, the proposal is considered to be consistent with the development standard's objective as stated in Clause 4.1(1), which is to *"provide a minimum lot size for the subdivision of land."*

Further comments are provided below as to how the objective of the development standard is achieved.

b. That there are sufficient environmental planning grounds to justify contravening the development standard

Assessment:

The written request provides sufficient environmental planning ground to justify contravention of the Minimum Subdivision Lot Size development standard, as it demonstrates that the proposal achieves aims (c), (d), (f) and (g) of Section 1.3 of the Environmental Planning and Assessment Act 1979.

The written request is supported by the following comments which are largely agreed with:

- The amenity and streetscape impacts of the subdivision are considered to be consistent with the streetscape noting the allotment and subdivision pattern in the immediate locality has dual street frontages.
- Due to the dwelling on the site being established, the proposed siting of an additional dwelling is considered to be most sustainable as it does not require demolition and does not result in a loss of significant landscape area, private open space, or any earthworks.
- The proposal has been designed for the desired future character of the locality as it complements the existing development within the streetscape and surrounding area. The architectural design of any additions can and will be consistent with both the existing dwelling and development within the locality.
- In order to minimise amenity impacts on the adjoining neighbours, the proposal can provide setbacks which are in keeping with the neighbouring dwellings. It has been demonstrated that the site area variation does not contribute to any negative impacts on the surroundings and ensures that any future development can provide a good level of building separation, access, landscaping, private open space, visual/acoustic privacy, inclusive of natural lighting and ventilation for both the existing dwelling and adjoining properties.
- The proposal will facilitate an ecologically sustainable development given that no negative impact on environmental and social considerations will arise. This in turn will serve to offer the ongoing sustainment of the economic health of the area. The proposed development will promote the orderly and economic use of the land by way of providing a land use which is consistent with that envisaged by Council and in keeping with the desired future character of the locality.
- All essential services can be made available to the allotment including but not limited to water, sewerage water, gas, electricity and telecommunications.
- The proposed development promotes good design in that it serves to provide a built form and massing arrangement that serves to positively influence the future amenity of the dwelling occupants while adopting an architectural form and language, with a height and land use intensity compatible with both the established and emerging development and housing typology.
- Given the nature and character of the urban setting the proposed development is not located within threatened species or ecological communities.

Therefore, the written request is considered to have adequately addressed the matters prescribed by Clause 4.6(3) of the Goulburn Mulwaree Local Environmental Plan 2009.

Clause 4.6(4)(a)(ii) requires the consent authority to be satisfied that:

- ii. *The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out*

In considering whether or not the proposed development will be in the public interest, consideration must be given to the underlying objectives of the *Minimum Subdivision Lot Size* development standard, and the objectives of the R1 General Residential Zone. These objectives are assessed below:

Clause 4.1 – Minimum Subdivision Lot Size

The proposal is assessed against sub-clause (1) objectives of Clause 4.1 which specify the following objective:

- a. *To provide a minimum lot size for the subdivision of land*

Assessment:

By virtue of the fact that the proposal is generally consistent with the existing and established subdivision pattern within Addison Street, the proposal is also considered to be consistent with the development standard's objective as stated in Clause 4.1(1), which is to *"provide a minimum lot size for the subdivision of land."*

Additionally, the proposed lot size is such that there is ample room on the site to locate a reasonably sized dwelling house with a satisfactory level of private open space, parking and facilities to ensure the amenity of both residents and adjoining properties.

R1 General Residential zone

The proposal is permitted and is consistent with the objectives of the R1 General Residential zone, as per the following discussion:

- *To provide for the housing needs of the community.*

Assessment:

The proposal, being a new subdivision, will provide for the housing needs of the community, and is therefore satisfactory in regard to this objective.

- *To provide for a variety of housing types and densities.*

Assessment:

The proposal is not inconsistent with this objective. Any future Development Application must demonstrate that a reasonable housing density in terms of size, bulk and setbacks, has been proposed.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Assessment:

The proposal is not inconsistent with this objective.

- *To maintain the economic strength of commercial centres by limiting the retailing of food and clothing.*

Assessment:

The proposal is not inconsistent with this objective.

Clause 4.6(4)(b) – Concurrence of the Secretary

Clause 4.6(4)(b) requires the consent authority to be satisfied that:

(b) *the concurrence of the Planning Secretary has been obtained.*

The Department issued Planning Circular No.PS20-002, dated 5th May 2020, which notified Councils of arrangements “...advise consent authorities of arrangements for when the Secretary’s concurrence to vary development standards may be assumed...All consent authorities may assume the Secretary’s concurrence under: clause 4.6 of a local environmental plan”. The concurrence of the Planning Secretary is therefore assumed.

The Planning Circular goes on to state that “*The Secretary’s concurrence may not be assumed by a delegate of council if: the development contravenes a numerical standard by greater than 10%*”. As the breach of the development standard is greater than 10%, the matter is referred to Council for determination.

Conclusion

The written submission from the applicant has adequately demonstrated that variation of the *Minimum Subdivision Lot Size* development standard prescribed by Clause 4.1 is justified pursuant to the relevant matters for consideration prescribed by Clause 4.6.

Namely, the consent authority is satisfied that the written request has demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that sufficient environmental planning grounds have been demonstrated to justify the contravention of the standard.

The consent authority is satisfied that the proposal is in the public interest, as it is consistent with the objective of the *Minimum Subdivision Lot Size* development standard and the objectives of the R1 General Residential zone.

PART 5 Miscellaneous Provisions

Clause 5.10 Heritage Conservation

European Heritage

The subject site is not located within a Heritage Conservation Area. The site is located adjacent to two Heritage Items listed in Schedule 5 (Environmental heritage) of the *Goulburn Mulwaree LEP 2009*, as follows:

- I042 – 128 Addison Street, described as a “Rectory (circa 1900)”
- I043 – 130 Addison Street, described as a “Christ Church (1890)”

The proposal was referred to Council’s Landscape and Heritage Officer who stated that there will not be an impact on the heritage significance of 126 Addison Street or the adjacent heritage items as a result of this DA for subdivision.

Aboriginal Heritage

The site is not indicated to be affected by Potential Aboriginal Objects on Council’s mapping system. Considering the location and nature of the proposal, being a subdivision of an existing established allotment within Goulburn City, the proposal is satisfactory in regard to potential Aboriginal heritage.

Conclusion

Considering the above comments, the proposal is satisfactory in regard to Clause 5.10 (Heritage conservation) of the *Goulburn Mulwaree LEP 2009*.

Goulburn Mulwaree Development Control Plan 2009

PART 1 Preliminary

1.7 Public Participation

The proposed development was notified to adjoining and nearby residents. It was also advertised in the local paper and on Council's website. Public exhibition of the proposal resulted in no submissions being received.

PART 3 General Development Controls

3.16 Stormwater Pollution

Any future development application for a dwelling house will require adequate stormwater management plans. Stormwater from any future dwelling will be able to be directed to Sanita Street.

PART 4 Principal Development Controls – Urban

4.1 Residential Development

4.1.19 Subdivision

The proposal is creating a two lot subdivision on an existing allotment where each new allotment will have access to its own street frontage (Addison Street and Sanita Street).

The proposed subdivision is generally consistent with the existing subdivision pattern within the immediate locality of Addison Street where there are several such subdivisions with each allotment having access to either Addison Street or Sanita Street.

Each new allotment will have satisfactory access to services such as sewer, water and electricity. Stormwater drainage can be achieved to each allotments main street frontage.

Considering the circumstances of the case, the proposal is considered reasonable on merit and in therefore satisfactory in regard to Part 4.1.19 of the *Goulburn Mulwaree DCP 2009*.

PART 7 Engineering Requirements

7.1 Utility Services

Each new allotment will have satisfactory access to services such as sewer, water and electricity. Stormwater drainage can be achieved to each allotment's main street frontage.

Appropriate conditions have been included in the recommended conditions to ensure the adequate provision of utility services.

The proposal was referred to Council's Utilities Engineer who provided comments that have been included in the recommended conditions.

7.4 Easements

The existing sewer main passes through the rear of the site. This will therefore, pass through the proposed Lot 1 and will require an easement in favour of Lot 2 which has been appropriately conditioned.

Likely Impact of Proposed Development

The proposal is creating a two (2) lot subdivision on an existing allotment where each new allotment will have access to its own street frontage (Addison Street and Sanita Street).

The proposed subdivision is generally consistent with the existing subdivision pattern within the immediate locality of Addison Street where there are several such subdivisions with each allotment having access to either Addison Street or Sanita Street.

Any future Development Application for a dwelling house must be accompanied by Architectural plans, details and relevant professional reports demonstrating compliance with Council's policies.

Considering the circumstances of the case, the proposal is considered reasonable on merit and is therefore satisfactory in regard to the *Goulburn Mulwaree LEP 2009* and the *Goulburn Mulwaree DCP 2009*.

The Public Interest

For the reasons set out in this report, the proposal subject to conditions, is considered to be in the public interest.

Consultation and Submissions made in accordance with Act or Regulations

Public Submissions

The proposed development was notified to adjoining and nearby residents. It was also advertised in the local paper and on Council's website. Public exhibition of the proposal resulted in no submissions being received.

External Referrals

The proposal was referred to Essential Energy who provided the comments that have been included in the recommended conditions under the heading "*Section 1 - Concurrence Agency Conditions*".

Suitability of the Site for the Proposed Development

As is evidenced by the discussion throughout this report, the proposal of *Torrens title subdivision into 2 lots*, is considered to be satisfactory and reasonable for both the subject site and the immediate locality. The proposal will comfortably fit within and be consistent with the locality and existing surrounding developments.

Policy Considerations

- Goulburn Mulwaree LEP 2009 (as amended)
- Goulburn Mulwaree DCP 2009 (as amended)

Conclusion and Recommendation

The proposal of *Torrens title subdivision into 2 lots* is consistent with the provisions of the LEP and DCP, the proposal has been assessed as being in the public interest with no significant impact identified. With the absence of any significant impacts, the application warrants Council support.

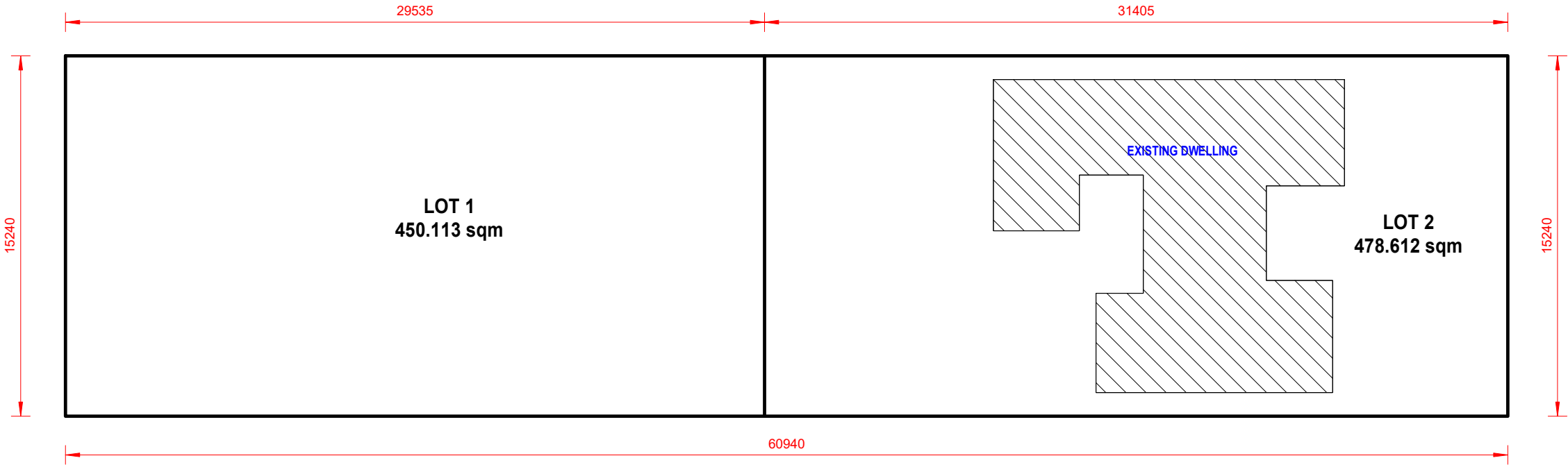
Having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposed development is satisfactory, therefore, the application is recommended for approval subject to conditions.

Financial Implications

Financial implications to Council are likely if the Applicant of the Application seeks to appeal the determination through the Land and Environment Court.

Legal Implications

Council may be in a position where it may be required to defend an appeal made by the Applicant to the Land and Environment Court.



1

X- Sub-Division Plan

1 : 200

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--



NAUKA Project Development

drafting | architecture | planning | law | certification | development



7. Appendix A

Proposal

One (1) lot into two (2) lot torrens title subdivision

Clause 4.6 - Goulburn Mulwaree Local Environmental Plan 2009 clause 4.1 Minimum subdivision lot size

Site Address

Lot 1, DP 364806, 126 Addison Street Goulburn 2580

Date

Monday 11 July 2022



m. 0409 588 637 | e: tony@nauka.com.au | PO BOX 275, Allawah NSW 2218 | ABN: 16 612 165 885



NAUKA

 Project Development

drafting | architecture | planning | law | certification | development



Clause 4.6 - Goulburn Mulwaree Local Environmental Plan 2009

Under the provisions of Development Standard clause 4.1 Minimum subdivision lot size

1. INTRODUCTION

This Clause 4.6 variation request has been prepared to accompany the development application for the one (1) lot into two (2) lot torrens title subdivision at Lot 1, DP 364806, 126 Addison Street Goulburn 2580.

Clause 4.6 of the Goulburn Mulwaree Local Environmental Plan 2009 grants the exercise to the applicant and more specifically to the Council, the consent authority, to grant consent for development even though the development contravenes a development standard imposed by the LEP. The clause aims to provide an appropriate degree of flexibility in applying certain development standards.

Clause 4.6 of the Goulburn Mulwaree Local Environmental Plan 2009 states the following:

4.6 Exceptions to development standards

(1) *The objectives of this clause are as follows –*

- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

(2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*

(3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating –*

- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*



m. 0409 588 637 | e: tony@nauka.com.au | PO BOX 275, Allawah NSW 2218 | ABN: 16 612 165 885



NAUKA

Project Development

drafting | architecture | planning | law | certification | development



- (4) *Development consent must not be granted for development that contravenes a development standard unless –*
- (a) *the consent authority is satisfied that –*
- (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
- (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
- (b) *the concurrence of the Planning Secretary has been obtained.*
- (5) *In deciding whether to grant concurrence, the Planning Secretary must consider –*
- (a) *whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
- (b) *the public benefit of maintaining the development standard, and*
- (c) *any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.*
- (6) *Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living if –*
- (a) *the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*
- (b) *the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.*
- (7) *After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).*
- (8) *This clause does not allow development consent to be granted for development that would contravene any of the following –*
- (a) *a development standard for complying development,*
- (b) *a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,*



m. 0409 588 637 | e: tony@nauka.com.au | PO BOX 275, Allawah NSW 2218 | ABN: 16 612 165 885



NAUKA

Project Development

drafting | architecture | planning | law | certification | development



- (c) clause 5.4,
- (caa) clause 5.5,
- (d) clause 4.1C or 7.6

The above objectives and requirements of Clause 4.6 of the Goulburn Mulwaree Local Environmental Plan 2009 are discussed throughout this report.

This Clause 4.6 variation request takes into account the relevant aspects of the Land and Environment Court judgement from *Wehbe v Pittwater Council* [2007] NSWLEC 827 which established 5 ways in which a departure from a development standard can be justified and shown that compliance with the development standard is unreasonable or unnecessary. This was then reiterated by Chief Justice Preston in the most recent case law court judgment from *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118. The five methods outlined in *Wehbe* include:

- **Method 1:** *The objectives of the standard are achieved notwithstanding non-compliance with the standard*
- **Method 2:** *The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary*
- **Method 3:** *The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable*
- **Method 4:** *The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.*
- **Method 5:** *The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone.*

For the subject variation and circumstances of this application, the methods above will assist in establishing that compliance with the development standard is unreasonable or unnecessary in this circumstance.

2. PROPOSED VARIATION

The Goulburn Mulwaree Local Environmental Plan 2009, clause 4.1 Minimum subdivision lot size, states and identifies as per the LEP mapping system that each new allotment must have a minimum of 700.m² in an R1 General Residential Zone.



m. 0409 588 637 | e: tony@nauka.com.au | PO BOX 275, Allawah NSW 2218 | ABN: 16 612 165 885



NAUKA

Project Development

drafting | architecture | planning | law | certification | development



The site is a single allotment with a total area of 928.72m² at 126 Addison Street Goulburn. The legal description of the site is Lot 1, DP 364806. The site is considered to be rectangular shaped allotment with access from Addison Street, a north-eastern front boundary width of 15.24m, a 60.94m side south-eastern boundary, a 60.94m side north-western boundary and a rear south-western boundary width of 15.24m.

Proposed Subdivision

- Lot 2 - Site Area: 478.612m²
- Lot 1 - Site Area: 450.113m²

The proposal seeks a variation to the development standard contained within LEP 2009. The proposed subdivision based on a minimum 700.0m² will result in a shortfall of 471.28m² of site area, which represents a variation of 33.6%.

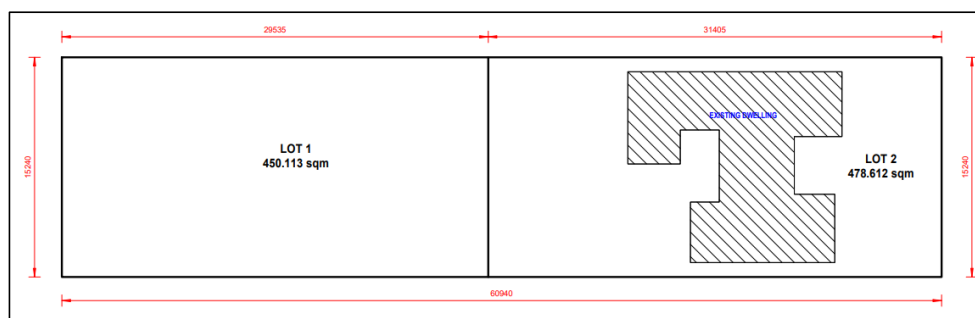


Figure 1. Proposed subdivision plan - 126 Addison Street Goulburn

This Clause 4.6 Variation Statement to a Development Standard should be read in conjunction with the Statement of Environment Effects and Architectural Plans prepared by Mitz Design & Constructions (Aust) Pty Ltd.

3. COMPLIANCE WITH THE DEVELOPMENT STANDARD IS UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES OF THE CASE

As mentioned above in this report, Method 1 of the 5 tests outlined in Wehbe will be used to show that compliance with the development standard is unreasonable or unnecessary.

Method 1: The objectives of the standard are achieved notwithstanding non-compliance with the standard.

The objectives of clause 4.1 Minimum subdivision lot size are as following:



m. 0409 588 637 | e: tony@nauka.com.au | PO BOX 275, Allawah NSW 2218 | ABN: 16 612 165 885



NAUKA

Project Development

drafting | architecture | planning | law | certification | development

20

(1) *The objectives of this clause are as follows -*

(a) *to provide a minimum lot size for the subdivision of land.*

The proposed subdivision lot size is considered to be acceptable in this circumstance, including the precedent already set in the street. The proposed subdivision is not considered dis-similar to the following allotments in the street that have already been subdivided with Council consent:

- 124 Addison Street, Goulburn,
- 136 Addison Street, Goulburn,
- 140 Addison Street, Goulburn,
- 142 Addison Street, Goulburn,
- 146 Addison Street, Goulburn,
- 148 Addison Street, Goulburn,
- 150 Addison Street, Goulburn and
- 156 Addison Street, Goulburn

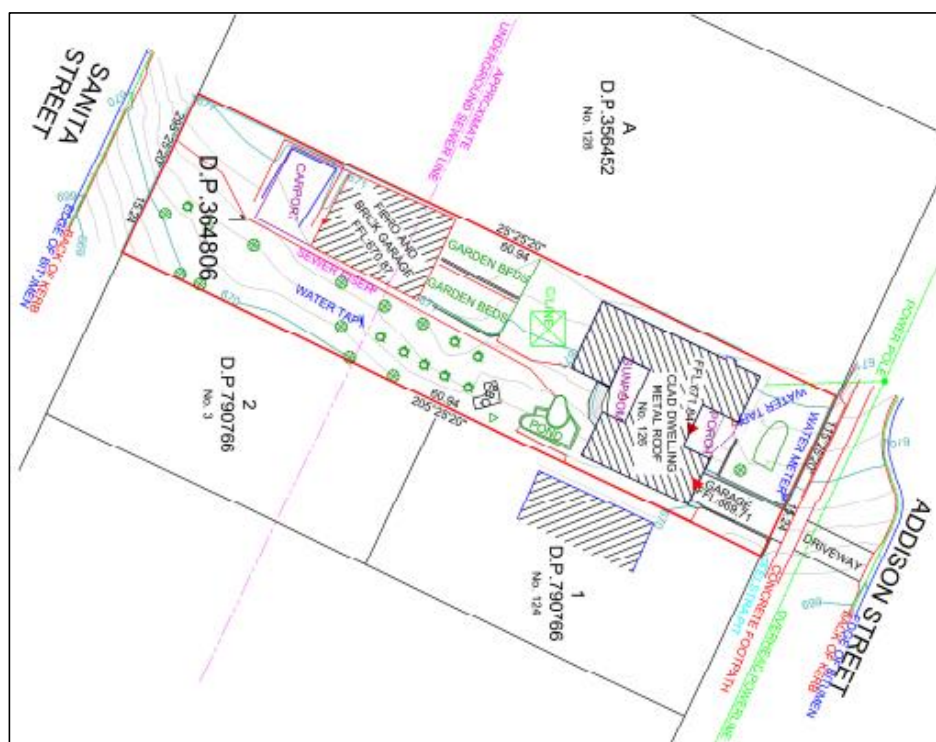


Figure 2. Existing survey plan - 126 Addison Street Goulburn



m. 0409 588 637 | e: tony@nauka.com.au | PO BOX 275, Allawah NSW 2218 | ABN: 16 612 165 885



NAUKA

Project Development

drafting | architecture | planning | law | certification | development

2
1



Figure 3. Aerial view of site + locality - 126 Addison Street Goulburn

- (2) *This clause applies to a subdivision of any land shown on the [Lot Size Map](#) that requires development consent and that is carried out after the commencement of this Plan.*

In accordance with the Lot Size Map requiring 700m², a development consent from Council is required. The site is a single allotment with a total area of 928.72m² at 126 Addison Street Goulburn. The legal description of the site is Lot 1, DP 364806. The site is considered to be rectangular shaped allotment with access from Addison Street, a north-eastern front boundary width of 15.24m, a 60.94m side south-eastern boundary, a 60.94m side north-western boundary and a rear south-western boundary width of 15.24m.

It must be noted that the subject allotment has a dual street front, a north-eastern front boundary to Addison Street and a south-western front boundary to Sanita Street.

- (3) *The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.*

Although the resulting lots will be less than the minimum lot size map, a precedent has been set in Addison Street and as addressed in the Statement of Environmental Effects above, the proposed development seeking consent for the subdivision of one allotment into two, satisfies clause 4.1A.



m. 0409 588 637 | e: tony@nauka.com.au | PO BOX 275, Allawah NSW 2218 | ABN: 16 612 165 885



NAUKA

Project Development

drafting | architecture | planning | law | certification | development



- (4) This clause does not apply in relation to the subdivision of any land-
(a) by the registration of a strata plan or strata plan of subdivision under
the [Strata Schemes Development Act 2015](#), or*

Strata subdivision has not been proposed as part of this application. The development application seeks approval for torrens title subdivision.

- (b) by any kind of subdivision under the [Community Land Development Act 2021](#).*

Not Applicable.

- (4A) This clause does not apply in relation to the subdivision of land for the purpose
of erecting an attached dwelling or a semi-detached dwelling in a residential
zone.*

The development application seeks approval for torrens title subdivision only and no attached dwelling, and or semi-detached dwelling. However, it can be demonstrated that the resultant lots can comply with the minimum numerical DCP controls for the construction of a single residential dwelling.

The existing subject allotment has no significant indigenous and or native trees and shrubs that are the subject of consideration for trimming, lopping or removal as part of the proposed alterations and additions to the existing residential dwelling.

The variation sought will ensure adequate opportunities exist for the retention or provision of vegetation that contributes to biodiversity and can add to the enhancement of tree canopies.

The allotment has been explored with significant interest in minimising urban run-off by maximising permeable areas on site and minimal impact on the adjacent Heritage Item.

The scope of the works will ensure that the visual impact of the development is minimised by sufficient and appropriately located landscaping that complements the scale of buildings, with a portion of the proposed landscaping located in the front yard, softening the impact of the existing residential dwelling.

Therefore, the lot size variation can be considered favourably on the allotment and that strict compliance with the development standard is unreasonable and or unnecessary in this circumstance.

4. THERE ARE SUFFICIENT ENVIRONMENTAL PLANNING GROUNDS TO JUSTIFY CONTRAVENING THE DEVELOPMENT STANDARD

Assessment: It is considered that there are sufficient environmental planning grounds to justify varying the minimum allotment size standard, and these include:



m. 0409 588 637 | e: tony@nauka.com.au | PO BOX 275, Allawah NSW 2218 | ABN: 16 612 165 885



NAUKA

Project Development

drafting | architecture | planning | law | certification | development



- The amenity and streetscape impacts of the subdivision are considered to be consistent with the streetscape noting the allotment and subdivision pattern in the immediate locality has dual street frontages.
- Due to the dwelling on the site being established, the proposed siting of an additional dwelling is considered to be most sustainable as it does not require demolition and does not result in a loss of significant landscape area, private open space, or any earthworks.
- The proposal has been designed for the desired future character of the locality as it complements the existing development within the streetscape and surrounding area. The architectural design of any additions can and will be consistent with both the existing dwelling and development within the locality.
- In order to minimise amenity impacts on the adjoining neighbours, the proposal can provide setbacks which are in keeping with the neighbouring dwellings. It has been demonstrated that the site area variation does not contribute to any negative impacts on the surroundings and ensures that any future development can provide a good level of building separation, access, landscaping, private open space, visual/acoustic privacy, inclusive of natural lighting and ventilation for both the existing dwelling and adjoining properties.
- The proposal will facilitate an ecologically sustainable development given that no negative impact on environmental and social considerations will arise. This in turn will serve to offer the ongoing sustainment of the economic health of the area. The proposed development will promote the orderly and economic use of the land by way of providing a land use which is consistent with that envisaged by Council and in keeping with the desired future character of the locality.
- All essential services can be made available to the allotment including but not limited to water, sewerage water, gas, electricity and telecommunications.
- The proposed development promotes good design in that it serves to provide a built form and massing arrangement that serves to positively influence the future amenity of the dwelling occupants while adopting an architectural form and language, with a height and land use intensity compatible with both the established and emerging development and housing typology.
- Given the nature and character of the urban setting the proposed development is not located within threatened species or ecological communities.

The proposal complies with the objectives of the development standard and the R1 General Residential zone as demonstrated in this report.



m. 0409 588 637 | e: tony@nauka.com.au | PO BOX 275, Allawah NSW 2218 | ABN: 16 612 165 885



NAUKA

Project Development

drafting | architecture | planning | law | certification | development



It has been demonstrated within this variation request that the numerical departure from the site area development standard does not result in any external impacts and the level of consistency with the scale of the built form in the surrounding area confirms that the intensity of development is appropriate for the site.

Based on the above points, it is considered that there are sufficient environmental planning grounds to permit the site area variation in this instance.

5. THE PROPOSED DEVELOPMENT WILL BE IN THE PUBLIC INTEREST BECAUSE IT IS CONSISTENT WITH THE OBJECTIVES STANDARD AND THE ZONE

Above in this request, it was demonstrated that the proposal is consistent with the objectives of the development standard. The proposal, inclusive of the non-compliance, is also consistent with the objectives of the R1 - General Residential Zone as detailed below:

Zone R1 General Residential

1 Objectives of zone

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To maintain the economic strength of commercial centres by limiting the retailing of food and clothing.*

It is considered that the proposed development satisfies all relevant zone objectives contained in the Goulburn Mulwaree Local Environmental Plan 2009 providing for the housing needs of the community, provide for a variety of housing types and densities, and to enable other land uses that provide facilities or services to meet the day to day needs of residents.

In addition to the above, the proposed development will:

- Encourage development that promotes walking and cycling.
- Recognise the desirable elements of the existing streetscape and built form undergoing transition, that contribute to the desired future character of the area.
- Protects the amenity of the residents and the value of the Heritage Item adjacent to the site the Church..
- Will encourage housing affordability.
- The proposed development will meet the housing needs of the community and add to the range of housing within the low density residential zone



m. 0409 588 637 | e: tony@nauka.com.au | PO BOX 275, Allawah NSW 2218 | ABN: 16 612 165 885



NAUKA

Project Development

drafting | architecture | planning | law | certification | development



- (i.e. the proposal will increase the quality of housing stock within an area which is within close proximity to transport links, public infrastructure and high amenity public spaces).
- The proposal will not generate any adverse impacts on the amenity of the neighbouring properties.
- Visual and acoustic privacy will be maintained.

Based on the above assessment, it is considered that strict compliance with the LEP lot size standard is unreasonable and unnecessary in this instance. It is considered that the proposed development is within the environmental capacity of the R1 General Residential zone and the variation will not undermine the standard, hence it is in the public Interest.

6. IN DECIDING WHETHER TO GRANT CONCURRENCE, THE PLANNING SECRETARY MUST CONSIDER:

a. whether contravention of the development standard raises any matter of significance for State or regional environmental planning

Assessment: There is no identified outcome which would be prejudicial to planning matters of State or Regional significance that would result as a consequence of varying the development standard as proposed by this application.

b. the public benefit of maintaining the development standard

Assessment: The variation in site area will not present any unreasonable impacts upon adjoining development or the public domain over what would generally be considered acceptable given the characteristics of the land, the arrangement of the built form and any future relationships both existing and envisaged.

The interface of the development with the public domain will be consistent with the intent of the clause (i.e. the development will have an appearance which is compatible with the surrounding development and will positively contribute to the quality of the streetscape and provides effective articulation and architectural treatment to ensure that the development is visually pleasing when viewed from adjoining properties).

The proposed development meets the needs and requirements of the growing family. The proposal retains and maintains the high quality landscaping and private open space on the site.

The proposed development will be in the public interest because it is consistent with the objectives of the R1 General Residential zone (i.e. the objectives of the zone encourage a variety of housing forms).



m. 0409 588 637 | e: tony@nauka.com.au | PO BOX 275, Allawah NSW 2218 | ABN: 16 612 165 885



NAUKA

Project Development

drafting | architecture | planning | law | certification | development



Accordingly, there is no public benefit in maintaining strict compliance with the development standard given that there are no unreasonable impacts that will result from the variation to this standard.

- c. any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.*

Assessment: There are no further issues to be considered beyond those discussed above.

7. CONCLUSION

For reasons discussed above in this variation statement, it is considered that the proposed development and the extent of variation proposed is of a low and acceptable level of impact. This variation request had adequately demonstrated that the extent of the variation sought is justified and compliance with the lot size control in this circumstance is unreasonable and or unnecessary.

The development remains compliant with all other relevant standards and controls and ensures the existing high internal and external amenity of both the internal occupants and the surrounding properties is retained.

It has also been demonstrated that there are sufficient environmental planning grounds to justify the non-compliance. The lot size variation does not contribute to non-compliance with any other applicable planning controls, and hence will comply with bulk, scale, FSR, height, setbacks and landscaping.

Based on the above findings, it is requested that Council considers the merits of this application.



m. 0409 588 637 | e: tony@nauka.com.au | PO BOX 275, Allawah NSW 2218 | ABN: 16 612 165 885

16.2 DA/0236/2223 - DWELLING, HOUSE, GARAGE, SUBDIVISION INTO 2 LOTS - 138 ADDISON STREET, GOULBURN

Author: Senior Development Assessment Officer

Director Planning & Environment

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. **Architectural Plans**  
2. **Clause 4.6 Variation**  

Reference to LSPS:	Planning Priority 4: Housing – Vision 2040 - A range and diversity in housing type, which is contextual and affordable and is primarily centred around Goulburn and Marulan.
DA Number:	DA/0236/2223
Address:	138 Addison Street, Goulburn Lot 62 DP 132743
Proposal Description:	New dwelling house, attached garage and driveway with Torrens Title subdivision into two (2) lots
Type of Development:	Local
Zone:	R1 General Residential
Variations to Policy:	Clause 4.1(3) Minimum Subdivision Lot Size of the <i>Goulburn Mulwaree Local Environmental Plan 2009</i> Side setback control specified in Part 4.1.10.2 of the <i>Goulburn Mulwaree DCP 2009</i>
Submissions:	Nil
Key Issues:	Greater than 10% non-compliance with Clause 4.1(3) - Minimum Subdivision Lot Size development standard

RECOMMENDATION

That:

- The staff assessment report for Development Application DA/0236/2223 for the proposed *New dwelling house, attached garage and driveway with Torrens Title subdivision into two (2) lots*.
- Consent be granted for DA/0236/2223 for a *New dwelling house, attached garage and driveway with Torrens Title subdivision into two (2) lots* located at 138 Addison Street, Goulburn, subject to the following conditions:

SECTION A: GENERAL CONDITIONS

- Approved Development and Use
Development consent has been granted in accordance with this Notice of Determination for the purposes of a *new dwelling house, attached garage and driveway with Torrens Title subdivision into two (2) lots* under the *Goulburn Mulwaree Local Environmental Plan 2009*.
(Reason: *To confirm the components of the approval*)
- Development in Accordance with Documentation
The development must only be carried out:
 - in compliance with the conditions of this Notice of Determination; and

b) in accordance with the approved plans and documentation listed in the table below.

Architectural plan prepared by			
DRAWING NO.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
A001	D	Title/Notification Plan	01/2023
A002	D	Site Plan – Existing/Demolition	01/2023
A003	D	Site Plan - Proposed	01/2023
A004	D	Subdivision Plan	01/2023
A005	D	Site Set Out Plan	01/2023
A006	D	Floor Plan	01/2023
A007	D	Set Out Plan	01/2023
A008	D	Roof Plan	01/2023
A009	D	Elevations	01/2023
A010	D	Elevations	01/2023
A011	D	Detailed Section	01/2023
A012	D	Landscape Plan	01/2023
A013	D	Landscape Notes	01/2023
A014	D	Erosion Control Plan	01/2023
A015	D	Erosion Control Notes	01/2023
A016	D	Door & Window Schedule	01/2023
A017	D	Environmental Rating Scheme	01/2023
A018	D	Site Plan – Electrical Infrastructure	01/2023
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
Ref: 0078-1021 (One A4 page)	-	External Finishes Schedule	Undated
DOCUMENT REF.	REV	TITLE OF PLAN OR DOCUMENT	DATE.
1319103S	-	BASIX Certificate	22/11/2022

(Reason: *To ensure that the development is undertaken in accordance with the submitted plans and documents as amended)*

3. Documentation Inconsistency

In the event of any inconsistency between the conditions of this Notice of Determination, the drawings and any accompanying documentation referred to above, the conditions of this Notice of Determination prevail, to the extent of the inconsistency.

(Reason: *To ensure that the development is undertaken in accordance with the submitted plans and documents as amended)*

4. Documentation to be Kept on Site

At all times, a complete set of all endorsed plans, specifications and any other documentation referenced by this Notice of Determination must be kept on 'site' and be readily available for perusal by any officer of 'Council' or the 'Principal Certifier' upon their request.

(Reason: *To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance)*

SECTION B: PRESCRIBED CONDITIONS IMPOSED UNDER EP&A ACT, THE REGULATION, AND OTHER RELEVANT LEGISLATION

5. Building Code of Australia Compliance

All building work must be carried out in accordance with the provisions of the National Construction Code Series.

(Reason: Prescribed by **'the Regulation'**)

6. Home Building Act Requirements

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the **'Principal Certifier'** for the development to which the work relates (not being **'Council'**) has given **'Council'** written notice of the following information:

- a) in the case of work for which a **'Principal Contractor'** is required to be appointed:
 - i. the name and licence number of the 'Principal Contractor'; and
 - ii. the name of the insurer by which the work is insured under Part 6 of that Act, or
- b) in the case of work to be done by an owner-builder:
 - i. the name of the owner-builder; and
 - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to **'Council'** in accordance with this conditions is out of date, work must not be carried out unless the **'Principal Certifier'** for the development to which the work relates has given **'Council'** written notice of the updated information.

Note: A certificate of insurance that complies with the *Home Building Act 1989* is in force in relation to that work in the name under which the person contracted to do the work is to be provided in relation to part 1a(ii).

(Reason: Prescribed by **'the Regulation'**)

7. Construction Certificate Requirements

Building work, demolition or excavation in accordance with the Notice of Determination must not be commenced until a Construction Certificate required by s.6.3 of **'the Act'** for the relevant part of the works has been issued in accordance with the provisions of **'the Act'** and **'the Regulation'**.

(Reason: Statutory; To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

8. Issue of a Construction Certificate

In accordance with cl.145 of the *Environmental Planning and Assessment Regulation 2000*, the plans and specifications submitted with a Construction Certificate must not be inconsistent with this Notice of Determination.

(Reason: Prescribed by legislation)

9. Occupation Certificate Requirements

A person must not commence occupation or use of the whole or any part of a new building (new building includes an altered portion of, or an extension to, an existing building) unless an Occupation Certificate required by s.6.3 of **'the Act'** for the relevant part of the works has been issued in accordance with the provisions of **'the Act'** and **'the Regulation'**.

(Reason: Prescribed by legislation)

10. Critical Stage Inspections

Building work must be inspected by the **'Principal Certifier'** at the critical stage occasions prescribed by **'the Act'**, **'the Regulation'** and as directed by the appointed **'Principal Certifier'**.

Critical stage inspections are defined as: -

- a) after excavation for, and prior to the placement of any footings; and
- b) prior to pouring any in-situ reinforced concrete building element; and
- c) prior to covering of the framework for any floor, wall, roof or other building element; and
- d) prior to covering waterproofing in any wet areas; and
- e) prior to covering any stormwater drainage connections; and
- f) after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

(Reason: Prescribed by legislation)

SECTION C: TO THE SATISFACTION OF COUNCIL PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

11. s.306 Compliance Certificate

A s.306 Certificate of Compliance under Division 5 of Part 2 of Chapter 6 of the *Water Management Act 2000* must be obtained from **'Council'** as the sewer and water authority prior to the issue of any Construction Certificate.

Note: s.64 of the *Local Government Act 1993* authorises **'Council'** to issue *Certificates of Compliance* under s.306 of the *Water Management Act 2000* and to impose pre-conditions to the issuing of *Certificates of Compliance*.

To obtain a s.306, a s.305 application must be lodged with 'Council'.

(Reason: *To retain a level of service for the existing population and to provide the same level of service to the population resulting from new developments)*

12. Hydraulic Engineering Plans

The following Hydraulic Engineering plans, details and specifications must be prepared by a suitably qualified experienced professional Engineer or Person and be submitted to **'Council'** for approval prior to issue of any Construction Certificate, or s.306 Compliance Certificate:

- Sanitary/Sewerage drainage.

Due to the distance between the existing sewer main and the proposed boundary between the two lots, a sewer main extension will be required to service the existing dwelling. The Sanitary/Sewerage plumbing details must include the following:

- Long sections (chainage, grade, material, pipe class, invert & manhole level/depth, surface level, diameter, junction location and depth);
- Alignment with easement widths complying with policy;
- MH details complying with sewer construction standards;
- Junction details complying with sewer construction standards;
- Sewer main is to be centrally located over dedicated easement and easement width is to comply with Council's Clearance & Easements Policy; and
- Sewer specifications complying with Goulburn Mulwaree Council and WSAA construction standard.

Note: *All plans and details are to include a long section and details showing adequate clearances from any electrical infrastructure, including electrical pillars, located in the road reserve adjacent to the site.*

Each lot will require an individual sewer junction connection. Council can install additional sewer connection upon application, at the applicant's expense. Inter allotment drainage is not permitted (sewer connections must wholly service the lot it lies within).

The plans must demonstrate compliance with AS.3500, include trench layout and design, separation details between services, all drainage is to be contained within any easements and common property where required.

(Reason: *To ensure that the development complies with s.68 Local Government Act 1993)*

13. Damage to Public Infrastructure

A dilapidation survey and report (including photographic record) must be prepared by a suitably qualified consultant/person which details the pre-developed condition of the existing public infrastructure in the vicinity of the development **'site'**. Attention must be paid to accurately recording any pre-development damage so that **'Council'** is informed when assessing any future damage to public infrastructure caused as a result of the development. The dilapidation survey and report must be submitted to, and approved in writing by **'Council'** prior to the issue of any Construction Certificate.

The person entitled to act upon this Notice of Determination will be held liable for all damage to public infrastructure in the vicinity of the development **'site'** where such damage is not accurately recorded and demonstrated as pre-existing under documentation provided by this condition.

Note: Vicinity is defined as all public infrastructure immediately adjacent to the 'site' (full road reserve width) and to a distance of **10m** beyond the 'site' boundaries.

(Reason: To record the condition of public infrastructure prior to the commencement of construction to the consent authority's satisfaction)

SECTION D: SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

14. Amendments to Architectural and Landscape Plans

The approved Architectural plans are to be revised to incorporate the following:

- The width of the vehicular layback and crossover shall be 3.5 metres plus 700mm wings on each side on the kerb.

The approved Landscape Plan is to be revised to incorporate the following:

- The new street tree is to be specified as a *Malus floribunda* species.
- The new street tree is to be located equidistant between the proposed new driveway and the existing driveway serving 13 Sanita Street.
- The street tree is to have a minimum height of 2m when planted.
- The street tree is to be planted with two hardwood stakes 1500mm in height and 50 by 50mm and secured with hessian ties.
- The street tree is to be maintained for 12 months and replaced if necessary due to damage or death.
- The new tree proposed for the front yard of the approved dwelling is to be a species selected from the list of preferred species specified in Appendix B of the *Goulburn Mulwaree Development Control Plan 2009*.

Note: The Architectural Plans and Landscape Plan are to be consistent with each other.

Details and plans demonstrating compliance with these requirements must be submitted to, and approved by the 'Certifier' prior to the issue of any Construction Certificate.

(Reason: To ensure an appropriate width for the driveway access)

15. Hydraulic Plans and Details

The following Hydraulic plans, details and specifications must be prepared by a suitably qualified and experienced professional Engineer or Person and be submitted to '**Certifier**' for approval prior to issue of any Construction Certificate: -

- a) Stormwater drainage and disposal system, including the layout of the roof drainage, surface drainage and sub-surface drainage; and
- b) Hot and cold-water reticulation.

Note: Structures close to or within the easement will need to comply with Councils Clearances and Easements Policy.

The plans must demonstrate compliance with AS.3500, include trench layout and design, separation details between services, all drainage is to be contained within any easements and common property where required.

(Reason: To ensure that the development complies with s.68 Local Government Act 1993)

16. Vehicular Access Way Design - Residential

The person having the benefit of this Notice of Determination must design and construct the sealed residential vehicular access ways in compliance with the following: -

- a) must be designed to ensure that vehicles entering the 'site' will not scrape/strike the surface of the carriageway, layback or vehicular access way;
- b) must be designed in accordance with Council's Standard Drawings SD-R06, SD-R07 and AS.2890 where not covered by Council's standards;
- c) the driveway levels shall match the existing levels at the property boundary;
- d) the width of the vehicular layback and crossover shall be **3.5 metres** plus 700mm wings on each side on the

kerb;

- e) any twisting of the driveway access must occur entirely within the **'site'**;
- f) the sealed vehicular access way and layback must be a minimum of 1000mm from any power or lighting pole, 750mm from any electrical pillar, from any kerb inlet pit lintel and 2.5m from any street tree; and
- g) any utility pit within the driveway and within 750mm must be provided with a trafficable lid.

Works within the road reserve are to be inspected by **'Council'** as being satisfactory prior to pouring of concrete, all other **'works'** within the Lot must be Certified by the **'Principal Certifier'** as being compliant with this condition.

Plans demonstrating compliance with the above must be submitted to, and approved by the **'Certifier'** prior to the release of any Construction Certificate.

(Reason: *To facilitate appropriate vehicular access to residential sites, without disruption to pedestrian and vehicular traffic)*

17. Long Service Levy Payments

The payment of a long service levy as required under Part 5 of the *Building and Construction Industry Long Service Payments Act 1986*, is required, proof that the levy has been paid, is to be submitted to **'Council'** prior to the issue of any Construction Certificate. **'Council'** acts as an agent for the Long Services Payment Corporation and the levy may be paid at **'Council'** office.

(Reason: *Statutory requirement)*

18. Roofing and External Cladding Materials

Roofing materials must be factory pre-finished with low glare and reflectivity. The selected roofing material must not cause a glare nuisance or excessive reflectivity to adjoining or nearby properties. Plans and specifications which comply with this condition must be submitted to, and approved by the **'Certifier'** prior to the issue of any Construction Certificate.

(Reason: *To ensure that excessive glare or reflectivity nuisance from roofing materials does not occur as a result of the development)*

19. s.7.11 Contributions

Prior to the issue of a Construction Certificate the person having the benefit of this Notice of Determination must pay the following contributions to **'Council'** for:

Community facilities	\$1,848
Open space and recreation facilities	\$4,669
Roads and active transport facilities	\$12,492
Plan administration and management	\$285

The total contribution payable to Council under this condition is \$19,296.00 as calculated at the date of this consent, in accordance with the *Goulburn Mulwaree Local Infrastructure Contributions Plan 2021*.

The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the plan.

Documentation as issued by **'Council'** demonstrating that the contribution has been paid must be submitted to, and approved by the **'Certifier'** prior to the issue of a Construction Certificate.

Note: *Copies of the Contributions Plans can be downloaded from 'Council's' website.*

Payment is to be accompanied by the attached sheet entitled "Summary of Charges". If payment is by personal or company cheque the plans subject to this approval will not be available for collection until such time as the cheque has been honoured (i.e. a minimum of 10 days).

(Reason: *To retain a level of service for the existing population and to provide the same level of service to the population resulting from new development)*

20. Basix Commitments

Under clause 75 of **‘the Regulation’** the commitments listed in each relevant BASIX Certificate for the development must be fulfilled. Details and plans demonstrating compliance with these requirements must be submitted to and approved by the **‘Certifier’** prior to the issue of any Construction Certificate.

In this condition:

- a) relevant BASIX Certificate means:
 - i. a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 4.55 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or
 - ii. if a replacement BASIX Certificate accompanies any subsequent application for a Construction Certificate, the replacement BASIX Certificate; and
- b) BASIX Certificate has the same meaning as defined under **‘the Regulation’**

(Reason: *To ensure the proposed development will meet the Government’s requirements for sustainability and statutory requirement*

21. Boundary Alignment Levels

Except where otherwise approved by **‘Council’**, the property boundary alignment levels must match the levels which existed prior to the commencement of **‘works’**. Plans and specifications which accurately document existing and proposed levels adjacent to the **‘site’** boundaries in compliance with this condition must be submitted to the **‘Certifier’** for approval prior to the issue of any Construction Certificate.

(Reason: *To ensure interface between individual properties and/or public land remains uniform)*

22. Waste Management Plan

A waste management plan is to be submitted to, and approved by the **‘Certifier’** prior to the issue of any Subdivision Works Certificate. The plan must include, but not be limited to, the estimated volume of waste and method of lawful disposal for the demolition, **‘site’ ‘works’**, construction and operation phases of the development, all landfill removed from the **‘site’**, haulage routes, design of on-site wind proof waste storage and recycling area and administrative arrangements for waste and recycling management during the construction process.

The approved waste management plan must be complied with at all times in the carrying out of the development.

Note: *A Waste Management Plan Template is available on Council’s Website:*

(Reason: *To ensure the lawful management and recycling of waste)*

SECTION E: PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION, BUILDING OR SUBDIVISION WORKS

23. Prior to Commencement

‘Works’ must not commence on **‘site’** in connection with this Notice of Determination until:

- a) a Subdivision Works Certificate (where required) for the building work has been issued by:
 - i. the consent authority; or
 - ii. an **‘Accredited Certifier’**; and
- b) the person having the benefit of the development consent has:
 - i. appointed a **‘Principal Certifier’** for the building work.
- c) the **‘Principal Certifier’** has, no later than two (2) days before the building work commences:
 - i. notified the **‘Council’** of his or her appointment, and
 - ii. notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- d) the person having the benefit of this Notice of Determination has given at least two (2) days’ notice to the **‘Council’** of the person’s intention to commence building work.

Documentary evidence confirming the above statutory requirements have been satisfied must be submitted to **‘Council’** not less than two (2) days before any commencement of **‘works’**.

(Reason: *Statutory; to ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)*

24. Temporary Site Fences

A temporary timber hoarding or temporary construction '**site**' fence must be erected between the work '**site**' and adjoining lands before any commencement of works and must be maintained and be kept in place until after the completion of the works if the works:

- a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- b) could cause damage to adjoining lands by falling objects, or
- c) involve the enclosure of a public place or part of a public place.

The installation is to be confirmed by the '**Principal Certifier**' prior to any further commencement of '**site**' '**works**'.

(Reason: *To ensure that the safety of the public is not compromised)*

25. Damage Bond General

A public infrastructure damage deposit of \$2,780 must be paid to '**Council**'.

The damage bond will only be eligible for refund upon satisfactory completion of all '**works**' and following the issue of the final Subdivision Certificate. All costs associated with any reinstatement works required to be carried out by '**Council**' to rectify any damage caused by the '**works**', shall be deducted from the damage deposit.

Documentation demonstrating compliance with this condition must be submitted to, and approved by the '**Private Certifier**' prior works commencing on site.

Note: *A bond administration fees applies to the lodgement of this bond. Bond values and administration fees are calculated at time of actual lodgement in accordance with Council's adopted Fees and Charges and may differ from the above.*

*All required damage to Council property, however caused, by undertaking the '**works**' must be reinstated on a like for like basis and in accordance with '**Council's**' engineering standards prevailing at the time to the satisfaction of '**Council**' as the roads authority and prior to the issue of an Subdivision Certificate.*

(Reason: *Protection of Council infrastructure and to ensure any damage to public infrastructure is rectified)*

26. Sediment and Erosion Control

Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control must be provided. As a minimum, control techniques are to be in accordance with The Blue Book published by Landcom provisions on Erosion and Sediment Control.

All required erosion and sedimentation techniques must be properly installed prior to the commencement of any '**site**' '**works**' and maintained in a functional and effective condition throughout the construction activities until the '**site**' is stabilised.

The installation is to be approved by the '**Principal Certifier**' prior to any further commencement of '**site**' '**works**'.

(Reason: *To protect the environment from the effects of sedimentation and erosion from development sites)*

27. Stabilised Access

Unless an existing stabilised '**site**' access is utilised, stabilised access to the '**site**' consisting of at least 200mm of aggregate at 30–60mm in size, be a minimum of three (3) metres in width and must be provided from the road edge to the front of the building being constructed. The stabilised access must be fully maintained and removed from the '**site**' when a permanent driveway has been constructed.

The installation is to be approved by the '**Principal Certifier**' prior to any further commencement of '**site**' '**works**'.

(Reason: *To protect the environment from the effects of sedimentation and erosion from development sites)*

28. Site Facilities

'**Site**' facilities must be provided as follow;

- a) if the development involves building work or demolition work the '**site**' must be fully enclosed by a temporary

security fence (or hoarding) before **'works'** commence. Any such hoarding or fence is to be removed when the **'works'** have been completed;

- b) a minimum width of 1.5m must be provided between the **'site'** and the edge of the roadway so as to facilitate the safe movement of pedestrians. If trees are present in the footpath the minimum width must be provided to one side of the trees;
- c) a garbage receptacle fitted with a tight-fitting windproof lid for the reception of all putrescible and all waste capable of being windblown from the work **'site'** must be provided prior to **'works'** commencing and must be maintained and serviced for the duration of the **'works'**; and
- d) adequate toilet facilities must be provided on the work **'site'**. Each toilet provided must be a standard flushing toilet, connected to a public sewer, or if connection to a public sewer is not available, to an on-site effluent disposal system approved by the **'Council'**, or an approved temporary chemical closet. The provision of toilet facilities must be completed before any other **'works'** are commenced.

The installation of the site facilities must be approved by the **'Principal Certifier'** prior to any further commencement of **'site' 'works'** and prior to the first inspection.

(Reason: *To ensure the health and safety of the community and workers on the site)*

29. Site Sign

A sign must be erected in a prominent position on any **'site'** on which work involved in the erection or demolition of a building is being carried out:

- a) stating that unauthorised entry to the **'site'** is prohibited;
- b) showing the name of the **'Principal Contractor'** (or person in charge of the **'site'**), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- c) showing the name, address and telephone number of the **'Principal Certifier'** for the work.

Any such sign must be maintained while the **'works'** are being carried out and must be removed when the **'works'** have been completed.

The installation is to be approved by the **'Principal Certifier'** prior to any further commencement of **'site' 'works'**.

(Reason: *Statutory requirement)*

30. Protection of Street Trees During Works

Prior to the commencement of any **'site' 'works'** the street tree(s) immediately adjacent to the **'site'** and to a distance of 5m beyond the **'site'** boundaries must be protected by

- the installation of four (4) 1.8m high star pickets positioned not less than 1m apart;
- star pickets to be provided with yellow safety caps;
- installation of 1m high orange safety barrier mesh cable tied to perimeter of star pickets.

The tree protection must be maintained throughout the duration of **'works'** on the **'site'** and removed and the area made good upon completion of the **'works'**.

The installation is to be confirmed by the **'Principal Certifier'** prior to any further commencement of **'site' 'works'**.

(Reason: *To ensure the protection of Council assets and to retain visual amenity of the neighbourhood)*

SECTION F: CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION, BUILDING OR SUBDIVISION WORKS

31. Construction Hours

All **'works'** must be restricted to within the hours of 7.00 am to 6.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Demolition and excavation works must be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday only.

All builders, excavators must display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

Note: *Demolition work means any physical activity to tear down or break up a structure (or part thereof) or surface, or the like, and includes the loading of demolition waste and the unloading of plant or machinery.*

Excavation work means the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders, or the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site and includes the unloading of plant or machinery associated with excavation work.

(Reason: *To ensure that works do not interfere with reasonable amenity expectations of residents and the community)*

32. Use of Road Reserve

All **'works'**, processes, storage of materials, loading and unloading associated with the development must occur entirely within the property. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained from **'Council'** as the Roads Authority.

Note: *Works and/or activities required to be undertaken within the road reserve are controlled through the issue of an approval/permit under s.138 Roads Act 1993.*

(Reason: *To ensure public safety and amenity on public land)*

33. s.138 Approval Matters

Vehicular footway crossings must be constructed in accordance with Council's Standard Drawings SD-R06, SD-R07 and the details on the approved Architectural plans.

It is the applicant's responsibility to ensure:

- a) Traffic control measures are installed and maintained in accordance with AS.1742.3 and the Roads and Traffic Authority Manual – 'Traffic Control at Worksites'
- b) Public liability insurance to the value of \$20 million specific to the footway crossing; and workers compensation insurance, are both maintained for the duration of the works
- c) Whether the proposed works affects any Public Utility Authority installation. The following Authorities should be consulted:
 - i. Dial Before You Dig Ph.: 1100 (including telephone, gas, electricity)
 - ii. Council Ph (02) 4823 4417 (including water and sewer location diagrams).
 - iii. At the completion of work, the development proponent is to ensure that the area surrounding the driveway is backfilled and verge seeded to alleviate pedestrian hazard.

Vehicular footway crossings are that section of a driveway between the roadway and the property boundary. The applicant must arrange an inspection by **'Council'** prior to pouring the concrete with formwork and reinforcement in position or sealing. Inspections can be booked in person at Customer Service or by phone on 02 4823 4444. Please note inspection fees apply and a minimum 48 hours' notice is required.

'Council' retains the right to alter, repair, or in extreme cases, remove and replace any work for which approval has not been obtained, or that has not been carried out in accordance with this Notice of Determination. Any rectification works would be undertaken at the owner's full cost, recoverable in accordance with s.218 of the Roads Act 1993.

(Reason: *To ensure compliance with the Roads Act 1993)*

34. Plumbing and Drainage Work

In accordance with the *Plumbing and Drainage Act 2011*, a plumbing and drainage Notice of Work must be completed and returned to **'Council'** for its records, no later than two (2) business days before the work concerned is undertaken. The Notice of Work is to identify what plumbing and drainage work is to be carried out and must provide the details of the particular plumber/drainer.

Note: *Each lot will require an individual sewer junction connection. Council can install additional sewer connection upon application, at the applicant's expense. Inter allotment drainage is not permitted (sewer connections must wholly service the lot it lies within).*

An easement exists at the back of the lot, ensure that any structures close to or within this easement complies with Councils clearances and easements policy.

(Reason: *To ensure compliance with the statutory requirements)*

35. Sanitary Drainage Inspections

All sanitary drainage, plumbing and backflow prevention is to be carried out in accordance with AS.3500 and the *Plumbing and Drainage Act 2011*. The following stages of construction are to be inspected by **'Council'** as the Water and Sewer Authority.

- Plumbing and Drainage before backfilling.
- Pressure testing of waterpipes within the building prior to fixing of linings.
- Final inspection of water plumbing and sewer drainage.

Inspections can be booked in person at Customer Service or by phone on 02 4823 4444. Please note inspection fees apply and a minimum 48 hours' notice is required.

(Reason: *To ensure compliance with the statutory requirements)*

36. Progress Survey

To ensure compliance with approved plans, a Survey Certificate, to Australian Height Datum, must be prepared by a Registered Surveyor as follows: -

- a) At the initial footing/slab reinforcement inspection of the ground floor level indicating the level of that floor and the relationship of the building to the boundaries.

Progress certifications in response to point (a) must be provided to the **'Principal Certifier'** at the time of carrying out relevant progress inspections and be validated against the approved works. Under no circumstances must **'works'** be allowed to proceed should such survey information be unavailable or reveal discrepancies between the approved plans and the proposed **'works'**.

The **'Principal Certifier'** is to provide written advice to **'Council'** within 48 hours when **'works'** undertaken are not in accordance with this Notice of Determination.

(Reason: *To ensure compliance with approved plans)*

37. Dust Emissions and Air Quality

Any person acting on this Notice of Determination must ensure that:-

- a) materials must not be burnt on the **'site'**;
- b) vehicles entering and leaving the **'site'** with soil or fill material must be covered;
- c) dust suppression measures as required must be carried out throughout the undertaking of the **'works'** to minimise wind-borne emissions;
- d) exposed surfaces and stockpiles are suppressed by regular watering or hydro mulching;
- e) odour suppression measures must be carried out where appropriate so as to prevent nuisance occurring at adjoining properties;
- f) public roads used by these trucks are kept clean; and
- g) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

(Reason: *To protect the environment and the amenity of the surrounding area)*

38. Sediment and Erosion Control Signage

Durable signs must be erected during the **'works'** in a prominent location on **'site'** warning of penalties should appropriate erosion and sedimentation control devices not be utilised or maintained.

(Reason: *To protect the environment from the effects of sedimentation and erosion from development sites)*

39. Waste Derived Fill and Material

The only waste derived fill material that may be received at the development **'site'** is:

- a) Virgin excavated natural material (VENM) within the meaning of the *Protection of the Environment Operations Act 1997*; and

Any waste derived material the subject of a resource recovery exemption received at the development **'site'** must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the **'Principal Certifier'**.

(Reason: *To ensure that imported fill that is of an acceptable standard for environmental protection purposes)*

40. Earthworks

Any earthworks (including any structural support or other related structure for the purposes of the development) must: -

- a) not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot;
- b) not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property;
- c) in the first instance be reused on **'site'**;
- d) ensure that any excavated soil to be removed from the **'site'** is to be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*;
- e) ensure that documentation verifying the lawful disposal of all waste is to be kept by the applicant and provided to **'Council'** on request.
- f) not permit fill to change existing ground levels at the property boundary. Cutting and filling is to be restricted to that shown on the approved plans. Any further cutting or filling will require separate approval.
- g) ensure that any excavation is carried out in accordance with Excavation Work: Code of Practice (ISBN 978-0-642-785442), published in October 2013 by Safe Work Australia.

(Reason: *To ensure structural safety and to ensure excavation and fill are handled correctly)*

41. Excavation and Demolition

Any person acting on this Notice of Determination must ensure that: -

- a) all excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- b) all excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- c) demolition work must be undertaken in accordance with the provisions of AS.2601 - Demolition of Structures.
- d) the builder is to ensure that persons working on the site comply with the SafeWork NSW requirements.

(Reason: *To ensure that work is undertaken in a professional and responsible manner and protect adjoining property and persons from potential damage)*

42. Demolition and Removal of Buildings

Any person acting on this Notice of Determination must ensure that: -

- a) demolition must be carried out in accordance with AS2601–1991, *Demolition of structures*.
- b) the builder is to ensure that persons working on the site comply with the SafeWork NSW requirements.
- c) demolition materials shall not be burnt or buried on the work site.
- d) a person having the benefit of this certificate must ensure that all vehicles leaving the work site carrying demolition materials have their loads covered and do not track soil or waste material onto the road.
- e) if demolition work obstructs or inconveniences pedestrians or vehicular traffic on an adjoining public road or reserve, a separate application must be made to **'Council'** to enclose the public place with a hoarding or fence.
- f) any works involving asbestos based products must be undertaken in accordance with the requirements of the SafeWork NSW in relation to removal, handling and disposing of material, and the Work Safe Australia Asbestos Code of Practice. (Refer to the information publications provided in your approvals package for more specific information).
- g) any works involving lead removal must not cause lead contamination of air or ground, and the Work Plan submitted must comply with the requirements of AS.4361.2-1998: *Guide to lead paint management - Residential and commercial buildings*. Particular attention must be given to the control of dust levels on the **'site'**.
- h) the **'site'** must be left free of waste and debris when **'works'** have been completed.

(Reason: *To ensure that work is undertaken in a professional and responsible manner and to protect adjoining property and persons from potential damage)*

SECTION G: CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

43. Compliance with Conditions of Consent

Prior to the issue of any Occupation Certificate the person having the benefit of this Notice of Determination must demonstrate to the **'Principal Certifier'** that all conditions required to be complied with, either at or before the occupation stage, including conditions identified as at all times have been complied with. An Occupation Certificate must not be issued where the development undertaken is in breach of this Notice of Determination.

(Reason: *To ensure compliance with the terms of this Notice of Determination)*

44. House Numbering

An Occupation Certificate must not be issued until the approved street numbering has been installed to the kerb directly in front of each Lot.

DWELLING/UNIT OR LOT	ASSIGNED NUMBER	STREET ADDRESS
Existing dwelling fronting Addison Street ("Site 2")	138	Addison Street
New dwelling fronting Sanita Street ("Site 1")	13A	Sanita Street

Documentary evidence confirming that this condition has been satisfied must be provided to the **'Certifier'** prior to the issue of any Occupation Certificate.

Note: *Street/unit identification numbers are at least 7 centimetres in height white in colour with blue background 130mm high and must to be displayed in a prominent location clearly visible from the street frontage*

(Reason: *To ensure that the property is correctly addressed and visible from the public road)*

45. Landscaping to Nature Strip

All disturbed and unvegetated areas of land to the front of the building line and the nature strip must be fully landscaped with grass turf to prevent soil erosion and migration prior to the release of any Occupation Certificate.

The existing street tree at the front of the site must be relocated to an appropriate location within the road reserve, equidistant between the approved new driveway and the existing driveway serving 13 Sanita Street, and in accordance with the approved Architectural Plans and Landscape Plan.

The **'Principal Certifier'** is to ensure that this condition is complied with prior to the issuing of any Occupation Certificate.

(Reason: *To preserve the amenity of the streetscape and to prevent pollution of the environment)*

46. Installation of Driveways

Prior to the issue of an Occupation Certificate the driveway access across the footpath reserve and to the garage and any footway crossing must be constructed in accordance with **'Council's'** Engineering Standards and the requirements of this Notice of Determination.

Documentary evidence from **'Council'** as the roads authority confirming that this condition has been satisfied must be provided to the **'Principal Certifier'** prior to the issue of any Occupation Certificate.

Note: *The sealed vehicular access way and layback must be a minimum of 1000mm from any power or lighting pole, 750mm from any electrical pillar, from any kerb inlet pit lintel and 2.5m from any street tree.*

Any utility pit within the driveway and within 750mm must be provided with a trafficable lid.

(Reason: *To ensure driveway access to the property does not have any adverse impact on the public road network)*

47.	<p><u>Water Management Act</u></p> <p>A Compliance Certificate issued under s.307 of the <i>Water Management Act 2000</i> must be obtained from the Utilities Division of 'Council' prior to the release of any Occupation Certificate.</p> <p>Documentary evidence issued by 'Council' confirming that the final inspection was satisfactory must be provided to the 'Principal Certifier' prior to the issue of any Occupation Certificate.</p> <p>(Reason: <i>To ensure compliance with the statutory requirements)</i></p>
48.	<p><u>Plumbing and Drainage Finalisation</u></p> <p>A final inspection of water plumbing and sewer drainage must be conducted by 'Council' as the Water and Sewer Authority.</p> <p>Documentary evidence issued by 'Council' confirming that the final inspection was satisfactory must be provided to the 'Principal Certifier' prior to the issue of any Occupation Certificate.</p> <p>(Reason: <i>To ensure compliance with the statutory requirements)</i></p>
49.	<p><u>Certificate of Compliance</u></p> <p>A Compliance Certificate and a sewer service drainage diagram as issued by the plumber who submitted the Notice of Work must be issued to 'Council' prior to the release of any Occupation Certificate.</p> <p>Documentary evidence confirming that the above requirements have been fulfilled must be provided to the 'Principal Certifier' prior to the issuing of any Occupation Certificate.</p> <p>(Reason: <i>To ensure compliance with the statutory requirements)</i></p>
50.	<p><u>Infrastructure Repair Prior to Completion of Works</u></p> <p>The person having the benefit of this Notice of Determination must fully complete all required 'works' -</p> <ul style="list-style-type: none"> a) to any footpath, verge, nature strip, road, kerb and guttering, driveway crossover, stormwater and utilities infrastructure within the road reserve; b) must repair all damage caused by the 'works' to any damaged public infrastructure caused as a result of any works relating to the development (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete vehicles) must be fully repaired; and c) all damage must be made good in accordance with 'Council's' engineering standards and at no cost to 'Council' <p>Documentary evidence from 'Council' as the roads authority confirming that this condition has been satisfied must be provided to the 'Principal Certifier' Prior to the issue of any Occupation Certificate.</p> <p>(Reason: <i>To ensure any damage to public infrastructure is rectified)</i></p>
51.	<p><u>Replacement of existing street tree</u></p> <p>The existing street tree at the front of the site must be replaced at an appropriate location within the road reserve, equidistant between the approved new driveway and the existing driveway serving 13 Sanita Street, and in accordance with the approved Architectural Plans and Landscape Plan, and the requirements specified in Condition No.14 of this Notice of Determination.</p> <p>The 'Principal Certifier' is to ensure that this condition is complied with prior to the issuing of any Occupation Certificate.</p> <p>(Reason: <i>To ensure encroachments onto Crown Lands are removed)</i></p>
52.	<p><u>Redundant Vehicle Crossings</u></p> <p>All redundant lay-backs and vehicular crossings must be reinstated to conventional kerb and gutter, foot-paving or grassed verge to match existing surrounding materials. All costs must be borne by the person having the benefit of this Notice of Determination, and all works must be completed in accordance with 'Council's' Engineering Standards and inspected by 'Council' prior to pouring the concrete with formwork and reinforcement in position.</p> <p>Documentary evidence from 'Council' as the roads authority confirming that this condition has been satisfied must be provided to the 'Principal Certifier' Prior to the issue of any Occupation Certificate.</p> <p>(Reason: <i>To facilitate vehicular access to sites, without disruption to pedestrian and vehicular traffic,</i></p>

and the preservation of on street parking spaces)

53. Water Meter

Each lot/dwelling will require a metered water supply. Water meters are to be supplied and installed by Council at the expense of the Developer. A water meter as issued and installed by Goulburn Mulwaree Council Utilities department must be connected to the town's reticulated water supply.

The installation is to be confirmed by the **'Principal Certifier'** prior to the issue of any Occupation Certificate.

(Reason: *To ensure an adequate supply of potable water is provided to the site)*

54. Asbestos and Other Hazardous Materials Disposal

Prior to the issue of any Occupation Certificate the person having the benefit of this Notice of determination must provide to the **'Principal Certifier'** copies of all waste disposal receipts and documentation demonstrating that all/any asbestos containing materials and other hazardous waste has been lawfully disposed.

Where asbestos based products have been removed or altered, an asbestos clearance certificate signed by an appropriately qualified person (being an Occupational Hygienist or Environmental Consultant) must be submitted to the **'Principal Certifier'** (and a copy forwarded to **'Council'**) for the building which certifies the following:-

- a) the building and surrounding land contained within the property lot is free of asbestos; or
- b) the building has asbestos that is presently deemed safe.

The certificate must be accompanied by tipping receipts, which detail that all asbestos waste has been disposed of at an approved asbestos waste disposal facility. If asbestos is retained on **'site'** the certificate must identify the type, location, use, condition and amount of such material.

The **'Principal Certifier'** must be satisfied that quantity of waste disposed of or recycled is commensurate to the quantity of waste actually generated by the **'works'**.

The **'Principal Certifier'** is to ensure that this condition is complied with prior to the issuing of any Occupation Certificate.

(Reason: *To ensure waste material is appropriately recycled and lawfully disposed)*

SECTION H: CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

55. Use of Garage

At all times the garage must only be used for the garaging of motor vehicles and storage within the nominated storage areas.

(Reason: *To ensure the development provides adequate on site car parking)*

56. Compliance with Council Policy's

Development must comply with the following Council Policies:

- Council's Water Metering and Connection Policy
- Council's Clearance & Easement requirements for Structures adjacent to Sewer & Stormwater Mains Policy
- Goulburn Mulwaree Council's Water Construction Standards
- Goulburn Mulwaree Council's Sewer Construction Standards

(Reason: *To ensure appropriate and safe luminance levels of external lighting that are desired for the locality and do not interfere with amenity of nearby properties)*

57. Stormwater Disposal

At all times, all stormwater from the development, including all hardstandings and overflows from rainwater tanks and raingardens must be collected and disposed of by way of properly constructed stormwater lines to the kerb and gutter (piped). If concrete footpath exists; pipework is to be under bored to the existing kerb inlet.

(Reason: *To ensure the suitable disposal of stormwater generated by the development)*

SECTION I: CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

58. Release of Subdivision Certificate

Prior to the issue of any Subdivision Certificate the person having the benefit of this Notice of Determination must demonstrate to **'Council'** that all conditions set out within this Notice of Determination have been complied with and that all works completed. A Subdivision Certificate must not be issued where the development undertaken is in breach of this Notice of Determination.

Notes: *A tabularised statement that separately identifies the conditions contained within the Notice of Determination, details how the conditions have been complied with and is provided with clear references to any supporting evidence being submitted to satisfy a condition is required.*

(Reason: *To ensure that the development is completed to an acceptable standard prior to registration)*

59. Easements, Rights of Way and Restrictions as to User

All easements, rights-of-way, right-of-carriageway, and restrictions-as-to-user as indicated on the plans submitted with the application for a Subdivision Certificate, together with the following additional easements/rights-of-way/restrictions, naming Goulburn Mulwaree Council as the sole authority empowered to release or modify the same are to be prepared for registration on the title of the relevant Lots:

- a) All **'Council'** sewer and stormwater infrastructure;
- b) An easement across "Site 2" (containing the existing dwelling) for the disposal of sewerage in favour of "Site 1" (containing the approved new dwelling);
- c) All restrictions-as-to-user applicable under Deposited Plan 1270209 are to be applicable to all Lots created under this subdivision.

Documentary evidence in the form of an endorsed instrument for registration by **'Council'** under section 88 of the *Conveyancing Act 1919* must be provided to the **'Certifier'** prior to the issue of any Subdivision Certificate.

Note: *Any reference to a plan must include the details of the title, author, drawing number, revision number and date of issue.*

(Reason: *To ensure proper management of land)*

60. Services within Lots

Prior to the issue of any Subdivision Certificate a Registered Surveyor must provide certification that all services (e.g. drainage, stormwater, water supply, gas, electricity, telephone etc.) as constructed are contained within each Lot or within appropriate easements to accommodate such services.

(Reason: *To ensure adequate servicing of the development)*

61. Subdivision Certification

A Subdivision Certificate that authorises the registration of a plan of subdivision at the NSW Land Registry Services must be obtained. The following must be submitted to **'Council'** with any application for a subdivision certificate:

- a) the original plans of subdivision and administration sheets plus two (2) copies of each, and any original s.88B instrument to be endorsed, all enclosed in a protective sleeve (to prevent damage during transfer);
- b) an electronic version of all files being submitted including Word documents of all s.88 instruments;
- c) application for subdivision certificate form duly completed with payment of fees current at lodgement;
- d) written evidence in the form of a full condition compliance table that demonstrates how all the conditions contained within this Notice of Determination have been satisfied (including submission of all required certificates and/or information where required); and
- e) all other information required by the **'the Act'** and **'the Regulation'**.

Notes: ***'Council'** will check the consent conditions on the relevant subdivision consent. Failure to submit the required information will delay endorsement of the plan of subdivision and may require payment of rechecking fees or refusing the certificate.*

***'Council'** will not accept bonds in lieu of completing subdivision works.*

(Reason: *To ensure compliance with relevant legislative requirements and maintenance of up to date Council records)*

62. Water Management Act

A Compliance Certificate issued under s.307 of the *Water Management Act 2000* must be obtained from the Utilities Division of **'Council'** prior to the issue of any Subdivision Certificate.

(Reason: *To ensure compliance with the statutory requirements)*

63. Gas Service Provision

Prior to the issue of the Subdivision Certificate, written evidence including works as executed plan(s) from the gas supply authority (i.e. Jemena) must be supplied to **'Council'** to confirm that the gas network has been extended into and throughout the subdivision to service each new allotment.

All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to **'Council'**.

(Reason: *To ensure adequate servicing of the development)*

64. Electrical Supply Services

Prior to the issue of any Subdivision Certificate a Notification of Arrangements from the electricity supply authority (i.e. Essential Energy) must be supplied to **'Council'** confirming that electrical infrastructure has been installed and that satisfactory arrangements have been made for the supply of low voltage reticulated electricity to each proposed Lot.

All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to **'Council'**.

(Reason: *To ensure adequate servicing of the development)*

65. NBN Services within Lots

Prior to the issue of the Subdivision Certificate, a letter of practical completion from the telecommunications infrastructure provider (i.e. NBN) must be provided to **'Council'** confirming that arrangements have been made for the provision of underground telecommunications at the front boundary of each allotment in the subdivision.

(Reason: *To ensure adequate servicing of the development)*

SECTION J: CONCURRENCE AGENCY CONDITIONS

66. Essential Energy

- Essential Energy's records indicate an existing overhead service connecting the property (Sanita Street frontage). This existing service will need to comply with the NSW Service and Installation Rules, both in relation to the clearances and access to the point of attachment in relation to the proposed new dwelling. This may mean that the existing service will need to be re-located, at the Applicant's expense. A Level 2 Electrician will be able to advise on these requirements and carry out the required work to ensure compliance;
- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
- Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions;
- In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure;
- Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW);

- Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

(Reason: To ensure 'works' do not adversely affect electricity infrastructure)

SECTION K: ADVISORY INFORMATION

- Prior to commencing any building, subdivision or associated constructions works, the following provisions of **'the Act'** are to be complied with:
 - A Construction Certificate is to be obtained in accordance with Section 6.3 of **'the Act'**.
 - A Principal Certifier is to be appointed and Council is to be notified of the appointment in accordance with Section 6.6 of the Act.
 - Council is to be notified at least two (2) days of the intention to commence building works, in accordance with Section 6.6(2)(a) of the Act.
- Changes to the layout of the subdivision or building configuration may require the submission of a further modification under Section 4.55 of **'the Act'**.

Discussion with Council Development Liaison Team would assist in identifying such changes which may require the submission of a modification of a Development Application under Section 4.55 of **'the Act'**.
- Prior to any **'Work'** commencing on **'site'** all services should be clearly located and identified by contacting "Dial before you Dig" by telephoning 1100 or utilising www.1100.com.au
- 'Council's'** fees and charges are adjusted annually on the 1st July, all fees are calculated at the time of payment this may mean that amounts required to be paid increase.
- The mailbox erected to service the property must not encroach on the footpath or kerb area.

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

BACKGROUND

In accordance with Council's Development Assessment & Decision Making Policy this development application is to be determined by Council due to non-compliance with Clause 4.1(3) Minimum Subdivision Lot Size of the *Goulburn Mulwaree Local Environmental Plan 2009*.

The Department issued Planning Circular No.PS20-002, dated 5th May 2020, notified Councils that *"The Secretary's concurrence may not be assumed by a delegate of council if: the development contravenes a numerical standard by greater than 10%".* As the departure from the development standard is greater than 10%, the matter is referred to Council for determination.

REPORT

Site and Locality Description

Site characteristics

The subject site is a residential allotment with an existing dwelling house fronting Addison Street. There are no trees or significant vegetation at the rear of the site see Figure 1.

The site is rectangular in shape with a total area of approximately 556.9m². The subject site has lengths of approximately 60.93m, a front (Addison Street) boundary length of 9.24m and a rear (Sanita Street) boundary length of 9.14m.

The site is generally flat with a moderate slope to both Addison and Sanita Streets.



Figure 1: Aerial View of the subject site (marked with red pointer) Locality characteristics

The site is located in the R1 General Residential Zone. Dwelling houses (140 Addison Street and 15 Sanita Street) adjoin the site at to the north-west, and dwelling houses (136 Addison Street and 13 Sanita Street) adjoin the site to the south-east. The surrounding locality consists primarily of dwellings houses.

Photos of the Subject Site



Photo 1: View of the existing dwelling fronting Addison Street



Photo 2: View of the subject site from Sanita Street (proposed location of new dwelling)



Photo 3: View of the subject site from Sanita Street showing adjoining dwelling at 15 Sanita Street



Photo 4: View of the subject site from Sanita Street showing adjoining dwelling at 13 Sanita Street



Photo 5: View of road reserve on Sanita Street adjacent to the site



Photo 6: View of streetscape along Sanita Street looking north-east



Photo 7: View of streetscape along Sanita Street looking north-west

Proposed Development

DA/0236/2223 was lodged with Council on 25 November 2022. The proposal consists of a *new dwelling house, attached garage and driveway with Torrens Title subdivision into two (2) lots.*

The proposal involves the following:

- Removal of two existing structures.
- Construction of a single storey dwelling house with an attached garage that will front Sanita Street. The dwelling consists of a single garage, three bedrooms, one with an ensuite, bathroom, laundry and combined kitchen, dining and living room and an outdoor covered alfresco area.
- A new driveway to Sanita Street with the existing street tree to be removed and replaced.
- Torrens title subdivision of the existing allotment into two Lots as follows:
 - “Site 1” (with proposed dwelling fronting Sanita Street) = 331.94m²
 - “Site 2” (with existing dwelling fronting Addison Street) = 227.74m²

Section 4.15 Assessment under the Environmental Planning and Assessment Act 1979

State Planning Control – State Environmental Planning Policies (SEPPs)

The following State Environmental Planning Policies apply to the proposal:

SEPP (Resilience and Hazards) 2021	The SEPP requires the consent authority to consider whether land is contaminated prior to granting consent to the carrying out of any development on that land, and to be satisfied that the land is suitable for the proposed use.
------------------------------------	---

	<p>A review of the site was conducted which did not reveal any uses that would lead to contamination of land and it is noted that the site is an established allotment within Goulburn with a history of residential use. Therefore, Council is satisfied that the land on which the proposal is located is suitable for the proposal and the intended residential use.</p>
SEPP (Biodiversity and Conservation) 2021	<p><u>Sydney Catchment - NorBE</u></p> <p>A 'Neutral or Beneficial Effect on Water Quality' (NorBE) assessment was carried out with the system outcome being deemed satisfied. The proposal is therefore satisfactory in regard to Water NSW NorBE requirements and the SEPP.</p> <p><u>Biodiversity</u></p> <p>The subject site is not mapped as Terrestrial Biodiversity under Clause 7.2 of the <i>Goulburn Mulwaree LEP 2009</i> and it is not indicated to be affected by biodiversity on the Biodiversity Values Map as shown on the NSW Planning Portal.</p> <p>Considering the location and nature of the subject site and proposal, being the subdivision and new dwelling on an existing allotment within Goulburn, the proposal is satisfactory in regard to biodiversity issues.</p>
SEPP (Transport and Infrastructure) 2021	<p>The proposal was referred to Essential Energy who raised no objections to the proposal and provided comments that have been included in the proposed conditions under the heading "<i>Concurrence Agency Conditions</i>".</p>
Refer to Clause 2.48 for development within or immediately adjacent to an easement for electricity	<p>The proposal is therefore considered satisfactory in regard to the SEPP.</p>
SEPP (Building Sustainability index: BASIX) 2004	<p>A BASIX Certificate (No. 1319103S, dated 22/11/2022) has been provided for the proposal.</p>

Goulburn Mulwaree Local Environmental Plan 2009

PART 2 Permitted or Prohibited Development

Land Use Table

The subject site is located within the R1 General Residential zone.

The objectives of the R1 General Residential zone are as follows:

- To provide for the housing needs of the community
- To provide for a variety of housing types and densities
- To enable other land uses that provide facilities or services to meet the day to day needs of residents
- To maintain the economic strength of commercial centres by limiting the retailing of food and clothing

The proposal is satisfactory in regard to the objectives specified in bullet points 1 and 2 of the R1 General Residential zone as the proposed subdivision and dwelling house will provide for the housing needs of the community and provides for a variety of housing types and densities.

The proposal is not inconsistent with the objectives specified in bullet points 3 and 4 of the R1 General Residential zone.

The proposal is permissible with Council consent within the R1 General Residential zone.

PART 4 Principal Development Standards

Clause 4.1 Minimum Subdivision Lot Size

The minimum subdivision Lot size for the site is 700sqm, as per the Lot Size Map of the *Goulburn Mulwaree LEP 2009*. The proposal thus represents a numerical breach of the Minimum Lot Size, as per the following:

- “Site 1” (331.94sqm) = 368.06sqm OR 52.58% breach of the 700sqm development standard
- “Site 2” (227.74sqm) = 472.26sqm OR 67.47% breach of the 700sqm development standard

See discussion below under *Clause 4.6 - Exceptions to development standards*.

Clause 4.6 – Exceptions to Development Standards

Clause 4.6 of the *Goulburn Mulwaree LEP 2009* allows a contravention of a development standard with the objectives being to allow an appropriate degree of flexibility in applying certain development standards to particular development and to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Clause 4.6(3) stipulates that a written request is required from the applicant that justifies the contravention of the development standard by demonstrating that compliance with is unreasonable or unnecessary and that there are sufficient environmental planning grounds to justify the contravention.

The applicant has provided a written request in relation to the departure – refer to **Attachment 2**.

The applicant’s submitted Clause 4.6 Written Request (“written request”) has adequately addressed the matters specified in Clause 4.6(3)(a) and (b).

Clause 4.6(4)(a)(i) requires the consent authority to be satisfied that the applicant’s written request, seeking to justify the contravention of the development standard, has adequately addressed the matters required to be addressed by Clause 4.6(3). There are two separate matters for consideration contained within Clause 4.6(3) and these are addressed as follows:

a. That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

Assessment:

The written request is considered to have adequately addressed how compliance is unreasonable and unnecessary in the circumstances of the case. The written request states that compliance with the *Minimum Subdivision Lot Size* development standard is unreasonable and unnecessary as the objective of the relevant development standard is achieved.

The applicant makes the following points in their written request that are largely agreed with and accepted (refer to **Attachment 2**):

- The proposed subdivision is consistent with the established subdivision pattern and the existing built environment.
- The proposed subdivision is consistent with the adjoining properties of 140 Addison Street and 15 Sanita Street which are both similarly sized to the proposed lots and provide a similar and satisfactory bulk and scale impact to the street as the proposal.

- These prior subdivisions of land addresses the need for infill development at this scale to provide diversity of housing throughout Goulburn and the wider region.

The following diagrams show the existing subdivision pattern within Addison Street:



Figure 2: Existing subdivision pattern in Addison Street (subject site marked with a red pointer)

It is noted from the above diagram that there are six (6) dwelling houses fronting Sanita Street as follows:

- No. 3 Sanita Street – subdivided from 124 Addison Street
- No. 13 Sanita Street – subdivided from 136 Addison Street
- No. 15 Sanita Street – subdivided from 140 Addison Street
- No. 17 Sanita Street – subdivided from 142 Addison Street
- No. 19 Sanita Street – subdivided from 146 Addison Street
- No. 21 Sanita Street – subdivided from 148 Addison Street

The proposed subdivision and new dwelling house (to be known as 13A Sanita Street) is therefore consistent with the established subdivision pattern within Addison Street and the proposed dwelling house will not be out of context with the existing streetscape. Whilst most of the allotments are larger than the proposed lots, the proposal is, however, consistent with the adjoining properties of

140 Addison Street and 15 Sanita Street. These lots are both narrower and similarly sized to the proposed lots.

By virtue of the fact that the proposal is consistent with the existing subdivision pattern, with each lot having a full frontage to its own street, the proposal is considered to be consistent with the development standard's objective as stated in Clause 4.1(1), which is to *"provide a minimum lot size for the subdivision of land."*

Further comments are provided below as to how the objective of the development standard is achieved.

b. That there are sufficient environmental planning grounds to justify contravening the development standard

Assessment:

The written request provides explanation of how the proposed development is reasonable and supportable in the circumstances.

In doing so, the written request provides sufficient environmental planning ground to justify contravention of the Minimum Subdivision Lot Size development standard, as it demonstrates that the proposal achieves aims (c), (d), (f) and (g) of Section 1.3 of the Act of the Environmental Planning and Assessment Act 1979.

The written request has also made the following comments which are largely agreed with:

- **Zoning:** Two of the main objectives of the R1: General Residential Zone are to provide for the housing needs of the community and to provide a variety of housing types and densities. The proposals aim is to provide housing that meets both of these important objectives. The proposed dwelling and associated subdivision provide necessary infill development, aiding the supply of housing to the community whilst the smaller (varied) lot size provides variety in density and scale to the area and the wider community.
- **Residential Amenity:** The site to be developed at 138 Addison Street, Goulburn comprises of two street frontages, these being the Addison Street frontage and the Sanita Street Frontage. This allows for the development of two separate dwellings on the existing lot with each having their own respective street frontage. This not only creates infill development of a proportional scale to the existing dwellings of the area, but also provides for significant separation between the existing dwelling on the site and the proposed. This in turn creates abundant outdoor spaces for the occupation of the inhabitants of each of the dwellings.
- **Affordable Housing:** Given the scarcity of vacant land in the Goulburn region and the increased need for affordable housing, infill development of this kind is essential. By utilising land of this nature, we create the ability to provide small to medium size residential developments on otherwise vacant/unused land. In the absence of a variation to Clause 4.1, the site is likely to be developed in the same manner by utilising a primary/secondary dwelling or detached dual occupancy proposal. This would lead to infill development of the same scale but without the potential for on sale or individual ownership of the two properties.
- **Built Environment:** The site to be developed spans between Addison Street and Sanita Street. This provides a unique opportunity in that the site can be subdivided without the need for demolition of any existing dwellings. The proposed will have minimal to no impact on the

existing landscaped areas and useable private open space all whilst retaining the existing development on the site.

- **Setbacks & Streetscape:** Given that the proposed dwelling has been designed to face the Sanita Street frontage, setbacks have been implemented in a way that matches that of the existing built environment. This meaning the proposed will have no impact on streetscape and will contribute positively to the local area.
- **Services:** All essential services can be supplied to the newly subdivide lot. These include but are not limited to water, reticulated sewer, gas, electricity and telecommunications.
- **Design:** The proposed aims to provide good design in that it is sympathetic to the existing bulk, scale and character of the area. These ideals allow the proposed to blend seamlessly within the existing built environment.

The written request is therefore considered to have adequately addressed the matters prescribed by Clause 4.6(3) of the Goulburn Mulwaree Local Environmental Plan 2009.

Clause 4.6(4)(a)(ii) requires the consent authority to be satisfied that:

- ii. The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out*

In considering whether or not the proposed development will be in the public interest, consideration must be given to the underlying objectives of the *Minimum Subdivision Lot Size* development standard, and the objectives of the R1 General Residential Zone. These objectives are assessed below:

Clause 4.1 – Minimum Subdivision Lot Size

The proposal is assessed against sub-clause (1) objectives of Clause 4.1 which specify the following objective:

- a. To provide a minimum lot size for the subdivision of land*

Assessment:

By virtue of the fact that the proposal is generally consistent with the existing and established subdivision pattern within Addison Street, the proposal is also considered to be consistent with the development standard's objective as stated in Clause 4.1(1), which is to "*provide a minimum lot size for the subdivision of land.*"

Additionally, the proposed dwelling house is satisfactory in regard to Council's controls and is satisfactory to approve subject to conditions.

R1 General Residential zone

The proposal is permitted and is consistent with the objectives of the R1 General Residential zone, as per the following discussion:

- *To provide for the housing needs of the community.*

Assessment:

The proposal, being a Torrens title subdivision and new dwelling house, will provide for the housing needs of the community, and is therefore satisfactory in regard to this objective.

- *To provide for a variety of housing types and densities.*

Assessment:

The proposal, being a Torrens title subdivision and new dwelling house, will provide an additional dwelling with a reasonable density, and is therefore satisfactory in regard to this objective.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Assessment:

The proposal is not inconsistent with this objective.

- *To maintain the economic strength of commercial centres by limiting the retailing of food and clothing.*

Assessment:

The proposal is not inconsistent with this objective.

Clause 4.6(4)(b) requires the consent authority to be satisfied that:

(b) the concurrence of the Planning Secretary has been obtained.

The Department issued Planning Circular No.PS20-002, dated 5th May 2020 which notified Councils of arrangements “...advise consent authorities of arrangements for when the Secretary’s concurrence to vary development standards may be assumed...All consent authorities may assume the Secretary’s concurrence under: clause 4.6 of a local environmental plan”. The concurrence of the Planning Secretary is therefore assumed.

The Planning Circular goes on to state that “*The Secretary’s concurrence may not be assumed by a delegate of council if: the development contravenes a numerical standard by greater than 10%.*”. As the breach of the development standard is greater than 10%, the matter is referred to Council for determination.

Conclusion

The written submission from the applicant has adequately demonstrated that variation of the *Minimum Subdivision Lot Size* development standard prescribed by Clause 4.1 is justified pursuant to the relevant matters for consideration prescribed by Clause 4.6.

Namely, the consent authority is satisfied that the written request has demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that sufficient environmental planning grounds have been demonstrated to justify the contravention of the standard.

The consent authority is satisfied that the proposal is in the public interest, as it is consistent with the objective of the *Minimum Subdivision Lot Size* development standard and the objectives of the R1 General Residential zone.

PART 5 Miscellaneous Provisions

Clause 5.10 Heritage Conservation

European Heritage

The subject site is not located within a Heritage Conservation Area or adjacent to a Heritage Item listed in Schedule 5 (Environmental heritage) of the *Goulburn Mulwaree LEP 2009*. The site is located within the vicinity of the following Heritage Items listed in Schedule 5 (Environmental heritage) of the *Goulburn Mulwaree LEP 2009*:

- I042 – 128 Addison Street, described as a “Rectory (circa 1900)”
- I043 – 130 Addison Street, described as a “Christ Church (1890)”

The proposal was referred to Council’s Landscape and Heritage Officer who raised no objections in regard to Heritage matters.

Aboriginal Heritage

The site is not indicated to be affected by Potential Aboriginal Objects on Council’s mapping system.

Considering the location and nature of the proposal, being a subdivision and new dwelling on an existing established allotment within Goulburn, the proposal is satisfactory in regard to potential Aboriginal heritage.

Therefore, considering the above comments, the proposal is satisfactory in regard to Clause 5.10 (Heritage conservation) of the *Goulburn Mulwaree LEP 2009*.

PART 7 Additional Local Provisions

7.1A Earthworks

The proposal involves relatively modest excavation and earthworks for a residential development and stormwater works and is satisfactory in relation to the matters specified in Clause 7.1A (3).

7.2 Terrestrial Biodiversity

The subject site is not mapped as Terrestrial Biodiversity under Clause 7.2 of the *Goulburn Mulwaree LEP 2009* and it is not indicated to be affected by biodiversity on the Biodiversity Values Map as shown on the NSW Planning Portal.

Considering the location and nature of the subject site and proposal, being a subdivision and new dwelling on an existing established allotment within Goulburn, the proposal is satisfactory in regard to biodiversity issues.

Goulburn Mulwaree Development Control Plan 2009

PART 1 Preliminary

1.7 Public Participation

The proposed development was notified to adjoining and nearby residents. It was also advertised in the local paper, on Council’s website and a Site Notice was placed at the front of the property. Public exhibition of the proposal resulted in no submissions being received.

1.8 Variations to controls

The proposal seeks variation to the required Side setback control specified in Part 4.1.10.2 of the *Goulburn Mulwaree DCP 2009* – see further discussion below under the heading “4.1.10.2 Side setback”.

PART 3 General Development Controls

3.5 Landscaping & 3.9 Tree & Vegetation Preservation

There are no trees or significant vegetation at the rear of the site on the proposed location of the subdivision and new dwelling. An existing street tree must be removed and replaced to make way for the proposed driveway.

The proposal was referred to Council's Landscape and Heritage Officer who made the following comments in regard to landscaping matters:

- *A landscape plan is required for the front of the block facing Sanita Street*
- *The street tree may be removed but is to be replaced in a suitable location with the same species e.g. Malus floribunda*
- *When planted the tree is to have a minimum height of 2.0m*
- *The tree is to be planted with two hardwood stakes 1500mm height x 50 x 50mm and secured with hessian ties*
- *The street tree is to be maintained for 12 months and replaced if necessary due to damage or death*

The above comments have been incorporated into recommended Condition No. 14.

Subject to the above discussion and the recommended condition of consent, the proposal satisfies the issues raised by Council's Landscape and Heritage Officer and is satisfactory in regards to Parts 3.5 and 3.9 of the *Goulburn Mulwaree DCP 2009*.

3.6 Vehicular Access & Parking

A single car garage has been provided which complies with the required parking for a dwelling house. Space for the on-site parking of a second vehicle has also been provided. A driveway with compliant grades is provided and is satisfactory subject to standard conditions relating to driveway construction.

3.7 Crime Prevention through environmental design

The proposal is satisfactory in regard to Part 3.7 (CPTED) of the *Goulburn Mulwaree DCP 2009*.

3.16 Stormwater Pollution

Concept stormwater plans have been provided which have been assessed as being generally satisfactory subject to conditions.

Standard conditions have been included in the Notice of Determination to ensure appropriate stormwater disposal and sedimentation control during works.

PART 4 Principal Development Controls – Urban

4.1 Residential Development

4.1.1 Site planning, bulk, scale & density

The proposal is for a single storey dwelling and a Torrens title subdivision of the land into two lots. The proposal is reasonably sized, is acceptable in regard to boundary setbacks and will be of a size and scale that will be compatible with surrounding existing or future residential development.

The proposal is satisfactory in relation to setbacks, overshadowing, privacy, façade design and general visual bulk impacts and will not create any unreasonable impacts upon adjoining properties or the surrounding locality.

The proposed Torrens title subdivision is reasonable and will be generally consistent with the existing subdivision pattern within the street.

The proposal is therefore considered satisfactory in relation to the objectives and controls of Part 4.1 of the *Goulburn Mulwaree DCP 2009*.

4.1.4 Cut and fill

The proposed cut and fill for the proposal are satisfactory in regard to Part 4.1.4 of the *Goulburn Mulwaree DCP 2009*.

4.1.5 Dwelling design

The proposed dwelling design is satisfactory in regard to Part 4.1.5 of the *Goulburn Mulwaree DCP 2009*.

4.1.6 Number of storeys

The proposal is single storey and therefore complies.

4.1.7 Solar access

Solar access to the proposed dwelling

The proposed dwelling is adequately designed with northward facing windows that will ensure the principal living area will receive a minimum of three hours of solar access between 9am and 3pm on 21 June (winter solstice).

The private open space area located at the rear of the site will receive a minimum of three hours of solar access between 9am and 3pm on 21 June and is therefore satisfactory.

Overshadowing of adjoining properties

The adjoining properties of 13 and 15 Sanita Street will receive additional overshadowing from the proposal.

13 Sanita Street

The proposed dwelling is single storey and setback from the south-east property boundary which helps to minimise the amount of overshadowing.

The private open space of 13 Sanita Street is located at the rear of the dwelling and will receive additional overshadowing in the late afternoon. However, the private open space will continue to receive greater than three hours of solar access between 9am and 3pm on 21 June (winter solstice).

Windows serving principal living areas of 13 Sanita Street will not be unreasonably impacted by additional overshadowing. There are likely to be windows serving the principal living area at the rear of the dwelling that will continue to receive ample sunlight throughout the day.

15 Sanita Street

Due to the site orientation, 15 Sanita Street will receive a minimal amount of overshadowing in the morning between 9am and approximately 11am.

The private open space located at the rear of 15 Sanita Street will not receive additional overshadowing and will continue to receive greater than three hours of solar access between 9am and 3pm on 21 June (winter solstice).

There are no side facing windows on the eastern elevation facing the proposal, and the rear facing windows serving the principal living area will continue to receive ample sunlight throughout the day.

Therefore, considering the above comments, solar access to the proposed dwelling, and the adjoining properties, is satisfactory in regard to Part 4.1.7 of the *Goulburn Mulwaree DCP 2009*.

4.1.8 Privacy

Being a reasonably sized single storey dwelling with acceptable setbacks, the proposal will not create any unreasonable privacy impacts upon adjoining properties.

4.1.9 Private open space

The proposed area of private open space at the rear of the dwelling is adequately sized and complies.

4.1.10 Setbacks:

4.1.10.1 Rear setback

A minimum rear setback of 6.6m is proposed which complies.

4.1.10.2 Side setback

A 100mm side setback is proposed to the north-west property boundary and a minimum 974mm side setback is proposed to the south-east property boundary. The proposed side setbacks are therefore, breaches of the required 1m side setback control.

In regard to the north-west property boundary, the proposal is designed to abut and match the existing dwelling house at 15 Sanita Street which is located on the boundary (see Photo 3 above). This is considered reasonable and supportable in the circumstances as it matches the existing built form and will not present an unreasonable negative impact upon 15 Sanita Street.

In regard to the south-east property boundary, the proposal has a varying side setback of between 1014mm at the rear of the dwelling which reduces to 974mm at the front. This represents a relatively minor breach which is considered reasonable and supportable in the circumstances.

The proposal, including the reduced side setbacks, is considered reasonable in relation to the objectives of Part 4 (Principal development controls – urban) of the *Goulburn Mulwaree LEP 2009*.

4.1.10.3 Front setback

A minimum front setback of 5.498m is proposed which complies. The proposed front setback is designed to match the existing front setback of 15 Sanita Street.

4.1.11 Views

No public or private views will be affected by the proposal.

4.1.12 Traffic safety management

The garage for the proposed dwelling is slightly undersized, although considering the circumstances and the minimal nature of the non-compliance, the garage size is considered reasonable on merit and will allow for the adequate parking of a vehicle. An appropriately sized storage area has been proposed which is satisfactory. The driveway access is generally satisfactory subject to conditions.

Subject to the condition discussed above, the proposal is satisfactory in regard to Part 4.1.12 of the *Goulburn Mulwaree DCP 2009*.

See further comments above under the heading “3.6 Vehicular Access & Parking”.

4.1.13 Site Facilities

The proposal has demonstrated satisfactory site facilities and therefore complies.

4.1.14 Energy efficient siting and layout, 4.1.15 External window shading and internal and external lighting, 4.1.16 Insulation and 4.1.17 Space heating and cooling

The building shape and orientation achieves a reasonable outcome for solar access and energy consumption. The inclusion of adequate northward facing windows ensures the principal living areas will achieve at least three hours of sunlight on 21 June (winter solstice).

All floor areas are within reasonable distance of an external opening which ensures adequate solar access and ventilation.

A BASIX Certificate (No. 1319103S, dated 22/11/2022) has been provided for the proposal which ensures the proposal meets required energy efficiency standards.

The proposal is considered to meet the objectives of Parts 4.1.14, 4.1.15, 4.1.16 and 4.1.17 of the *Goulburn Mulwaree DCP 2009*.

4.1.18 Working hours – residential and business

A standard condition has been included to control construction working hours.

4.1.19 Subdivision

The proposal is creating a two (2) lot subdivision on an existing allotment where each new allotment will have access to its own street frontage (Addison Street and Sanita Street).

The proposed subdivision is generally consistent with the existing subdivision pattern within the immediate locality of Addison Street where there are several such subdivisions with each allotment having access to either Addison Street or Sanita Street.

Each new allotment will have satisfactory access to services such as sewer, water and electricity. Stormwater drainage can be achieved to each allotment's main street frontage.

Considering the circumstances of the case and as discussed throughout this report, the proposal is considered reasonable on merit and is, therefore, satisfactory in regard to Part 4.1.19 of the *Goulburn Mulwaree DCP 2009*.

PART 7 Engineering Requirements

7.1 Utility Services

The site has adequate access to services such as sewer, water and electricity. Stormwater drainage will be to the street frontage on Sanita Street. Appropriate conditions have been included in the recommended conditions to ensure the adequate provision of utility services.

An application under Section 68 of the Local Government Act has been lodged for water, sewer and stormwater works (S68/0004/2223).

The proposal was referred to Council's Utilities Engineer who provided the comments that have been included in the recommended conditions.

7.2 Roads

An application under Section 138 of the Roads Act has been lodged for the construction of the layback, driveway and footpath crossing (RO/0098/2223).

Appropriate conditions have been included in the recommended conditions to ensure the construction of an adequate driveway.

7.3 Drainage & Soil & Water Management

Stormwater plans and details have been provided which are considered to be generally satisfactory subject to conditions.

Standard conditions have been included in the recommended conditions to ensure appropriate stormwater disposal and sedimentation control during works.

An application under Section 68 of the Local Government Act has been lodged for water, sewer and stormwater works (S68/0004/2223).

7.4 Easements

The existing sewer main passes through the rear of the site. This will, therefore, pass through "Site 2" (containing the existing dwelling) and will require an easement in favour of "Site 1" (containing the approved new dwelling), which has been appropriately conditioned.

Likely Impact of Proposed Development

The proposal is for a subdivision and new single storey dwelling. The proposal is reasonably sized, complies with the boundary setbacks required by the *Goulburn Mulwaree DCP 2009* and will be of a size and scale that will be compatible with the surrounding existing built form.

The proposal is satisfactory in relation to setbacks, overshadowing, privacy, façade design and general visual bulk impacts and will not create any unreasonable impacts upon adjoining properties or the surrounding locality.

The proposed subdivision is consistent with the existing subdivision pattern within the immediate locality of Addison Street.

The proposal is therefore considered satisfactory in relation to the objectives and controls of Part 4.1 of the *Goulburn Mulwaree DCP 2009*.

The Public Interest

For the reasons set out in this report, the proposal subject to conditions, is considered to be in the public interest.

Consultation and Submissions made in accordance with Act or Regulations

Public Submissions

The proposed development was notified to adjoining and nearby residents. It was also advertised in the local paper and on Council's website. Public exhibition of the proposal resulted in no submissions being received.

External Referrals

The proposal was referred to Essential Energy who provided the comments that have been included in the recommended conditions under the heading "*Section 1 - Concurrence Agency Conditions*".

Suitability of the Site for the Proposed Development

As is evidenced by the discussion throughout this report, the proposal of *new dwelling house, attached garage and driveway with Torrens Title subdivision into two (2) lots*, is considered to be satisfactory and reasonable for both the subject site and the immediate locality.

The proposal will comfortably fit within and be consistent with the locality and existing surrounding developments and will not present any unreasonable impacts upon adjoining properties.

Policy Considerations

- Goulburn Mulwaree LEP 2009 (as amended)
- Goulburn Mulwaree DCP 2009 (as amended)

Conclusion and Recommendation

The proposal of *new dwelling house, attached garage and driveway with Torrens Title subdivision into two (2) lots* is consistent with the provisions of the LEP and DCP, the proposal has been assessed as being in the public interest with no significant impact identified. With the absence of any significant impacts, the application warrants Council support.

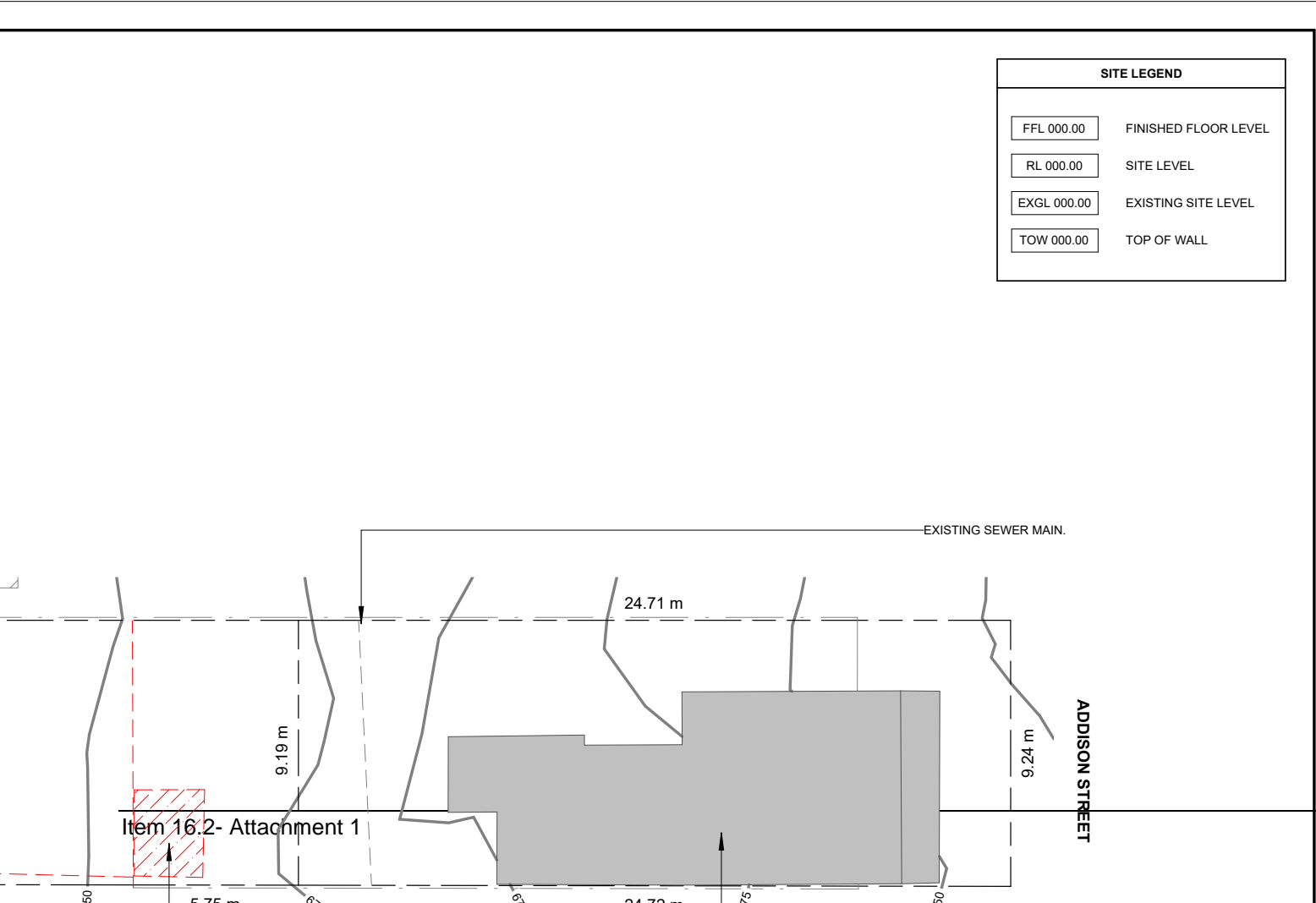
Having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, it is considered that the proposed development is satisfactory, therefore the application is recommended for approval subject to conditions.

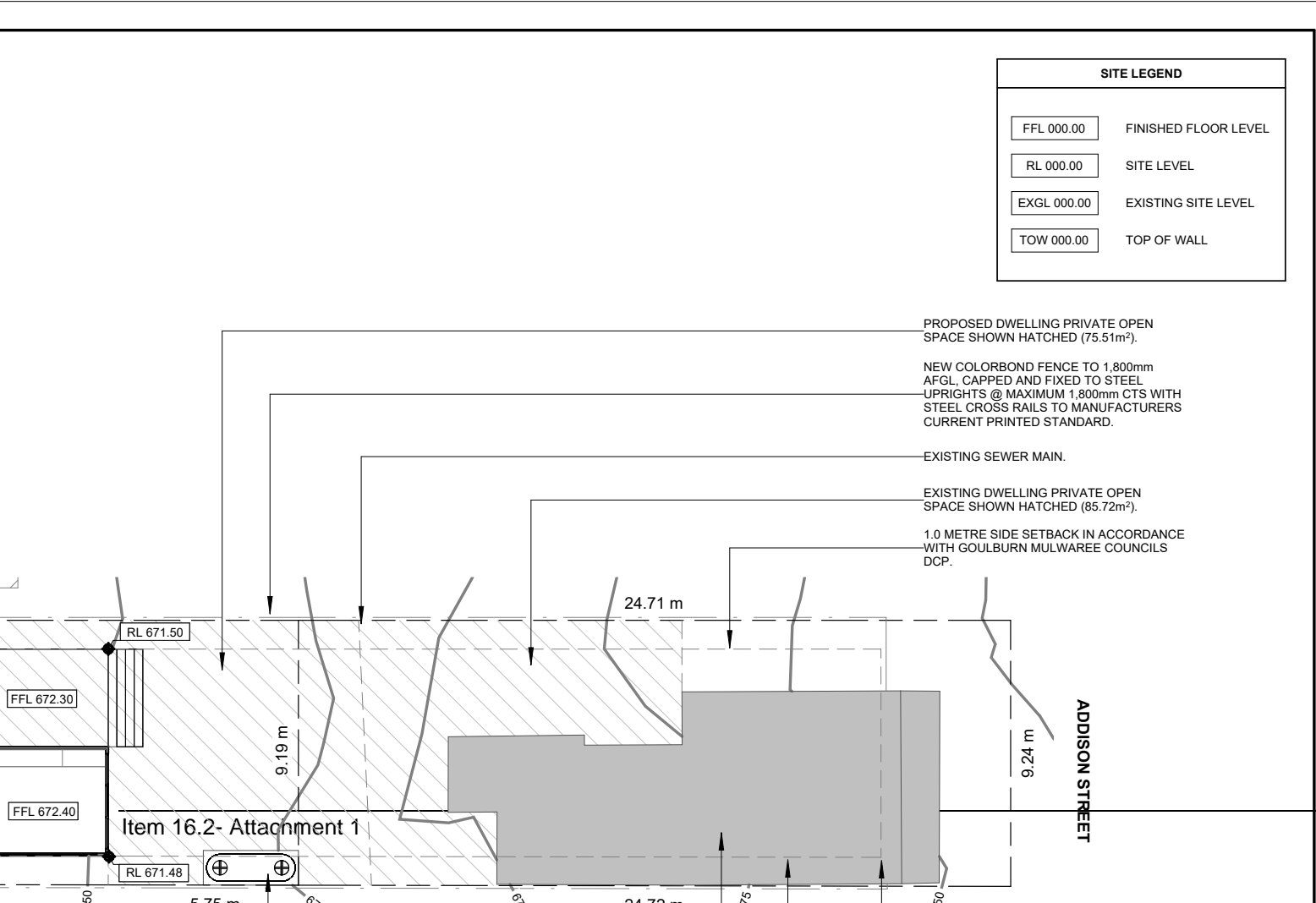
FINANCIAL IMPLICATIONS

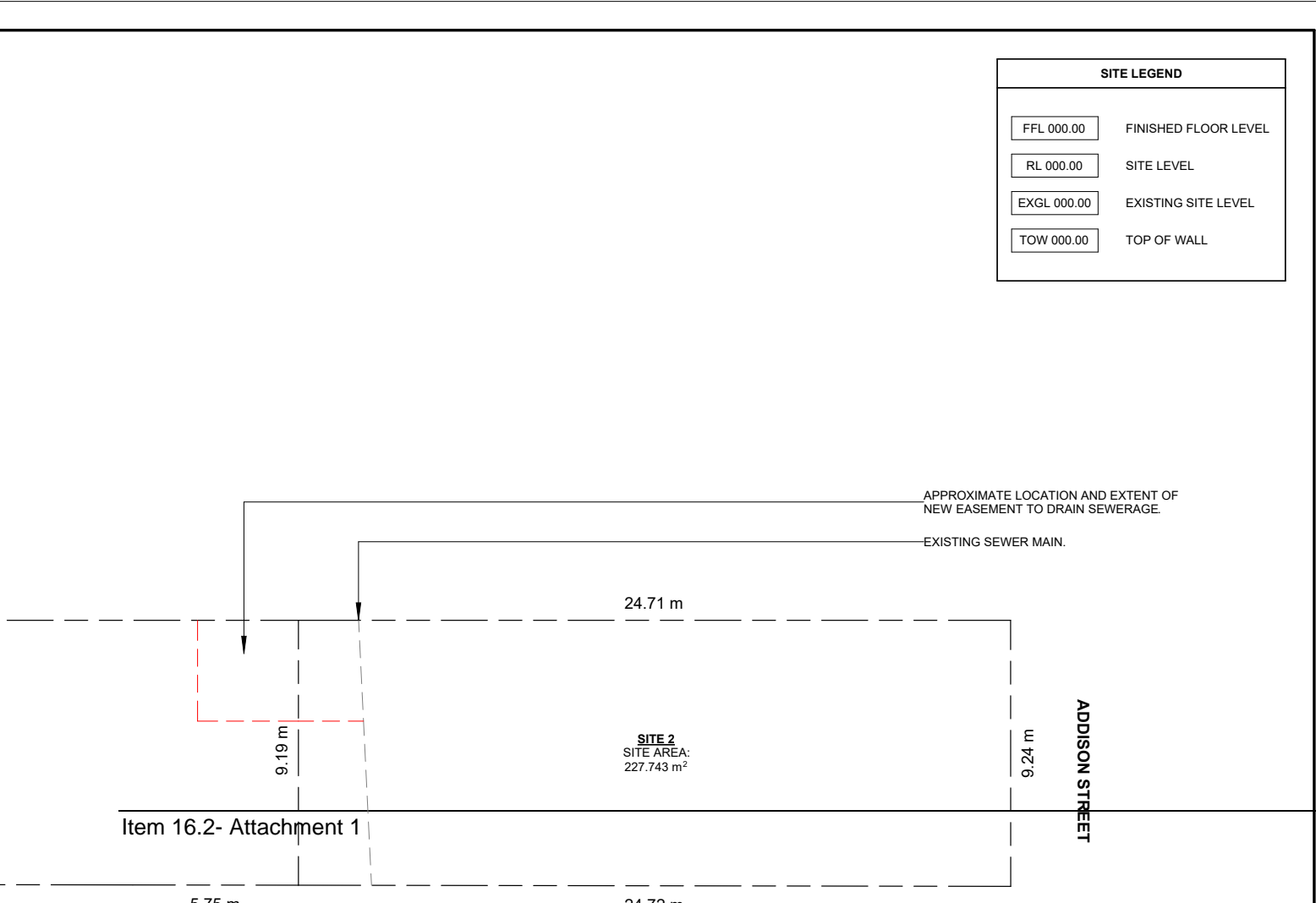
Financial implications to Council are likely if the Applicant of the Application seeks to appeal the determination through the Land and Environment Court.

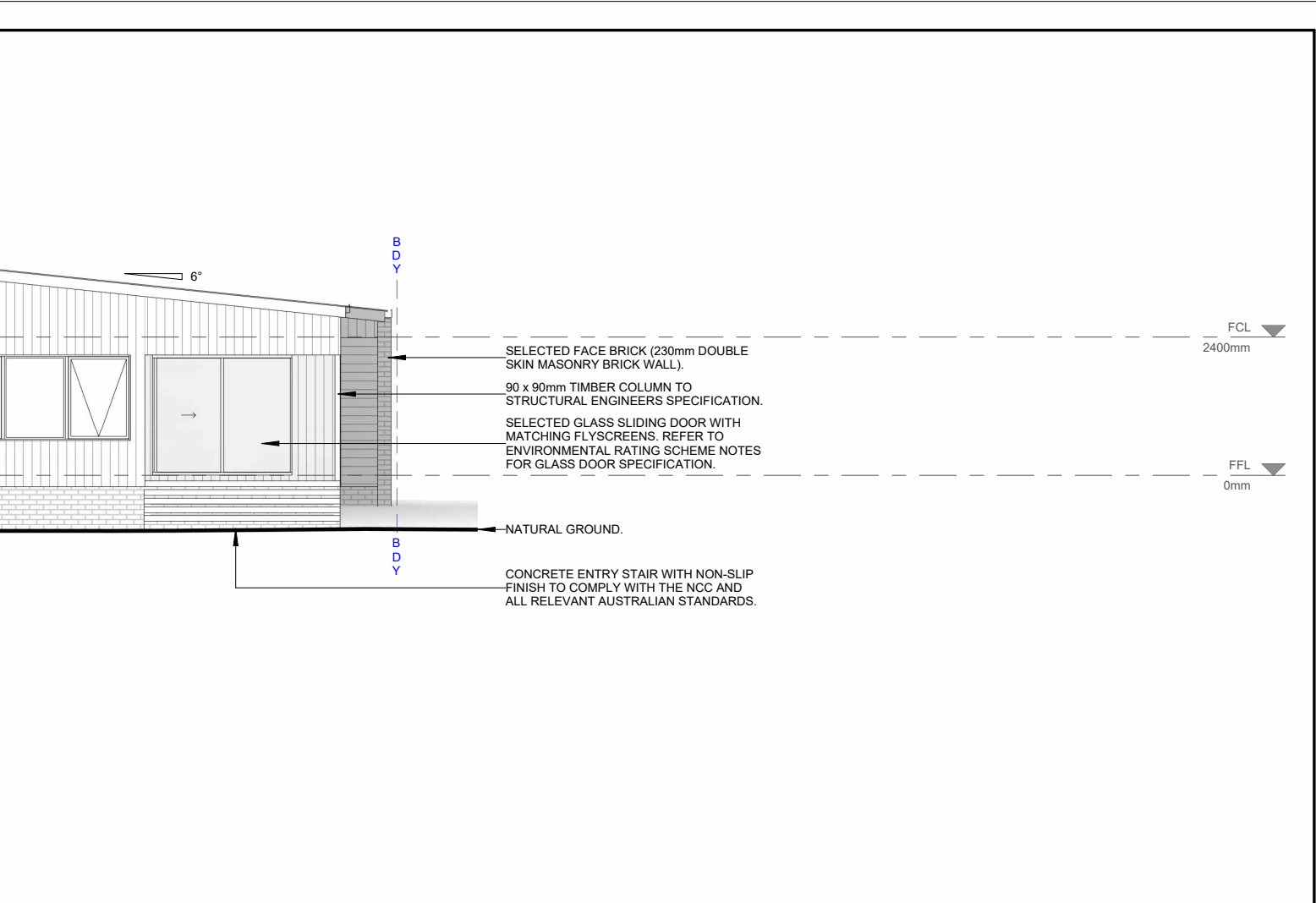
LEGAL IMPLICATIONS

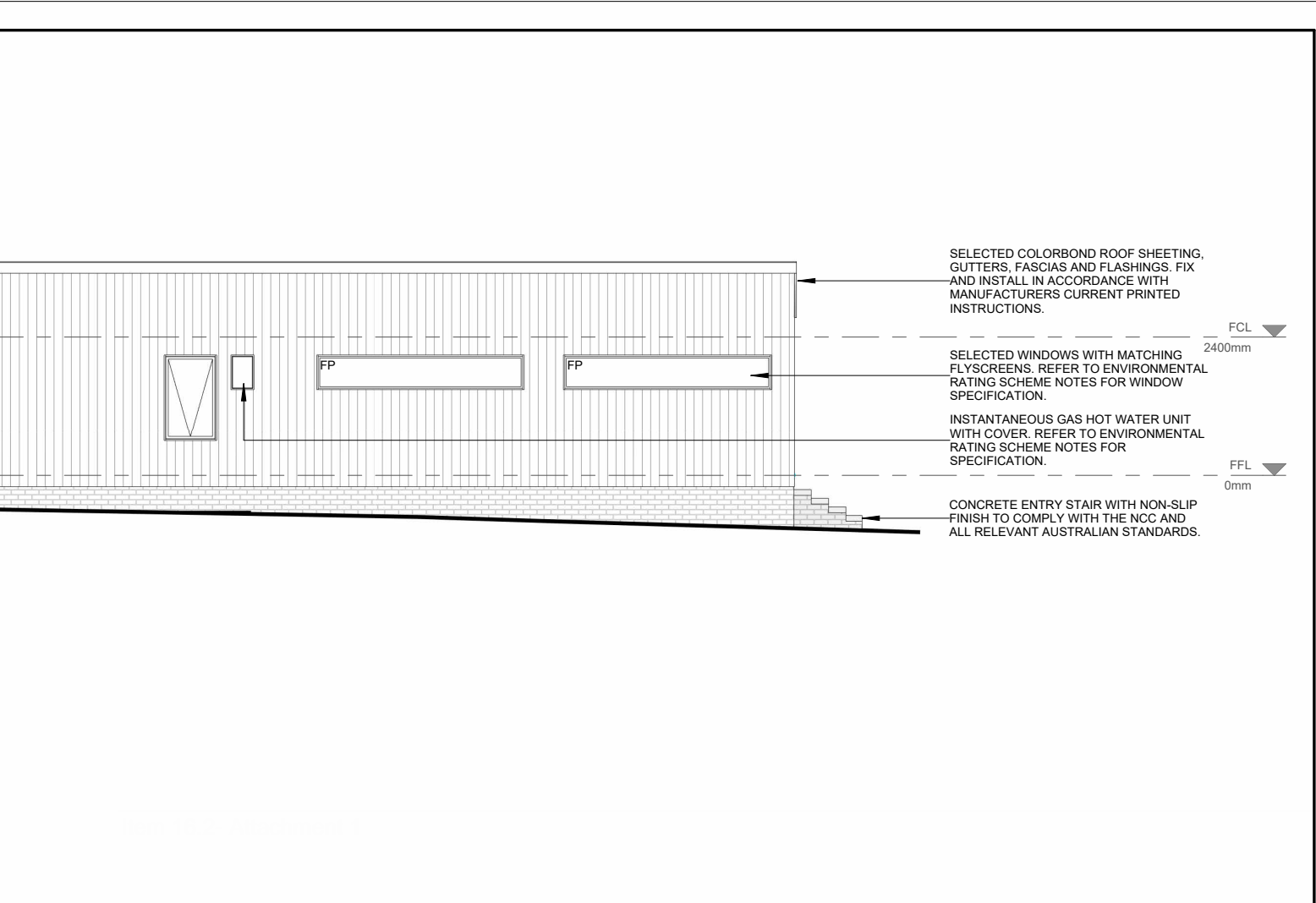
Council may be in a position where it may be required to defend an appeal made by the Applicant to the Land and Environment Court.

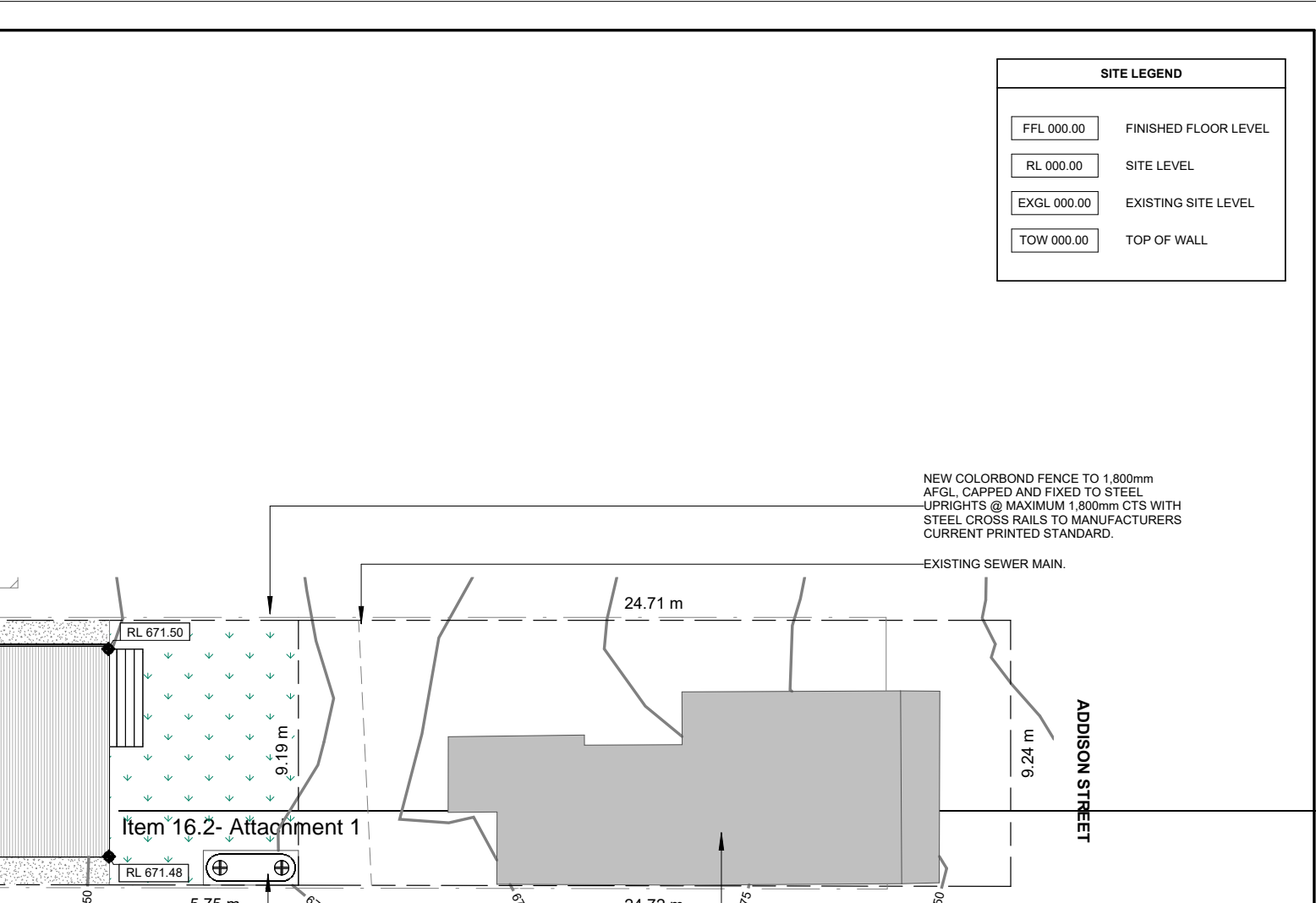




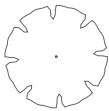




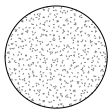




ECIES TO MATCH
TREES



SMALL CLIENT SELECTED
FEATURE TREE
(QTY: AS REQUIRED)



SELECTED GRAVEL
(QTY: AS REQUIRED)

REEN 2 x HARDWOOD
mm), PLANT TIED TO
SSIAN TIES.

ACED CLEAR OF

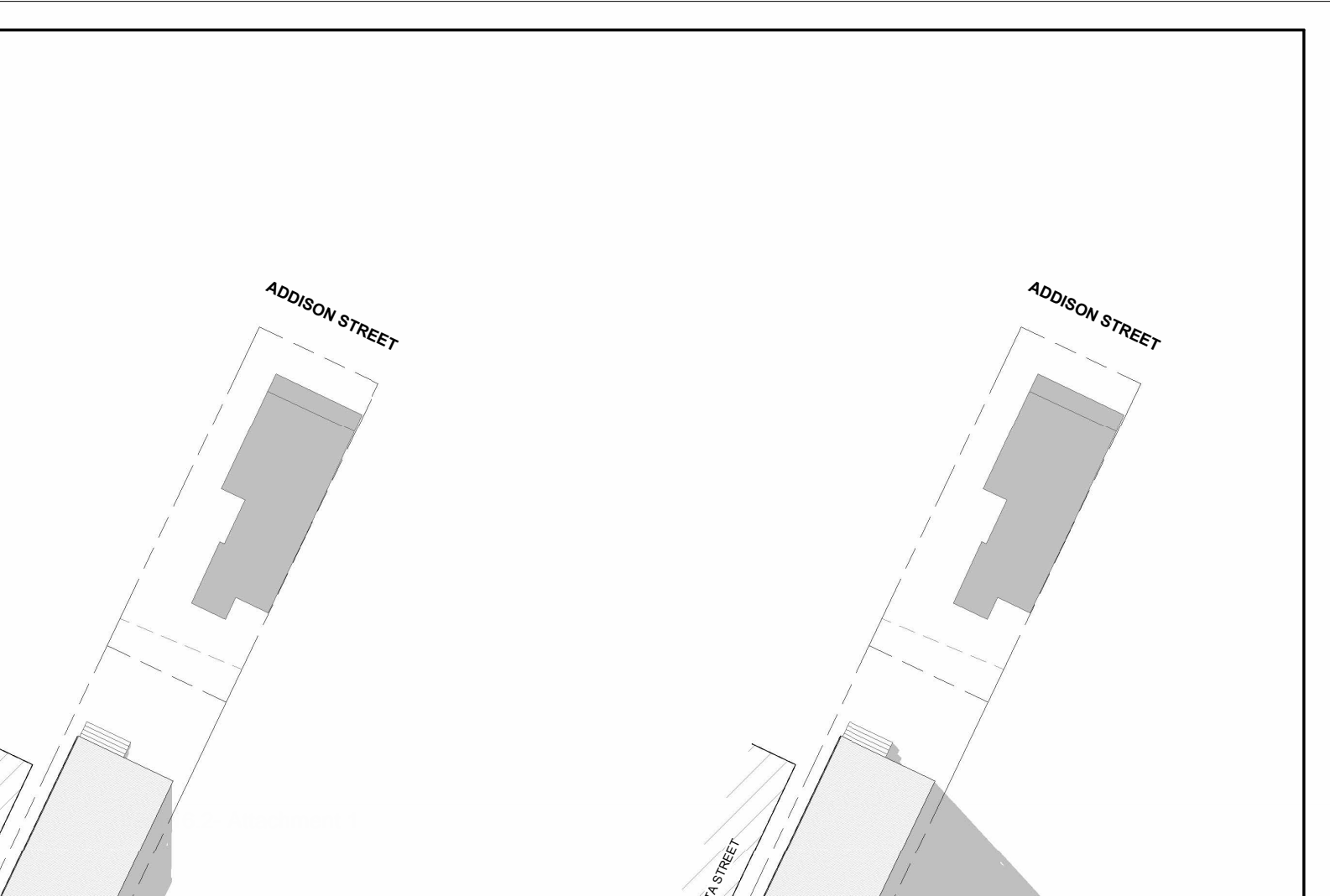
GENERAL LANDSCAPING NOTES

- Item 16.2- 61400000
1.

EXCAVATE TO A DEPTH OF 300mm. BREAK UP SUBGRADE A FURTHER 100mm AND BACKFILL WITH A TOPSOIL MIXTURE. PROVIDE 1:100 FALL TO THE BASE OF THE BED WITH A 100mm PVC SUBSOIL DRAIN CONNECTED TO THE ROOF AND YARD DRAINAGE SYSTEM. DRAIN IS TO BE PLACED IN BLUE METAL.
2.

PROVIDE HOSE COCKS FOR WATERING AT 300mm CENTRES.
3.

PLANTINGS ARE TO BE REPLACED AND WEEDS REMOVED ON A REGULAR BASIS.





Free One Building Design –Clause 4.6 LEP Variation Request

RE: Proposed New Primary Dwelling at 138 Addison Street, Goulburn, NSW, 2580

This Clause 4.6 variation request has been compiled to support the development application which aims to undertake a torrens title subdivision of Lot 62 in DP 132743 located at 138 Addison Street, Goulburn, NSW, 2580. This subdivision would result in two torrens title lots.

The development comprises of the construction of a new, 3-bedroom dwelling with attached single garage and Torrens Title subdivision of the existing lot.

Clause 4.6 of the Goulburn Mulwaree Local Environmental Plan (2009) provides the applicant and more importantly the consent authority (council) the flexibility to grant consent for development which may contravene a development standard enforced under the Local Environmental Plan.

1.0 Planning Assessment

The proposed development is located on land zoned R1: General Residential.

The proposed development has been assessed against the following planning documents:

1.1 Goulburn Mulwaree Local Environmental Plan (LEP) 2009:

Objective of Zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain the economic strength of commercial centres by limiting the retailing of food and clothing.

Permitted Without Consent

Home occupations; Roads

Permitted With Consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dwelling houses; Food and drink premises; Group homes; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4.

Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Funeral homes; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Recreation facilities (major); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies.

2.0 Clause 4.6: Exceptions to Development Standards

Clause 4.6 of the Goulburn Mulwaree LEP (2009) states the following:

1. *The objectives of this clause are as follows:*
 - a. *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
 - b. *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
2. *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
3. *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - a. *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - b. *that there are sufficient environmental planning grounds to justify contravening the development standard.*
4. *Development consent must not be granted for development that contravenes a development standard unless:*
 - a. *the consent authority is satisfied that:*
 - i. *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - ii. *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - b. *the concurrence of the Planning Secretary has been obtained.*
5. *In deciding whether to grant concurrence, the Planning Secretary must consider:*
 - a. *whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
 - b. *the public benefit of maintaining the development standard, and*
 - c. *any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.*

6. *Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living if:*
 - a. *the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*
 - b. *the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.*
7. *After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).*
8. *This clause does not allow development consent to be granted for development that would contravene any of the following:*
 - a. *a development standard for complying development,*
 - b. *a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,*
 - c. *clause 5.4,*
 - d. *clause 5.5,*
 - e. *clause 4.1C or 7.6.*

This report has been created in reference to 5 common methods used to demonstrate that compliance with a development standard may be deemed unnecessary or unreasonable pertaining to a particular set of circumstances or a specific case. These 5 common methods are sometimes referred to as the 'Wehbe' tests. The 5 methods used in the 'Wehbe' tests are as follows:

Method 1:

The objectives of the standard are achieved notwithstanding non-compliance.

Method 2:

The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.

Method 3:

The underlying objective or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.

Method 4:

The development standard has been virtually abandoned or destroyed by Council's own actions in granting consents departing from the standard and hence compliance with the development standard is unnecessary and unreasonable.

Method 5:

The compliance with the development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, should the particular parcel of land not have been included in the zone.

2.0 Proposal Statement

The applicant would like to request a variation to Clause 4.1 – Minimum Subdivision Lot Size of the Goulburn Mulwaree Council LEP (2009). Clause 4.1 states that each new allotment in the R1: General Residential Zone must have a minimum site area of 700m². Clause 4.1A states that despite Clause 4.1, consent may be granted to a single proposal that results in the subdivision of land resulting in 2 lots with a minimum site area of 350m².

The site to be developed is a single allotment known as 138 Addison Street, Goulburn, NSW, 2580 (Lot 62 in DP 132743). The existing site area of the lot totals 559.679m². The site spans the distance between Addison Street and Sanita Street providing two potential street frontages which have been utilised by the proposal.

The proposed subdivision lot areas are as follows:

- Lot 1 – Site Area: 331.936m².
- Lot 2 – Site Area: 227.74m².

Given that compliance with clause 4.1A would require a total site area of 700m², the proposal has a projected short fall in site area of 140.32 m². This figure is representative of a variation of 20.04% to the development standard.

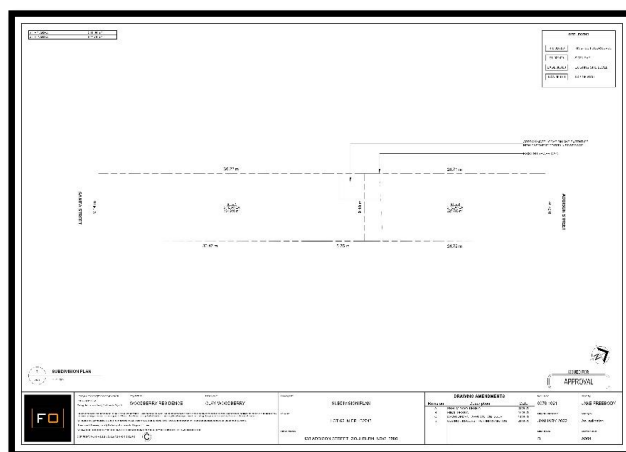


Fig 1: Proposed subdivision plan at 138 Addison Street, Goulburn

For full understanding of the proposal, this Clause 4.6 Variation Request should be read in conjunction with the architectural documentation set and statement of environmental effects prepared by Free One Building Design.

3.0 Compliance with the Development Standard is Unreasonable or Unnecessary in the Circumstances of the Case.

Compliance with the development standard will be shown to be unreasonable or unnecessary through the application of method 1 of the 5 'Wehbe' tests as outlined previously in this report.

Method 1 States: The objectives of the standard achieved notwithstanding non-compliance.

3.1 Clause 4.1 - Minimum Subdivision Lot Size

1. *The objectives of this clause are as follows:*

a. *To provide a minimum lot size for the subdivision of land.*

The proposed subdivision lot size is considered to be adequate in this instance as this is an established condition in the surrounding built environment. This is particularly evident at the neighbouring properties located at 15 Sanita Street (Lot 6 in DP 661134) and 140 Addison Street (Lot 61 in DP 132743) Goulburn. These two lots of land utilise a layout and dimension similar to that of the proposed. Each of these lots encompass an area that is below 300 square metres enforcing the idea that the residential amenity, bulk, scale, and streetscape of the area will face no impact by the requested variation to Clause 4.1. Furthermore, this prior subdivision of land addresses the need for infill development at this scale to provide diversity of housing throughout Goulburn and the wider region.



Fig 2: Aerial image showing 15 Sanita Street & 140 Addison Street, Goulburn.

2. *This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.*

In accordance with the Lot Size Map each new allotment in the R1: General Residential Zone must have a minimum site area of 700m². Clause 4.1A states that despite clause 4.1 consent may be granted to a single proposal that results in the subdivision of land resulting in two lots with a minimum site area of 350m².

The site to be developed is a single allotment known as 138 Addison Street, Goulburn, NSW, 2580 (Lot 62 in DP 132743). The existing site area of the lot totals 559.679m². The site spans the distance between Addison Street and Sanita Street providing two potential street frontages which have been utilised by the proposal.

3. *The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*

As previously discussed, a precedent for this type and size of development has been set adjacent to the proposed development at 15 Sanita Street (Lot 6 in DP 661134) and 140 Addison Street (Lot 61 in DP 132743) Goulburn. This precedent represents a trend for the area in which lot size is less than the minimum required by the standard.

4. *This clause does not apply in relation to the subdivision of any land:*
 - a. *By the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or*

The proposed development is to utilise Torrens Title for the purposes of subdivision of the lot. This renders this portion of the standard to be not applicable.

- b. *By any kind of subdivision under the Community Land Development Act 2021.*

The proposed development is to utilise Torrens Title for the purposes of subdivision of the lot. This renders this portion of the standard to be not applicable.

5. *This clause does not apply in relation to the subdivision of land for the purpose of erecting an attached dwelling or a semi-detached dwelling in a residential zone.*

Clause 4.1A - Exceptions to Minimum Lot Sizes for Certain Residential Zones

1. *The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.*
2. *This clause applies to land in the following zones:*
 - a. *Zone R1 General Residential,*
 - b. *Zone R2 Low Density Residential.*
3. *Despite clause 4.1, development consent may be granted to a single development application that provides for the subdivision of land and the erection of an attached dwelling or a semi-detached dwelling on each lot resulting from the subdivision, but only if the area of each resulting lot is greater than or equal to 350 square metres.*
4. *Despite clause 4.1 and subclause (3), development consent may be granted to a single development application for development to which this clause applies that is both of the following:*
 - a. *The subdivision of land into 5 or more lots,*
 - b. *The erection of an attached dwelling, a semi-detached dwelling or a dwelling house on each lot resulting from the subdivision, if the size of each lot is equal to or greater than 300 square metres.*
5. *This clause does not apply to land on which a heritage item is located.*

2.3 There are Sufficient Environmental Planning Grounds to Justify Contravening the Development Standard

Upon review, it is clear that there is sufficient environmental planning grounds in which justification can be sought for varying the minimum allotment size standard, these are listed below:

- **Zoning:** Two of the main objectives of the R1: General Residential Zone are to provide for the housing needs of the community and to provide a variety of housing types and densities. The proposals aim is to provide housing that meets both of these important objectives. The proposed dwelling and associated subdivision provide necessary infill development, aiding the supply of housing to the community whilst the smaller (varied) lot size provides variety in density and scale to the area and the wider community.
- **Residential Amenity:** The site to be developed at 138 Addison Street, Goulburn comprises of two street frontages, these being the Addison Street frontage and the Sanita Street Frontage. This allows for the development of two separate dwellings on the existing lot with each having their own respective street frontage. This not only creates infill development of a proportional scale to the existing dwellings of the area, but also provides for significant separation between the existing dwelling on the site and the proposed. This in turn creates abundant outdoor spaces for the occupation of the inhabitants of each of the dwellings.
- **Affordable Housing:** Given the sparsity of vacant land in the Goulburn region and the increased need for affordable housing, infill development of this kind is essential. By utilising land of this nature, we create the ability to provide small to medium size residential developments on otherwise vacant/unused land. In the absence of a variation to Clause 4.1, the site is likely to be developed in the same manner by utilising a primary/secondary dwelling or detached dual occupancy proposal. This would lead to infill development of the same scale but without the potential for on sale or individual ownership of the two properties.
- **Built Environment:** The site to be developed spans between Addison Street and Sanita Street respectively. This provides a unique opportunity in that the site can be subdivided without the need for demolition of any existing dwellings. The proposed will have minimal to no impact on the existing landscaped areas and useable private open space all whilst retaining the existing development on the site.
- **Setbacks & Streetscape:** Given that the proposed dwelling has been designed to face the Sanita Street frontage, setbacks have been implemented in a way that matches that of the existing built environment. This meaning the proposed will have no impact on streetscape and will contribute positively to the local area.
- **Services:** All essential services can be supplied to the newly subdivide lot. These include but are not limited to water, reticulated sewer, gas, electricity and telecommunications.
- **Design:** The proposed aims to provide good design in that it is sympathetic to the existing bulk, scale and character of the area. These ideals allow the proposed to blend seamlessly within the existing built environment.

As can be seen throughout this report, the proposed complies with the objectives of the zone and the associated development standard. It has been clearly depicted throughout this report that compliance with the minimum site areas required by the development standard can be considered unreasonable in that there will be not detrimental impacts to the local built environment. This is supported by the existing local condition/precedent which shows that this scale is not only suitable for the area but desirable.

Based on this ideal, it is suggested that there are substantial and valid environmental planning grounds to warrant a variation to the development standard in the specific instance.

4.0 Conclusion

In conclusion, the proposed development and this report represent a strong case for Goulburn Mulwaree Councils support of a variation to Clause 4.1 – Minimum Subdivision Lot Size. This report has outlined examples as to why the development standard can be seen to be unreasonable or unnecessary in this instance as required by Clause 4.6 – Exceptions to Development Standards of the Goulburn Mulwaree LEP (2009). The proposal retains its integrity in that it is in alignment with the objectives set out under the R1: General Residential zoning and the objectives put forward by Clause 4.1A – Exceptions to Minimum Lot Sizes for Certain Residential Zones. This variation to Clause 4.1 helps to create a subdivision that will have no impact on the amenity of all residential structures, bulk/scale or streetscape. Ultimately, creating an infill development that is in the best interest of Goulburn and the wider community.

Yours Sincerely,



Jake Freebody B.A
Graduate of Architecture
Bachelor of Arts in Architecture

16.3 DRAFT MARULAN FLOOD STUDY

Author: Business Manager Strategic Planning
Director Planning & Environment

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Marulan Flood Study 1_ AEP - Flood Depths 
2. Draft Marulan Flood Study (separately enclosed) 

Reference to LSPS:	Planning Priority 8: Natural Hazards – Vision 2040 – Natural hazards are identified, planned for and mitigated where possible throughout the planning process.
Key Issues:	Flood planning Urban and Fringe Housing Strategy

RECOMMENDATION

That:

1. The Business Manager Strategic Planning's report on the Draft Marulan Flood Study be received.
2. The Draft Marulan Flood Study be placed on exhibition for a minimum of 28 days.

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

BACKGROUND

Council's Local Strategic Planning Statement sets a priority for planning for natural hazards being "*Natural Hazards are identified, planned for and mitigated where possible throughout the planning process*". In addition to this the *Urban and Fringe Housing Strategy* (Housing Strategy) has identified potential land for development in Marulan. During the preparation and consultation process for the Strategy it was noted that some areas identified for urban release were potentially affected by either creeks or overland flows. Therefore, a flood assessment for areas identified in the Housing Strategy is required to inform future planning and to facilitate the release of land by improving the understanding of land use constraints.

Council received a grant from the NSW Floodplain Management Program towards the development of a flood study and floodplain risk management plan for Marulan. Council engaged GRC Hydro to prepare the flood study and the flood plain risk management plan (following the adoption of the flood study).

A Draft Marulan Flood Study has now been prepared and this report recommends placing it on exhibition for public comment.

REPORT**Marulan and Flooding**

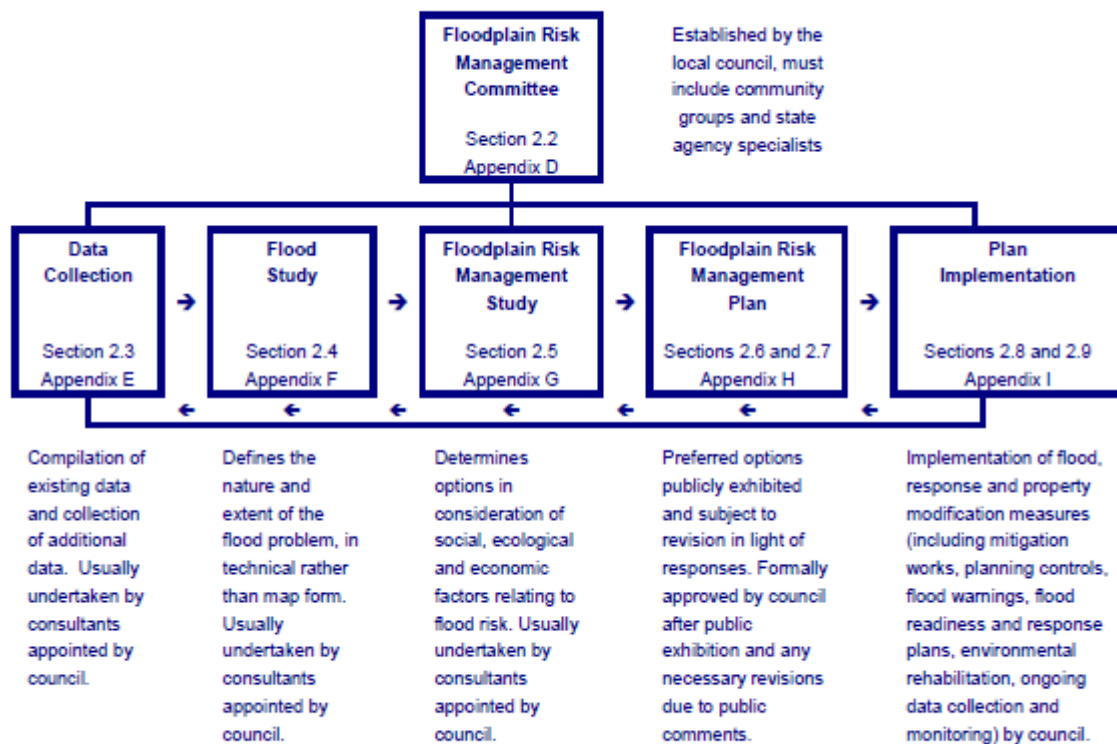
Unlike Goulburn, Marulan is sited at the top of two catchments and does not have any proximity to rivers and the impacts of riverine flooding. However, Marulan does have creeks and watercourses which are located within the town and surrounding rural catchment. Furthermore, some areas within the town are known to experience problems with overland flows and stormwater. The risks to life and property still apply to flooding whether due to overland flow or riverine flooding.

Council as a land manager is required to understand these systems to mitigate the associated risks to the community, development and infrastructure.

A Draft Flood Study has been prepared following community consultation, data collation and the development of an appropriate model.

The following image details the floodplain risk management process in NSW

Image 1: The floodplain risk management process in New South Wales (FDM, 2005)



Source: NSW Government (2005)

Data Collection

Data was collected from a variety of sources including Council, Transport for NSW, Australian Rail Track Corporation, topographic data and survey, meteorological data (daily read rainfall gauges, stream gauges) etc.

Community Consultation

A newsletter and questionnaire were developed for the Marulan community which introduced the study and its objectives and requested information via a questionnaire. The newsletter and questionnaire were distributed to all property owners within the Marulan locality. Community members were able to participate in the questionnaire either via return of the paper questionnaire, email or submission on Council's website.

Twenty (28) responses were received from the community. Approximately 68% of respondents indicated that they were aware of flooding from overland flow in their area. Around 25% of replies indicated that they had experienced flooding in their yard or garage, with one respondent noting flooding above their floor level at their property.

GRC Hydro held or offered one on one follow up interviews with each of the respondents.

These results highlight that there is a general awareness of flooding in Marulan and the potential for flooding to impact on properties. The questionnaire asked the community about the management of flood related development controls within the floodplain and the varying degrees of restrictions that can be applied.

Approximately 71% of respondents selected that property owners should be informed of potential flood risks and flood related development controls on their property and allow for development provided these controls are adhered to. These results will inform the implementation of flood related development controls for properties within the final Flood Planning Area, undertaken during the Floodplain Risk Management Study and Plan.

With the development of the Flood Study, it is recommended that Council exhibit the study prior to developing the floodplain risk management plan.

Model Development

Computer models were established to simulate catchment rainfall/runoff response and flood behaviour for Marulan and surrounding areas. A rainfall/runoff model (DRAINS software) was used to convert design rainfall into runoff, which was then applied to the flood model (TUFLOW software) to define flood depths, extents and velocities.

The study area's flood model represents the urban area and surrounds as a 2 m resolution grid of cells. Physical features including the area's topography, creek and river bathymetry, roads, buildings, and drainage features (e.g. bridges, culverts and stormwater drainage) are all incorporated into the model. Applied model parameters have been obtained from applicable reference documents such as Australian Rainfall and Runoff (2019).

Limited hydrometric data was available for model calibration and instead, a model validation process was implemented. The rainfall/runoff model results were validated to ARR2019 Regional Flood Frequency Estimation (RFFE) flows and flood model results were compared to flood observations provided by the community.

Model Results

Design flood behaviour was produced for the study area for the 20%, 10%, 5%, 2%, 1%, 0.5% and 0.2% Annual Exceedance Probability (AEP) events, as well as the Probable Maximum Flood (PMF). The primary model outputs are high-resolution raster outputs of peak flood depth, level and velocity across the study area. These results were then used to derive the hydraulic hazard, which describes the risk to pedestrians, vehicles and buildings based on a flood's depth and velocity. Flood function will be produced during the Floodplain Risk Management Study phase of the project.

Developed areas are noted to be typically subject to limited flood affectation and low hazard flow conditions. A notable exception is Morris Place which is reported by the community to be frequently flooded. Areas of high flood hazard affecting dwellings is noted upstream of the ARTC rail corridor for events rarer than 0.2% AEP.

Greenfield areas identified for urban development in the Urban and Fringe Housing Strategy are also subject to various levels of inundation. This Study will assist in informing and facilitating the planning proposal process to ensure that future development is appropriately planned.

Attachment 1 is an extract of the flood mapping detailing the depth and extent of inundation from a 1% AEP event (formerly described as a 1 in 100-year event but is really a 1% chance of occurrence in any given year). The 1% AEP event is the most used for planning purposes. **Attachment 2** provides a full copy of the flood study which is provided under separate cover due to its size.

Flood Damages Assessment

A flood damages assessment was undertaken to quantitatively assess the impacts of flooding on the community. The flood damages assessment described herein has been completed for 451 properties within the study area. Based on the flood liability of each development, a monetary value was applied to each property based on the level of property damage over a range of design flood events.

Property flood liability for residential and non-residential properties is presented in the tables below.

Design Event (AEP)	Number of Properties Affected	Number of Properties affected above Floor Level
20%	1	0
10%	2	0
5%	2	0
2%	7	0
1%	14	0
0.5%	15	0
0.2%	15	0
PMF	77	30

Table 1 - Residential Property Flood Affection

Design Event (AEP)	Number of Properties Affected	Number of Properties affected above Floor Level
20%	9	2
10%	10	2
5%	10	3
2%	10	3
1%	12	3
0.5%	12	3
0.2%	12	3
PMF	24	7

Table 2 – Non- Residential Property Flood Affection

The estimated average annual flood damages for both residential and non-residential flooding is \$426,400, which is comprised of \$22,900 of residential damages and \$403,500 of non-residential damages.

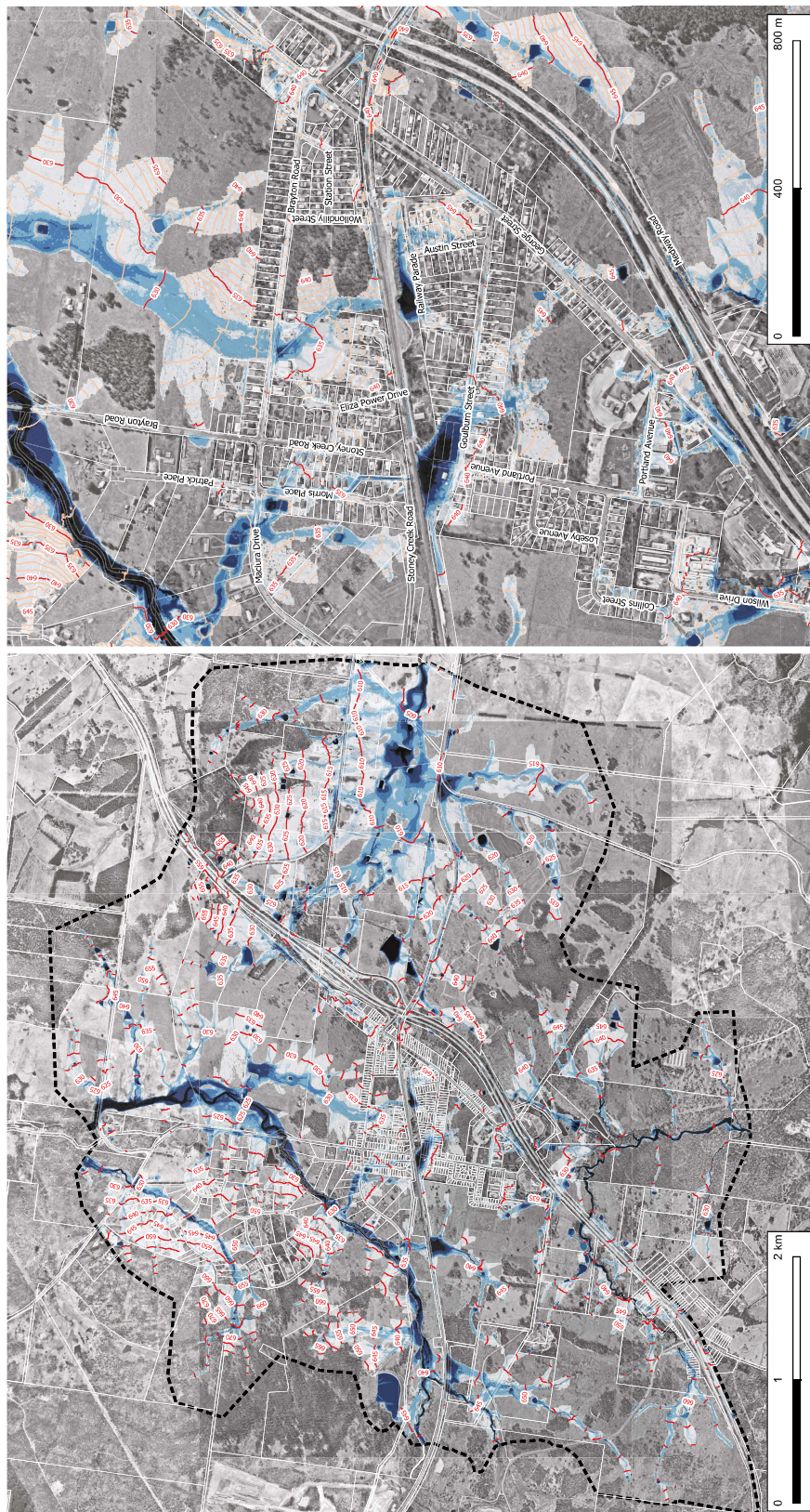
Floodplain Risk Management Plan

The development of a floodplain risk management plan will follow Council's public exhibition and adoption of the flood study. The results of the flood study will inform a range of recommendations to mitigate the impacts of flooding. Measures may include defining a flood planning area, a freeboard height for development, mapped flood planning constraint categories, physical measures to mitigate flooding impacts, warning systems, public awareness etc.

Council's recently amended flood affected land provisions in the Goulburn Mulwaree Development Control Plan 2009 and the adopted flood policy specify a freeboard of 0.5m above the 1%AEP for development outside the area covered by the Goulburn Flood Study. Should Council adopt the Marulan Flood Study, these provisions would apply as an interim measure until the floodplain risk management plan is completed and adopted for Marulan.

Conclusion and Recommendation

In conclusion, a draft Marulan Flood Study has been prepared to inform the future planning and development. It is recommended that the Draft Marulan Flood Study be placed on public exhibition prior to the development of the Floodplain Risk Management Plan.








FIGURE No. 14

SCALE: 1:30,000

DATE: 10-2022

PROJECT No. 210048

Legend

Flood Depth (m)

- 0.00 - 0.05
- 0.05 - 0.10
- 0.10 - 0.30
- 0.30 - 0.50
- 0.50 - 1.00
- > 1.00

Minor Flood Level Contours (1 m Spacing)

2D Model Boundary

Cadastral Boundaries

Major Flood Level Contours (5 m Spacing)

1% AEP Peak Flood Depths & Levels

16.4 DRAFT PLAN OF MANAGEMENT - CARR CONFOY SPORTSGROUND & PARK

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

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Draft Plan of Management - Carr Confoy Sportsground & Park [↓](#) 
2. Public Hearing Report - Categorisation of Community Land - Carr Confoy Sportsground & Park [↓](#) 

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 on the draft Plan of Management - Carr Confoy Sportsground & Park be noted.
2. An amendment be granted in the draft Plan of Management - Carr Confoy Sportsground & Park in Section 2, paragraph 4, providing in accordance with Section 47 of the *Local Government Act 1993* that Land in Lot 1 of Deposited Plan 802067 be identified for future use as public road under the *Roads Act 1993*.
3. The draft Plan of Management - Carr Confoy Sportsground & Park be re-exhibited for 28 days in light of point 2 above.
4. A further report be submitted to Council to consider any further submissions and to consider final endorsement of the Plan of Management - Carr Confoy Sportsground & Park.

BACKGROUND

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

1. The amended draft Plan of Management - Carr Confoy Sportsground & 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 & 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 & 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 Sportsground & Park;
- 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 Sportsground & Park.

REPORT

A public hearing was conducted by an independent chairperson. No comments addressing categorisation of community land at Carr Confoy Sportsground & Park were heard. However, comments addressing the readability of the mapping in the draft Plan of Management - Carr Confoy Sportsground & Park (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 PoM.

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 Public Hearing Report is available as an annexure to this report.

A report on this draft PoM was to be considered at the 7 February 2023 Council Meeting however that report was deferred until this meeting because of the owner of Lots 1-5 and 10-12 of Section 11 DP949849 (purchased in 2015) contacting me to discuss their need to engage with Council to develop a masterplan for joint development of this particular area in the future.

Council is the owner of Lot 1 DP802067, having closed unformed roads to secure Title and the land notified in the Government Gazette for the purpose of public recreation. Lot 1 DP802067 is included in this draft PoM, which, as noted, has recently been on public exhibition, the subject of a public hearing and open for community submissions.

The owner of Lots 1-5 and 10-12 of Section 11 DP949849 made enquiries in June 2022 regarding his proposed development in this precinct. This enquiry was referred to the Operations Directorate for review and direct reply to the owner however, the outcome of this review was not reported to Council for consideration.



The owner of Lots 1-5 and 10-12 of Section 11 DP949849 has raised the matter of their land being land-locked and that unless this PoM particularly addresses the future need of a public road for the provision of access to their land, their future options may be very limited.

After reviewing the Community Land provisions of the *Local Government Act 1993*, and consulting with NSW Office of Local Government (OLG), s47F *Local Government Act 1993* provides Council with the opportunity to write into the PoM express authorisation to use identified community land, in a PoM for public road.

NSW OLG also suggested alternative solutions for the provision of access to land-locked parcels of land can be by way of a perpetual easement or by entering into a lease or licence agreement.

Council's attention is drawn to s45 and s47F of the *Local Government Act 1993*;

S45 - What dealings can a council have in community land?

- (1) *A council has no power to sell, exchange or otherwise dispose of Community Land.*
- (2) *A council may grant a lease or licence of community land, but only in accordance with this Division.*
- (3) *A council may grant any other estate in community land to the extent permitted by this Division or under the provisions of another Act.*

Note: The word "estate" has a wide meaning. See the Interpretation Act 1987, section 21(1).

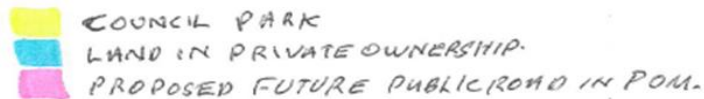
- (4) *This section does not prevent a council from selling, exchanging or otherwise disposing of community land for the purpose of enabling that land to become, or be added to, Crown managed land or to become, or be added to, land that is reserved or dedicated under the National Parks and Wildlife Act 1974.*

S47F - Dedication of community land as public road

- (1) *Community land may not be dedicated as a public road under section 10 of the Roads Act 1993 unless—*
 - (a) *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*
 - (b) *the council has considered means of access other than public road access to facilitate that enjoyment, and*
 - (c) *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.*
- (2) *Subsection (1) does not apply to—*
 - (a) *a dedication of land for the purpose of widening an existing public road, or*
 - (b) *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*
 - (c) *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.*

The owner of Lots 1-5 and 10-12 of Section 11 DP949849 is keen to secure Council's commitment to the provision of future road access and has offered the diagram on the next page to define his preferred access proposal.

The land to the north of Section 14 is the unformed production of Bathurst Street. The land shaded pink and green are Council held Community Land. The privately owned land sits between the pink and the green land in Section 11. Council's concurrence is sought to endorse the identified amendment by writing into this draft PoM the proposed use of Lot 1 Deposited Plan 802067 for future public road for the provision of access to privately owned land.



This draft PoM, with the noted amendments resulting from the public hearing, and reference of Part of Lot 1 Deposited Plan 802067 being expressly authorised for future public road for the provision of access to privately owned land, is available as an annexure to this report.



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: <Insert Doc I.D.>

Edition Control

Document I.D.	Draft date	Date of Resolution	Minutes	Reporting Purpose
1410831	16.09.2021	15.03.2022	2022/51	Circulate to Minister administering Crown Land.
1642301	08.09.2022	20.09.2022	2022/333	Circulate to Minister administering Crown Land.



Signage at Eastgrove Park, Carr Confoy Sportsground & Park

CONTENTS

1.	Introduction	8
1.1.	Why A Plan of Management.....	8
1.2.	Process of Preparing this Plan of Management.....	9
1.3.	Change or Review of Plan of Management	9
1.4.	Community Engagement.....	10
2.	Land To Which This Plan Applies.....	11
2.1.	History and Character	11
2.1.1.	Aboriginal Habitation	11
2.1.2.	Aboriginal and European Interaction	12
2.1.3.	European Settlement	12
2.2.	Locality.....	14
2.3.	Locality Plan.....	14
2.4.	Schedule of Land	15
2.5.	State of NSW Land	15
3.	Carr Confoy Sportsground and Park	17
3.1.	Naming	17
3.2.	Improvements to the Site	17
3.3.	Future Needs of Sport Infrastructure Study 2021	18
3.3.1.	Carr Confoy Facilities.....	18
3.3.2.	Drought Resilience for Sports Grounds	19
4.	Recommended Categories.....	21
4.1.	Categorisation Plan Sportsground, Park and Natural Area Water course ..	24
4.2.	Categorisation Plan Area of Cultural Significance	25
4.3.	Plan of Flood Zone Impacting Carr Confoy Precinct.....	26
5.	Management Strategies	27
5.1.	Statutory Guidelines.....	27
5.2.	Corporate Objectives	27
5.3.	Compiling Management Strategies	30
6.	Table of Management Strategies	31
7.	Sportsground	38
7.1.	Categorising Land as Sportsground	38
7.2.	Crown Land in Carr Confoy	38
7.3.	Land at Carr Confoy Categorised as Sportsground.....	39
7.4.	Core Objectives of Sportsground	39
7.5.	Permissible Uses and Development - Sportsground	40
8.	Park	42
8.1.	Categorising Community Land As Park.....	42
8.2.	Land at Carr Confoy Categorised as Park.....	42
8.3.	The Core Objectives for Park	42
8.4.	Permissible Uses and Development – Park.....	42
9.	Natural Area.....	44

9.1.	Land Categorised as Natural Area Watercourse	44
9.2.	The Core Objectives for Natural Area	44
9.3.	Water course – Mulwaree Ponds	45
9.4.	Vegetation.....	46
9.5.	Fauna.....	46
9.6.	Permissible Uses and Development – Natural Area	46
10.	Area of Cultural Significance	47
10.1.	The Core Objectives For Cultural Significance	47
10.2.	Land Categorised as Area of Cultural Significance.....	47
10.3.	Permissible Purposes, Authorised Uses and Development – Area of Cultural Significance	48
10.4.	Regulations Specific to Areas of Aboriginal Cultural Significance.....	48
11.	Express Authorisation to Lease, Licence and Grant Other Estates	49
11.1.	Native Title and Aboriginal Land Rights.....	50
11.2.	Future Acts	51
11.3.	Tenures on Sportsgrounds.....	51
11.4.	Tenures on Park	52
11.5.	Tenures on Natural Area.....	53
11.7.	Express Authorisation – Sportsground and Park.....	54
11.8.	Express Authorisation – Natural Area - Watercourse	56
11.9.	Express Authorisation - Area of Cultural Significance.....	57
12.	Future Management.....	58
❖	ANNEXURES	ERROR! BOOKMARK NOT DEFINED.
A.	Legislative Requirements	61
1.1.	Local Government Act 1993 Community Land Provisions	61
1.2.	General Description - Categories of Community Land.....	61
1.3.	Regulation Guidelines	62
1.3.1.	Natural Area.....	62
1.3.2.	Bushland.....	62
1.3.3.	Wetland.....	62
1.3.4.	Escarpment.....	62
1.3.5.	Watercourse.....	62
1.3.6.	Foreshore	63
1.3.7.	Sportsground	63
1.3.8.	Park	63
1.3.9.	Area of Cultural Significance	63
1.3.10.	General Community Use	63
1.3.11.	Authorisation to Lease, Licence and Grant Other Estates	64
1.4.	Crown Land Management Act 2016	68
1.4.1.	Adoption of Plans of Management	68
1.4.2.	Alteration of Land Categorisation	68
1.4.3.	Principles of Crown Land Management.....	69
1.4.4.	Occupancy Agreements - Crown Land.....	69

1.4.5.	Crown Land Management Compliance	70
1.4.6.	Native Title Manager Advice Requirements.....	70
1.5.	State Legislation	71
1.6.	Commonwealth Legislation	73
1.7.	State Environmental Planning Policies	74
1.8.	Other relevant legislation, policies and plans.....	74
B.	Pictorial Asset Condition Reports	75
1.	Carr Confoy Sportsground - North of Park Road	75
1.1.	Key Plan - Section A – North of Park Road	75
1.2.	Pictorial Asset Condition Report - Section A.....	76
2.	Condition Report Eastgrove South - Carr Confoy Sportsground.....	81
2.1.	Key Plan - Section B – South of Park Road	81
2.2.	Pictorial Asset Condition Report Section B – South of Park Road	82
3.	Condition Report Goulburn Pony Club - Carr Confoy Sportsground	85
3.1.	Key Plan - Section C - 22 Farm Road	85
3.2.	Pictorial Asset List Section C	86
C.	Future Developments.....	90
1.	DRAFT BRIEF - CARR CONFOY SPORTING PRECINCT MASTER PLAN DEVELOPMENT	90
2.	PROGRESSING THE DEVELOPMENT OF CARR CONFOY	93
3.	PROPOSED MULTI USER PAVILION – CARR CONFOY	94
3.1.	BUDGET ESTIMATE FOR MULTI USER PAVILION	95
4.	CARR CONFOY NETBALL COURTS UPGRADE	96
5.	CARR CONFOY PARKING PROPOSAL	97
6.	STAKEHOLDER RESPONSE TO ISSUES PAPER	97
6.1.	GOULBURN & DISTRICTS JUNIOR CRICKET ASSOCIATION (GDJCA).....	97
6.2.	GOULBURN PONY CLUB, INC,	99
D.	Natural Areas Biodiversity Condition Report.....	101
E.	Native Title Managers Report.....	114
F.	Cultural Significance of Carr Confoy Sportsground and Park	142
G.	Leases Licences - Carr Confoy Sportsground and Park.....	149

FIGURES

1. [Figure Process for preparing a PoM \(Council & Crown land\)](#)
2. [Figure Site Plan – Carr Confoy Sportsground and Park](#)
3. [Figure Table of land comprising Carr Confoy Sportsground and Park, including Eastgrove South Park](#)
4. [Figure Cadastral Plan](#)
5. [Figure Proposed Irrigation Sites utilising Southern Highlands Water Reuse Infrastructure Scheme \(SHWRIS\)](#)
6. [Figure Categorisation Plan](#)
7. [Figure Extract GMC Community Strategic Plan](#)
8. [Figure Strategic Plan overarches the Plan of Management and both drive operational needs analysis](#)
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.

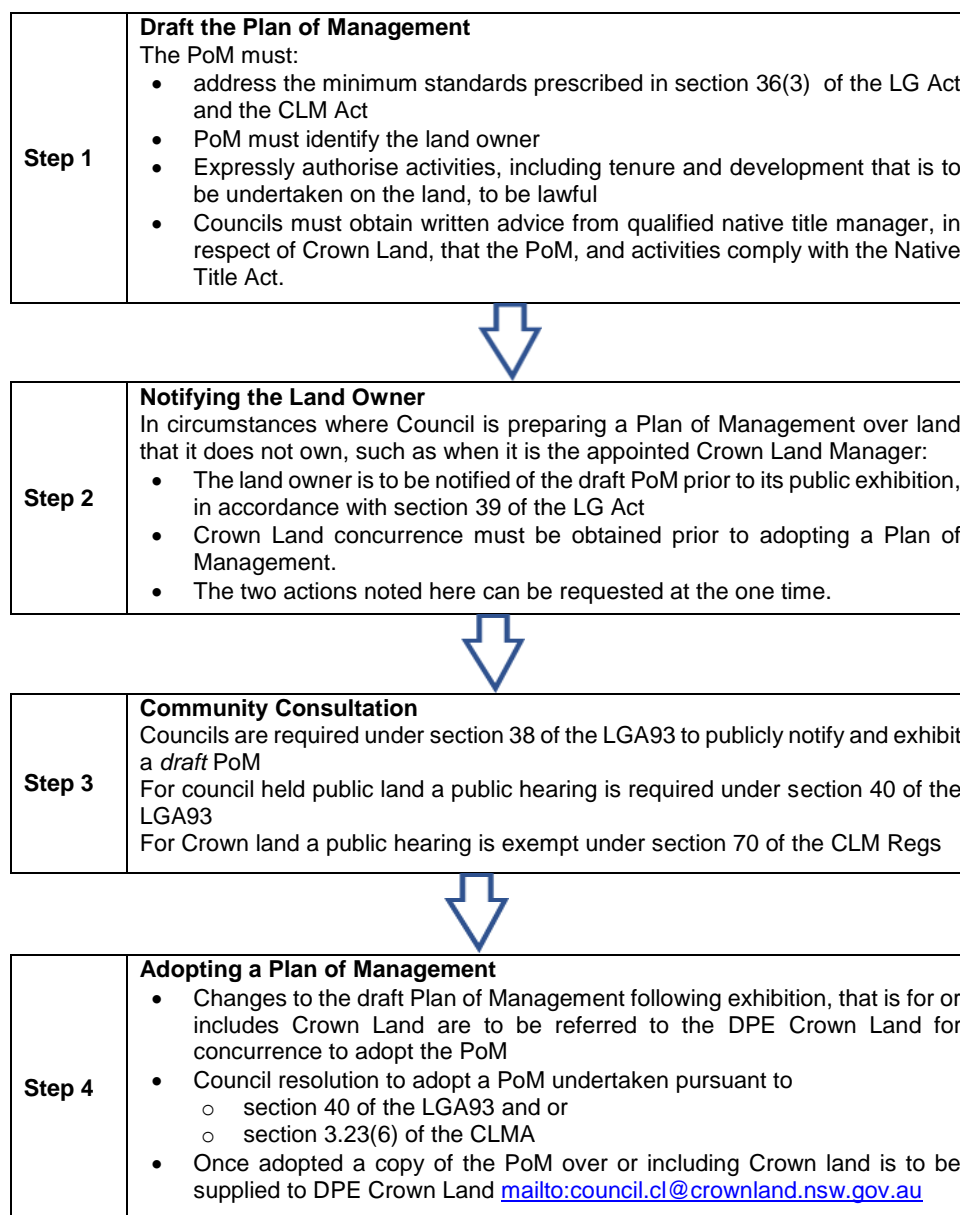
Management of the Crown reserve under the CLMA, authorises Council to manage the land as if it is 'Community Land' under the provisions of the LGA93.

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 Sassafras 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

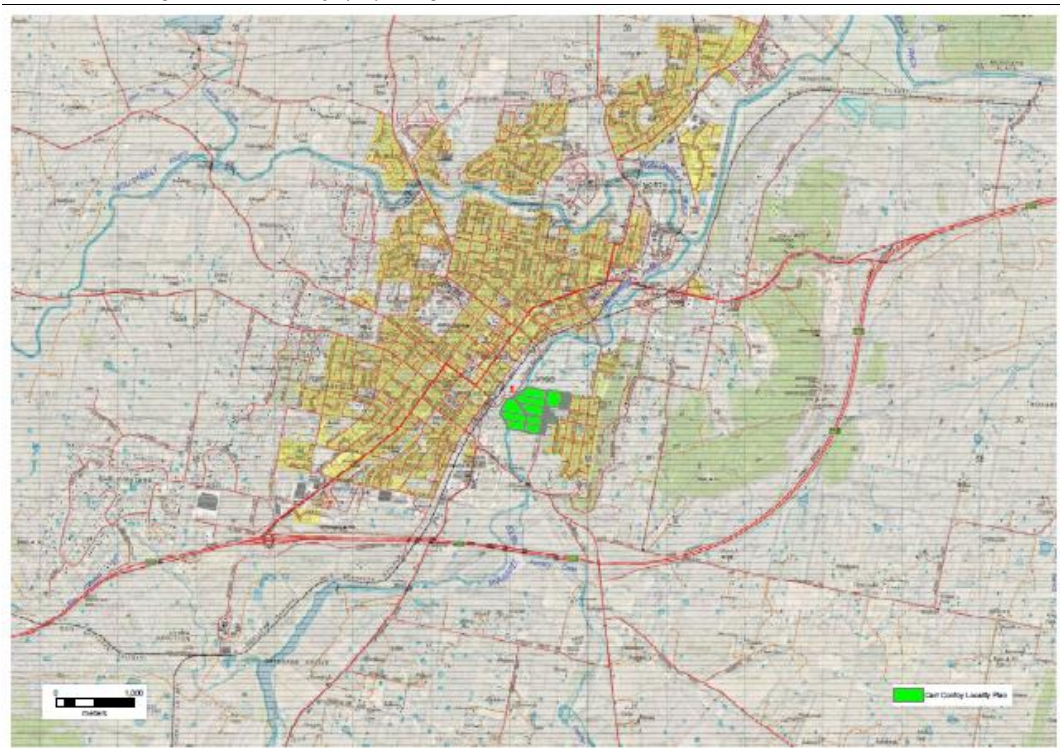
Located in the NSW Southern Tablelands, Goulburn Mulwaree Local Government Area (LGA) covers about 3,200 square kilometres with a population of 23,835 (2018). The LGA is bound to the northwest by Upper Lachlan LGA, to the northeast by Wingecarribee LGA, the east and south by the Shoalhaven River and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

2.5. STATE OF NSW LAND

As noted in the table at Figure 4, 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 LGRegs.

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.

.

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.

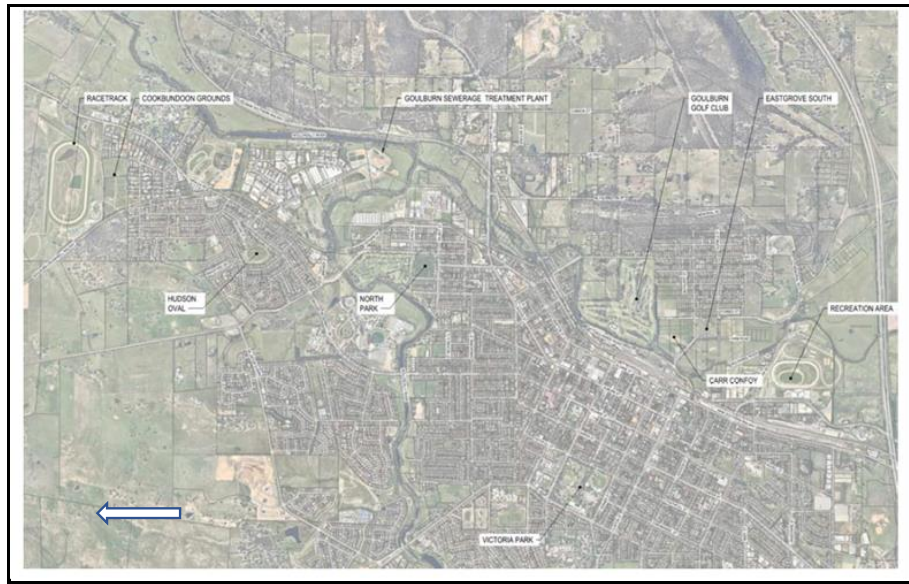
Irrigation Sites Proposed

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				Flood prone all, Public reserve, SCASEPP
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				Flood prone all, Public reserve, Unsewered, SCASEPP
16/13/979849				
17/13/979849				
18/13/979849				
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				
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				
1/732783	SG, CS		RU2 Rural Landscape	Flood prone all, 100Ha minimum, Unsewered, SCASEPP
11/10/979849	SG, CS		RU2 Rural Landscape	Flood prone all, 100Ha minimum, SCASEPP
12/10/979849				
13/10/979849				
14/10/979849				
15/10/979849				
16/10/979849				
17/10/979849				
18/10/979849				

Please Note: The narrow strip of land adjoining the western boundary of Lot 2/802067 and southern boundary of Lot 3 Section 2 of Deposited Plan 979849 is the unformed production of Glenelg Street.
This section of road is unlikely to be formed due to regular inundation.

4.1. CATEGORISATION PLAN SPORTSGROUND, PARK AND NATURAL AREA WATER COURSE



6. .Figure Categorisation Plan Natural Area Water Course, Sportsground and Park

4.2. CATEGORISATION PLAN AREA OF CULTURAL SIGNIFICANCE



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

4.3. PLAN OF FLOOD ZONE IMPACTING CARR CONFOY PRECINCT

The 2022 GMC Flood Study identifies all of Carr Confoy precinct as impacted by 1% (1 in 100 year event). Please see Section 9.3 for details of the Flood Study.



8. Figure Flood Zone shown by black hatching

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

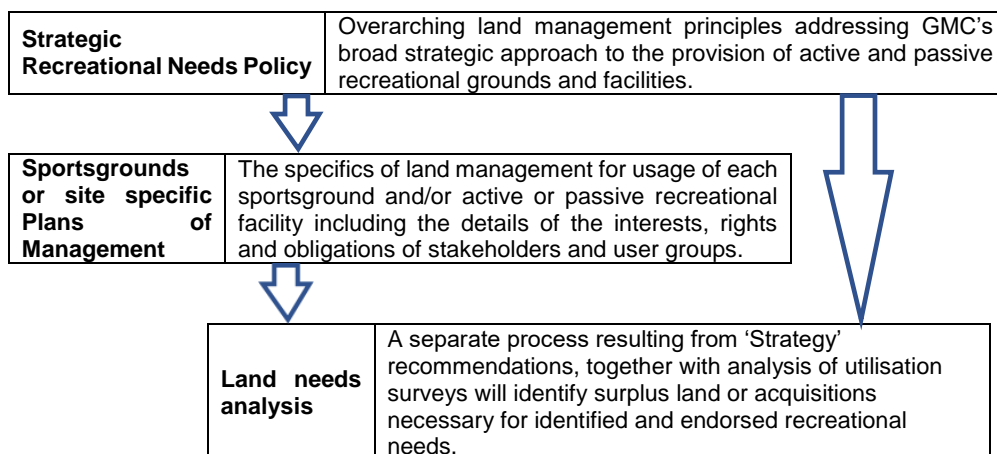
Additional Strategic Plans

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

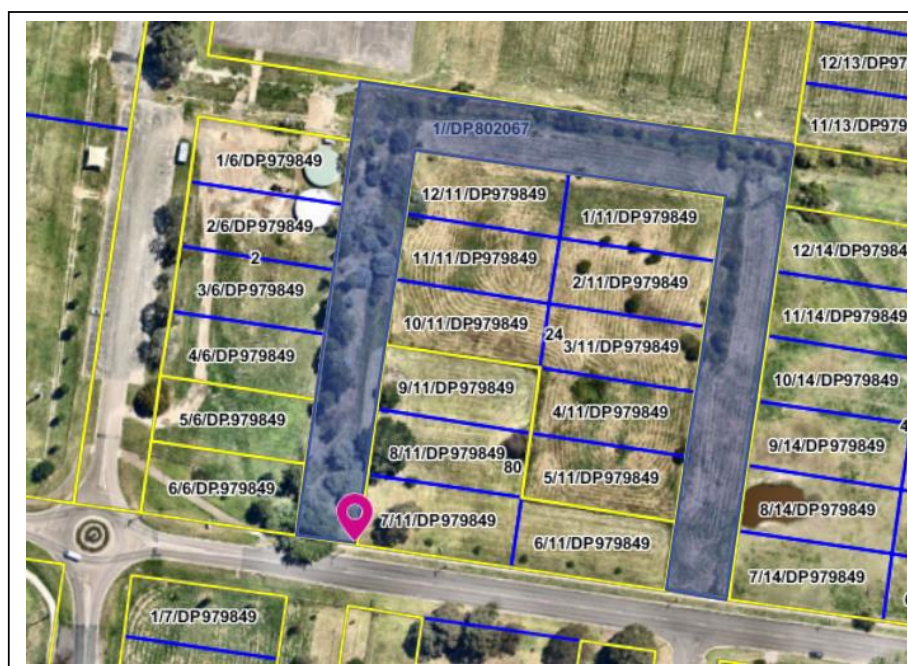
Table in Section 6 Management Strategies, following, is a compilation of the issues raised in the documentation identified and discussed through this section and lists community cited management issues to fulfil:

- 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 more broadly offered for community consultation through public exhibition and inviting submissions.

While the community Strategic Plan has identified wide ranging community expectations, consultation, exhibition and the public hearing brought into focus specific matters and expectations.

Part of the land in Section 11 DP979849 is privately owned and landlocked within the Community Land. This Plan of Management expressly authorises the construction of a public road under S10 of the *NSW Roads Act, 1993* over community land, being Lot 1 in Deposited Plan 802067 at the location, defined by blue shading, in the following plan, in accordance with Clause 47F of the LGA93,:



11. Figure Plan of prospective Public Road expressly authorised for provision of access to private land and to enhance access to Community Land

6. TABLE OF MANAGEMENT STRATEGIES

SCHEDULE OF LAND MANAGEMENT STRATEGIES			
Management Issue	Objectives & Performance Targets	Means of Achievement	Manner of Assessment
Access: <ul style="list-style-type: none"> • Disabled; • Pedestrian; • Vehicular; • Cycles, Skateboards, Roller blades, Roller Skates, and the like 	Where practical, provide access for people of all abilities to and within all areas. Provide defined paths and tracks for pedestrian access Allow an access network for pedestrians and cyclists. Maximise user safety and prevent conflicts. Allow for pathways to contribute to the landscape character. Allow general vehicular access to parking areas. Allow for entry to playing surfaces of authorised vehicles for maintenance and emergency service. Allow vehicular access for private vehicles where/when appropriate. Minimise conflict between skateboarders, roller bladers, roller skaters, snake boarders, etc. and pedestrians.	Appropriate design for pavements, facilities, structures and parking to comply with Australian Standard. Appropriate design, siting and construction of access way in accordance with Council's Codes, Policies and Regulations. Clear identification of path usage via signs and contrast pavement. Provision of shared facility where safe and appropriate. Segregation of cyclists and pedestrians where appropriate. Use of regulatory signs. Use of traffic control devices such as barriers and bollards. Restrict cycles, skateboards, roller blades, roller skates, snake boards to designated cycle ways and skating areas using regulatory signs and pavement identification.	Number of comments reports or incidents of: <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,
Animals: <ul style="list-style-type: none"> • Native Fauna • Domestic • Stock • Feral 	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. Prohibit the entry of stock outside of authorised events or within designated areas.	Use of regulatory signs. Community education and involvement in monitoring. Permitted under licence Pest management practices.	Complaints about: <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 	<p>Allow for the construction of appropriate buildings on the site in accordance with identified community needs;</p> <p>Allow buildings ancillary to the operation of the categorised land.</p> <p>Allow for appropriate multi-purpose use of grounds and facilities.</p> <p>Maintain a flexible approach to building and site usage.</p>	<p>Appropriate design, siting and layout in accordance with community needs and GMC's plans, policies and guidelines.</p> <p>Development consent where necessary.</p> <p>Appropriate levels of cleaning and maintenance.</p> <p>Provision of night game lighting and security lighting.</p> <p>Regulated hours of use.</p>	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 	<p>Provision of suitable and accessible litter bins.</p> <p>Education, signage and penalties.</p>	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.
Public Road	Allow land identified at Figure 11 to be used for construction of public road, under S10 of the <i>NSW Roads Act, 1993</i> .	In accordance with development consent and to statutory standards.	Public road open.
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.

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

SCHEDULE OF LAND MANAGEMENT STRATEGIES			
Management Issue	Objectives & Performance Targets	Means of Achievement	Manner of Assessment
	Minimise the visual and environmental impact of communications equipment on site.	codes, policies and regulations, development consent where necessary Construction and installation of necessary services. Liaise with DPE on notified purpose of Crown Reserve, as necessary. Registration of appropriate easements. Grant of lease or licence as necessary.	Number of objections received from service authorities about the location and quality of services. Number of site utility service installations constructed. 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.



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

draft Plan of Management Carr Confoy Sportsground & Park

- 38 -

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 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.

draft Plan of Management Carr Confoy Sportsground & Park

- 39 -

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) ▪ Concerts, including all musical genres ▪ Performances (including film and stage) ▪ Leisure or training classes ▪ Entertainment facilities 	<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 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 ▪

draft Plan of Management Carr Confoy Sportsground & Park
- 40 -

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 ▪ Public road 	<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 ▪ Construction of public road to provide unfettered access to privately owned land and to enhance access to community land

draft Plan of Management Carr Confoy Sportsground & Park

- 41 -

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

draft Plan of Management Carr Confoy Sportsground & Park

- 42 -

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 ▪ Public road 	<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. ▪ Construction of public road to provide unfettered access to privately owned land and to enhance access to community land

draft Plan of Management Carr Confoy Sportsground & Park
- 43 -

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.

draft Plan of Management Carr Confoy Sportsground & Park

- 44 -

9.3. WATER COURSE – MULWAREE PONDS

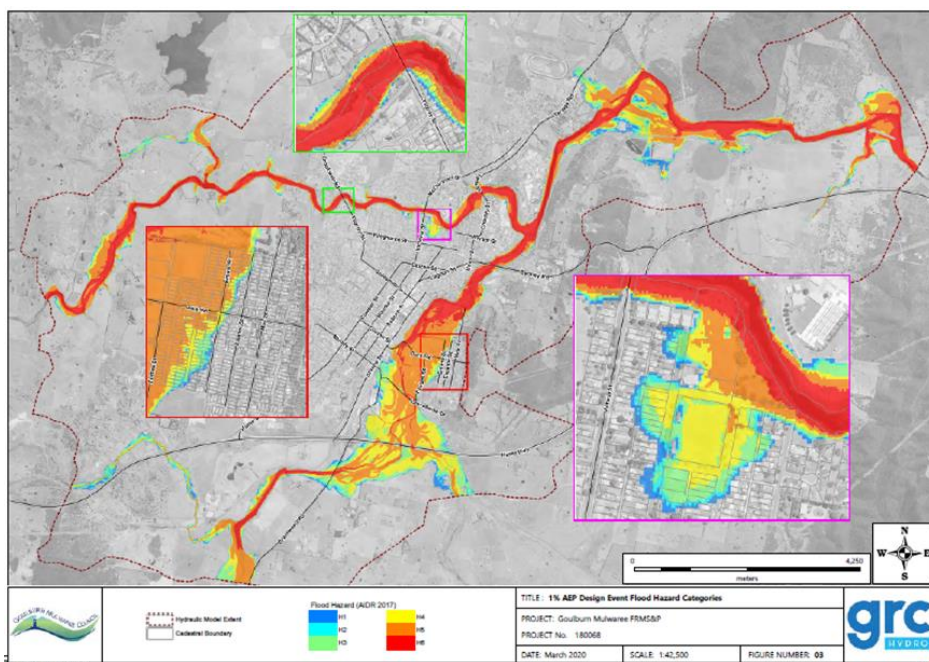
Carr Confoy is bound by the Mulwaree Ponds to the west.

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.



13. 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.

draft Plan of Management Carr Confoy Sportsground & Park

- 45 -

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.

draft Plan of Management Carr Confoy Sportsground & Park

- 46 -

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.

draft Plan of Management Carr Confoy Sportsground & Park

- 47 -

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.

draft Plan of Management Carr Confoy Sportsground & Park

- 48 -

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 it 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

draft Plan of Management Carr Confoy Sportsground & Park

- 49 -

- 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;

draft Plan of Management Carr Confoy Sportsground & Park

- 50 -

- 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* (Cwlth); 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

draft Plan of Management Carr Confoy Sportsground & Park

- 51 -

	<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>

draft Plan of Management Carr Confoy Sportsground & Park

- 54 -

		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		

draft Plan of Management Carr Confoy Sportsground & Park

- 55 -

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.

draft Plan of Management Carr Confoy Sportsground & Park

- 56 -

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>

Annexure A

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.

draft Plan of Management Carr Confoy Sportsground & Park

- 58 -

Annexure A

ANNEXURES

A.	LEGISLATIVE REQUIREMENTS	61
1.1.	LOCAL GOVERNMENT ACT 1993 COMMUNITY LAND PROVISIONS	61
1.2.	GENERAL DESCRIPTION - CATEGORIES OF COMMUNITY LAND	61
1.3.	REGULATION GUIDELINES.....	62
1.3.1.	NATURAL AREA.....	62
1.3.2.	BUSHLAND	62
1.3.3.	WETLAND.....	62
1.3.4.	ESCARPMENT	62
1.3.5.	WATERCOURSE	62
1.3.6.	FORESHORE	63
1.3.7.	SPORTSGROUND	63
1.3.8.	PARK	63
1.3.9.	AREA OF CULTURAL SIGNIFICANCE	63
1.3.10.	GENERAL COMMUNITY USE	63
1.3.11.	AUTHORISATION TO LEASE, LICENCE AND GRANT OTHER ESTATES	64
1.4.	CROWN LAND MANAGEMENT ACT 2016	68
1.4.1.	ADOPTION OF PLANS OF MANAGEMENT.....	68
1.4.2.	ALTERATION OF LAND CATEGORISATION	68
1.4.3.	PRINCIPLES OF CROWN LAND MANAGEMENT.....	69
1.4.4.	OCCUPANCY AGREEMENTS - CROWN LAND.....	69
1.4.5.	CROWN LAND MANAGEMENT COMPLIANCE.....	70
1.4.6.	NATIVE TITLE MANAGER ADVICE REQUIREMENTS	70
1.5.	STATE LEGISLATION.....	71
1.6.	COMMONWEALTH LEGISLATION.....	73
1.7.	STATE ENVIRONMENTAL PLANNING POLICIES	74
1.8.	OTHER RELEVANT LEGISLATION, POLICIES AND PLANS	74
B.	PICTORIAL ASSET CONDITION REPORTS.....	75
1.	CARR CONFOY SPORTSGROUND - NORTH OF PARK ROAD	75
1.1.	KEY PLAN - SECTION A – NORTH OF PARK ROAD.....	75
1.2.	PICTORIAL ASSET CONDITION REPORT - SECTION A	76
2.	CONDITION REPORT EASTGROVE SOUTH - CARR CONFOY SPORTSGROUND .	81
2.1.	KEY PLAN - SECTION B – SOUTH OF PARK ROAD.....	81
2.2.	PICTORIAL ASSET CONDITION REPORT SECTION B – SOUTH OF PARK ROAD .	82
3.	CONDITION REPORT GOULBURN PONY CLUB - CARR CONFOY SPORTSGROUND	85
3.1.	KEY PLAN - SECTION C - 22 FARM ROAD.....	85
3.2.	PICTORIAL ASSET LIST SECTION C.....	86
C.	FUTURE DEVELOPMENTS	90
1.	DRAFT BRIEF - CARR CONFOY SPORTING PRECINCT MASTER PLAN DEVELOPMENT	90
2.	PROGRESSING THE DEVELOPMENT OF CARR CONFOY.....	93
3.	PROPOSED MULTI USER PAVILION – CARR CONFOY	94
3.1.	BUDGET ESTIMATE FOR MULTI USER PAVILION.....	95
4.	CARR CONFOY NETBALL COURTS UPGRADE	96

draft Plan of Management Carr Confoy Sportsground & Park

- 59 -

Annexure A

5.	CARR CONFOY PARKING PROPOSAL	97
6.	STAKEHOLDER RESPONSE TO ISSUES PAPER	97
6.1.	GOULBURN & DISTRICTS JUNIOR CRICKET ASSOCIATION (GDJCA)	97
6.2.	GOULBURN PONY CLUB, INC,	99
6.3.	PRIVATE LAND OWNER - SECTION 11 DP 979849.....	100
D.	NATURAL AREAS BIODIVERSITY CONDITION REPORT	101
E.	NATIVE TITLE MANAGERS REPORT.....	114
F.	CULTURAL SIGNIFICANCE OF CARR CONFOY SPORTSGROUND AND PARK ...	142
G.	LEASES LICENCES - CARR CONFOY SPORTSGROUND AND PARK	149

draft Plan of Management Carr Confoy Sportsground & Park

- 60 -

Annexure A

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.

draft Plan of Management Carr Confoy Sportsground & Park

- 61 -

Annexure A

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.

draft Plan of Management Carr Confoy Sportsground & Park

Annexure A

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.

Annexure A

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,

draft Plan of Management Carr Confoy Sportsground & Park

- 64 -

Annexure A

- 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.

draft Plan of Management Carr Confoy Sportsground & Park

- 65 -

Annexure A

- 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.

draft Plan of Management Carr Confoy Sportsground & Park

- 66 -

Annexure A

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.

draft Plan of Management Carr Confoy Sportsground & Park

- 67 -

Annexure A

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

draft Plan of Management Carr Confoy Sportsground & Park

- 68 -

Annexure A

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).

draft Plan of Management Carr Confoy Sportsground & Park

- 69 -

Annexure A

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**

draft Plan of Management Carr Confoy Sportsground & Park

- 70 -

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.

draft Plan of Management Carr Confoy Sportsground & Park

- 71 -

Annexure A

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.

draft Plan of Management Carr Confoy Sportsground & Park

- 72 -

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.

draft Plan of Management Carr Confoy Sportsground & Park

- 73 -

Annexure A

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

draft Plan of Management Carr Confoy Sportsground & Park

- 74 -

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









14. 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

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

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.








15. 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:	


Annexure B

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:	
--	---	------	--

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







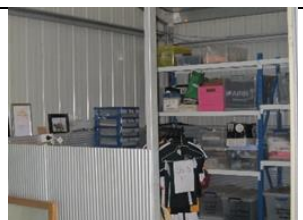

14. Figure – Key Map C for Goulburn Pony Club Assets

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

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

Annexure B

C.12	Goulburn Pony Club memorial cairn.	Good	

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



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 overlayed with a premium asphalt. There was not a consistent fall on the asphalt which has resulted in pooling and cracking.

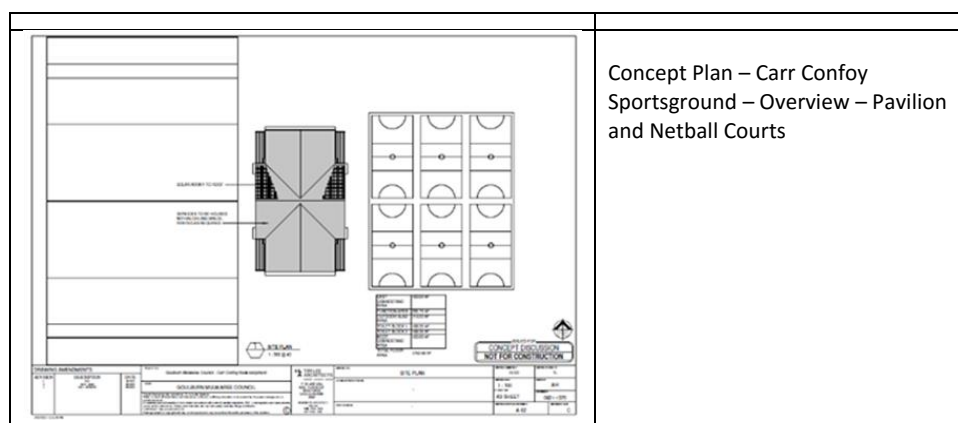
The project will provide an upgrade of the netball court's failing and uneven surface and provision of new goal posts and hoops. The provision of a new asphalt underlay and acrylic surface is expected to significantly benefit the user groups which hold regular sporting competitions at the venue.

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.

Annexure C

On Sunday 9th September 2007, Goulburn Pony Club celebrated its 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).

6.3. PRIVATE LAND OWNER - SECTION 11 DP 979849

Lots 1 to 5 and 10 to 12 in Section 11 of DP 949849 are in private ownership and effectively landlocked by community land. The land owner's submission requests GMC to include provision for the construction of public road over identified community land that will provide access and enhance access to community land.

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</i> sp.	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</i> sp.	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

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

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

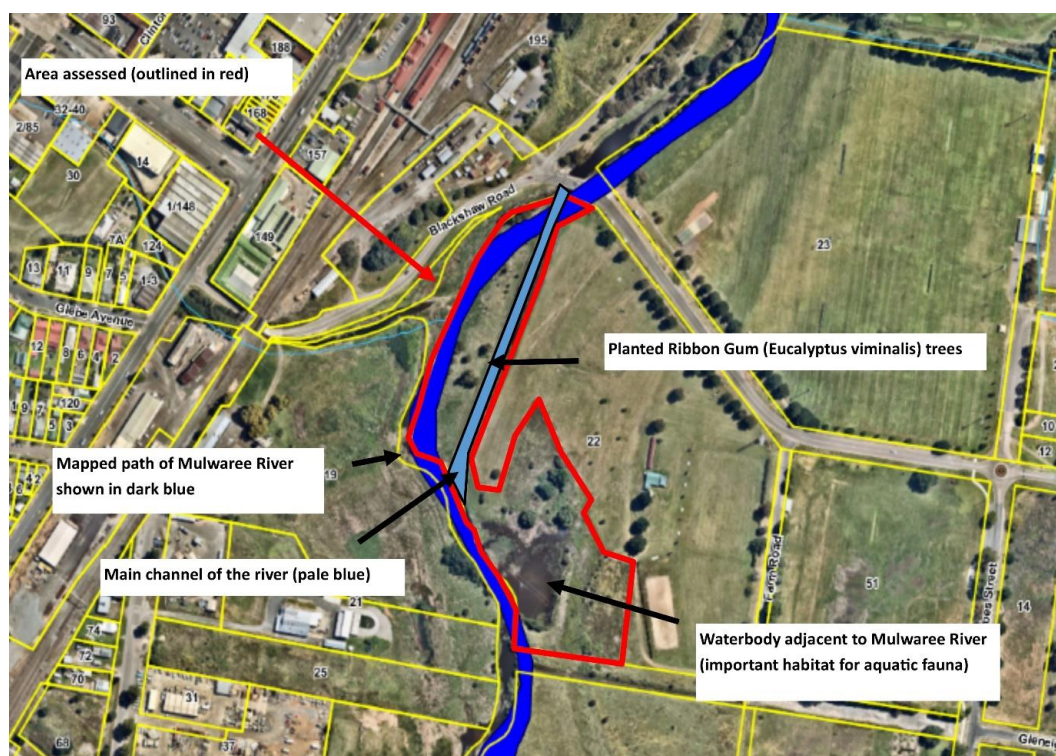
cerasifera), Large Leaf Privet (*Ligustrum lucidum*) and African Box Thorn (*Lycium ferocissimum*).

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



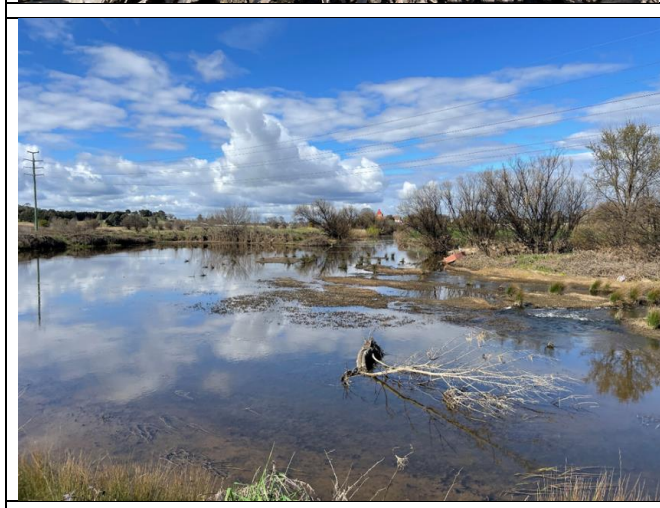
Scientific Name	Common Name	Exotic or native
<i>Anas superciliosa</i>	Pacific Black Duck	Native
<i>Anthochaera carunculata</i>	Red Wattlebird	Native
<i>Cacatua galerita</i>	Sulphur Crested Cockatoo	Native
<i>Cacatua sanguinea</i>	Little Corella	Native
<i>Chelodina longicollis</i>	Eastern Long Necked 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>

ANNEXURE D

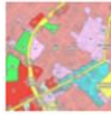
	<p>Crack Willow (<i>Salix fragilis</i>) on the left, Weeping Willow (<i>Salix babylonica</i>) on the right.</p>
	<p>Eastern Long Necked Turtle (<i>Chelodina longicollis</i>).</p>
	<p>In the area located at the south western corner of the land, there is a significant waterbody immediately adjacent to 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

ANNEXURE E

CONTENTS	PAGE
Executive Summary	1
1. Introduction	3
1.1 <i>Crown Land Management Act 2016</i>	3
1.2 Native Title and Goulburn Mulwaree Council	3
1.3 Written Native Title Manager advice	3
2. The Land	4
2.1 Identification of the Crown land, reserve and purpose	4
<i>Native Title Manager advice 1.</i>	6
2.2 Is the Land excluded land as defined by the CLM Act ?	6
i. Native Title Claims	6
ii. Native Title Determinations	7
iii. Register of Indigenous Land Use Agreements	7
iv. Native Title Future Act Applications and Determinations	7
v. Native Title Certificate	7
<i>Native Title Manager advice 2.</i>	7
3. Valid Creation of the Eastgrove Park South Reserve (R71713)	8
<i>Native Title Manager advice 3.</i>	8
4. Previous acts inconsistent with continued presence of Native Title - Previous Exclusive Possession Acts	8
<i>Native Title Manager advice 4.</i>	10
5. The Plan of Management	10
5.1 Future Acts Regime	10
5.2 Extinguishment Effect	11
5.3 Validity of 'future acts' and the draft plan of management	11
5.4 Procedural rights	13
5.5 Public Works	14
<i>Native Title Manager Advice 5</i>	14
6. Conclusion	14
6.1 Native title and excluded land	14
6.2 Valid Creation of the Reserve	14
6.3 Previous exclusionary possession acts	14
6.4 Validity of Future Acts	15
6.5 The Plan of Management	15
6.6 Outcome of advice	15
Figures	
Figure 1: Location Map	4
Figure 2: Eastgrove Park South Reserve (R71713)	5
Tables	
Table 1: Land Status - Eastgrove Park South Reserve (R71713)	5
Table 2: Extinguishing effect of previous exclusive possession acts (PEPAs)	9
Table 3: Previous Exclusive Possession Acts (PEPAs)	9
Table 4: Overview of future acts regime subdivisions (stopping at Subdivision J)	11
Table 5: Requirements for validity of future acts under Subdivision J - areas subject to a reservation	13
Appendices	16
Appendix A: Reserve Summaries – Certificates of Title, NSW Government Gazette Notice, reserve diagrams, and Parish Maps	17
Appendix B: Native Title Manager letter of accreditation	26

ANNEXURE E

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 (Cwlth) 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.

ANNEXURE E

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 R71713

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

ANNEXURE E

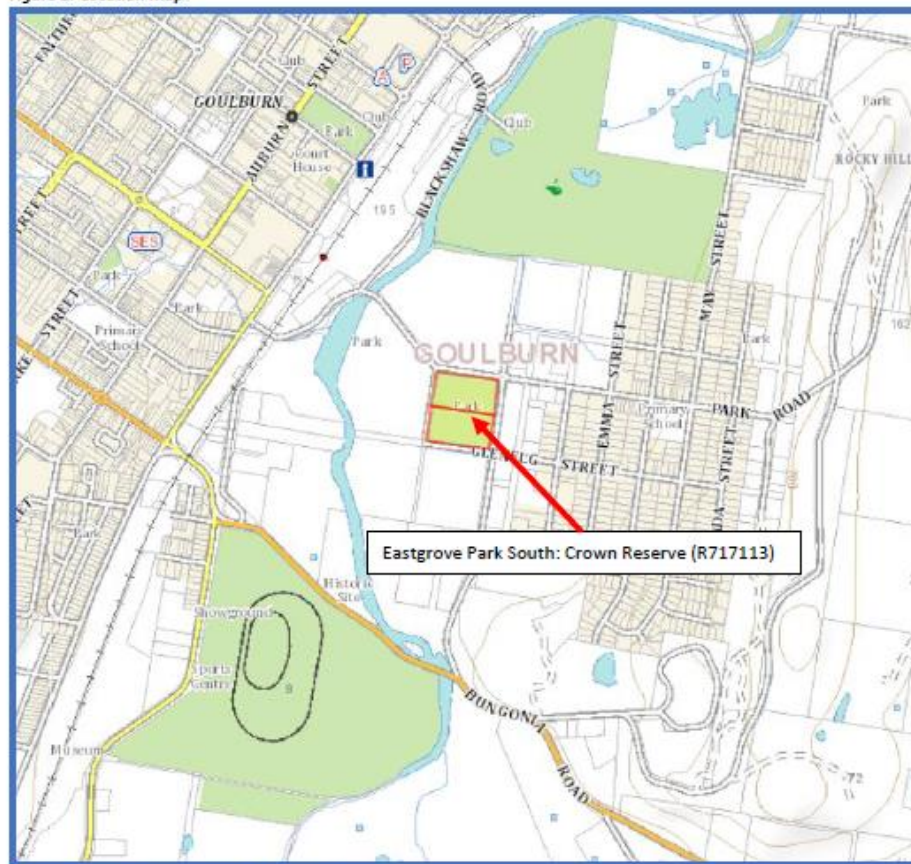
This report meets Council's requirement under the CLM Act to obtain written Native Title Manager's advice, in relation to R717113, as Council is considering submission of the Goulburn Mulwaree Council's Draft PoM for approval to The Minister administering the CLM Act, representing the State of NSW as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

Native Title Manager Report: Goulburn Mulwaree Council - Draft Plan of Management for Carr Confoy Sportsground & Park 5

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>Dariwal 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>Gundungurra</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	<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. 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>

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.

ANNEXURE E

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.

ANNEXURE E

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.

ANNEXURE E

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. CONCLUSION6.1 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

ANNEXURE E

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.

ANNEXURE E

APPENDICES

Appendix A: Reserve Summary – Titles, Gazette Notice, Diagrams, and Parish Maps

Appendix B: Native Title Manager letter of accreditation

ANNEXURE E

**APPENDIX A: RESERVE SUMMARIES – TITLES, GAZETTE NOTICE, DIAGRAMS,
AND PARISH MAPS**


Native Title Manager Report: Goulburn Mulwaree Council - Draft Plan of Management for Carr Confoy Sportsground & Park 17

ANNEXURE E

<p><u><i>Reserve 71713 for Public Recreation – Eastgrove Park South, Goulburn</i></u> <u><i>Parish of Towrang – County of Argyle</i></u></p>
<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>


ANNEXURE E

Certificate of Title Lot 1 Section 5 DP979849



**LAND
REGISTRY
SERVICES**

Title Search



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 (CA136404)

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 ***

PoM Carr Confoy


PRINTED ON 27/9/2021

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically to the Registrar General in accordance with Section 68B(2) of the Real Property Act 1900.

Copyright © Office of the Registrar-General 2021 Accessed: 27/09/2021 08:37:17


ANNEXURE E

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 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 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 ***

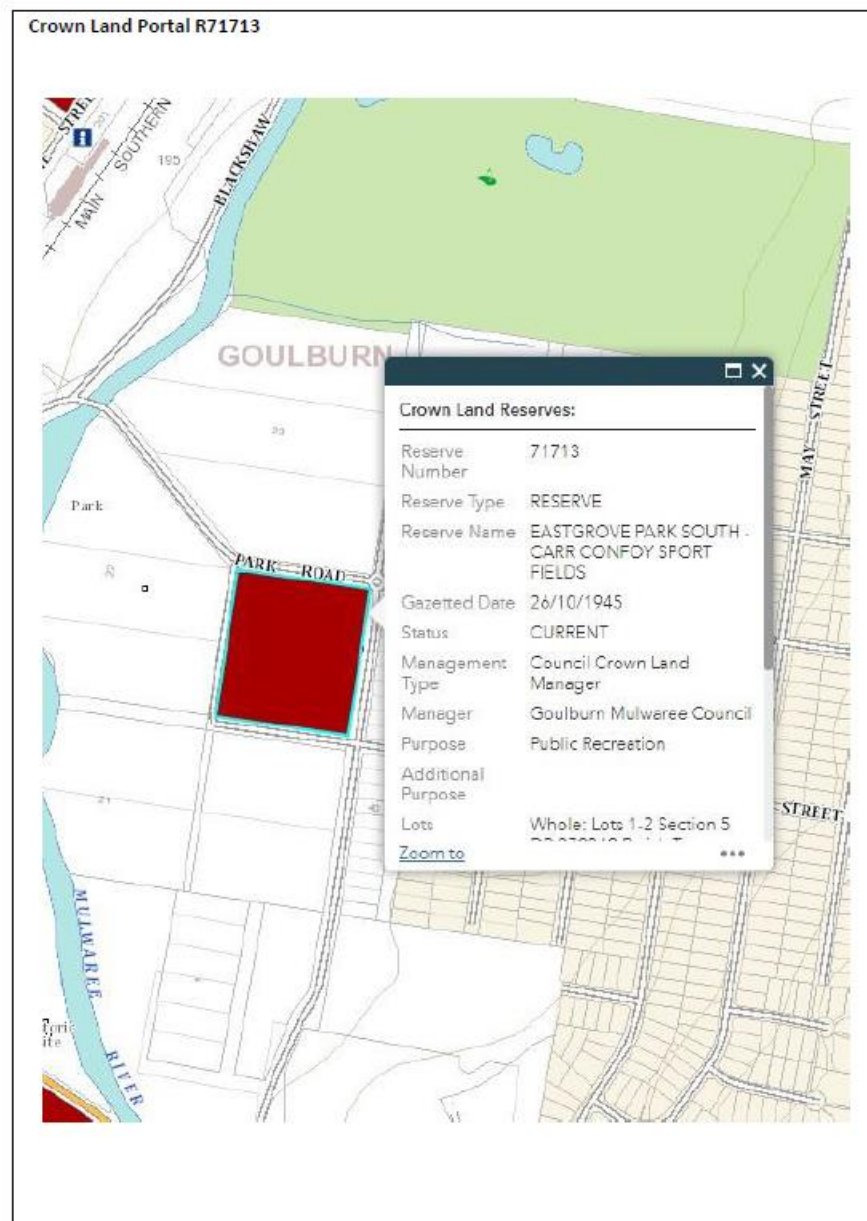
PcM Carr Confoy

PRINTED ON 27/9/2021

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 68(2) of the Real Property Act 1900.

Copyright © Office of the Registrar-General 2021 Received: 27/09/2021 08:37:17

ANNEXURE E



ANNEXURE E



ANNEXURE E

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 Parakee, county Gloucester, about 60 acres, within Cockatoo Island, Wallis Lake (includes portion 252). Mx. 2,495 Md. 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 easterly north-eastern corner of portion 369; and bounded thence by the south-western side of a public road from Goulburn to Bungahin 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—LYNDHURST.

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 Turrang, 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—YARROWLUMULA.

No. 71,715 from sale (71,716 from lease generally). Parish Wamboin, village Bungendore, county Murray, 8 acres 3 roods 3 perches, being allotments 1 to 18, section 20. Plan B. 151,064. P. 45-4,557.

(5125) Sydney, 26th October, 1945.

RESERVES FROM SALE OR LEASE GENERALLY.

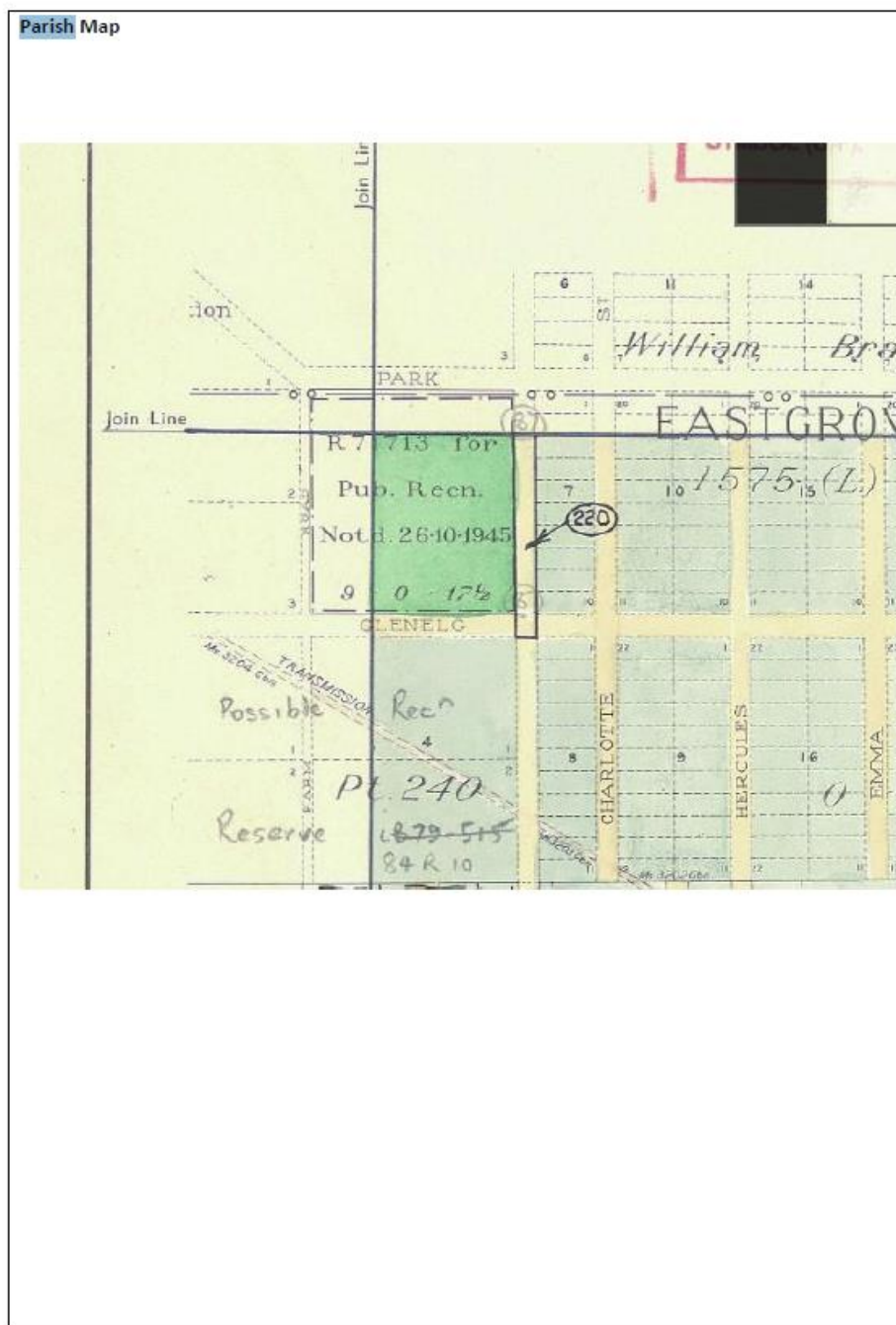
It is hereby notified that, in pursuance of the provisions of section 29 of the Crown Lands Consolidation Act, 1913, the Crown lands hereunder described shall be and are hereby temporarily reserved from sale or lease generally.

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

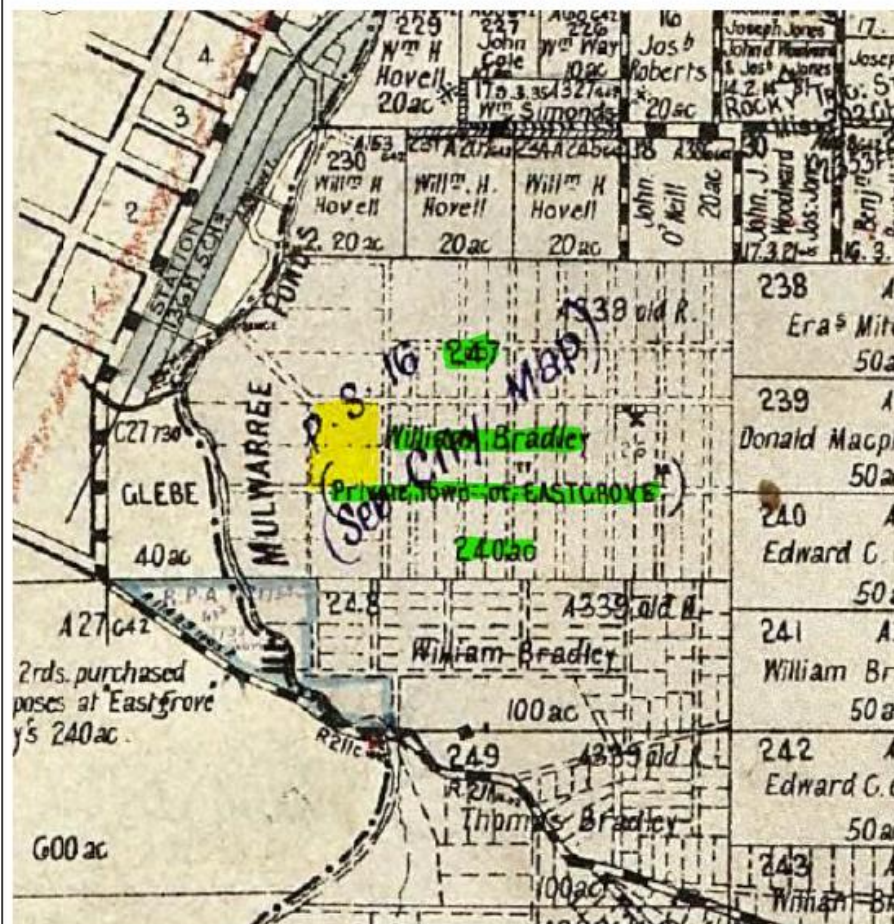


Native Title Manager Report: Goulburn Mulwaree Council - Draft Plan of Management for Carr Confoy Sportsground & Park 24

ANNEXURE E

Original Parish Map (showing freehold ownership) R71713 yellow colour

Portion 247 (containing R71713) details highlighted green



ANNEXURE E

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

ANNEXURE F

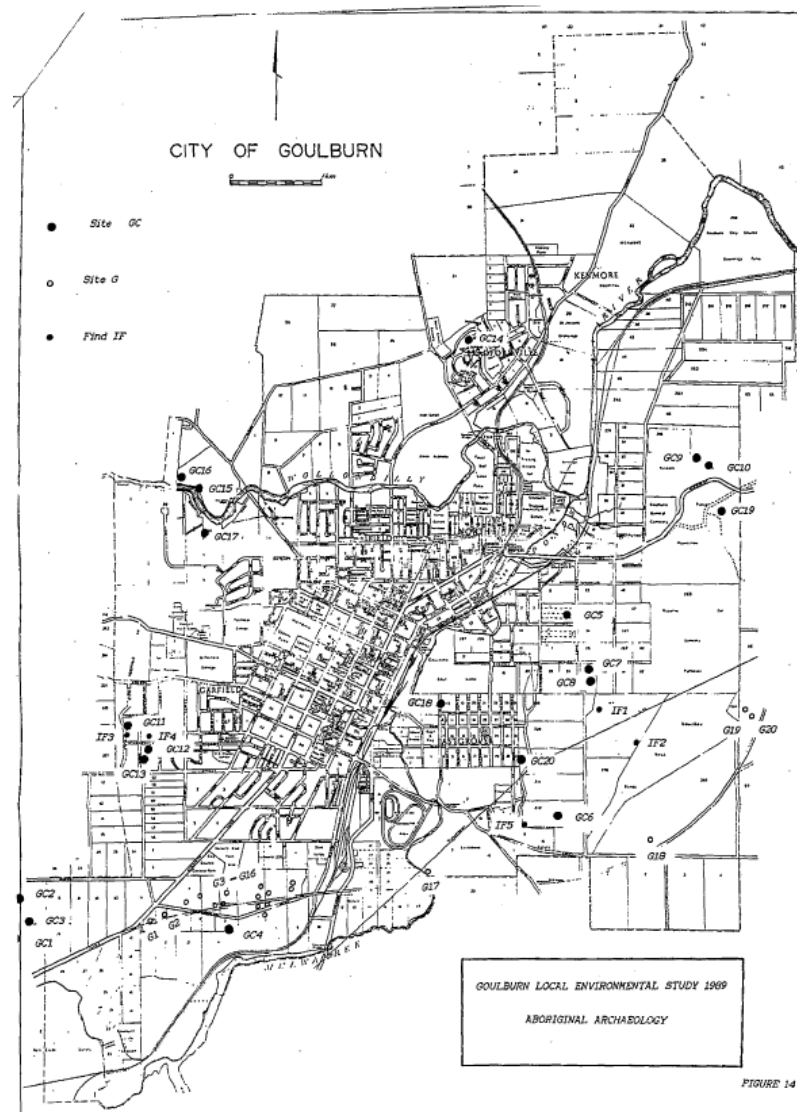
F. CULTURAL SIGNIFICANCE OF CARR CONFOY SPORTSGROUND AND PARK

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

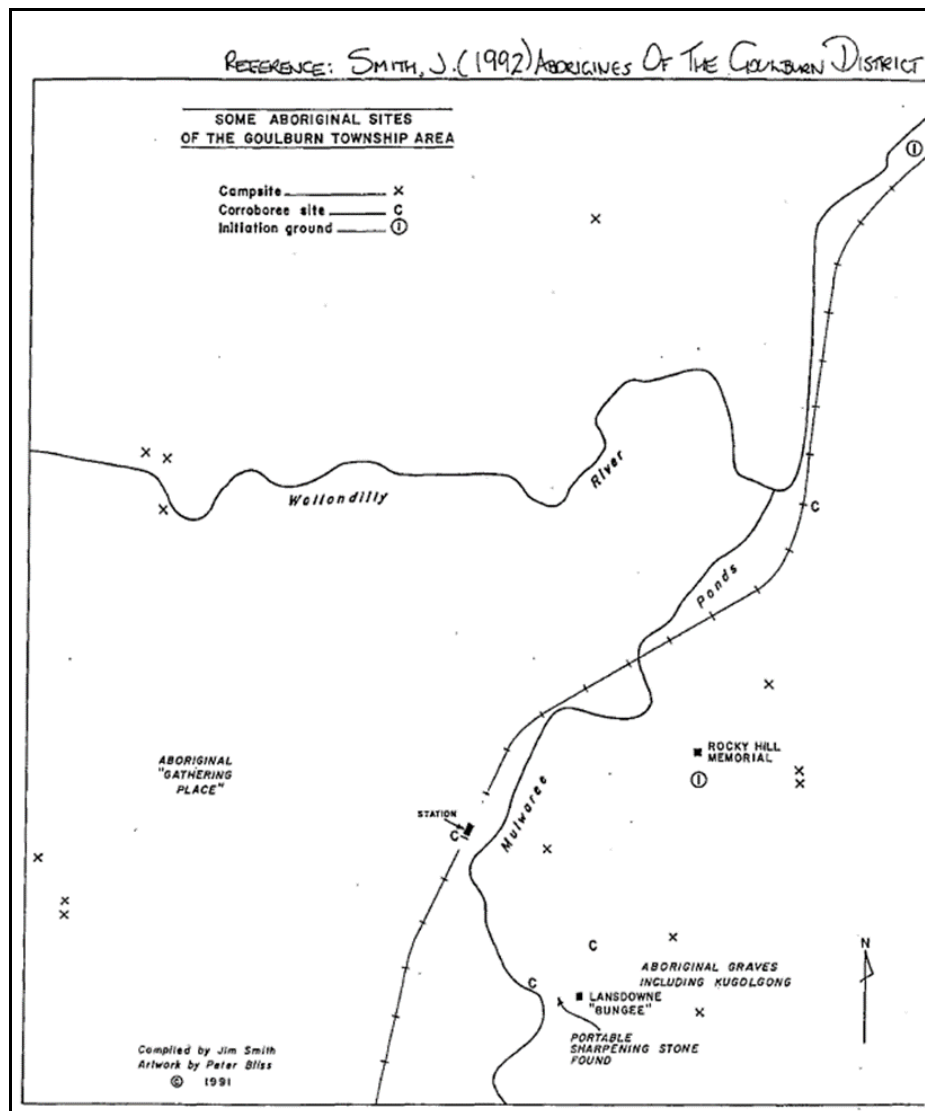


17. Figure extract - Aboriginal Archaeological Study 1989

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

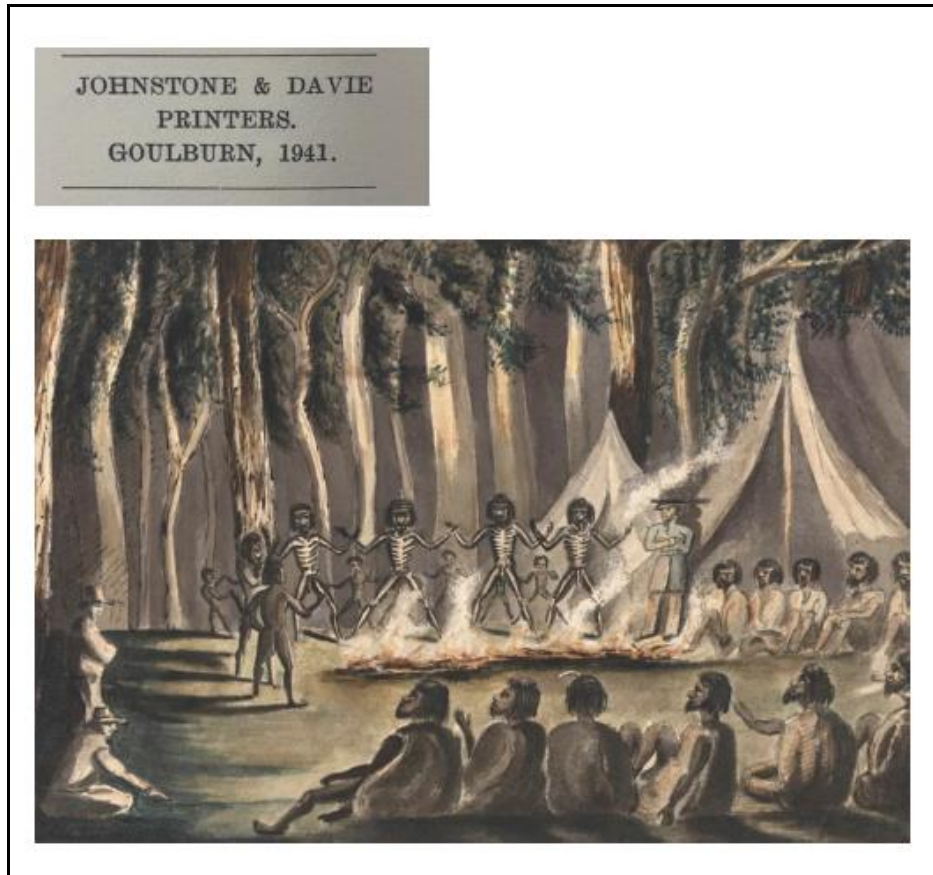


18. Figure - extract 1989 *Aborigines of the Goulburn District* Smith, J. 1992

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,



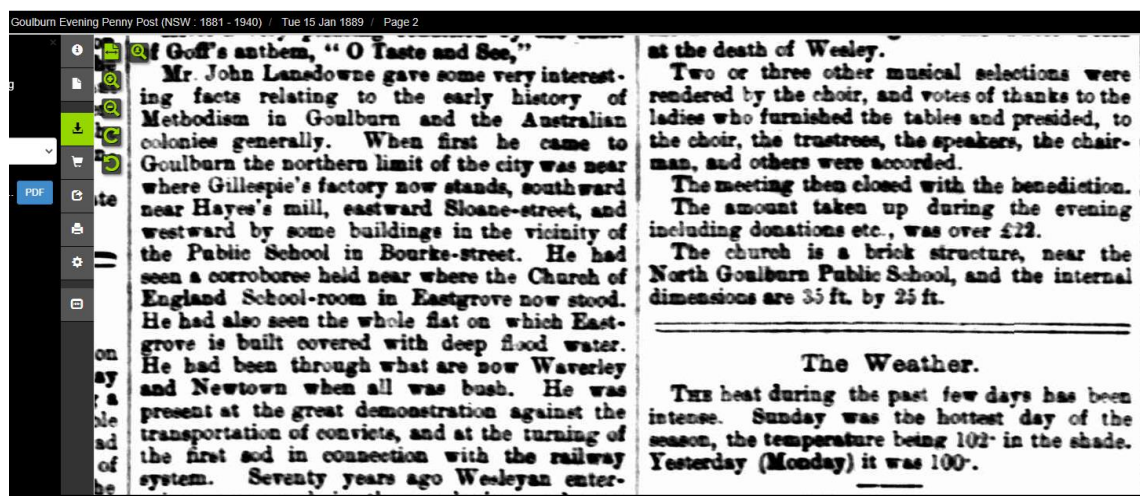
There are numerous newspaper articles in TROVE which relate to the Aboriginal people in and around East Goulburn and Rocky Hill and Lansdowne Park in Goulburn. They demonstrate an ongoing connection to Country and the lands on which Carr Confoy Park is located and should be celebrated in a relevant way 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 senses 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 Wentworth.

There has been much written about the Aborigines 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 honour 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 Marline, 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 600 convicts, one of whom was Buckley, at or near where the present site of Torreta is, but the want of water and the barren nature

sent site of Torreta 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.

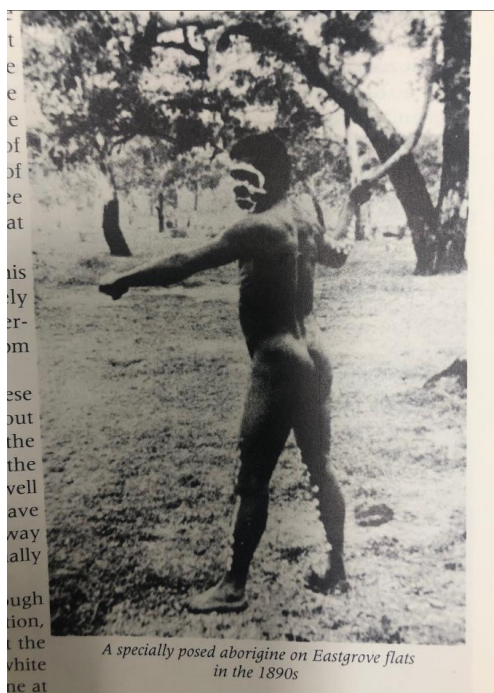
One might write volumes in reference to their depredations, and also with regard to the retaliatory measures of the white settlers. Their warlike tendencies have ever been apparent, and a battle royal between hostile tribes was by no means an infrequent occurrence in the days of long ago. The Argyle and the Lachlan tribes were among those most noted for their hostility, and an account of a tribal feud between the Lachlans 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 Lachlans 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 Parkes 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 home-stead, 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 Boganians, but before they reached them one of the girls gave the alarm. The Boganians 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 Boganians, seeing he had an advantage

but they rallied again almost immediately, fighting like demons. By this time a very considerable number of dead and wounded covered the ground, the Boganians apparently being the heaviest losers, but their preponderance of numbers gave them a great advantage, and their chief urging them on forced the Lachlans 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 score 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 Hophai 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 Gibbon the messenger who brought the news to David was similarly decorated. It is curious, therefore, to note that the Aborigines 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)

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.

ANNEXURE F



"A specially posed Aborigine on Eastgrove Flats in the 1890s" from page 243 of "Grand Goulburn" by Stephen J. Tazewell.

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.



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

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

CONTENTS	Page
1. INTRODUCTION	1
1.1. Purpose of this report	1
1.2. Land covered by this report	1
1.3. Background	2
2. PLANNING CONTEXT	2
2.1. Community land	2
2.2. Categories of community land	2
2.3. Community land assignment of categories in the draft PoM	3
2.4. Proposed categorisation in the draft PoM	5
2.5. Public hearing for categorisation of community land	5
3. THE PUBLIC HEARING	5
3.1 Advertising and notification	5
3.2 Attendance at the Public Hearing	6
3.3 The Public Hearing	6
3.4 Public Hearing Record.	6
4. RECOMMENDATIONS	9
4.1 Recommendations	9
Figures	
Figure 1: Land covered by the Draft Carr Confoy Sportsground and Park Plan of Management	1
Figure 2: Public Land Classification and Categories (LG Act)	3
Figure 3: Categorisation of land in the Draft Carr Confoy Sportsground and Park Plan of Management	4
Tables	
Table 1: Public Hearing Agenda	6
Table 2: Record of Public Hearing Questions, Comments and Discussion	7
Appendices	
Appendix A: Extracts of Pertinent Legislation	10
Appendix B: Core Objectives and Guidelines for Community Land Categories	11
Appendix C: Public Hearing Notifications	16
Appendix D: Public Hearing – Council Presentation	22
Appendix E: Public Hearing Attendees	27

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

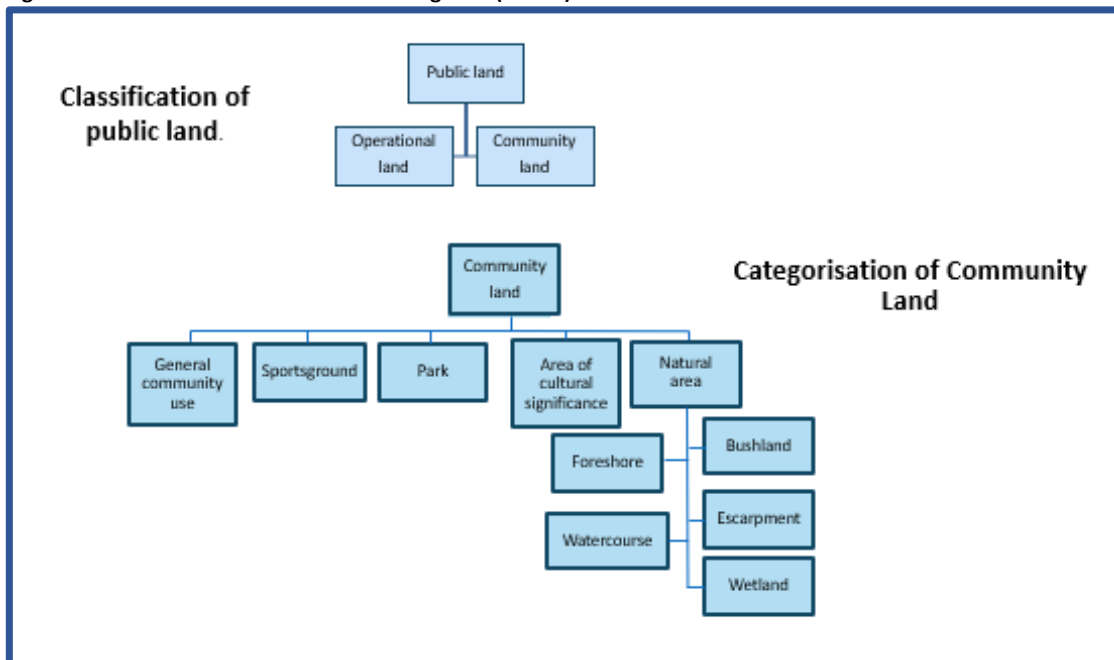
The assignment of the categories is guided by the *Local Government (General) Regulation 2021* (LG Regulation), which provides a description of land and use to guide appropriate assignment of categories to portions of the land.

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 Ngunnawal 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"> <i>Area of Cultural Significance which covers the entire precinct.</i> <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> <ol style="list-style-type: none"> 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, 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, the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state, 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), 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 <ol style="list-style-type: none"> 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 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 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 an area of technical or research significance, because of the area's contribution to an understanding of Australia's cultural history or environment, or 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)
	<p>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</p> <p>b) to maintain the land, or that feature or habitat, in its natural state and setting, and</p> <p>c) to provide for the restoration and regeneration of the land, and</p> <p>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</p> <p>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>.</p>	<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> <p>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</p> <p>b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and</p> <p>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</p> <p>d) to restore degraded bushland, and</p> <p>e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and</p>	<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> <p>a) is the natural vegetation or a remainder of the natural vegetation of the land, or</p> <p>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> <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. 	where there is no natural regeneration of trees or shrubs, but where the land is still capable of being rehabilitated.
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. 	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.
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.

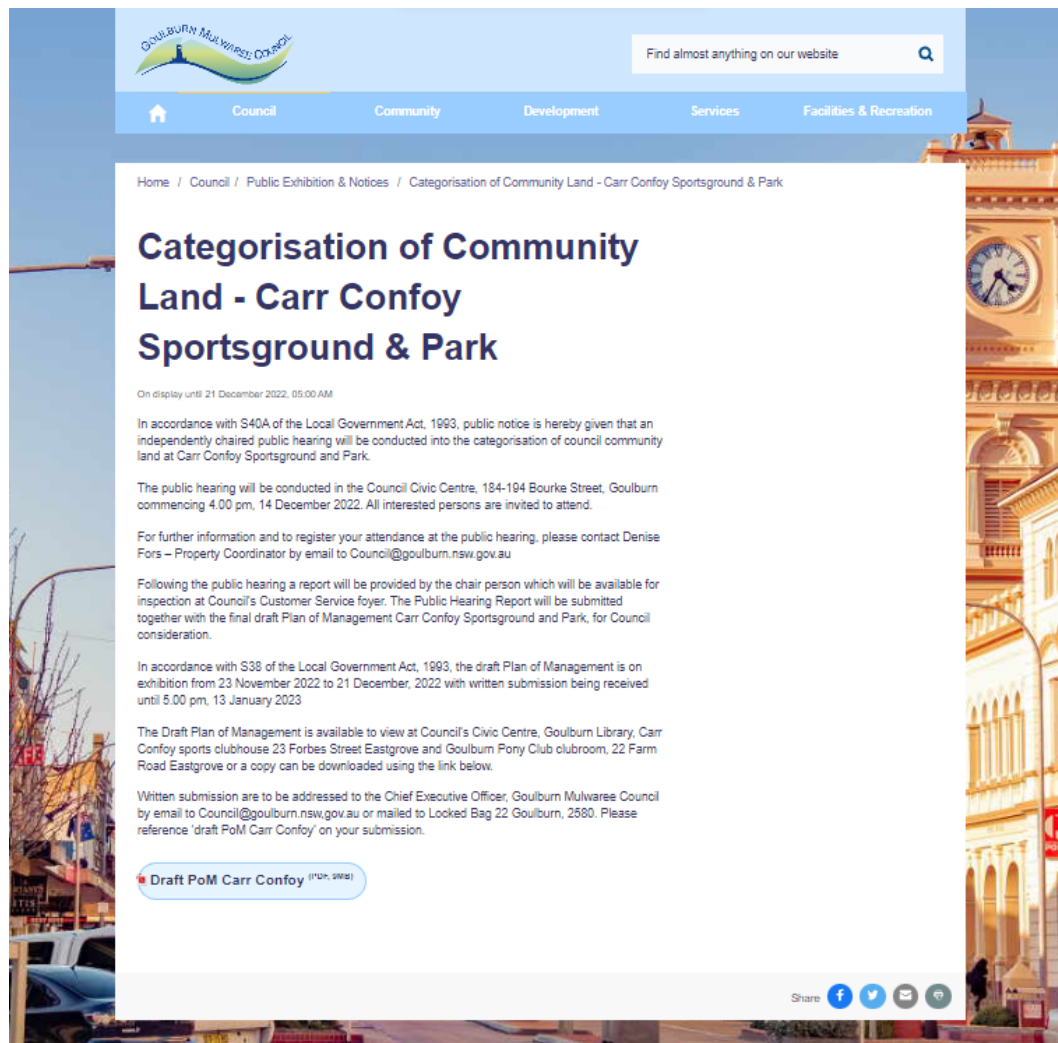
Category	Objectives (LG Act)	Guidelines for categorisation (LG Regulation)
Foreshore	<p>The core objectives for management of community land categorised as foreshore are—</p> <ul style="list-style-type: none">a) to maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area, andb) 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






The screenshot shows the Goulburn Mulwaree Council website. The header includes the council logo, a search bar, and navigation links: Home, Council, Community, Development, Services, and Facilities & Recreation. The main content area displays a public notice titled 'Categorisation of Community Land - Carr Confoy Sportsground & Park'. The notice is dated 'On display until 21 December 2022, 05:00 AM'. It states that 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. The public hearing will be conducted in the Council Civic Centre, 184-194 Bourke Street, Goulburn commencing 4.00 pm, 14 December 2022. All interested persons are invited to attend. For further information and to register your attendance at the public hearing, please contact Denise Fors – Property Coordinator by email to Council@goulburn.nsw.gov.au. 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. In accordance with S38 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, 13 January 2023. The Draft Plan of Management is available to view at Council's Civic Centre, Goulburn Library, Carr Confoy sports clubhouse 23 Forbes Street Eastgrove and Goulburn Pony Club clubroom, 22 Farm Road Eastgrove or a copy can be downloaded using the link below. Written submission 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 PoM Carr Confoy' on your submission. A button labeled 'Draft PoM Carr Confoy (170K, 29KB)' is visible. At the bottom right, there are social media sharing icons for Facebook, Twitter, Email, and Print.

Public Notice published November 2022 in the Goulburn Post



Goulburn Mulwaree Council News
www.goulburn.nsw.gov.au | (02) 4823 4444

<p style="text-align: center;">DEVELOPMENT PROPOSALS</p> <p>DA/20216/2023</p> <p>Subject land: 1 Fenwick Crescent GOULBURN NSW 2580</p> <p>Proposal: Demolition of existing structures facing Fenwick Crescent, new two-storey motel addition and parking, and new parking and landscaping facing Lagoon Street.</p> <p>Applicant: Lateralis Planning Pty Ltd</p> <p>Consent Authority: Goulburn Mulwaree Council</p> <p>Concurrence Authority: WaterNSW</p> <p>Submissions due: 5pm, 13 December 2022</p> <p>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 style="text-align: center;">NOTICE OF PUBLIC HEARING CATEGORISATION OF COMMUNITY LAND CARR CONFOY SPORTSGROUND AND PARK</p> <p>In accordance with S40A of the Local Government Act 1995, 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, 1995, 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, 13 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 Forbes Street Eastgrave and Goulburn Pony Club clubhouse, 22 Farm Road Eastgrave or on Council's web-site www.goulburn.nsw.gov.au/Council/Public-Exhibition/Notices</p> <p>Written submission 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 style="text-align: center;">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 style="text-align: center;">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>	<div style="background-color: #0070C0; color: white; text-align: center; padding: 10px;"> <h2 style="margin: 0;">Let's celebrate</h2> </div> <div style="text-align: center; padding: 20px;">  <h2 style="margin: 10px 0;">International Day of People with Disability</h2> <p style="margin: 0;">Goulburn Community Event 8th December 2022 Veeba Arena - 45 Braiden Road, Goulburn 9am – 3pm</p> <div style="display: flex; justify-content: space-around; align-items: center; margin-top: 10px;"> Sponsored by the NSW Government & Government of the Australian Capital Territory   idpwwd.com.au </div> </div>	

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

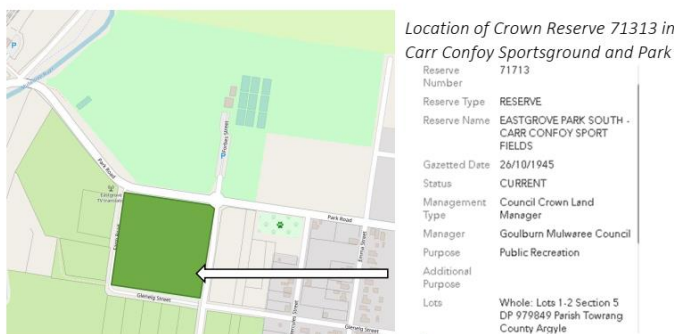
Locked Bag 22 Goulburn 2580,

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	Orange
Park	PK	Yellow
NA Watercourse	NWa	Purple
Area of Cultural Significance	CS	Brown Hatching
Flood Zone		Black Hatching

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 & 3/1/979849	23 Forbes Street	SG, NWA, CS	GMC
2/1/97 9849	23 Forbes Street	SG, PKNWA, CS	GMC
1/902 067	23 Forbes Street	SG, PK, CS	GMC
2/902067	51 Forbes Street	SG, NWA, CS	GMC
2 & 3/2/979 849	22 Farm Road	SG NWA, CS	GMC
1/737 835			
1/12/9 79849	83 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
1-4/6/97 9849	2 Ch arlotte Street	SG, CS	GMC
5/6/97 9849	10 Ch arlotte Street	SG, CS	GMC
6/6/97 9849	12 Ch arlotte Street	SG, CS	GMC
1 & 2 /5/979 849	51 Forbes Street	SG, CS	State of NSW
1 & 2 /1126 781			
1/794 554	87 Park Road	PK, CS	GMC
3 & 4 /10/97 9849	36 Street Hierulies	SG, CS	GMC
1-10/7/9 79849	14 Ch arlotte Street	SG, CS	GMC
1/732 783	83 Park Road	SG, CS	GMC
11 & 12/10/979849	29 Ch arlotte Street	SG, CS	GMC
13-17/10/ 979849	19 Ch arlotte Street	SG, CS	GMC
18/10/ 979849	13 Ch arlotte 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>

18

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: Cllr Banfield, Cllr Wood, and Cllr Ruddell, the Council CEO: Aaron Johansson.

16.5 TENDER 2223T0012 - SEWER REHABILITATION

Author: Director Utilities
Authoriser: Aaron Johansson, Chief Executive Officer
Attachments: 1. Evaluation Report - Confidential

Link to Community Strategic Plan:	21. Our Infrastructure IN6 Implement safe, accessible, and efficient management and recycling options for general waste, green waste, and sewage.
Cost to Council:	This is a schedule of rates contract. The sewer budget has a continuing capital works allocation for sewer mains rehabilitation. There is \$1,000,000 in the 2022/23 budget for sewer rehabilitation work.
Use of Reserve Funds:	This work is funded by revenue.

RECOMMENDATION

That

1. The report from the Director Utilities be received on Tender 2223T0012 Sewer Rehabilitation.
2. The Tender from Insituform Pacific Pty Ltd is accepted for the Sewer Rehabilitation Contract in accordance with the specification and documents for Tender 2223T0012.
3. The Chief Executive Officer be delegated to approve any extension of the contract at the conclusion of the two-year contract as per the conditions of contract.

BACKGROUND

Council has an annual program for sewer mains rehabilitation. Council has just completed a three-year contract for Capital Works - Sewer Infrastructure that included this work. There was an optional two-year extension of this contract that was not enacted to allow modification of the contract to better suit the work required.

This tender is for the repair of the sewer main infrastructure and includes:

- Sewer Asset Inspection – CCTV, Cleaning & Conditional Assessment
- Sewer Main Rehabilitation
- Excavation and Repair of Pipework and Junctions
- Sewer House Service Line Rehabilitation
- Sewer Manhole Rehabilitation

This tender is for a 2-year contract with an optional further 2-year extension for sewer rehabilitation work.

REPORT

Tenders were called for 2223T0012 Sewer Rehabilitation on 30 November 2023. The tender process was conducted in accordance with the requirements of the *Local Government Act 1993*, *Local Government (General) Regulation 2005* and the Tendering Guidelines of NSW Local Government (General) Regulation 2009.

Tenders closed on 17 January 2023 and two submissions were received from the following companies:

Company	Address
Interflow Pty Ltd	19 Winchcombe Court MITCHELL ACT 2911
Insituform Pacific Pty Ltd	60 Robinson Street GOULBURN NSW 2580

The Tender Evaluation Panel was established and included:

- Business Manager Infrastructure (Chair)
- Projects Engineer
- Business Manager Community Facilities

The Tender Plan was completed and signed prior to advertisement. The evaluation process was carried out by the panel following the process detailed in the Tender Plan. The final Evaluation Report is provided with this Council report.

The evaluation process was undertaken in four (4) distinct phases (Refer to the evaluation report for further details).

Phase 1: Preliminary Evaluation (excluding Price)

The panel met to determine whether the tenders were conforming to the mandatory submission requirements. Both tenders were conforming.

Phase 2: Detailed Evaluation of Non-price Evaluation Criteria

The panel completed the detailed evaluation of non-price criteria in accordance with the following weightings:

- Company Experience and Performance 25%
- Company Capability and Resourcing 25%
- Project Appreciation and Methodology 30%
- Local Business and Industry Participation 10%
- Management Systems 10%

Phase 3: Detailed Evaluation Including Consideration of Price

Price schedule was reviewed and combined with the non-price criteria. The weightings for this were:

- Non-price criteria 60 %
- Price criteria 40 %

The contract is a schedule of rates contract for the different sewer rehabilitation works included in this contract. The tenderers were asked to price a typical work scenario to enable the panel to complete a comparative assessment of price.

Phase 4: Final Evaluation

The overall value for money was assessed and the overall ranking was determined to be:

Ranking	Tenderer
1	Insituform Pacific Pty Ltd
2	Interflow Pty Ltd

Following the completion of the tender evaluation process, The Panel recommends Insituform Pacific Pty Ltd to be the preferred tenderer in accordance with the documentation for 2223T0012. This recommendation is based on Insituform Pacific Pty Ltd being the highest-ranking proponent at the completion of the evaluation process combining both the non-price and price criteria.

The Evaluation Report is included with the Closed Session reports in accordance with s10A(2)(d) *Local Government Act 1993* as it contains commercial information that would, if disclosed, prejudice the commercial position of the person who supplied it. It is not appropriate for this to be provided in an Open Session as it relates to tender information.

16.6 ROCKY HILL WAR MEMORIAL MUSEUM COLLECTION POLICY

Author: Business Manager Marketing Events & Culture
Director Corporate & Community Services

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: 1. Rocky Hill War Memorial Museum Collection Policy V1.0 for Business Paper 20230221.pdf  

Link to Community Strategic Plan:	14. Our Community CO4 Recognise and celebrate our diverse cultural identities, and protect and maintain our community's natural and built cultural heritage.
Cost to Council:	Nil
Use of Reserve Funds:	Nil

RECOMMENDATION

That

1. The report Rocky Hill War Memorial Museum Collection Policy from the Business Manager Marketing, Events & Culture be received.
2. The Rocky Hill War Memorial Museum Collection Policy be placed on public exhibition for 28 days and if no submissions are received, it be adopted as Council policy.

BACKGROUND

This report presents a new policy for the Rocky Hill War Memorial collection, outlines the principles and practices that guide the decision-making process for the acquisition of collection objects and materials; collection management; public access; de-accession; and long-term preservation of the museum collection.

The contents of the policy were discussed at a Councillor briefing on 14 February 2023.

REPORT

The Rocky Hill War Memorial Museum Collection Policy is a new policy, that is ready to be placed on public exhibition.

This new policy outlines the principles and practices that guide the decision-making process for the acquisition of collection objects and materials; collection management; public access; de-accession; and long-term preservation of the museum collection.

This policy provides information on the most significant collections held by the Museum, along with other notable collections, and the types of objects that will be collected. It provides information on the management of acquisitions to the collection, and the overall management of the collection, including storage, conservation, and preservation.

Whilst Council has always accepted donations, this policy will assist with the acquisition, management, and care of thousands of items in the current collection, ensuring appropriate protocols are in place.



Rocky Hill War Memorial Museum Collection Policy



GOULBURN MULWAREE COUNCIL ROCKY HILL WAR MEMORIAL MUSEUM COLLECTION POLICY

POLICY OBJECTIVE

The Rocky Hill War Memorial Museum Collection Policy outlines the principles and practices that guide the decision-making process for the acquisition of collection objects and materials; collection management; public access; de-accession; and long-term preservation of the museum collection.

LEGISLATIVE PROVISIONS

Local Government Act 1993

RELATED DOCUMENTS

National Standards for Australian Museums and Galleries 2016
The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter 2013
Significance 2.0: a guide to assessing the significance of collections 2009
Australian best practice guide to collecting cultural material 2015
Rocky Hill War Memorial Museum Strategic Plan 2019-2022
Goulburn War Memorial and Museum Significance Assessment of the CEW Bean Collection 2015

POLICY STATEMENT

Rocky Hill War Memorial Museum was established in 1927 to house an extensive collection of WW1 war trophies allocated to the city of Goulburn by the Australian War Office throughout the 1920s. The Museum was originally located in the basement of the onsite war memorial tower constructed in 1925. In 1999 the onsite caretaker's cottage was refurbished as a museum and the entire collection was brought together and placed on display or in onsite storage.

A new state-of-the-art museum building opened alongside the cottage museum in 2020, more than doubling the exhibition space, the work area, and collection storage capacity. The museum and the collection are managed by Goulburn Mulwaree Council staff and volunteers.

The Museum values a close relationship with local community organisations including the RSL Goulburn Sub-Branch, Mulwaree High Remembrance Museum, Goulburn District Historical and Genealogical Society Inc. known as History Goulburn, and the Goulburn Mulwaree Library.

Rocky Hill War Memorial Museum collects and preserves the substantial military history of Goulburn and surrounding districts and interprets and exhibits the collection to expand knowledge and understanding of local stories and experiences of war. The museum also supports public programming and access to materials and objects for research purposes and engages in commemorative activities and events.



GOULBURN MULWAREE COUNCIL ROCKY HILL WAR MEMORIAL MUSEUM COLLECTION POLICY

THE COLLECTION

The Collection consists of all objects held by the Museum as well as all objects contained within the memorial tower and the grounds. The collection has grown substantially in size and scope since the establishment of the museum in 1927 and now includes objects from every war in which Australia has served from the mid-1800s to the present day.

Key themes

Most significant collections held by the museum:

- CEW Bean collection – an extensive WW1 war trophy collection allocated to Goulburn following WW1 by the Australian War Records Office. The initial allocations arrived in 1920 and 1922 – additional items were sought by the Town Clerk in preparation for the opening of the museum and these arrived in 1927. This collection prompted the establishment of the museum.
- Changi Prison objects – in 2003 the museum sought Commonwealth Ministerial assistance to obtain artefacts from Changi Prison on the announcement it was to be demolished. The request was granted in 2004 when a prison cell door and lock, a brass cell number plate, a brass screen above the door, and a 1 x 1 metre section of the perimeter wall were donated and transported to Goulburn. Relics from Changi prison are only held in 3 museums outside of Singapore, the other 2 being the Australian War Memorial in Canberra (not on display) and the Imperial War Museums in London. The collection also includes objects and experiences from local service personnel interned as POWs at Changi during WW2.
- HMAS Goulburn – a collection of objects from the WW2 Australian Minesweeper (corvette) built by Cockatoo Docks and Engineering Co, Cockatoo Island Sydney in 1940. The collection includes the jackstaff, the brass ship's bell, the Coat of Arms plaque, several photographs from 1941, and a replica model of the ship presented to the museum by the Naval Association of Australia in 1962.

Other notable collections held by the museum:

- Weaponry – a substantial collection of weaponry from WW1 and WW2 including large artillery, firearms, bayonets, swords, and ammunition.
- Photographs – a wide-ranging collection primarily from WW1 and WW2 including many unique personal photographs taken by soldiers.
- Textiles – the majority are from WW2; the collection also includes uniforms from 1817 (British Army), WW1, Vietnam, Afghanistan, and Iraq.
- Letters and small personal objects – primarily WW2 with additional objects from all wars including the Crimean War 1853-1856; the Sudan War 1878; the Boer War 1899-1902; WW1, WW2, the Korean War; Vietnam; the Gulf War; Afghanistan and Iraq. Badges and Military Awards – from across all wars from the Crimean War through to Afghanistan and Iraq.
- Books – the museum holds a large collection of books, primarily non-fiction, that depict all wars and, in some cases, specific battles, people, and weaponry. Some books are extremely rare or unique.

Types of objects to be collected:

- Photographs
- Personal objects
- Weaponry
- Textiles
- Badges and Awards
- Books
- Ephemera
- Artworks
- Maps, plans, drawings
- Other objects that complement the existing collection and at the discretion of the Museums Coordinator



GOULBURN MULWAREE COUNCIL ROCKY HILL WAR MEMORIAL MUSEUM COLLECTION POLICY

ACQUISITIONS

Method of acquisition

The Museum acquires objects in a range of ways, including direct allocations from Government agencies, donations, bequests, purchases, and transfers from other collecting institutions.

Criteria

The Museum will consider the following criteria in assessing the acquisition of objects into the Collection.

Relevance

Priority will be given to objects that align with the Museum's purpose, key themes and collecting areas.

Significance

Priority will be given to objects that are significant for their historic, aesthetic, research and/or social or spiritual value.

Provenance

Priority will be given to objects with a known history or known origins, for example, connection to a person or place or event.

Rarity and representativeness

Priority will be given to rare or excellent representative examples of objects.

Condition

Priority will be given to objects in good condition, however, objects that are particularly significant, rare and/or excellent representative examples will also be considered despite their condition. Live ammunition will not be considered under any circumstances.

Duplicates

Duplicates will be considered with particular attention paid to their relevance, significance, provenance and condition in determining their acquisition.

Replicas

Replicas will only be considered under exceptional circumstances and at the discretion of the Museums Coordinator.

Legal title

The donor or provider must have legal ownership of the object being donated or otherwise acquired. All donors must sign the Deed of Gift declaration on the Acquisition form prior to the donation being accepted.

The Museum will not accept conditional donations.



GOULBURN MULWAREE COUNCIL ROCKY HILL WAR MEMORIAL MUSEUM COLLECTION POLICY

COLLECTION MANAGEMENT

Documentation

All objects will have an accompanying file created to include acquisition documentation, provenance, receipts, correspondence, Collection title, object title, catalogue number and any and all other related documentation. All objects must have a corresponding record in the Museum Collection Management System.

All Acquisition and Donation forms are to be scanned and saved to the organisational records management system.

Storage

All objects will be stored appropriately in archival quality materials and/or containers and taking into account the materiality and condition of the object.

All objects in long-term storage will be allocated a shelf or drawer – no objects are to be stored on the floor or in any other inappropriate location.

The location of all objects will be recorded in the Museum Collection Management System and updated as required.

All firearms will comply with current NSW Police Firearms Registry requirements for safe storage, handling and exhibition.

Conservation

Minor conservation works will be determined by the Museums Coordinator and carried out under the supervision of the Museums Coordinator by suitably trained staff/volunteers.

Major conservation works will be referred to professional conservators. All conservation works, minor and major, will be photographed and documented and added to the object file. A record of any works will be entered into the Museum Collection Management System.

Preservation

The condition of all objects, on display or in storage, will be regularly checked and further assessment carried out as required. Paper, textiles and any and all other fragile objects will be handled appropriately and withheld from public display and/or public access as determined by the Museums Coordinator.



GOULBURN MULWAREE COUNCIL ROCKY HILL WAR MEMORIAL MUSEUM COLLECTION POLICY

DE-ACCESSION AND DISPOSAL

Criteria for de-accession and disposal

The Museum will view de-accessioning and disposal of objects cautiously. All objects considered for de-accessioning will undergo a rigorous process of assessment by the Museums Coordinator based on the acquisition criteria. Detailed records will be kept in relation to any and all objects that are de-accessioned and these records will be entered into the Museum Collection Management System.

Methods of disposal

The method of disposal shall proceed in the following priority:

- Offer the object to the donor or their family – with the proviso that if the object/s were a donation made under the Cultural Gifts Program they will not be returned to the donor as the donor has already received the benefit of a tax deduction for the gift
- Offer to another collecting institution
- Use as an education tool
- Sale by auction
- Destruction if the object is found to be dangerous to human health or is damaged beyond repair.

No objects from the CEW Bean Collection will be de-accessioned for any reason.

PUBLIC ACCESS

Public access to the Collection is a key purpose of the Museum. General public access to the collection is by way of permanent displays, exhibitions, public programming and online access to digital versions of the collection.

Access beyond this for research purposes and so on is to be considered on a case by case basis and determined by the Museums Coordinator. Where appropriate, a digital representation of fragile or unique objects will be made available in lieu of the physical object.

Permanent displays

Permanent displays consist of:

- The CEW Bean collection situated in the cottage museum
- The weapons collection situated in the cottage museum.

Exhibitions

Exhibitions will:

- Be primarily based on the Collection held by Rocky Hill War Memorial Museum
- Prioritise local stories and experiences – and broader stories and experiences that represent or resonate with local stories and experiences
- Whenever possible, be widely promoted via social media and other online platforms, paper based materials such as posters and pamphlets, Goulburn Visitor Information Service, Goulburn Mulwaree Council and media such as radio and television.

Public programming

Public programming will be designed to do one or more of the following:

- Support current exhibitions
- Engage local community members in the military history of the region
- Expand knowledge and understanding of local stories and experiences of war
- Provide an avenue for local students and/or tertiary students to engage in and/or present their research
- Provide an enriched experience for local, State, National or International visitors.



GOULBURN MULWAREE COUNCIL ROCKY HILL WAR MEMORIAL MUSEUM COLLECTION POLICY

Research

The Museum encourages research on collection objects and/or on local stories and experiences of war and supports research in the following ways:

- By providing onsite access to a substantial Library of war related books
- By providing online access to material via the Rocky Hill War Memorial website
- By providing onsite access to collection object/s on a case-by-case basis and as determined by the Museums Coordinator.

LOANS

The Museum will not loan any Collection object for any purpose.

The loan of items from other institutions or individuals for display by the Museum for a fixed term will be considered on a case by case basis by the Museums Coordinator.

Version	Council Meeting Date	Resolution	Adoption Date	Effective From
1	[Date]	[Number]	[Date]	[Date]

All policies can be reviewed or revoked by resolution of Council at anytime.

DIRECTORATE: Corporate & Community Services

BUSINESS UNIT: Marketing, Events & Culture

16.7 RATES OUTSTANDING REPORT

Author: Revenue Coordinator
Director Corporate & Community Services

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: Nil

Link to Community Strategic Plan:	25. Our Civic Leadership CL1 Effect resourceful and respectful leadership and attentive representation of the community.
Cost to Council:	Outstanding rates continue to accrue interest at a rate of 5% above the rate at which Council could invest its money. Rates outstanding remain a charge on the land and are always collectable.
Use of Reserve Funds:	Not Applicable

RECOMMENDATION

That the report from the Revenue Coordinator on Rates Outstanding be received.

BACKGROUND

The purpose of this report is to advise on the status of rates collections as at 7 February 2023.

REPORT

The following table summarises rates transactions and collections processed up to 7 February 2023.

	Amount
Rates and Charges Outstanding at 1 July 2022	-\$91,245.52
Levies and Write Offs	\$28,063,858.46
Total Collectable	\$27,972,612.94
Rates and Charges Collected	-\$17,558,044.84
Pre payments	\$430,314.02
Amount Outstanding	\$10,844,882.12
Percentage of Rates and Charges Outstanding	39%

The percentage recorded here shows that the rates are being collected in line with expectations. The outstanding rates currently stand at 39% which indicates the outstanding debt percentage remains comparable to this time last financial year.

Analysis of the outstanding debts shows there are a total of 370 properties with an outstanding debt of more than \$500. Council posted 517 Letters of Demand on 14 December 2022 for all properties with arrears that had not contacted Council to enter into suitable payment arrangements.

It should be noted a considerable number of ratepayers have entered into repayment arrangements in accordance with Council's Policy.

Overdue amounts are further dissected below:

Debt Range	No of Properties	Total Debt for Range	Average Debt
\$150-\$499	496	\$162,597	\$327
\$500-\$2,000	296	\$256,378	\$866
\$2,001-\$5,000	46	\$147,357	\$3,203
Above \$5,000	28	\$258,765	\$9,241

OUTSTANDING BALANCES >\$5,000

Property No.	Balance	Action Taken
1008636	\$5,154.83	N/A – Postpone rates
1006508	\$5,341.59	Current debt recovery
1019523	\$5,369.94	Current debt recovery
1005354	\$5,416.56	N/A – Postpone rates
1021400	\$5,437.05	Sale of Land for Unpaid Rates
1015031	\$5,459.85	Current debt recovery
1016998	\$5,551.67	Current debt recovery
1007883	\$5,554.44	Current debt recovery
1019568	\$5,616.07	Current debt recovery
1006861	\$5,650.32	Current debt recovery
1021189	\$5,787.81	Current debt recovery
1020005	\$5,825.59	Current debt recovery - Liquidation
1020006	\$5,825.59	Current debt recovery - Liquidation
1020007	\$5,825.59	Current debt recovery – Liquidation
1020008	\$5,825.59	Current debt recovery – Liquidation
1020851	\$6,722.12	Sale of Land for Unpaid Rates
1018556	\$7,185.43	Sale of Land for Unpaid Rates
1004192	\$7,941.25	N/A – Postpone rates
1003523	\$7,947.18	Current debt recovery
1002524	\$8,512.80	Current debt recovery
1020004	\$8,776.65	Current debt recovery – Liquidation
1015096	\$8,965.70	Sale of Land for Unpaid Rates
1001810	\$9,356.01	N/A – Postpone rates
1020840	\$11,128.40	Current debt recovery – one instalment only
1022151	\$12,627.81	Sale of Land for Unpaid Rates
1002184	\$15,547.04	Current debt recovery

1010110	\$19,224.98	Current debt recovery
1004839	\$51,187.54	Current debt recovery - Investigating rating category
	\$258,765.40	

16.8 WATER CHARGES OUTSTANDING REPORT

Author: Administration Team Leader

Director Utilities

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: Nil

Link to Community Strategic Plan:	25. Our Civic Leadership CL1 Effect resourceful and respectful leadership and attentive representation of the community.
Cost to Council:	Outstanding water charges accrue interest at a rate some 5% above the rate at which Council could invest its cash. Outstanding water charges remain a charge on the land and are always collectable.
Use of Reserve Funds:	Not Applicable

RECOMMENDATION

That the report from the Administration Team Leader on Water Outstanding be received.

BACKGROUND

The purpose of this report is to advise on the status of water charges collections as of 1 February 2023.

REPORT

The following table summarises the water transactions and collections processed up to 1 February 2023:

	Amount
Outstanding Water Balance as at 1 July 2022 (1)	\$ 501,353.15
Water Charges Raised this financial year to 4/10/22 (2)	\$ 11,312,866.45
Current Total Water Charges collectable (1+2) (3)	\$ 11,814,219.60
Total Water Charges paid from 1 July 2021 (4)	\$ 11,898,738.02
Total Amount Outstanding (3-4) (5)	\$ -84,518.42
Less current charges not yet due (monthly accounts not yet paid)	\$ 204,455.61
Credit Balance (money paid in advance)	\$ 802,541.08
Total Overdue Amount	\$ 513,567.05
Percentage of Water balance outstanding	4.35%

An analysis of the outstanding debts greater than \$100 shows that there are a total of 693 properties with a total accumulated balance of \$507,822.32.

Debt Range	No of Properties	Total Debt for Range	Average Debt
\$100-\$200	115	\$ 16,785.27	\$ 145.96
\$200-\$500	375	\$ 126,260.76	\$ 336.70
Above \$500	203	\$ 364,776.29	\$ 1,796.93

Please note the following:

The Quarterly accounts were due on 9 December 2022 and the overdue notices were sent on 5 January 2023. Monthly accounts are due on 1 March 2023, which contributes to the current charges not yet due.

The overall statistics as of 1 February 2023 for water account actions:

	Number	Outstanding balance
Restrictors in place	25	\$ 109,256.77
Legal Action Started	0	\$ 0.00
Disconnections	1	\$ 6,985.45
Receivership/bankrupt	0	\$ 0.00
Deceased Estates	1	\$ 912.36

16.9 DEBTORS OUTSTANDING

Author: Revenue Officer - Debtors
Director Corporate & Community Services

Authoriser: Aaron Johansson, Chief Executive Officer

Attachments: Nil

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:	Not Applicable

RECOMMENDATION

That the report from the Revenue Officer on Debtor Collections be received.

BACKGROUND

The purpose of this report is to advise on the status of debtor collections as at 3 February 2023.

REPORT

The following table summarises the debtor balances as at 3 February 2023.

	Amount
Debtor Outstanding at 03/02/2023	\$2,002,455.81
Invoices Raised 2022/2023	\$9,688,220.42
Total Collectable (A)	\$11,690,676.23
Less Debtors Collected	-\$8,392,424.84
Total Amount Outstanding	\$3,298,251.39
Less Amount Not Yet Due	-\$2,017,149.97
Total Overdue Amount (B)	\$1,281,101.42
Debtors Outstanding Percentage (B/A)	11%

Analysis of the outstanding debts show:

Not Yet Due	\$2,017,149.97	61%
Overdue > 30 Days	\$110,766.28	3%
Overdue > 60 Days	\$30,272.43	1%
Overdue > 90 Days	\$1,140,062.71	35%
Total Amount Outstanding	\$3,298,251.39	100%

Overdue Debtors >\$5,000

3000274	\$60,000.00	This is a grant Council are still awaiting payment from NSW Environmental Trust. Further information was requested.
3001913	\$368,636.47	Customer is disputing Invoice and only made part payment of S94 Contributions - Director of Planning & Environment is looking into the contribution calculations.
3004419	\$680,482.05	Customer is disputing Invoice - Director of Operations is looking into contribution calculations
3005943	\$25,653.61	Customer has advised they are going through their insurance company to cover the costs of the reparation works. Further phone calls and emails have been made/sent, still awaiting payment.
3006321	\$5,126.40	Costs raised for the Emergency Public Safety Order regarding an Asbestos Consultant, fencing and Engaging a licenced Asbestos Removal contractor at 14 Record Street Goulburn. No contact has been made by the Company regarding the payment of the invoice.

16.10 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

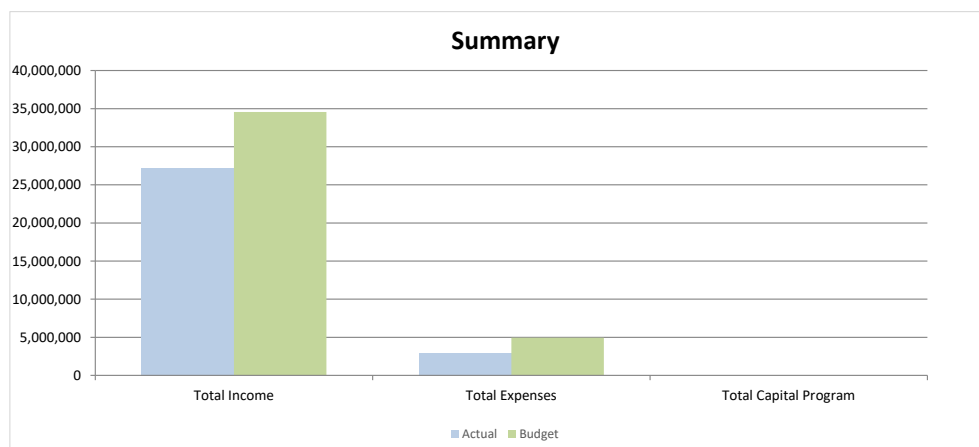
The Attachment includes the Capital Expenditure Year-to-Date Reports by Directorate along with Directorate reports comparing Council's year-to-date income and expenditure against the annual budget for the 2022/23 financial year.



Council Directorate Summary Report for 2022/23
for YTD Period Ending January

Date Report Run: 31-Jan-2023

Executive Services								% of Time:	59%
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	22,786,796	0	0	22,786,796	22,811,239	24,443	100%	
Interest & Investment Revenue	250,000	236,686	0	0	236,686	250,000	13,314	95%	
Other Revenues	137,915	96,078	0	0	96,078	137,915	41,837	70%	
Operating Grants & Contributions	6,645,750	1,303,988	0	0	1,303,988	6,645,750	5,341,762	20%	
Internal Income	4,713,609	2,749,605	0	0	2,749,605	4,713,609	1,964,004	58%	
Total Income	34,558,513	27,173,153	0	0	27,173,153	34,558,513	7,385,360	79%	
Expense									
Employee costs	3,011,085	1,744,939	7,064	0	1,752,002	2,970,792	1,218,790	59%	
Materials & Contracts	1,030,829	570,237	152,486	0	722,722	1,030,829	308,106	70%	
Depreciation & Impairment	1,856	0	0	0	0	1,856	1,856	0%	
Other Expenses	394,926	203,180	123	0	203,303	394,926	191,623	51%	
Internal Expenses	537,351	390,325	0	0	390,325	537,351	147,027	73%	
Total Expense	4,976,048	2,908,680	159,672	0	3,068,352	4,935,754	1,867,402	62%	
Operating Surplus/(Deficit) before Capi	29,582,465	24,264,473	-159,672	0	24,104,801	29,622,759	5,517,958	81%	
Capital Income									
Operating Surplus/(Deficit) after Capite	29,582,465	24,264,473	-159,672	0	24,104,801	29,622,759	5,517,958	81%	
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	0	0	0	0	0	0	0%	
Asset Sales	0	0	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	24,264,473	-159,672	0	24,104,801	29,624,615	5,519,814	81%	
Reserve Movements									
Transfers to Internal Reserves	-872,190	-410,488	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	23,853,985	-159,672	0	23,694,313	28,752,425	5,058,112	82%	



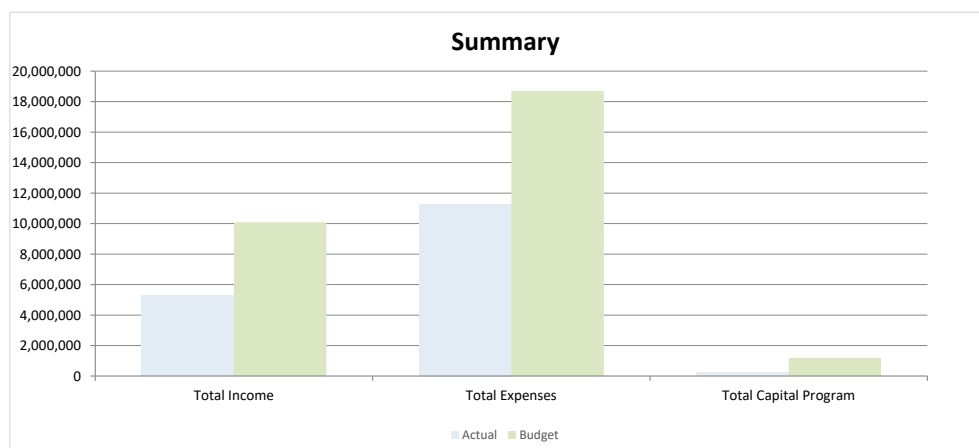


Council Directorate Summary Report for 2022/23
for YTD Period Ending January

Date Report Run: 31-Jan-2023

Corporate and Community Services

Description	Original Budget 23PJOB	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	% of Time:	
							\$ Variance	% of Budget
Income								
Rates & Annual Charges	-46,109	-28,207	0	0	-28,207	-46,109	-17,902	61%
User Charges & Fees	853,020	456,240	0	0	456,240	853,020	396,780	53%
Interest & Investment Revenue	35,000	22,355	0	0	22,355	35,000	12,645	64%
Other Revenues	686,532	419,587	0	0	419,587	686,532	266,946	61%
Operating Grants & Contributions	598,745	463,345	0	0	463,345	576,745	113,401	80%
Internal Income	6,734,545	3,928,485	0	0	3,928,485	6,734,545	2,806,060	58%
Total Income	8,861,733	5,261,803	0	0	5,261,803	8,839,733	3,577,930	60%
Expense								
Employee costs	7,632,920	4,761,426	3,518	0	4,764,943	7,848,878	3,083,934	61%
Materials & Contracts	6,396,977	4,545,546	659,264	81,330	5,286,141	6,326,901	1,040,760	84%
Borrowing Costs	166,743	39,559	0	0	39,559	166,743	127,184	24%
Depreciation & Impairment	1,249,137	0	0	0	0	1,249,137	1,249,137	0%
Other Expenses	217,146	183,578	0	0	183,578	217,146	33,568	85%
Internal Expenses	2,889,853	1,754,149	0	0	1,754,149	2,889,853	1,135,705	61%
Total Expense	18,552,776	11,284,257	662,782	81,330	12,028,370	18,698,657	6,670,288	64%
Operating Surplus/(Deficit) before Capital Grants & Contributions	-9,691,043	-6,022,454	-662,782	-81,330	-6,766,566	-9,858,924	-3,092,358	69%
Capital Income								
Capital Grants & Contributions	0	23,871	0	0	23,871	0	-23,871	0%
Operating Surplus/(Deficit) after Capital Grants & Contributions	-9,691,043	-5,998,583	-662,782	-81,330	-6,742,695	-9,858,924	-3,116,229	68%
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	-259,292	-6,386	-244,652	-510,330	-1,189,608	-679,278	43%
Asset Sales	0	0	0	0	0	0	0	0%
Total Investing Fund Flows	-1,080,000	-259,292	-6,386	-244,652	-510,330	-1,189,608	-679,278	43%
Financing Fund Flows								
Loan Principal	-549,463	-75,016	0	0	-75,016	-549,463	-474,447	14%
Total Financing Fund Flows	-549,463	-75,016	0	0	-75,016	-549,463	-474,447	14%
Net Inc/(Dec) in Funds before Transfers	-10,071,369	-6,332,891	-669,168	-325,982	-7,328,041	-10,348,858	-3,020,817	71%
Reserve Movements								
Transfers to Other External Reserves	0	-163	0	0	-163	0	163	0%
Transfers from Internal Reserves	1,166,946	0	0	0	0	1,264,327	1,264,327	0%
Transfers from Other External Reserves	15,000	0	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	-6,333,054	-669,168	-325,982	-7,328,204	-9,069,531	-1,741,327	81%

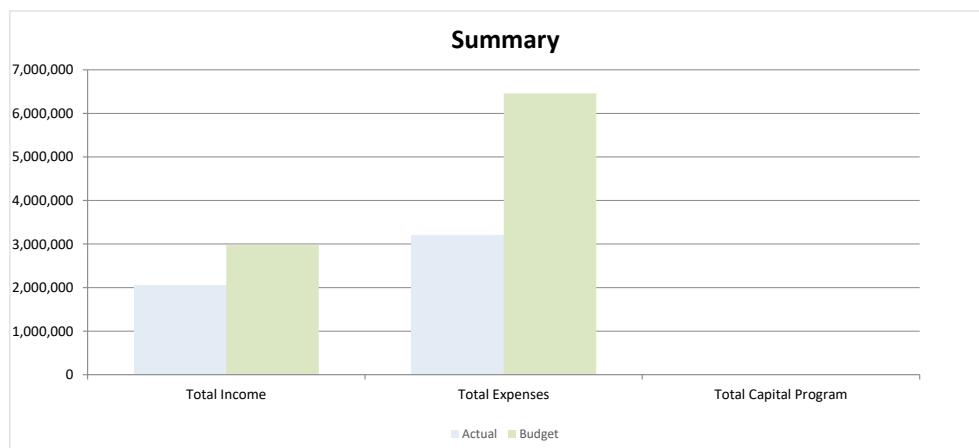




Council Directorate Summary Report for 2022/23
for YTD Period Ending January

Date Report Run: 31-Jan-2023

Planning & Environment								% of Time:	59%
Description	Original Budget 23PJOB	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Budget	
Income									
Rates & Annual Charges	-1,379	-607	0	0	-607	-1,379	-773	44%	
User Charges & Fees	2,134,973	1,068,096	0	0	1,068,096	2,134,973	1,066,877	50%	
Other Revenues	390,809	195,182	0	0	195,182	390,809	195,627	50%	
Operating Grants & Contributions	453,000	433,724	0	0	433,724	431,800	-1,924	100%	
Total Income	2,977,403	1,696,395	0	0	1,696,395	2,956,203	1,259,808	57%	
Expense									
Employee costs	4,224,029	2,032,422	0	0	2,032,422	4,258,598	2,226,175	48%	
Materials & Contracts	468,455	385,171	320,203	0	705,374	625,455	-79,919	113%	
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	779,492	0	0	779,492	1,556,681	777,189	50%	
Total Expense	6,267,185	3,198,848	320,203	0	3,519,051	6,458,753	2,939,702	54%	
Operating Surplus/(Deficit) before Capital	-3,289,782	-1,502,452	-320,203	0	-1,822,655	-3,502,550	-1,679,895	52%	
Capital Income									
Capital Grants & Contributions	250,000	355,953	0	0	355,953	385,000	29,047	92%	
Operating Surplus/(Deficit) after Capital	-3,039,782	-1,146,500	-320,203	0	-1,466,703	-3,117,550	-1,650,847	47%	
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	-1,146,500	-320,203	0	-1,466,703	-3,100,731	-1,634,028	47%	
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	30,801	0	0	30,801	30,801	0	100%	
Total Reserve Movements	-456,000	-542,140	0	0	-542,140	-381,999	160,141	142%	
Net Inc/(Dec) in Unrestricted Funds	-3,528,963	-1,688,640	-320,203	0	-2,008,843	-3,482,730	-1,473,887	58%	

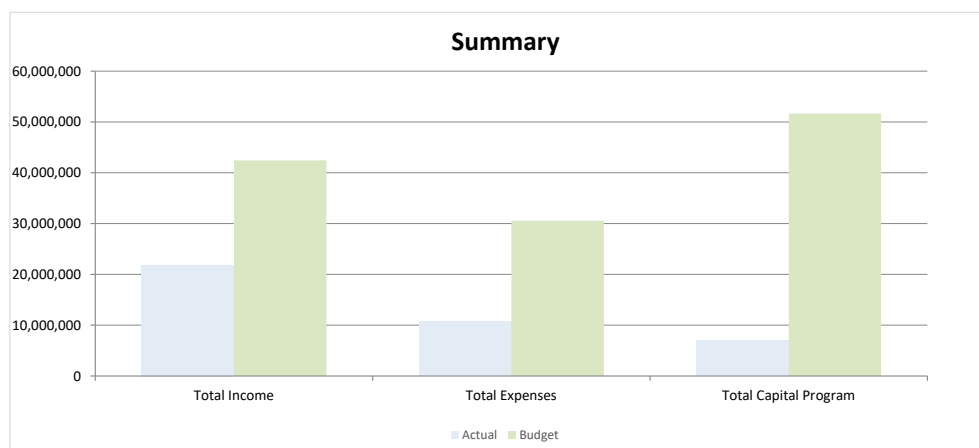




Council Directorate Summary Report for 2022/23
for YTD Period Ending January

Date Report Run: 31-Jan-2023

Utilities								% of Time:	61%
Description	Original Budget 23PJOB	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Budget	
Income									
Rates & Annual Charges	18,321,470	12,109,124	0	0	12,109,124	18,321,470	6,212,346	66%	
User Charges & Fees	14,785,876	5,931,457	0	0	5,931,457	14,785,876	8,854,419	40%	
Interest & Investment Revenue	660,500	-133,959	0	0	-133,959	660,500	794,459	-20%	
Other Revenues	175,112	144,173	0	0	144,173	175,112	30,940	82%	
Operating Grants & Contributions	0	36,393	0	0	36,393	0	-36,393	0%	
Internal Income	2,851,315	0	0	0	0	2,851,315	2,851,315	0%	
Total Income	36,794,273	18,087,188	0	0	18,087,188	36,794,273	18,707,085	49%	
Expense									
Employee costs	6,883,347	3,401,479	0	0	3,401,479	6,895,082	3,493,603	49%	
Materials & Contracts	7,498,456	2,939,660	0	1,550,221	4,489,881	7,498,456	3,008,576	60%	
Borrowing Costs	1,059,323	537,148	0	0	537,148	1,059,323	522,175	51%	
Depreciation & Impairment	5,645,039	0	0	0	0	5,645,039	5,645,039	0%	
Internal Expenses	9,467,263	3,790,597	0	0	3,790,597	9,467,263	5,676,666	40%	
Total Expense	30,553,428	10,668,883	0	1,550,221	12,219,104	30,565,163	18,346,059	40%	
Operating Surplus/(Deficit) before Capital Income	6,240,845	7,418,305	0	-1,550,221	5,868,084	6,229,110	361,026	94%	
Capital Income									
Capital Grants & Contributions	6,125,123	3,758,778	0	0	3,758,778	6,590,030	2,831,252	57%	
Operating Surplus/(Deficit) after Capital Income	12,365,968	11,177,083	0	-1,550,221	9,626,863	12,819,140	3,192,277	75%	
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	-6,977,056	0	-8,415,039	-15,392,095	-51,657,954	-36,265,859	30%	
Asset Sales	0	0	0	0	0	0	0	0%	
Total Investing Fund Flows	-49,343,492	-6,977,056	0	-8,415,039	-15,392,095	-51,657,954	-36,265,859	30%	
Financing Fund Flows									
Loan Principal	-630,097	-646,379	0	0	-646,379	-630,097	16,282	103%	
Total Financing Fund Flows	-630,097	-646,379	0	0	-646,379	-630,097	16,282	103%	
Net Inc/(Dec) in Funds before Transfers	-31,962,582	3,553,648	0	-9,965,260	-6,411,612	-33,823,872	-27,412,260	19%	
Reserve Movements									
Transfers to Developer Contributions	-1,000,000	-968,104	0	0	-968,104	-1,000,000	-31,896	97%	
Transfers from Internal Reserves	2,384,492	0	0	0	0	2,669,910	2,669,910	0%	
Transfers from Developer Contributions	4,159,103	0	0	0	0	4,745,979	4,745,979	0%	
Transfers from Other External Reserves	17,845,452	158,337	0	0	158,337	18,961,437	18,803,101	1%	
Total Reserve Movements	23,389,047	-809,768	0	0	-809,768	25,377,326	26,187,094	-3%	
Net Inc/(Dec) in Unrestricted Funds	-8,573,535	2,743,880	0	-9,965,260	-7,221,379	-8,446,546	-1,225,167	85%	

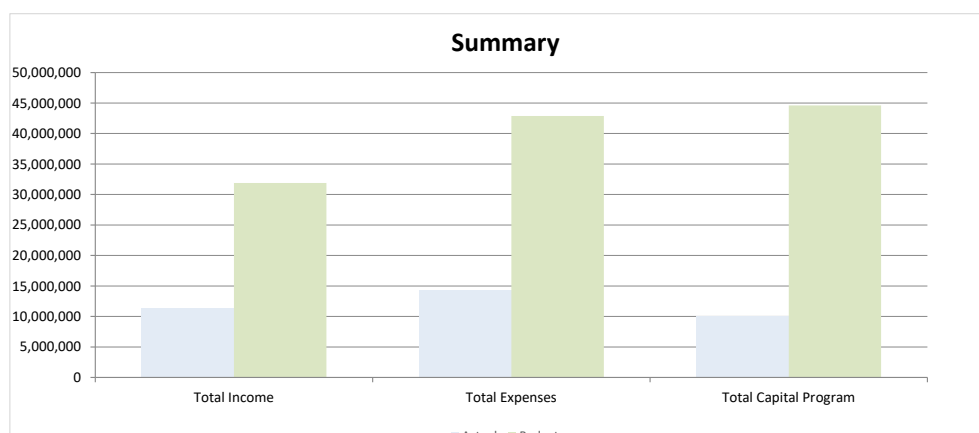




Council Directorate Summary Report for 2022/23
for YTD Period Ending January

Date Report Run: 31-Jan-2023

Operations								% of Time:	61%
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	835,130	0	0	835,130	597,849	-237,281	140%	
Other Revenues	298,155	120,236	0	0	120,236	298,155	177,920	40%	
Operating Grants & Contributions	3,721,452	1,638,109	0	0	1,638,109	9,773,584	8,135,475	17%	
Internal Income	5,703,234	3,398,066	0	0	3,398,066	5,688,014	2,289,949	60%	
Total Income	10,101,628	5,879,511	0	0	5,879,511	16,138,540	10,259,029	36%	
Expense									
Employee costs	7,912,182	4,866,480	0	0	4,866,480	8,059,197	3,192,717	60%	
Materials & Contracts	7,225,207	5,979,761	0	2,831,081	8,810,842	13,143,517	4,332,675	67%	
Borrowing Costs	474,311	224,514	0	0	224,514	474,311	249,797	47%	
Depreciation & Impairment	15,752,480	0	0	0	0	15,752,480	15,752,480	0%	
Other Expenses	595,000	376,028	0	0	376,028	595,000	218,972	63%	
Internal Expenses	4,852,120	2,939,616	0	0	2,939,616	4,859,271	1,919,655	60%	
Total Expense	36,811,299	14,386,399	0	2,831,081	17,217,480	42,883,775	25,666,295	40%	
Operating Surplus/(Deficit) before Capital Income	-26,709,671	-8,506,888	0	-2,831,081	-11,337,969	-26,745,236	-15,407,266	42%	
Capital Income									
Capital Grants & Contributions	21,135,806	5,437,003	0	0	5,437,003	27,040,689	21,603,686	20%	
Operating Surplus/(Deficit) after Capital Income	-5,573,865	-3,069,886	0	-2,831,081	-5,900,967	295,454	6,196,420	-1997%	
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	-10,122,823	0	-18,864,837	-28,987,661	-44,615,695	-15,628,034	65%	
Asset Sales	320,000	5,597	0	0	5,597	320,000	314,403	2%	
Total Investing Fund Flows	-35,615,047	-10,117,226	0	-18,864,837	-28,982,063	-44,295,695	-15,313,632	65%	
Financing Fund Flows									
Loan Principal	-1,340,940	-758,353	0	0	-758,353	-1,340,940	-582,587	57%	
Proceeds from Borrowings	4,000,000	0	0	0	0	4,000,000	4,000,000	0%	
Total Financing Fund Flows	2,659,060	-758,353	0	0	-758,353	2,659,060	3,417,413	-29%	
Net Inc/(Dec) in Funds before Transfers	-22,777,373	-13,885,240	0	-21,695,918	-35,581,158	-25,588,702	9,992,456	139%	
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	1,118,352	0	0	1,118,352	5,540,601	4,422,249	20%	
Total Reserve Movements	3,069,194	-887,384	0	0	-887,384	9,756,822	10,644,206	-9%	
Net Inc/(Dec) in Unrestricted Funds	-19,708,179	-14,772,624	0	-21,695,918	-36,468,542	-15,831,880	20,636,662	230%	

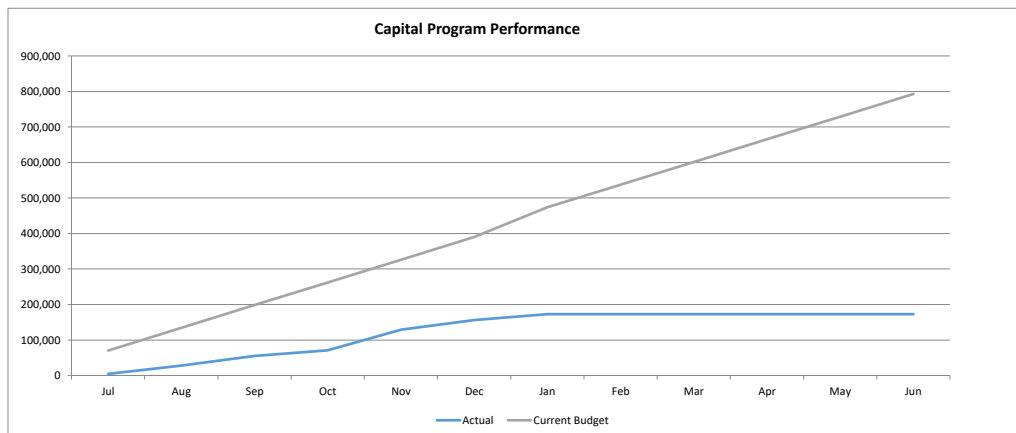




Corporate and Community Services Capital Report by Business Unit for 2022/23
for YTD Period Ending January

Date Report Run: 31-Jan-2023

Description		Renewal %	Original Budget 23PJ08	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Time: 59%	% of Budget	Status	Comments
140 - Innovation & Technology													
IT Renewal Assets	Renewal 100%	470,000	95,037	0		171,009	266,046	470,000	203,954	57%		On time, on budget	Unspent grant funds to be carried over from 2021/22 budget
Contingency	Renewal 0%	50,000	0	0		0	0	50,000	50,000	0%		Not due to commence	
56 Clinton St IT Upgrade	Renewal 100%	71,000	0	0		0	0	71,000	71,000	0%		Not due to commence	
21/22 NSW Emergency Operations Centre Upgrade (G)	Renewal 0%	0	7,605	0		7,605	15,209	0	-15,209	0%		Quarterly review, carryover required	
		591,000	102,641	0		178,614	281,255	591,000	309,745	48%			
180 - Marketing & Culture													
VIC Replacement Assets	Renewal 100%	30,000	0	0		0	0	30,000	30,000	0%		Not due to commence	Annual standing orders for Library resources. Fully committed for the year.
VIC New Assets	Renewal 0%	5,000	8,964	0		0	8,964	8,964	0	100%		Completed	
Library Renewal Assets	Renewal 100%	23,000	24,629	0		0	24,629	24,629	0	100%		Completed	
Book Resources Gbn Library	Renewal 100%	123,000	72,329	0		48,843	121,172	123,000	1,828	99%		On time, on budget	
Art Gallery Acquisitions	Renewal 0%	10,000	0	0		0	0	10,000	10,000	0%		Not due to commence	
Art Gallery - P&E Renewal	Renewal 100%	8,000	3,928	0		0	3,928	8,000	4,072	49%		On time, on budget	
Museum Capital Works - Renewal	Renewal 100%	15,000	2,640	0		0	2,640	28,374	25,734	9%		On time, on budget	
St Clair Museum Restoration Works (G)	Renewal 100%	0	0	0		5,455	5,455	54,674	49,219	10%		On time, on budget	
Waterworks Upgrades	Renewal 100%	0	12,812	0		4,956	17,768	34,745	16,977	51%		On time, on budget	
Rocky Hill Beacon Light Replacement (G)	Renewal 100%	0	1,222	0		0	1,222	1,222	0	100%		Completed	
Collection Conservation/Framing	Renewal 0%	5,000	0	4,650		0	4,650	5,000	350	93%		On time, on budget	
Rocky Hill Memorial Remediation Works	Renewal 0%	0	2,518	0		0	2,518	0	-2,518	0%		Quarterly review, carryover required	Insurance claim pending
		219,000	129,042	4,650		59,253	192,945	328,608	135,663	59%			
270 - Property & Community Services													
Clinton St Offices Upgrade	Renewal 100%	250,000	8,297	0		0	8,297	250,000	241,703	3%		On time, on budget	Unspent grant funds to be carried over from 2021/22 budget
GPAC Capital Upgrades/Plant & Equipment	Renewal 0%	20,000	11,017	1,736		0	12,753	20,000	7,247	64%		On time, on budget	
Creative Capital Funding - GPAC (G)	Renewal 0%	0	8,295	0		6,785	15,080	0	-15,080	0%		Quarterly review, carryover required	
		270,000	27,609	1,736		6,785	36,130	270,000	233,870	13%			
Total Capital Program		1,080,000	259,292	6,386		244,652	510,330	1,189,608	679,278	0%			

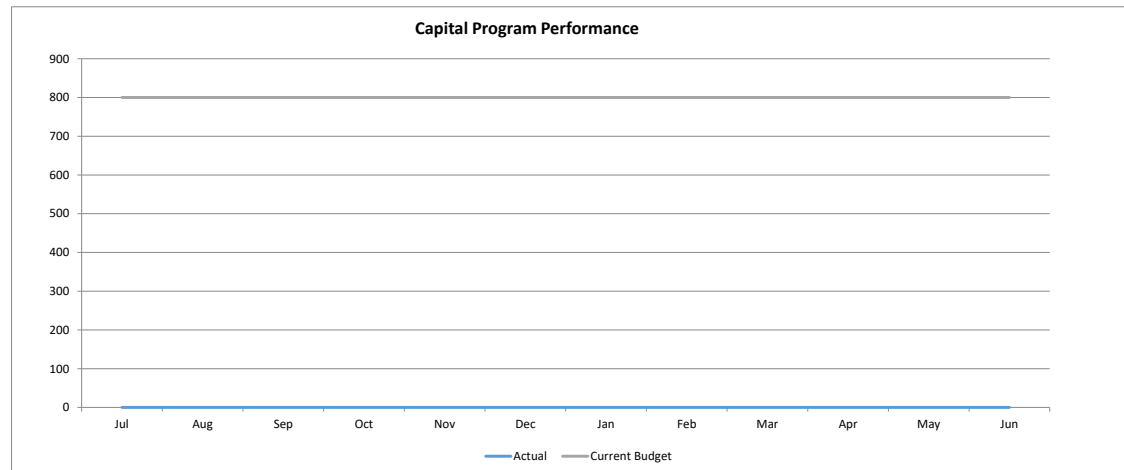




Planning & Environment Capital Report by Business Unit for 2022/23
for YTD Period Ending January

Date Report Run: 31-Jan-2023

Description	Renewal %	Original Budget 23PJ0B	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	% of Time:		% of Budget	Status	Comments
								\$ Variance				
190 - Environment & Health										59%		
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	
Animal Shelter Upgrade (LRCI3)	Renewal 0%	0	0	35,335	0	35,335	0	-35,335		0%	Not commenced	
		51,200	0	35,335	0	35,335	1,200	-34,135		2945%		
Total Capital Program		51,200	0	35,335	0	35,335	1,200	-34,135		4%		





Utilities Capital Report by Business Unit for 2022/23
for YTD Period Ending January

Date Report Run: 31-Jan-2023

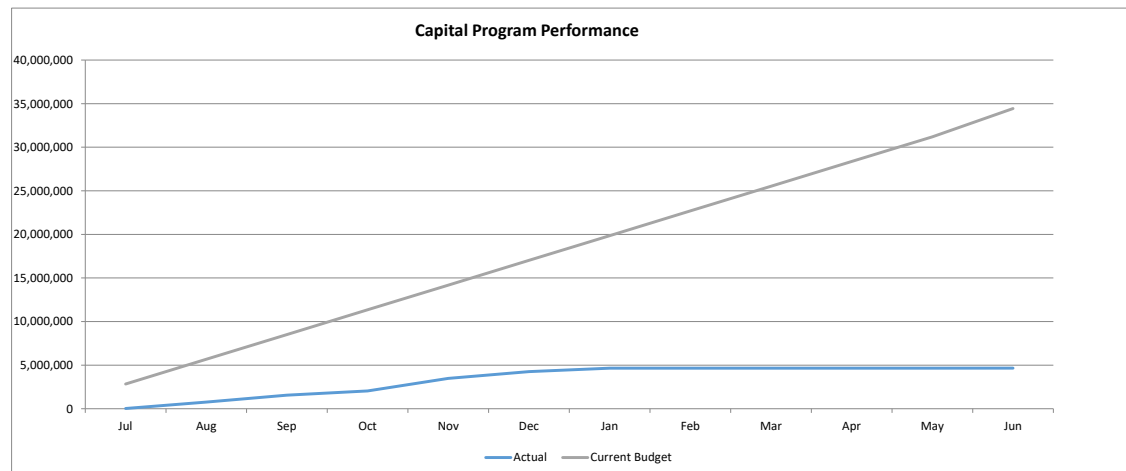
Description	Renewal %	Original Budget 23PJ0B	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Time: 61%		Status	Comments
240 - Waste Management												
Environmental Improvement Works Goulburn	Renewal 100%	100,000	41,205	0	36,656	77,861	127,672	49,811	61%	On time, on budget		
Environmental Improvement Works Marulan	Renewal 100%	175,000	0	0	0	0	175,000	175,000	0%	On time, on budget	Project delayed due to weather.	
Replacement Bins & Lifters	Renewal 100%	66,000	0	0	0	0	66,000	66,000	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%	Late, not expected to be completed this year	Tender preparations underway	
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%	Quarterly review, carryover required	Quarterly review to add domestic waste contribution as per resolution 2021/354, and order to be amended to reflect current commitments.	
Commercial Waste Tubs - Renew	Renewal 100%	35,000	0	0	0	0	35,000	35,000	0%	On time, on budget		
Commercial Waste Tubs - New	Renewal 0%	5,000	13,900	0	0	13,900	5,000	-8,900	278%	Quarterly review, carryover required	Commercial Waste tubs, expense can be moved to renewal or funds from renewal moved to new in a quarterly review.	
WMC Landscaping	Renewal 0%	40,000	0	0	0	0	40,000	40,000	0%	Late, not expected to be completed this year	Completion dependent on upgrade progress	
Truck Cameras/Software	Renewal 0%	0	276	0	0	276	0	-276	0%	On time, on budget	No budget. Quarterly review required.	
Compactor "Wrapping"	Renewal 0%	4,650	0	0	9,091	9,091	4,650	-4,441	196%	Late, not expected to be completed this year	This includes an order for vehicles that will not arrive this financial year. Order to be cancelled and works to be completed when trucks arrive.	
		6,031,999	2,382,652	0	4,243,400	6,626,052	7,034,906	408,855	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%	Late, not expected to be completed this year	Carry over required	
Goulburn Reticulation Renewal	Renewal 100%	2,000,000	368,457	0	1,631,543	2,000,000	2,000,000	0	100%	On time, on budget		
Water Connections - Private Works	Renewal 100%	231,826	136,745	0	3,418	140,163	231,826	91,663	60%	On time, on budget		
Water Meter Replacement	Renewal 100%	60,000	19,167	0	0	19,167	60,000	40,833	32%	On time, on budget		
Marulan WTP Renewal	Renewal 100%	5,537,532	69,732	0	219,324	289,056	5,547,656	5,258,600	5%	On time, on budget	Carryover required for the budget amount not expected to be spend this financial year.	
Marulan PS Pontoon Design & Replacement/Sandbagging of Bank	Renewal 100%	339,734	0	0	0	0	339,734	339,734	0%	Not commenced	Carryover required and reallocation to Pump Station Marulan Raw Water Asset Renewal	
Lab Equipment Renewal	Renewal 100%	20,000	19,130	0	0	19,130	20,000	870	96%	Completed		
Gbn WTP Mechanical/Electrical Renewal	Renewal 100%	0	0	0	10,825	10,825	0	-10,825	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%	On time, on budget		
Asset Renewals - Dams	Renewal 100%	0	0	0	25,722	25,722	0	-25,722	0%	Quarterly review, carryover required	No budget allocated, quarterly review to be completed	
Asset Renewals - Goulburn Water Treatment Plant	Renewal 100%	30,000	21,387	0	0	21,387	30,000	8,613	71%	On time, on budget		
Asset Renewals - Marulan Water Treatment Plant	Renewal 100%	10,000	0	0	0	0	10,000	10,000	0%	On time, on budget		
Goulburn WTP Clarifiers Rehabilitation	Renewal 100%	280,000	879	0	0	879	280,000	279,121	0%	Late, not expected to be completed this year	Tender declined December 2023 due to high cost. Project to be rescope and retendered to be completed over the next two financial years.	
Asset Renewals - Goulburn Reservoirs	Renewal 100%	80,000	0	0	0	0	80,000	80,000	0%	Quarterly review, carryover required	Carryover required and reallocation to the Goulburn Water Treatment Plant upgrade for next financial year	
Asset Renewals - Marulan Reservoirs	Renewal 100%	20,000	0	0	0	0	20,000	20,000	0%	Quarterly review, carryover required	Carryover required and reallocation to the Marulan Water Treatment Plant upgrade for next financial year	
Water Distribution Plant & Equipment	Renewal 0%	30,000	17,896	0	9,535	27,430	30,000	2,570	91%	On time, on budget		
		13,184,092	688,174	0	1,979,507	2,667,681	13,621,346	10,953,665	20%			
260 - Waste Water Services												
Marulan Pump Station Improvements	Renewal 100%	984,845	25,061	0	0	25,061	962,507	937,446	3%	Late, expected to be on budget	Project delayed due to crown land acquisition. Tender underway. Not expected to be fully spent this financial year. Carry over required for funds not expected to be spent this financial year.	
Goulburn Mains Rehabilitation	Renewal 100%	1,000,000	193	0	0	193	1,000,000	999,807	0%	Late, expected to be on budget	Contract to be awarded in February. Budget not expected to be fully spent, draft budget has allocation for next financial year.	
Sewer Connections - Private Works	Renewal 100%	90,000	24,583	0	1,818	26,402	90,000	63,598	29%	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%	On time, on budget	Concept design in progress with negotiation with stakeholders. Carry over required for funds not expected to be spent this financial year.	
STWRIS Stage 2 Reuse Irrigation Scheme (G)	Renewal 0%	4,300,000	3,345,419	0	1,496,461	4,841,879	4,978,286	136,407	97%	Late, expected to be on budget		
Nth Gbn PS Rising Main-Capacity & Storage	Renewal 100%	500,000	0	0	0	0	500,000	500,000	0%	Late, expected to be on budget	Works ready to commence. Expected to be completed this financial year.	



Utilities Capital Report by Business Unit for 2022/23
for YTD Period Ending January

Date Report Run: 31-Jan-2023

Description	Renewal %	Original Budget 23PJ0B	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	% of Time:		% of Budget	Status	Comments
								\$ Variance	61%			
The Avenue PS Renewal	Renewal 50%	600,000	0	0	0	0	600,000	600,000		0%	On time, on budget	Work in progress on switchboard replacement. Carryover of \$450,502 to next financial year for Goulburn Pump Station renewals.
SN Growing Local Economies Common St (G)	Renewal 0%	880,000	206,527	0	539,028	745,555	1,088,803	343,248		68%	On time, on budget	Tender preparation underway, expected to be completed this financial year.
Rec Area Sewer Pump Station Construction	Renewal 100%	372,959	118,565	0	66,659	185,224	372,959	187,735		50%	On time, on budget	Work in progress on switchboard replacement. Carryover of \$450,502 to next financial year for Goulburn Pump Station renewals.
Sewer Distribution Plant & Equipment	Renewal 0%	10,000	467	0	0	467	10,000	9,533		5%	On time, on budget	
May St SPS Upgrade	Renewal 100%	800,000	4,630	0	0	4,630	800,000	795,370		1%	Late, not expected to be completed this year	Work in progress to develop options given the constraints on the site. Carryover of \$790,370 required.
MIn CED Decommission Project	Renewal 100%	1,500,000	0	0	0	0	1,500,000	1,500,000		0%	Quarterly review, carryover required	Works not ready to commence. Quarterly review required.
Goulburn WWTP Security	Renewal 0%	50,000	0	0	0	0	50,000	50,000		0%	On time, on budget	
WWTP Lab Equipment	Renewal 100%	10,000	8,107	0	13,916	22,023	10,000	-12,023		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%	On time, on budget	
Asset Renewals - Goulburn Sewer Pump Stations	Renewal 100%	25,000	8,048	0	0	8,048	25,000	16,953		32%	On time, on 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%	Late, not expected to be completed this year	Concept design completed and costings to be reallocated to this project number. Currently waiting approval from land holder for proposed design.
Asset Renewals - Goulburn Waste Water Treatment Plant	Renewal 100%	125,000	0	0	36,841	36,841	125,000	88,159		29%	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%	Quarterly review, carryover required	This will be included in the stage 2 of the treatment plant construction.
The Avenue Repair Works	Renewal 0%	0	82,306	0	67,192	149,498	0	-149,498		0%	On time, on budget	Double up of 490021
		30,127,401	3,835,620	0	2,257,142	6,092,762	31,001,702	24,908,940		20%		
Total Capital Program		49,343,492	6,906,446	0	8,480,049	15,386,495	51,657,954	36,271,459		0%		





Operations Capital Report by Business Unit for 2022/23
for YTD Period Ending January

Date Report Run: 31-Jan-2023

Description	Renewal %	Original Budget 23PJ0B	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Time: 62%	% of Budget	Status	Comments
200 - Projects												
Performing Arts Centre (G)	Renewal 0%	0	920	0	3,507	4,427	0	-4,427	0%	0%		
18-22 North Gbn Employment Precinct and Roundabout1	Renewal 0%	3,073,533	104,617	0	5,566,654	5,671,271	5,503,323	-167,948	103%	103%	Late, expected to be overspent	Latent ground conditions. Good and services increases
Aquatic Centre Upgrade (G)	Renewal 0%	0	572,224	0	25,746	597,970	535,936	-62,034	112%	112%		
Towrang Road Bridge Replacement	Renewal 100%	0	371,501	0	214,591	586,093	862,247	276,154	68%	68%	Quarterly review, carryover required	Finalising land acquisitions. Extra funds allocated to Carrick Bridge completion.
Japanese Garden - Victoria Park	Renewal 0%	0	105,180	0	87,160	192,340	0	-192,340	0%	0%		In Design phase
Hockey Redevelopment - Car Park (G)	Renewal 0%	0	0	0	12,830	12,830	0	-12,830	0%	0%		
Hockey Redevelopment - New Amenities (G)	Renewal 0%	0	69,954	0	1,288,862	1,358,816	756,461	-602,355	180%	180%		Site cut complete, foundation underway
Hockey Redevelopment - Existing Amenities Refurb (G)	Renewal 100%	0	15,612	0	585,377	600,989	143,380	-457,609	419%	419%		Demolition (internal) to commence Q3
Wollondilly Walking Track - Cemetery St (G)	Renewal 0%	467,658	180,131	0	589,406	769,537	872,443	102,906	88%	88%	Late, expected to be on budget	River crossing construction has commenced. Land acquisition not yet finalised.
RHL Mogo Road - Hi Quality S94	Renewal 100%	0	0	0	0	0	370,944	370,944	0%	0%	On time, on budget	
Carrick Road Bridge Upgrade (G)	Renewal 100%	0	406,258	0	46,134	452,392	347,778	-104,614	130%	130%	Quarterly review, carryover required	Bridge complete, additional funding from savings 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	
Pedestrian Refuge - Newton St (G)	Renewal 0%	0	0	0	0	0	88,786	88,786	0%	0%		
Upgrade Zebra Crossing - Fitzroy St (G)	Renewal 0%	0	11,782	0	6,000	17,782	39,036	21,254	46%	46%	Late, expected to be overspent	Crossing will need to be reconstructed, on the advice of TfNSW to accommodate low level wind farm construction (oversize) vehicles. TfNSW will fund the reworks.
Upgrade Zebra Crossing - Deccan St (G)	Renewal 0%	0	28,882	0	0	28,882	37,537	8,655	77%	77%	Quarterly review, carryover required	Saving from this project to be moved to Bradfordville paths - Amaroo place
Raised Crossing - Clinton St (G)	Renewal 0%	0	22,627	0	0	22,627	45,078	22,451	50%	50%		
West and St Peter & Pauls Footpaths (G)	Renewal 0%	0	0	0	0	0	140,327	140,327	0%	0%		
Gbn High & Trinity Footpaths (G)	Renewal 0%	0	0	0	0	0	4,690	4,690	0%	0%		
Bradfordville School Footpaths (G)	Renewal 0%	0	100,110	0	36,579	136,689	341,891	205,202	40%	40%	On time, on budget	
Shared Path - Hume St (G)	Renewal 0%	0	972	0	0	972	54,313	53,341	2%	2%	Completed	Saving from this project to be moved to Bradfordville paths - Amaroo place
Kinghorne/Albert Roundabout - Blackspot (G)	Renewal 50%	376,860	10,420	0	0	10,420	409,060	398,640	3%	3%	Late, not expected to be completed this year	Proposed scope change. Variation has been applied with funding body. Extra funds will be needed to complete the job
Jerrara Road Upgrade - Blackspot (G)	Renewal 50%	1,600,181	4,774	0	11,724	16,498	1,740,994	1,724,496	1%	1%	Late, expected to be overspent	Application for additional funding has been submitted. Currently awaiting for TfNSW response.
Deccan Street Rehabilitation - FLR (G)	Renewal 100%	1,979,466	43,426	0	799	44,225	1,989,108	1,944,883	2%	2%	Late, expected to be overspent	Reduction in scope request with the funding body. Awaiting answers
BLER - Tallong Village Project - Capital	Renewal 0%	0	53,888	0	14,655	68,543	153	-68,390	44800%	44800%	On time, on budget	Picnic shelters installed, awaiting skate park furniture.
BLER - Tarago Village Projects - Capital	Renewal 0%	0	2,304	0	42,090	44,394	101,434	57,040	44%	44%	On time, on budget	Extension approval granted - Dec 2023. BBQ shelter demolished and new shelter to be installed in March.
Mayfield Road Bridge Replacement	Renewal 100%	2,288,000	9,053	0	3,693	12,745	500,000	487,255	3%	3%	On time, on budget	Conceptual stage, design to be finalised, environmental studies ongoing (REF)
North Park Pavilion - LRCI/RSFF (G)	Renewal 0%	1,532,603	744,520	0	665,573	1,410,093	1,582,603	172,510	89%	89%		Finishing trades, electrical upgrades, grease arrestor.
North Park Landscaping/Access - SCCF (G)	Renewal 0%	345,925	86,081	0	126,498	212,579	292,104	79,525	73%	73%	On time, on budget	
Netball Court Resurfacing - SCCF (G)	Renewal 100%	699,998	0	0	0	0	699,998	699,998	0%	0%	Not due to commence	Finalising lighting grant
Bradley Street Drainage Upgrade Works	Renewal 100%	570,000	37,903	0	12,203	50,106	1,550,000	1,499,894	3%	3%	Late, expected to be on budget	Underground services conflict. Monitoring associated risks to minimise potential variations
Bourke St Wombat Crossing (G)	Renewal 0%	50,000	0	0	3,800	3,800	57,549	53,749	7%	7%	Late, expected to be on budget	
School Zone Patches & Dragon Teeth (G)	Renewal 100%	0	107,415	0	38,040	145,455	182,745	37,290	80%	80%	Late, expected to be on budget	
Playground - Tony Onions Park - Everyone Can Play (G)	Renewal 10%	390,000	817	0	355,464	356,280	400,000	43,720	89%	89%	On time, on budget	Existing playground being demolished second week in February. New playground to be installed by mid April.
Cullulla Road Causeway Renewal S 94	Renewal 100%	0	293,118	0	141,913	435,031	522,506	87,475	83%	83%	Completed	Final costs may be subject to latent ground condition variations.
BMX Track Upgrade	Renewal 100%	150,000	0	0	150,000	150,000	150,000	0	100%	100%		Design and Construct contract let.
Carr Confoy Pavillion - BBRF (G)	Renewal 50%	8,000,000	52,832	0	107,656	160,489	8,000,000	7,839,511	2%	2%		Concepts finalised.
Seiffert Oval Amenities and Landscaping (G)	Renewal 100%	0	88,500	0	141,555	230,056	131,861	-98,195	174%	174%	Quarterly review, carryover required	Service connections. Slab complete, fence installed
North Park Pavilion (G)	Renewal 0%	0	-468	0	0	-468	0	468	0%	0%		To be combined with 190376
21-22 Jerrara-Oallen Ford Road Rehabilitation	Renewal 100%	0	486,053	0	1,885,062	2,371,115	0	-2,371,115	0%	0%	On time, on budget	
Streets as shared spaces	Renewal 0%	0	399,311	0	18,227	417,538	244,105	-173,433	171%	171%		Solar lighting install, tactile indicators.



Operations Capital Report by Business Unit for 2022/23
for YTD Period Ending January

Date Report Run: 31-Jan-2023

Description	Renewal %	Original Budget 23PJ0B	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Time: 62%	% of Budget	Status	Comments
Copford Reach Amenities Project	Renewal 100%	0	104,358	0	29,229	133,587	117,379	-16,208		114%		90% complete
Riverside Park Pump Track Project	Renewal 0%	0	9,655	0	450,000	459,655	548,600	88,945		84%		Community consultation underway (comments due 3 March 2023)
GMC Emergency Operations Centre	Renewal 0%	0	10,871	0	0	10,871	0	-10,871		0%		SES to confirm final design and funding contribution.
Goulburn Waterworks - Access Inclusion RTAF	Renewal 50%	0	83,466	0	11,868	95,334	0	-95,334		0%		Paving + floating pontoon outstanding.
Wilson Drive - Road Opening and Closing	Renewal 0%	0	3,424	0	35,362	38,786	0	-38,786		0%		
Unallocated Capital Salaries - Project Management	Renewal 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%	Not due to commence	
		21,674,224	4,624,241	0	12,711,562	17,335,803	29,526,616	12,190,813		59%		
210 - Operations												
RRBG - Highland Way (G) - Rural	Renewal 100%	0	0	0	0	0	0	0		0%	Not commenced	This project has been merged with FA190375 Highland Way - RRBG/RRRP 22/23
RRBG - Taralga Road - Rural (G)	Renewal 100%	0	0	0	40,636	40,636	0	-40,636		0%	Not commenced	No project. Commitment to be cancelled.
RRBG - Taralga Road - Urban (G)	Renewal 100%	0	0	0	12,218	12,218	0	-12,218		0%	Not commenced	No project. Commitment to be cancelled.
Drainage General Urban	Renewal 100%	0	81,687	0	50,059	131,746	78,350	-53,396		168%		
Gravel Resheeting	Renewal 100%	550,001	197,364	0	49,568	246,932	550,001	303,069		45%	On time, on budget	Painters Lane and Merilla Lane completed. Inverary and Bullamalitta Roads to be
Guardrails - Sealed Rural - Local	Renewal 100%	195,467	92,995	0	0	92,995	195,467	102,472		48%	On time, underspent	Guard Rail Section of Windellama road and Mountain road completed. New guard
RHL Collector Rd - Veolia Sec94	Renewal 100%	300,000	4,377	0	827,085	831,462	300,000	-531,462		277%	Quarterly review, carryover required	Project amount to be brought forward by S94 throughly Quaterly review -February 2023.
RHL Bungendore Rd - Veolia Sec 94	Renewal 100%	0	0	0	85,455	85,455	0	-85,455		0%	Not due to commence	No Project. Commitment shown is from last year.
Rural Resealing	Renewal 100%	687,402	331,533	0	353,309	684,842	687,402	2,560		100%	On time, on budget	Works to be completed by Q4
Urban Resealing	Renewal 100%	141,976	1,126	0	135,178	136,305	141,976	5,671		96%	On time, on budget	Works to be completed by Q4
St Lighting and Traffic facilities	Renewal 0%	50,500	17,386	0	473	17,859	50,500	32,641		35%	On time, on budget	
Light Fleet Replacements	Renewal 0%	500,000	218,889	0	352,469	571,358	637,904	66,546		90%	On time, on budget	
Minor Plant Replacements	Renewal 0%	45,000	10,408	0	0	10,408	45,000	34,592		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%	On time, on budget	
Footpath Replacement	Renewal 100%	90,000	0	0	0	0	90,000	90,000		0%	Not due to commence	To be deferred to FY24 due to hospital development.
Hetherington St Depot Workshop Renewal	Renewal 100%	0	45,296	0	35,196	80,492	0	-80,492		0%	Quarterly review, carryover required	
RHL - Hi Quality Sec94	Renewal 100%	0	687	0	177,448	178,135	0	-178,135		0%		Incorrect expense. Expense shown is or 21-22 work order. No works carried out this
RHL Brayton Rd - Gunlake Sec 94	Renewal 100%	95,000	526	0	20,450	20,976	95,000	74,024		22%	On time, on budget	Incorrect budget. Additional \$200,000 brought from reseve in last quaterly review.
RHL Ambrose Rd - Gunlake Sec 94	Renewal 100%	95,000	72,258	0	68,230	140,488	95,000	-45,488		148%	Quarterly review, carryover required	Incorrect budget. Additional \$200,000 brought from reseve in last quaterly review.
RHL - MultiQuip Sec94	Renewal 100%	0	9,800	0	0	9,800	0	-9,800		0%	Completed	
RHL Sth Marulan - Boral Sec 94	Renewal 100%	80,000	165,287	0	13,591	178,879	80,000	-98,879		224%	On time, on budget	Incorrect budget. Total Budget is \$190,000
Urban Road Rehabilitation	Renewal 100%	0	0	0	9,240	9,240	0	-9,240		0%		
Gravel Pit Rehab/Improvements	Renewal 50%	20,000	5,890	0	0	5,890	20,000	14,110		29%	On time, on budget	
Kerb & Gutter Replacement	Renewal 100%	55,000	36,383	0	0	36,383	55,000	18,617		66%	Not due to commence	Project to be deffred to next year. Incorrect expense. Current expenditure to be
Drainage-Tarago Roseberry St	Renewal 0%	200,000	129,929	0	92,067	221,996	396,770	174,774		56%	On time, on budget	Project name is FA190265-Drainage general urban. Roseberry street is work order
Victoria Park Precinct Parking Alterations	Renewal 70%	185,100	0	0	0	0	185,100	185,100		0%	Not commenced	On hold pending project review and possible redesign
Mountain Ash Road - Pavement Renewal (G)	Renewal 100%	0	318,407	0	132,648	451,055	0	-451,055		0%	Quarterly review, carryover required	Carry was due from last year, pending by Finance
CPTIGS 2019-21 Bus Shelters	Renewal 50%	0	30,919	0	16,116	47,036	0	-47,036		0%	Late, expected to be on budget	
Windellama Road - Fixing Local Rds (G)	Renewal 90%	3,473,445	856,693	0	1,684,286	2,540,978	3,473,445	932,467		73%	On time, on budget	Work in progress on Stage 2, 3, S. Planned to be completed in Oct 2023
Urban Asphalt Program	Renewal 100%	815,000	162,158	0	1,313	163,471	815,000	651,529		20%	On time, on budget	In progress. Works planned to be completed by Q4
Village Footpaths - LRC3 (G)	Renewal 0%	300,000	0	0	0	0	300,000	300,000		0%	Not commenced	Under review
Rosemont Road Rehabilitation	Renewal 100%	324,000	231,398	0	9,315	240,713	324,000	83,287		74%	Completed	
Middle Arm Road Rehabilitation 22/23	Renewal 100%	226,000	0	0	0	0	226,000	226,000		0%	Not due to commence	
Kinghorne Street Rehabilitation (Albert-Hoskins)	Renewal 100%	500,000	0	0	0	0	500,000	500,000		0%	Quarterly review, carryover required	Project not commencing. Budget transferred to Towrang Road Deterioration works
Taralga Road - Union Street - RRBG 22/23	Renewal 100%	181,000	0	0	0	0	181,000	181,000		0%		No Project. Funding not available.
Highland Way - RRBG/RRRP 22/23	Renewal 100%	300,000	22,503	0	0	22,503	426,293	403,790		5%	On time, on budget	Works in progress. Expected to be completed by Q4
Garroorrigang Stormwater Improvements	Renewal 100%	270,000	14,903	0	0	14,903	270,000	255,098		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%	Completed	
Deterioration Works - Pomeroy Road	Renewal 100%	165,000	287,351	0	0	287,351	280,000	-7,351		103%	Completed	



Operations Capital Report by Business Unit for 2022/23
for YTD Period Ending January

Date Report Run: 31-Jan-2023

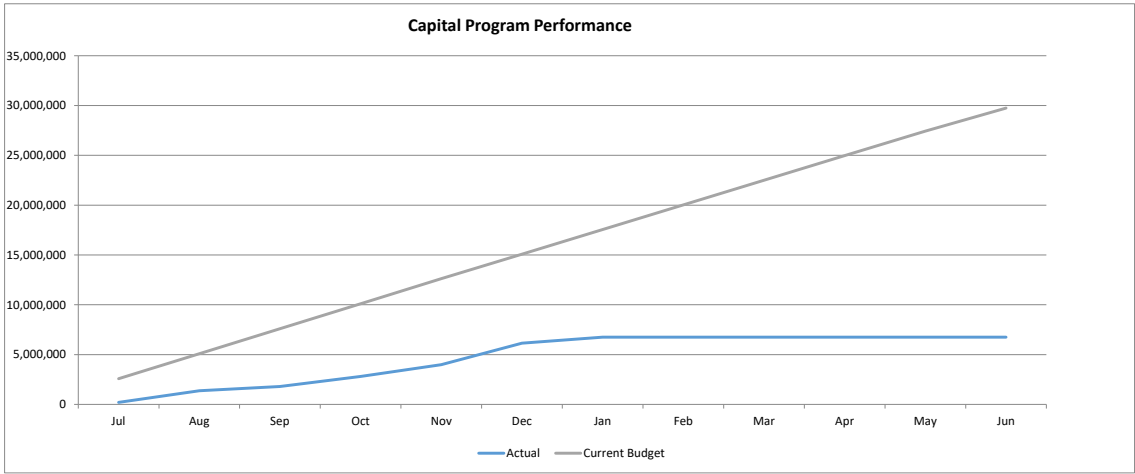
Description	Renewal %	Original Budget 23PJ0B	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	\$ Variance	% of Time: 62%	% of Budget	Status	Comments
Deterioration Works - Middle Arm Rd	Renewal 100%	325,000	169,752	0	0	169,752	163,909	-5,843	104%	104%	Completed	
Deterioration Works - 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	185,968	0	27,709	213,677	824,240	610,563	26%	26%	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%	Completed	
Recreation Area Drainage Improvements	Renewal 10%	0	0	0	0	0	20,000	20,000	0%	0%	Late, expected to be on budget	Expect to be completed by Q4
Deterioration Works - Oallen Ford Rd	Renewal 100%	0	36,784	0	0	36,784	0	-36,784	0%	0%	Quarterly review, carryover required	Expected cost of project \$1.8 M. Budget not available as yet
RRRP/ s94 Collex Bungendore Rd	Renewal 100%	0	12,296	0	0	12,296	0	-12,296	0%	0%	Not due to commence	No grant funding available at this point. Future project. Existing cost to be covered by S94
Currawang Road Rehab	Renewal 100%	0	108,005	0	10,470	118,475	0	-118,475	0%	0%	Quarterly review, carryover required	Existing expense to be covered from Gravel Royalty reserves.
Deterioration Works - Towrang Rd	Renewal 100%	0	495,719	0	1,833	497,552	0	-497,552	0%	0%	Completed	Funding will be transferred
22/23 FLR Pothole Repair Grant	Renewal 100%	0	0	0	13,636	13,636	0	-13,636	0%	0%	On time, on budget	Work in progress.
Unallocated Capital Salaries - Roads Management	Renewal 0%	0	0	0	0	0	0	0	0%	0%		
220 - Community Facilities		13,498,073	5,341,771	0	6,042,899	11,384,670	14,382,668	2,997,998	79%	79%		
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	
Plant & Equipment - Aquatic Centre	Renewal 100%	20,000	5,007	0	0	5,007	20,000	14,993	25%	25%	On time, on budget	
Recreation Area Improvements	Renewal 100%	25,000	16,494	0	7,120	23,614	25,000	1,386	94%	94%	On time, on budget	
Belmore Park Improvements	Renewal 100%	44,750	16	0	2	18	44,750	44,732	0%	0%	On time, on budget	
CBD Asset Renewals	Renewal 100%	20,000	4,359	0	0	4,359	20,000	15,641	22%	22%	On time, on budget	
Memorial Gardens Beams	Renewal 0%	25,000	0	0	16,545	16,545	25,000	8,455	66%	66%	On time, on budget	
Building Asset Replacement	Renewal 100%	70,000	3,231	0	10,159	13,391	70,000	56,609	19%	19%	On time, on budget	
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	
CBD Masterplan Implementation	Renewal 0%	0	1,329	0	0	1,329	0	-1,329	0%	0%	Quarterly review, carryover required	
Other Parks/Reserves Replacements	Renewal 100%	20,000	97	0	0	97	20,000	19,903	0%	0%	On time, on budget	Finalising preliminary works
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	
Public Conveniences Renewal	Renewal 100%	100,000	0	0	0	0	0	0	0%	0%	Not due to commence	
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%	On time, on budget	
Roberts Park Landscaping	Renewal 0%	0	5,732	0	0	5,732	5,465	-267	105%	105%	Quarterly review, carryover required	
Wollondilly Walking Track Amenities Block (G)	Renewal 0%	0	10,802	0	0	10,802	20,997	10,195	51%	51%	On time, on budget	
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	Design work being finalised, procurement and implementation May
Marulan Pre-School Asbestos Removal	Renewal 100%	50,000	950	0	0	950	50,000	49,050	2%	2%	On time, on budget	
Marulan Hall Supper Room Air Conditioner	Renewal 0%	0	0	0	0	0	0	0	0%	0%	Completed	Project completed, funded from Marulan Discretionary fund
230 - Asset & Design		752,750	153,109	0	110,377	263,485	696,011	432,526	38%	38%		
Survey Equipment	Renewal 100%	10,000	3,703	0	0	3,703	10,000	6,297	37%	37%		
LRCI - Tarago Village Projects Capital (G)	Renewal 0%	0	0	0	0	0	400	400	0%	0%		
		10,000	3,703	0	0	3,703	10,400	6,697	36%	36%		
Total Capital Program		35,935,047	10,122,823	0	18,864,837	28,987,661	44,615,695	15,628,034	0%	0%		



Operations Capital Report by Business Unit for 2022/23
for YTD Period Ending January

Date Report Run: 31-Jan-2023

Description	Renewal %	Original Budget 23PJ0B	Actual YTD	PJ Commit	Works Commit	Total Actual YTD	Current Budget 23PJQ1	% of Time: \$ Variance	62% % of Budget	Status	Comments
-------------	-----------	---------------------------	------------	-----------	--------------	------------------	--------------------------	---------------------------	--------------------	--------	----------



16.11 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 on the Statement of Investments and Bank Balances be noted.

BACKGROUND

To report on the Investment Performance and Bank Balances as at 3 February 2022.

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 2 months. The weighted average interest rate of our current portfolio is 2.527% which is well above the current benchmark of 1.9217%

2. Statement of Investments and Bank Balances

The amount of investments and bank balances reported to Council as at the end of December 2022 was \$114,412,368 meaning that this month's balance of \$111,470,043 equates to a decrease of \$2,942,325 in investments and cash held.

The following table outlines the reasons for this increase.

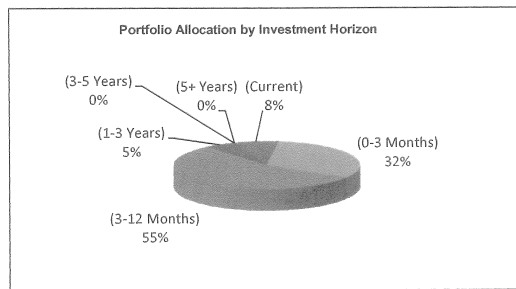
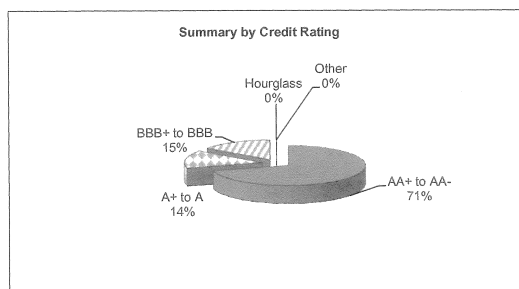
<u>Receipts</u>		
Rates & Water Receipts	1,385,764	
Financial Assistance Grant	0	
Sundry Debtors	684,147	
Grants & Contributions Received	149,185	
Other Income (including interest)	659,662	
Total Receipts		2,878,758
<u>Payments</u>		
Salaries and Wages	2,025,717	
Payments to Creditors	3,795,366	
Total Payments		5,821,083
Increase/(Decrease) in Cash & Investments		-2,942,325

Performance Indicators - Investments and Interest Earned - As at 3 February 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	77,328,749	77,328,749	70.41%	100%
2	A+ to A	A1	0	17,000,000	17,000,000	15.48%	100%
3	BBB+ to BBB	A2	0	15,500,000	15,500,000	14.11%	30%
4	Hourglass		0	0	0	0.00%	0%
5	Other		0	0	0	0.00%	5%
			0	109,828,749	109,828,749	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)	8,328,749.07	7.58%	100.00%
B	Working Capital	(0-3 Months)	35,000,000.00	31.87%	90.00%
C	Short Term	(3-12 Months)	60,500,000.00	55.09%	80.00%
D	Medium Term	(1-3 Years)	6,000,000.00	5.46%	30.00%
E	Medium To Long Term	(3-5 Years)	-	0.00%	30.00%
F	Long Term	(5+ Years)	-	0.00%	0.00%
			109,828,749		
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		1.9217%	
	Portfolio Over Benchmark		66,477,500	65.50%
	Portfolio under Benchmark		35,022,500	34.50%
	Total		101,500,000	
	Excludes At Call		8,328,749	
	Total including At Call		109,828,749	
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		3.3161%	
	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		1.9217%	



Statement of Investment and Bank Balances as at 3 February 2023

Description	Maturity Date	Investment Type	Rating	Current Interest Rate	Amount Invested
Comm Bank - Cash Management Account		AC	A1+		
Bank of Queensland 365D TD Rolled over from IN0784	2/02/2023	TD	A2	0.10%	\$ 8,328,749
Police & Nurses Ltd 365D TD - Curve	14/02/2023	TD	A2	0.85%	\$ 2,000,000
Commonwealth Bank of Australia 365 Day TD - CBA Rolled from INV0757	17/02/2023	TD	A1+	0.90%	\$ 1,000,000
ING Bank Australia 365 Day TD - IAM Rolled from INV0740	22/02/2023	TD	A1	0.80%	\$ 10,000,000
National Australia Bank 732 Day Term Deposit - Curve Rolled From Inv0790	26/02/2024	TD	A1+	0.70%	\$ 2,000,000
Macquarie Bank 365 Day Term Deposit - Curve Rolled from INV0758	3/03/2023	TD	A1	1.70%	\$ 4,000,000
Commonwealth Bank of Australia 365D TD Rolled from INV0759	7/03/2023	TD	A1+	0.95%	\$ 1,000,000
Bank of Queensland 365 TD Rolled over from IN0786	16/03/2023	TD	A2	1.00%	\$ 10,000,000
ING Bank Australia 733 Day TD - Curve	19/03/2024	TD	A2	1.15%	\$ 3,000,000
ING Bank Australia 365 Day TD - Curve	29/03/2023	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
ING Bank of Australia 364 Day TD - Curve	19/01/2024	TD	A1	4.45%	\$ 1,000,000
Total Investments Held				\$	109,828,749
Total Investments Held				\$	109,828,749
Balance as per Passbook-Commonwealth Bank			871,054.41		
Add: Outstanding deposits			4,297.17		
Less: Unpresented cheques			7,570.94		
Balance as per Cash Book-Commonwealth Bank					867,780.64

Add- Trust Fund	773,513.76
Total Cash & Investments @ 3/02/2023	111,470,043.47

16.12 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 2 FEBRUARY 2023**Author:** Director Operations**Authoriser:** Aaron Johansson, Chief Executive Officer**Attachments:** 1. Minutes of the Traffic Committee Meeting held on 2 February 2023**RECOMMENDATION**

That:

1. The report from Director Operations in regards to the Traffic Committee minutes from Thursday 2 February 2023 be received.
2. That an apology from Cr Andrew Banfield, Mr Blair Oliver - Transport for NSW and Mr Matthew Hinton - Inspector In Charge be received and leave of absence granted.
3. That the following items listed below be received, noted and endorsed for discussion in the meeting as late information.

Traffic Guidance Scheme Anzac Day Goulburn
Anzac Day Marulan
Tour de Cure Ride
143 Bourke Street
4. That the Traffic Committee minutes from Thursday 13 October 2022 be confirmed.
5. The report from Business Manager Assets and Design on Traffic Committee Meeting dates for 2023 be received and noted.
6. The following dates for 2023 be allocated for meetings of the Traffic Committee:
 - Thursday 2 February 2023 at 9:00am
 - Thursday 6 April 2023 at 9:00am
 - Thursday 1 June 2023 at 9:00am
 - Thursday 3 August 2023 at 9:00am
 - Thursday 5 October 2023 at 9:00am
 - Thursday 7 December 2023 at 9:00am
7. The report from the Road Safety and Traffic Officer on the Ongoing Task List be received and the information noted.

Items marked as completed will be removed from the task list.
8. That the report on the programs and activities of the Road Safety and Traffic Officer for November 2022 to January 2023 be received.
9. The request from Council Road Safety and Traffic Officer on the Legacy Torch Relay Event Management Plan and request to use Council roads be received.

The Event Management Plan and request to use Council roads for the Legacy Torch Relay, Goulburn leg, be approved.
10. That the report from the Road Safety and Traffic Officer on the request for a speed reduction on Sloane Street from 60km/hr to 50km/hr be received and noted.
11. The report from the Business Manager Community Facilities on Traffic Management Plan for the annual Goulburn Show be received.

The Traffic Management Plan for the annual Goulburn Show be approved pending the approval of the Road Occupancy Licence.
12. That the Traffic Guidance Scheme for the Goulburn Anzac Day service, be endorsed.

13. That the information and diagram provided by for the Marulan Anzac Day service, be endorsed, subject to Council working with the Marulan Anzac Committee to develop a traffic guidance scheme.
14. That the recommendation to change the single 45 degree parking space at the front of 143 Bourke Street to a parallel parking space be endorsed.

REPORT

Please find attached the minutes of the Traffic Committee from its meeting 2 February 2023 .

The recommendations from the Committee meeting are as follows and come to Council because the Committee does not have delegated authority to make any decisions:

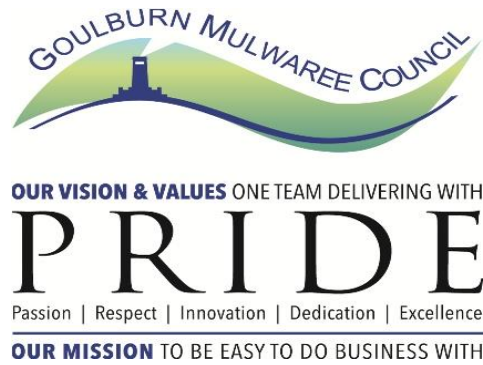
That:

1. The report from Director Operations in regards to the Traffic Committee minutes from Thursday 2 February 2023 be received.
2. That an apology from Cr Andrew Banfield, Mr Blair Oliver - Transport for NSW and Mr Matthew Hinton - Inspector In Charge be received and leave of absence granted.
3. That the following items listed below be received, noted and endorsed for discussion in the meeting as late information.
4. That the Traffic Committee minutes from Thursday 13 October 2022 be confirmed.
5. The report from Business Manager Assets and Design on Traffic Committee Meeting dates for 2023 be received and noted.
6. The following dates for 2023 be allocated for meetings of the Traffic Committee:
 - Thursday 2 February 2023 at 9:00am
 - Thursday 6 April 2023 at 9:00am
 - Thursday 1 June 2023 at 9:00am
 - Thursday 3 August 2023 at 9:00am
 - Thursday 5 October 2023 at 9:00am
 - Thursday 7 December 2023 at 9:00am
7. The report from the Road Safety and Traffic Officer on the Ongoing Task List be received and the information noted.
8. That the report on the programs and activities of the Road Safety and Traffic Officer for November 2022 to January 2023 be received.
9. The request from Council Road Safety and Traffic Officer on the Legacy Torch Relay Event Management Plan and request to use Council roads be received.

The Event Management Plan and request to use Council roads for the Legacy Torch Relay, Goulburn leg, be approved.
10. That the report from the Road Safety and Traffic Officer on the request for a speed reduction on Sloane Street from 60km/hr to 50km/hr be received and noted.
11. The report from the Business Manager Community Facilities on Traffic Management Plan for the annual Goulburn Show be received.

The Traffic Management Plan for the annual Goulburn Show be approved pending the approval of the Road Occupancy Licence.
12. That the Traffic Guidance Scheme for the Goulburn Anzac Day service, be endorsed.
13. That the information and diagram provided by for the Marulan Anzac Day service, be endorsed, subject to Council working with the Marulan Anzac Committee to develop a traffic guidance scheme.

14. That the recommendation to change the single 45 degree parking space at the front of 143 Bourke Street to a parallel parking space be endorsed.



MINUTES

Traffic Committee Meeting

2 February 2023

Order Of Business

1	Apologies	4
2	Late Items / Urgent Business	4
3	Disclosure of Interests	4
4	Confirmation of Minutes.....	5
4.1	Minutes of the Traffic Committee Meeting held on 13 October 2022	5
5	Items for Consideration.....	5
5.1	Traffic Committee Meeting Dates for 2023	5
5.2	Ongoing Task List	6
5.3	Road Safety and Traffic Officers Report for Programs November 2022 to January 2023	7
5.4	Legacy Torch Relay Traffic Managment Plan and request to use Council's Roads.	7
5.5	Request for Speed Reduction on Sloane Street	7
5.6	Goulburn Show Traffic Management Plan	8

**MINUTES OF GOULBURN MULWAREE COUNCIL
TRAFFIC COMMITTEE MEETING
HELD AT THE HETHERINGTON STREET WORKS DEPOT, WINDELLAMA ROOM
ON THURSDAY, 2 FEBRUARY 2023 AT 9.00AM**

PRESENT: Tracey Norberg - Road Safety Officer GMC, Cr Steven Ruddell, Sergeant Adam Churchill, Kelly Cherry – Transport for NSW

IN ATTENDANCE:

George Angelis – Director Operations GMC, Jonathan Chinomona – Business Manager Design & Asset Management, Tash Woods – EA Operations GMC (Minutes), Kiran Mishra – Administration Officer Design & Assets Management, Annette Perran – Transport for NSW, Stacey Scott – PBC Bus Company

1 APOLOGIES

COMMITTEE RESOLUTION 2023/1

Moved: Cr Steven Ruddell

Seconded: Cr Sergeant Adam Churchill

That an apology from Cr Andrew Banfield, Mr Blair Oliver - Transport for NSW and Mr Matthew Hinton - Inspector In Charge be received and leave of absence granted.

CARRIED

2 LATE ITEMS / URGENT BUSINESS

ACCEPT LATE ITEM

COMMITTEE RESOLUTION 2023/2

Moved: Sergeant Adam Churchill

Seconded: Cr Steven Ruddell

That the following items listed below be received, noted and endorsed for discussion in the meeting as late information.

- Traffic Guidance Scheme Anzac Day Goulburn
- Anzac Day Marulan
- Tour de Cure Ride
- 143 Bourke Street

CARRIED

3 DISCLOSURE OF INTERESTS

Nil

4 CONFIRMATION OF MINUTES**4.1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 13 OCTOBER 2022****COMMITTEE RESOLUTION 2023/3**

Moved: Cr Steven Ruddell

That the Traffic Committee minutes from Thursday 13 October 2022 be confirmed.

CARRIED

5 ITEMS FOR CONSIDERATION**5.1 TRAFFIC COMMITTEE MEETING DATES FOR 2023****COMMITTEE RESOLUTION 2023/4**

Moved: Steven Ruddell

Seconded: Mr Sergeant Adam Churchill

That:

1. The report from Business Manager Assets and Design on Traffic Committee Meeting dates for 2023 be received and noted
2. The following dates for 2023 be allocated for meetings of the Traffic Committee:
 - Thursday 2 February 2023 at 9:00am
 - Thursday 6 April 2023 at 9:00am
 - Thursday 1 June 2023 at 9:00am
 - Thursday 3 August 2023 at 9:00am
 - Thursday 5 October 2023 at 9:00am
 - Thursday 7 December 2023 at 9:00am

CARRIED

5.2 ONGOING TASK LIST

COMMITTEE RESOLUTION 2023/5

Moved: Sergeant Adam Churchill

Seconded: Cr Steven Ruddell

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

Responsible Officer	Task	Report by/Status
Road Safety and Traffic Officer (RSTO)	Review signage at pedestrian crossings	Tranche three completed Applied for tranche four
Road Safety and Traffic Officer (RSTO)	Discuss with QPRC RSTO current housing developments with narrow roads and residential parking issues	Discussed with QPRC . they have installed 'No Stopping' on one side of the road. Completed.
Road Safety Traffic Officer (RSTO)	Liaise with Goulburn High School regarding the concept design of the requested pedestrian crossing in Clifford Street.	Sent email and awaiting response. Still no response to date. Completed
Road Safety and Traffic Officer (RSTO)	Trial speed cushions at roundabouts at the Bourke/Clifford St & Bourke /Goldsmith St	Insufficient resources to undertake this task
BM Assets and Design	Technical Drawings of Disabled Car Parks required and sent out to committee to discuss and make decision.	Response from TfNSW received 30/8/22. Site specific plans required.. New task below for BM Design & Assets. Completed
Road Safety and Traffic Officer (RSTO)	Investigate the installation of a pedestrian crossing on Bourke Street in front of the Civic Centre.	Still under investigation. Will assess when speed cushions are installed.
BM Design & Assets	Feasibility study to be undertaken on Austin Martin Drive regarding left hand turn from culdesac and requirements for land acquisition	1 December 2022 Currently procuring item from a consultant, agreed delivery date - 15 February 2023.
BM Design & Assets	Site specific plans required for proposed disabled car parks in Faithful Street and Goldsmith Street	1 December 2022 Currently procuring item from a consultant, agreed delivery date -

		15 February 2023.
Roads Safety & Traffic Officer	Forward TCP for Convoy for Kids event to TfNSW	28 October 2022. Completed
Roads Safety & Traffic Officer	RSTO to arrange with GMC Planning to inform the applicant of Item 5.8 that contact will be required with Transport for NSW in regards to the speed reduction requested in the DA for Cartwright Place	1 December 2022. Currently with Councils Planning department

CARRIED

5.3 ROAD SAFETY AND TRAFFIC OFFICERS REPORT FOR PROGRAMS NOVEMBER 2022 TO JANUARY 2023

COMMITTEE RESOLUTION 2023/6

Moved: Cr Steven Ruddell

Seconded: Sergeant Adam Churchill

That the report on the programs and activities of the Road Safety and Traffic Officer for November 2022 to January 2023 be received.

CARRIED

5.4 LEGACY TORCH RELAY TRAFFIC MANAGEMENT PLAN AND REQUEST TO USE COUNCIL'S ROADS.

COMMITTEE RESOLUTION 2023/7

Moved: Cr Sergeant Adam Churchill

Seconded: Steven Ruddell

That:

- 1. The request from Council Road Safety and Traffic Officer on the Legacy Torch Relay Event Management Plan and request to use Council roads be received.**
- 2. The Event Management Plan and request to use Council roads for the Legacy Torch Relay, Goulburn leg, be approved.**

CARRIED

5.5 REQUEST FOR SPEED REDUCTION ON SLOANE STREET

COMMITTEE RESOLUTION 2023/8

Moved: Cr Steven Ruddell

Seconded: Sergeant Adam Churchill

That the report from the Road Safety and Traffic Officer on the request for a speed reduction on Sloane Street from 60km/hr to 50km/hr be received and noted.

CARRIED

5.6 GOULBURN SHOW TRAFFIC MANAGEMENT PLAN**COMMITTEE RESOLUTION 2023/9****Moved: Cr Steven Ruddell****Seconded: Sergeant Adam Churchill****That:**

- 1. The report from the Business Manager Community Facilities on Traffic Management Plan for the annual Goulburn Show be received.**
- 2. The Traffic Management Plan for the annual Goulburn Show be approved pending the approval of the Road Occupancy Licence.**

CARRIED**5.7 TRAFFIC GUIDANCE SCHEME ANZAC DAY GOULBURN****COMMITTEE RESOLUTION 2023/10****Moved: Cr Steven Ruddell****Seconded: Sergeant Adam Churchill****That the Traffic Guidance Scheme for the Goulburn Anzac Day service, be endorsed.****CARRIED****5.8 TRAFFIC GUIDANCE SCHEME ANZAC DAY MARULAN****COMMITTEE RESOLUTION 2023/11****Moved: Cr Steven Ruddell****Seconded: Sergeant Adam Churchill****That the information and diagram provided by for the Marulan Anzac Day service, be endorsed, subject to Council working with the Marulan Anzac Committee to develop a traffic guidance scheme.****CARRIED****5.9 PARKING SPACE - 143 BOURKE STREET****COMMITTEE RESOLUTION 2023/12****Moved: Sergeant Adam Churchill****Seconded: Cr Steven Ruddell****That the recommendation to change the single 45 degree parking space at the front of 143 Bourke Street to a parallel parking space be endorsed.****CARRIED**

6 GENERAL BUSINESS

The following items have been raised in general business.

Seargent Adam Churchill – Hume Police

- The raised traffic island out the front of Hungry Jacks on Auburn Street has raised concerns where vehicles from the south turning into Auburn St and vehicles exiting Hungry Jacks are having near misses, especially when vehicles from Hungry Jack exit onto the wrong side of the road. These exiting vehicles are wanting to turn right from Hungry Jacks and therefore cutting across and around the raised traffic island. Assets and Design team to look at costing and budget for the extension of the traffic island. Received and noted by committee

Kelly Cherry - TfSNW

- No items for General Business

Stacey Scott - PBC Bus Company

- No items for General Business

George Angelis – Goulburn Mulwaree Council

- Concern with incoming late items. Would like to request communities to get Traffic Guidance Schemes in early. If items are provided late, then they will be moved to the next scheduled Traffic Committee meeting.

Cr Steve Ruddell – Goulburn Mulwaree Council

- Mayor requested an update on line marking the giveway signs at the intersection of Middle Arm & Marys Mount Rd. RSTO commented that there is no requirement to install line marking. If desired, this request can be go through Councils Service Request Process.
- Cartwright Place request for speed deprecents is currently going through DA process
- Request for signage for motorcycle parking in front of trees in Auburn street. Raised concern by GA include, the parking angle to meet standards and safety requirements, further investigation required. If it can't be accommodated then we can consider other options.
- Dixon Street residents have request Speed trailer due to an increase in speeding vehicles. RSTO collected speed counts, prior to christmas, over 2 month period. RSTO will provide data for to Cr Ruddell for resident distribution. RSTO can place speed trailer back in Dixon for updated data.
- Rosemont Rd/Boxers Creek Rd, residents noting increase in heavy vehicle movements. Can we consider a 15t limit on Boxers Creek Rd. Traffic counters to be place for initial data collection.
- Roundabout on Clinton & Sloane street. RSTO currently working with TfNSW on a corridor study from Hume St to Clinton/Sloane St's.

Tracey Norberg – Road Safety Traffic Officer

- Eastgrove Public school have requested a wombat or pedestrian crossing on Park Street. RSTO has provided, new flags for the current crossing, Line marking has been redone, trees have been trimmed around flashing lights and RSTO has sent the link to the Principal to apply for a crossing supervisor. Further investigation on the feasibility of request to take place. School has been provide website details to apply for a Crossing Supervisor.

7 ACTION LIST FROM CURRENT MEETING 2 FEBRUARY

This task list includes items from past meetings.


Responsible Officer	Task	Report by/Status
Road Safety and Traffic Officer (RSTO)	Follow up with Goulburn Show Committee submitted Road Occupancy License.	10 February 2023
Road Safety and Traffic Officer (RSTO)	Contact Marulan Anzac Committee to discuss required Traffic Guidance Scheme	17 February 2023
Business Manager Assess and Design	Investigation of costing to extend the traffic island on Auburn St, at the exit of Hungry Jack.	6 April 2023
Road Safety and Traffic Officer (RSTO)	Liaise with community groups on the requirement to provide traffic guidance schemes and traffic management plans for events in a timely manner for endorsement by Council	6 April 2023
Road Safety and Traffic Officer (RSTO)	Motorcycle parking in Auburn St requires further investigation to meet safety standards	6 April 2023
Road Safety and Traffic Officer (RSTO)	Provide speed trailer data to Cr Ruddell for Dixon St.	10 February 2023
Road Safety and Traffic Officer (RSTO)	Place speed trailer back at Dixon St for further data capture	6 April 2023
Road Safety and Traffic Officer (RSTO)	Investigate cost feasibility for a wombat or pedestrian crossing at Eastgrove Public School	6 April 2023
Road Safety and Traffic Officer (RSTO)	Review signage at pedestrian crossings	Tranche three completed Applied for tranche four
Road Safety and Traffic Officer (RSTO)	Trial speed cushions at roundabouts at the Bourke/Clifford St & Bourke /Goldsmith St	No Staff to install them.
Road Safety and Traffic Officer (RSTO)	Investigate the installation of a pedestrian crossing on Bourke Street in front of the Civic Centre.	Still under investigation. Will assess when speed cushions are installed.?
BM Design & Assets	Feasibility study to be undertaken on Austin Martin Drive regarding left hand turn from culdesac and requirements for land acquisition	1 December 2022 Currently procuring item from a consultant, agreed delivery date - 15 February 2023.
BM Design & Assets	Site specific plans required for proposed disabled car parks in Faithful Street and Goldsmith Street	1 December 2022 Currently procuring item from a consultant, agreed delivery date - 15 February 2023.

Roads Safety & Traffic Officer	RSTO to arrange with GMC Planning to inform the applicant of Item 5.8 that contact will be required with Transport for NSW in regards to the speed reduction requested in the DA for Cartwright Place	1 December 2022. Currently with Councils Planning department
-----------------------------------	---	---

The Meeting closed at 9.45am.

The minutes of this meeting were confirmed at the Traffic Committee Meeting held on 6 April 2023.

.....
CHAIRPERSON

16.13 MARULAN VILLAGE DISCRETIONARY FUND WORKING PARTY MINUTES - 9 FEBRUARY 2023**Author:** Chief Executive Officer**Authoriser:** Aaron Johansson, Chief Executive Officer**Attachments:** 1. **Marulan Village Discretionary Fund Working Party Minutes - 9 February 2023**  

Link to Community Strategic Plan:	CL1 Civic Leadership – Attentive representation of the community
Cost to Council:	The allocation of Discretionary Funding to Marulan is included in the operational budget
Use of Reserve Funds:	Nil

RECOMMENDATION

That the report on the minutes from the Marulan Village Discretionary Fund Working Party held 9 February 2023 be noted.

REPORT

Please find attached the minutes from the Marulan Village Discretionary Fund Working Party held 9 February 2023.

There are no decisions that require any action from Council.



Marulan Village Working Party Minutes

Meeting Details

Wednesday 9 February 2023 at 3pm
Marulan Hall Supper Room, Marulan

Working Party Members Present

Mayor Peter Walker (Chair & alternate Council representative), John Nicastrì (Community Representative), Sue Montgomery (Community Representative) Christopher Brown (Boral Representative) & Wayne Beattie (Holcim Representative)

Working Party Members Present via Zoom

Cr Michael Prevedello (Council Representative), Geoff Kettle (Gunlake Representative) & Tegan Rups (Community Representative)

Other Attendees

Aaron Johansson, Chief Executive Officer - Goulburn Mulwaree Council.

Apologies

David Humphreys (Community Representative)

Discussion Items

1. Marulan Discretionary Fund Working Party Minutes from 28 September 2022 were noted.
Moved Sue Montgomery / Seconded Christopher Brown
2. Task List was received and noted with the following commentary.

No	Project	Description	Working Party Members	Update on actions
1	Sign on Hume Highway	Explore owner and constraints of placing sign on land between Motel/KFC/Hume Highway with Transport for NSW	Aaron Johansson	
2	Meridian Sphere	Email Working Party members quote for restoration work. This matter will be discussed at the next Working Party meeting	Chris Brown (Boral)	
3	Marulan Village Entrance signage	Investigate grant funding opportunities for signage at north and south end of CBD similar to Tallong signage at Rail Station	Sue Montgomery	Grant Funding to be sought.

Page 1 of 2



Marulan Village Working Party Minutes

No	Project	Description	Working Party Members	Update on actions
4.	Footpaths	A breakdown of Marulan footpath funding allocation and any specific route plans	Council's Operations Team	A total of \$300,000 grant funding has been secured for footpaths in Local Government Area. A portion of that will be allocated to Marulan RECOMMEND COMPLETION

3. Balance of Marulan Discretionary Fund at the 21 September 2022 = \$59,164

- Annual allocation of Marulan Discretionary Fund is \$27,050
- Fund was formed in 2014 with the total allocation to date being \$239,136

4. Two projects with funds allocated but not yet spent:

Year	Fund Allocation	Project	Decision
2018/19	\$3,000	Promotional Sign for Hume Highway - organised by Marulan Chamber and Holcim - Approved 25/3/2019	That the funds remain allocated but not yet spent.
2018/19	\$20,000	Soccer Field new shed	That the funds remain allocated but not yet spent. Grant Funding continued to be sought.

5. Proposed project to be funded from the Marulan Discretionary Fund

- A. Call for expressions of interest from Marulan community and charity organisations via the Marulan Messenger for funding support up to the value of \$10,000. These Expressions of Interest will be assessed at the next Marulan Village Discretionary Fund Meeting. Also write to the following organisations advising them of this funding opportunity:
- Marulan Chamber of Commerce
 - Marulan Progress Association
 - Marulan Lions Club

6. General Business
Nil




7. Next Meeting
No date was determined.

8. Future Meeting Task List
Nil

Meeting closed at 3.45pm

16.14 COUNCILS OPERATIONAL UPDATE - JANUARY 2023**Author:** Chief Executive Officer**Authoriser:** Aaron Johansson, Chief Executive Officer

Attachments:

1. **Planning & Environment Directorate Report** [↓](#) 
2. **Utilities Directorate Report** [↓](#) 
3. **Corporate & Community Services Directorate Report** [↓](#) 
4. **Operations Directorate 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 from the Chief Executive Officer on the Council's Operational Update for November 2022 be received and noted.

BACKGROUND

The purpose of this report is to provide a monthly update on Council's operational activities.

REPORT

Please find attached the monthly report on Council's operational activities for the month of January 2023.



Planning & Environment – February 2023



Contents

1	Development Assessment	3
1.1	Overview of Development Applications.....	3
1.2	Applications received and processing times	3
1.3	Progress of LEC Proceedings	4
1.4	Regional Projects requiring Southern Region Planning Panel approval.....	5
1.5	State Significant Development	5
2	Strategic Planning Program	6
2.1	Planning Proposals	9
2.2	Planning and Related Legislative Updates	10
3	Goulburn Mulwaree Animal Shelter.....	12
3.1	Adoptions for the month.....	12
3.2	Adoption updates.....	13
4	Environment and Compliance	15
4.1	Ranger Services	15
4.2	Environment & Health.....	15
4.3	Community Enforcement	15
4.4	Biosecurity Weeds Update	16

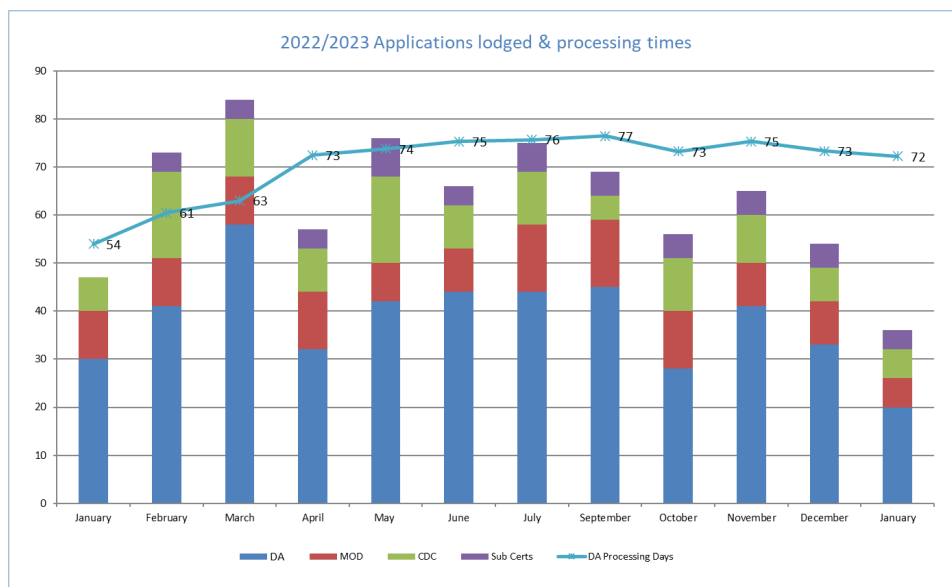
1 Development Assessment

1.1 Overview of Development Applications

	New Applications Lodged	Applications Determined
DA's	20	36
Modifications	6	9
Reviews	0	0
CDC's	6	4
Subdivision Certificates	4	5
Total	37	54
Total cost of new development for the month: \$10,244,372		
Cumulative total (Financial year): \$539,085,705		
Of Note: <ul style="list-style-type: none"> DA/0325/2223 -1790 Taralga Road, Goulburn - Alterations and additions to an existing farm building and brick cottage and construction of a new dwelling house with semi-attached pool building. Change of use of existing cottage to farm stay accommodation. Change of use of existing brick dwelling to secondary residence. (\$1,718,124) 		

In addition to the above, 7 applications submitted via on the online portal were returned/rejected as insufficient information was supplied for the application to be able to be formally accepted.

1.2 Applications received and processing times



1.3 Progress of LEC Proceedings

154 Wollumbi Road, Marulan Class 4 Judicial Review Third Party Appeal against partial approval of DA/0288/2021	Three new buildings including a secondary dwelling, cellar door premises, farm building, studio; a swimming pool and outbuilding; demolition of existing structures; and non-native vegetation removal	Council is Second respondent. The hearing took place November 2022 and a judgement will be handed down in due course.
555 Forest Siding Road, Middle Arm Class 1 Applications Appeal against refusal of DA/0212/2122 and Appeal against refusal of MODDA/0038/2122	Two lot Torrens title subdivision, continued use of the structure as a shed and a principal dwelling and continued use of the garage as a secondary dwelling, both comprising alterations and additions. Modification to Building Permit No. 38/81 approved by Council 8 April 1981 for a farm garage.	The section 34 conciliation conference held on 1 September 2022 was terminated. The matter is set down for Court Hearing 15-17 February 2023.
30a Sloane Street, Goulburn Class 1 Application Against Refusal of a DA DA/0099/2122	Retention of an existing dwelling house, demolition of identified structures and the removal of identified trees in order to undertake an integrated housing development with community title subdivision to create 24 lots, new 1 way road and a total of 29 dwellings.	The section 34 conciliation conference will be held on 16 May 2023.

1.4 Regional Projects requiring Southern Region Planning Panel approval

Nil.

1.5 State Significant Development

Project	Description	Status
Gunlake Quarry Extension Project - Modification 1	Seeking to reduce the size of the "Biodiversity Areas" required under condition 32	Assessment
Gunlake Quarry Continuation Project	Amendment to heavy vehicle movements	Assessment
Goulburn Poultry Processing	Mixed Use Development	Assessment
Marulan Quarry	Establish a hard rock quarry and progressive rehabilitation of the pits	Prepare EIS
Marulan Solar Farm	Development of a 150 MW solar farm and associated infrastructure	Response to Submissions
Woodlawn Advanced Energy Recovery Centre Project	Construction and operation of an energy recovery facility with a capacity to thermally treat up to 380,000 tpa of residual municipal solid waste and commercial & industrial waste and to generate approximately 39 MW of electrical energy	Response to Submissions
Gundary Solar Farm	400MW Solar Farm with Battery Energy Storage (961 Windellama Road, Gundary)	Prepare EIS

2 Strategic Planning Program

Priority	Project	Relationship to LSPS or Other Strategies	Progress
1.	Goulburn Mulwaree Development Control Plan (DCP) 2009 (Comprehensive Review to create Goulburn Mulwaree DCP 2020/21)	<ul style="list-style-type: none"> LSPS – short term action. Urban and Fringe Housing Strategy – urban release areas. CBD Renewal Strategy under preparation. 	A large body of work on the CBD has commenced with some general chapters prepared. Some delays being experienced due to staffing and addressing changes to local planning coming from the State.
2.	Goulburn Floodplain Risk Management Study and Plan Includes: LEP amendment (to remove flood mapping from LEP) Adopt flood policy and amend DCP	<ul style="list-style-type: none"> LSPS Short term action NSW DPIE Grant funded (includes milestones for timing). Legislated changes to flood planning necessitate updating LEP and DCP provisions. 	<p>Completed.</p> <p>The Draft Floodplain Risk Management Study and Plan and associated Development Control Plan was adopted by Council on 12 August 2022.</p> <p>Data provision and technical change over of information still underway before a commencement date is published.</p>
3.	CBD Renewal Study (incorporate Car Parking*, signage, FSR, height limits, residential provisions and relevant LEP/DCP amendments) *UFHS Action, *CBD Car Parking Study & Action Plan	<ul style="list-style-type: none"> LSPS – short term action. Urban and Fringe Housing Strategy – CBD actions and residential LEP/DCP provision review actions. 	<p>CBD has commenced with the car parking survey completed, character assessments for precincts and testing of draft planning controls.</p> <p>An interim update to the car parking survey post construction of the PAC etc. has been undertaken.</p> <p>Staff have been involved in the Entertainment and Evening Economy CBD Working Party.</p>
4.	Marulan Floodplain Management Study and Plan	<ul style="list-style-type: none"> LSPS – short term action. Urban and Fringe Housing Strategy – urban release areas. Organisational significance for infrastructure planning. 	A Draft Flood Study has been submitted and is being presented to a Councillor Briefing Session on 14 February 2023 with a report to Council recommending exhibition to follow.

Priority	Project	Relationship to LSPS or Other Strategies	Progress
		<ul style="list-style-type: none"> NSW DPIE Grant funded (includes milestones for timing). 	
5.	Biodiversity Strategy	<ul style="list-style-type: none"> LSPS – short term action. Urban and Fringe Housing Strategy – urban release areas. Required for Resource Lands Strategy Villages Strategy 	Yet to commence.
6.	Bushfire Strategy	<ul style="list-style-type: none"> LSPS – short term action. Grant from NSW DPE provides 2/3 funding. Urban and Fringe Housing Strategy – urban release areas. Required for Villages Strategy 	<p>A draft Study has been submitted for initial staff review. Subject to inclusion of comments the draft will be referred to NSW RFS for comment.</p> <p>Once NSW RFS has been consulted this matter will be presented to a briefing session early next year with a view to public exhibition next year.</p>
7.	Recreational Needs Strategy	<ul style="list-style-type: none"> LSPS – short term action. 	Review of previous draft has commenced.
8.	Villages Strategy	<ul style="list-style-type: none"> LSPS – medium term action (as other work required before this strategy to provide baseline data) 	<p>Tarago Village Housing Strategy adopted.</p> <p>Prior to further village strategies commencing, the Strategic Bushfire Study is required. This project is currently underway.</p>
9.	South Goulburn Tree Management Plan - Review	<ul style="list-style-type: none"> Council resolution to undertake a review of this Plan was adopted in late 2021 and a review is underway. 	A Councillor Briefing on the findings/ recommendations of this review to be presented on 14 February 2023.
10.	Local Approvals Policy (LAP)	<ul style="list-style-type: none"> Aspects of this Policy are more urgent so it may be rolled out in stages to reflect this. Currently there is a need to provide a policy direction on connection to water/sewer services where available which may be required as a first step. 	A LAP relating to water/sewer approval activities in urban areas that require approval and DCP amendment was adopted by Council on 19 July 2022 .

Planning & Environment

Priority	Project	Relationship to LSPS or Other Strategies	Progress
		<ul style="list-style-type: none"> Other sections of the policy may require subsequent amendments based on staff resources. 	
11.	Resource Lands (Agriculture and Extractive Industries) Strategy	<ul style="list-style-type: none"> LSPS – short term action. Pending State Significant Agricultural Land Mapping by NSW Department of Primary Industries being finalised. 	Council has made a submission to the Draft State Significant Agricultural Land Map and is awaiting the finalisation of this to inform Council's Strategy
12.	Rural Living Handbook Update	<ul style="list-style-type: none"> Council initiative. 	Initial review has commenced – review subject to staff availability.

2.1 Planning Proposals

Planning proposals are the mechanism by which *Goulburn Mulwaree LEP 2009* can be amended. Of the Planning Proposals listed below the majority are initiated by Council as a result of the recommendations of various strategies such as the Urban and Fringe Housing Strategy or the *Employment Lands Strategy*. Some Planning Proposals are initiated by a proponent such as a land holder or stakeholder.

Proposal No.	Location	Proposal	Progress
REZ/0001/1718	Mistful Park	Rezone land from E4 Environmental Living to R2 Low Density Residential	DPIE has advised that the Planning Proposal needs to be amended to incorporate further biodiversity assessment prior to re-submission for a Gateway determination. The proponent has been advised of this outcome. Biodiversity assessment for the site cannot commence until spring 2021. No assessment has been submitted as yet. On hold.
REZ/0002/1819	Goulburn Motorcycle and Speedway Club	Rezone land from RU6 Transition to RE2 Private Recreation	The Planning Proposal has been prepared and pre-Gateway consultation has been undertaken with Water NSW. Water NSW has raised a number of issues with the suitability of the site in relation to water quality. These issues are being investigated by Council and the Motor Cycle Club. On hold.
REZ/0002/2122	Goulburn WTP	Rezone to SP2 - Infrastructure	Utilities is still exploring options other than rezoning given the biodiversity present on the subject site.
REZ/0003/2122	Allfarthing 2 Brisbane Grove Road	Rezone land to R5 large Lot Residential with 2ha min lot size as per Urban and Fringe Housing Strategy	NSW DPE has issued a Gateway determination to proceed and State agency consultation has commenced.
REZ/0004/2122	137 Brisbane Grove Road	Rezone land to R5 large Lot Residential with 2ha min lot size as per Urban and Fringe Housing Strategy	NSW DPE has issued a Gateway determination to proceed and State agency consultation is soon to commence.
REZ/0005/2122	Mountain Ash Road	Rezone land to R5 large Lot Residential	Further technical studies and consultation in relation to flooding issues is still ongoing prior to this matter being reported back to Council. One additional study has been submitted being the Contamination since last reported to Council.
REZ/0006/2122	292 Rosemont Rd and 46 Mountain Ash Road	Rezone land to R5 large Lot Residential	Preliminary assessment and report to Council undertaken, referral and consultation pre-Gateway with Water NSW is underway.
REZ/0007/2122	515 Crookwell Road, Kingsdale	Rezone land to R5 large Lot Residential	Reported to Council in September with a draft Planning Proposal document being prepared for initial consultation with Water NSW pre – Gateway.

2.2 Planning and Related Legislative Updates

2.2.1 Amendments to Goulburn Mulwaree LEP 2009 and NSW Standard Instrument LEP

A map amendment was made to the *Goulburn Mulwaree Local Environmental Plan 2009* and commenced and published on 16 December 2022 (GM LEP (Transport and Infrastructure) Map Amendment No. 1).

This map amendment amends *State Environmental Planning Policy (SEPP) Transport and Infrastructure 2021* by adding Goulburn to the Regional Cities Map.

This means that the mapped area will now be subject to the provision of Clause 2.42 of the SEPP as per below:

2.42 Determination of development applications for solar or wind electricity generating works on certain land

(1) *This section applies to development in a regional city for the purposes of electricity generating works using a solar or wind energy source that is—*

- (a) *State significant development, or*
- (b) *regionally significant development.*

(2) *Development consent must not be granted unless the consent authority is satisfied that the development—*

- (a) *is located to avoid significant conflict with existing or approved residential or commercial uses of land surrounding the development, and*
- (b) *is unlikely to have a significant adverse impact on the regional city's—*
 - (i) *capacity for growth, or*
 - (ii) *scenic quality and landscape character.*

(3) *In determining whether to grant development consent, the consent authority must consider measures proposed to be included in the development to avoid or mitigate conflicts referred to in subsection (2)(a) or adverse impacts referred to in subsection (2)(b).*

(4) *In this section—*

Regional Cities Map means the [State Environmental Planning Policy \(Infrastructure\) 2007 Regional Cities Map](#).

regional city means an area of land identified as “subject land” on the [Regional Cities Map](#).

2.2.2 Environmental Planning and Assessment Act/Regulations and State Environmental Planning Policies (SEPPS)

The following amendment was made to the Regulations:

- Environmental Planning and Assessment (Development Certification and Fire Safety) Amendment (Fire Safety) Regulation 2022

The objects of this Regulation are to amend the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 to—

- (a) clarify powers and responsibilities of the Fire Commissioner, and
- (b) make provision for essential fire safety measures for a building to be addressed by a performance solution, and
- (c) make provision for the reissue of fire safety schedules, and
- (d) make provision for the Commissioner for Fair Trading to approve certain forms

There are differing commencement dates for each of the schedules.

The following amendments were made to SEPPs:

- State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Display of Electoral Material) 2022

This is a self-repealing SEPP which commences on 16 December, 2022. The changes appear to be relatively minor in relation to clarifying the definition of “electoral matter” and “sign” and increasing the display period from 5 weeks to 8 weeks.

- State Environmental Planning Policy (Transport and Infrastructure) Amendment (Thermal Energy from Waste) 2022

This is a self-repealing SEPP which commenced on 16 December 2022. **It does not apply to Goulburn Mulwaree LGA as it appears to be only prohibiting thermal energy from waste projects from Greater Sydney.**

- State Environmental Planning Policy Amendment (Land Use Zones) (No 4) 2022

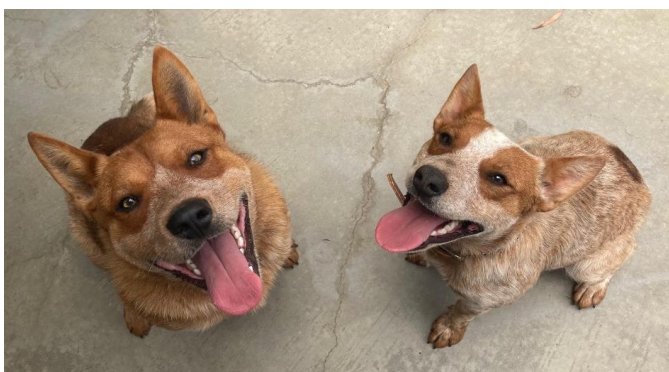
This policy introduces the employment zones changes to the GM LEP 2009 as per the NSW Department of Planning and Environment’s employment zones reform package.

This is a self-repealing SEPP and commences on 26 April 2023.

3 Goulburn Mulwaree Animal Shelter



3.1 Adoptions for the month



3.2 Adoption updates



I adopted my handsome boy Leo (originally Lucky) 2 years ago, today from your shelter.

I never thought I could love another cat as much as I did my old boy who passed away 3 yrs ago but Leo came into my life and transformed it.

I adore him and he is very, very spoiled. Thank you for allowing him to come into our home.

I thought I would drop you a line to mark a year (it strictly fell yesterday) that we picked up Felix (desexed male cat) from the Goulburn Mulwaree Animal Shelter. Felix has been a joy and great company. He's snoozing out in the front garden here as I write.

Below are three photographs of Felix including one with his chook colleague, Blackie. The photo of Felix with a ruff arose after he had had some minor surgery on his front left leg. The leg had become infected after what we believe was a cat fight. It's unclear whether Felix has learnt from this encounter but here's hoping. Apart from incurring vet bills Felix is now on about his 12th collar!

Once again thank you to the shelter staff for looking after Felix for what I believe was an extended multi-month stay in 2021.





Just an update on Moticia. She is doing really well. She has settled into our home and is a loving member of our family.

She is extremely affectionate, very playful, and a bit greedy! She likes to eat her food, then investigate to see what her two furry brothers have left behind.

She particularly loves Percy, our little dog, and often follows him around. Felix and her are now happy together after a few early hisses and stares.

Morticia is absolutely gorgeous.

4 Environment and Compliance

4.1 Ranger Services

Number of Animals...	Dogs	Cats
Impounded Some animals are able to be immediately returned to their owners without needing to be impounded. These numbers are not included in the total.	38	12
Surrendered by Owner	3	0
Returned to Owner	15	0
Sold	10	4
Transferred to Animal Welfare Organisations	0	0
Euthanised	1	0
Remaining in the facility	16	12
(1) Some animals are able to be immediately returned to their owners without needing to be impounded. These numbers are not included in the above total. (2) The dogs euthanised this month were surrendered to the shelter following involvement in dog attack incidents and as such cannot be offered for adoption or rehoming. The cats euthanised this month were animals that were surrendered as feral cats and deemed unsuitable to be rehomed. Please note that animal's euthanised this month may have been impounded in previous months.		
Customer Requests		
Animals	Unkempt Land	Total CRM's Completed
64	53	117

4.2 Environment & Health

Customer Requests						
Development and Land Use		Health and Pollution				
Illegal Development	Non Compliance	Food Premises	Pollution	Unhealthy Conditions	Other	Total CRM's completed
7	12	7	3	31	8	68

4.3 Community Enforcement

Parking	Other	School Zone	Hospital Zone	CBD	GMC Car Parks	Total
Number of Parking Patrols	6	1	0	13	0	20
Total Infringements	2	0	0	29	0	31
Customer Requests						
Parking	Abandoned Vehicles/Articles				Total CRM's Completed	
13	12				25	

4.4 Biosecurity Weeds Update

WEED OF THE MONTH “Crookwell & Canberra Railway Line’s Control Work”

The second round of High Risk Pathway inspections for High and Medium sites was conducted for the period, with some remaining to be completed during the New Year.

Control work for the disused Crookwell Railway line was completed this month. This has been ongoing due to a change in the lease and staff structural changes in the new lease company.

Weed control work consisted of mainly slashing in the Goulburn city limits and chemical treatment for Serrated Tussock, St John’s Wort and Blackberry in the rural areas.

Blackberry control work was also conducted at Lake Bathurst to address complaints (Photos attached).

The lease company now have planned follow-up control work for the New Year in place.

Control work undertaken on the old Crookwell Railway Line.



Isolated Prickly Sow Thistles were removed from the Currawang Road at the request of a landowner.

Prickly Sow Thistle



Blackberry seems to have a good growth season and several complaints have been received and action taken to have complaints resolved within the city and rural areas.

Now with the summer period upon us contractors have been addressing the backlog of control work hampered from the previous months of wet weather conditions.

“Flupropanate Chemical Update”

- The chemical active “Flupropanate” has been unavailable since October 2021 due to China closing the chemical manufacturing plants to improve air quality for the Beijing Winter Olympics 2022.
- Once the Beijing Winter Olympics were completed the Chinese Government imposed more stringent regulations for manufacturing in general including chemicals.
- The chemical plant that manufactures Flupropanate is expected to complete the necessary upgrades within the next eighteen (18) months.
- As the Chemical Active is a by-product of production, supply has at best been problematic and for this reason the sole importer into Australia is looking into manufacturing a similar Active product here in Australia which will firm up supply issues.
- Unfortunately, if this does proceed the accreditation process is expected to be within the same time frame as the Chinese plant upgrade, with the new chemical requiring Australian Pesticides & Veterinary Medicines Authority approval before being available for sale.
- The good news is if the chemical is produced in Australia then supply will be guaranteed for the future.

- Whilst the Department of Primary Industries has conducted some testing for alternative chemicals, these still remain just a field test and carry no legal weight unless they apply for an off label permit for their use.
- Council Biosecurity Weed Officers are legally obliged to follow the manufacturer's Material Safety Data recommendations with the only variance being an off label permit which must be strictly adhered to.
- Chinese shipping ports still remained congested and the shortage of shipping containers and pallets show no sign of easing in the immediate future.
- The other long term problem that may arise from supply issues will be the trigger points for removal of some declared weeds with these being chemical control options unavailable or the plant becoming so widespread that control is no longer deemed feasible.
- These triggers may occur where control options are limited to selective herbicides treatments and the plants form dense infestations from which to spread and colonise to other areas.



Inspections Year to Date	Notices Year to Date	No. inspections January 2023	Draft Directions January 2023	No. of Penalty Notices Issued January 2023
627	0	26	4	0

4.4.1 General Biosecurity Activities

Draft Directions	Biosecurity Certificates	Customer Requests
0	0	5



GOULBURN MULWAREE COUNCIL

Utilities Directorate Report



December 2022 & January 2023

One Team Delivering With

Passion Respect Innovation Dedication Excellence



Goulburn Mulwaree Utilities

Contents

1.0	Utilities Performance	3
1.1	Outstanding SRPs	3
1.2	Water Revenue	3
2.0	Water Services Operational Performance	4
2.1	Water Performance.....	4
2.1.1	Goulburn Storages.....	4
2.1.2	Consumption	4
2.1.3	Source of Water Treated/Dam Releases.....	4
2.1.4	Estimated Losses	5
2.1.5	Rainfall	5
2.1.6	Water Quality	5
2.2	Wastewater Performance.....	6
2.2.1	Wastewater Volume Treated Goulburn	6
2.2.2	Effluent Quality	6
3.0	Major Projects	7
3.1	Re-Use Scheme Irrigation Construction.....	7
3.2	Re-Use Goulburn Upgrade	11
3.3	Water and Sewer Projects	15
4.0	Waste and Recycling Initiatives	19
4.1	Waste Projects	19
4.2	Goulburn Waste Management Centre Streams Received	19
4.3	Interesting News and Facts.....	20

1.0 Utilities Performance

1.1 Outstanding SRPs

21 November 2022 to 20 January 2023:

Work Group	Primary Category	New Request	Completed Request	% Completed
Water Services	Water Quality	92	92	100%
Water Services	Minor Water Leak	66	66	100%
Water Services	Major Water Break	10	10	100%
Water Services	Water Maintenance	20	21	95%
Water Services	Sewer Blockage	20	20	100%
Water Services	Sewer Overflow	5	5	100%
Water Services	Sewer Odour	1	1	100%
Water Services	Sewer Maintenance	3	3	100%
Waste & Recycling	Missed Bins	165	165	100%
Waste & Recycling	Bin Maintenance	95	95	100%
Waste & Recycling	New or Replacement Bins	75	75	100%
Waste & Recycling	Extra Commercial Pickup	40	40	100%
Waste & Recycling	Street Sweeping	9	10	90%

1.2 Water Revenue

Income Raised from 1 July 2022 to 31 January 2023:

Water	
Water Usage	\$ 2,636,746.26
Water Availability	\$ 1,421,396.11
Backflow	\$ 11,860.36
Water Total	\$ 4,070,002.73
Sewer	
Sewer Usage	\$ 870,330.19
Sewer Availability	\$5,217,414.18
Liquid Trade Waste Usage	\$ 222,524.07
Liquid Trade Waste Availability	\$ 15,172.62
Sewer Total	\$6,325,441.06
Total	
Income Total	\$10,395,443.79

Total income raised from 01/07/2021 to 30/06/2022 was \$21,073,381.43

Total water balance as at 30/06/2022 was \$501,353.15

Total water balance as at 1/2/2023 is \$84,518.42CR

Currently there are:

25 properties that have a restrictor in place

1 property has been disconnected from Council's water supply

0 accounts that are in bankruptcy/receivership

0 account had legal action started

1 account for deceased estates

2.0 Water Services Operational Performance

2.1 Water Performance

2.1.1 Goulburn Storages

The following table shows the status of the water storages as of 31 December 2022:

Storage	Capacity (ML)	Depth (m) TWL	Volume		Estimated Dead Storage		Usable Storage	
			(ML)	(%)	(ML)	(%)	(ML)	(%)
Pejar	9000	-0.02	8971	99.7	90	1	8853	98.7
Sooley	6250	0.03	6119	97.9	300	5	5691	93.0
Rossi	330	-0.08	335	100.0	100	30	235	70.2
Total	15580		15426	97.9	490	3.1	14936	94.8

The following table shows the status of the water storages as of 31 January 2023:

Storage	Capacity (ML)	Depth (m) TWL	Volume		Estimated Dead Storage		Usable Storage	
			(ML)	(%)	(ML)	(%)	(ML)	(%)
Pejar	9000	-0.004	8994	99.9	90	1	8898	98.9
Sooley	6250	0.14	6002	96.0	300	5	5464	91.0
Rossi	330	-0.153	356	100.0	100	30	256	71.9
Total	15580		15352	96.0	490	3.1	14862	92.9

2.1.2 Consumption

December 2022 & January 2023:

Location	Total Consumption (ML)		Daily Average (ML)	
	December 2022	January 2023	December 2022	January 2023
Goulburn	274	262	9.13	8.73
Marulan	8.9	7.8	0.30	0.26

2.1.3 Source of Water Treated/Dam Releases

During December 2022 and January 2023 water was sourced from Rossi Weir and the HSP for supply in Goulburn.

In Marulan water was drawn directly from the Wollondilly River and on-site storage dam.

2.1.4 Estimated Losses

Total estimated evaporation losses were calculated using the daily data for the Class A Pan evaporation at Goulburn TAFE, rainfall and the surface areas of the Sooley and Pejar storages.

December 2022 & January 2023:

Location	Total Estimated Evaporation Loss (ML)	
	December 2022	January 2023
Sooley Dam	182.46	126.27
Pejar Dam	184.24	148.91
Total	366.70	275.18

2.1.5 Rainfall

Goulburn received 45.60 mm of rainfall during December 2022 and 63.00 mm of rainfall during January 2023.

2.1.6 Water Quality

Raw Water Quality

Raw water quality remained relatively unchanged in both Goulburn and Marulan during December 2022 and January 2023.

Reticulated Water Quality

Some critical aesthetic drinking water results taken from samples in the reticulation system in December 2022 and January 2023 are shown below:

Parameter	Unit	Guideline Value Aesthetic	Guideline Value Health	Goulburn Drinking Water Quality		Marulan Drinking Water Quality	
				Dec 2022	Jan 2023	Dec 2022	Jan 2023
Colour (true)	HU	15	N/A	0	2	31	6
Iron	mg/L	0.3	N/A	0	0	0	0
Manganese	mg/L	0.1	0.5	0.0445	0.0462	0.0013	0.0107
pH		6.5-8.5	N/A	7.39	7.56	7.97	7.24
Turbidity	NTU	5	N/A	0.5	0.5	0.4	0.4
Hardness	mg/L	200	N/A	77	137	101	122
Aluminum	mg/L	0.2	N/A	0.02	0.03	*	*

*As coagulant is not used at Marulan, Aluminium is not tested

2.2 Wastewater Performance

2.2.1 Wastewater Volume Treated Goulburn

December 2022 & January 2023:

Treated Effluent	Volume (ML)	
	December 2022	January 2023
Total wastewater inflow	198.00	200.57
Irrigation and onsite reuse	37.79	29.31
River discharge (Screening and UV treatment only)	0.00	0.00
River discharge (Full treatment)	159.20	166.27

2.2.2 Effluent Quality

December 2022 & January 2023:

Parameter	Unit	90 Percentile Concentration Licence Limit	Goulburn Effluent Quality	
			December 2022	January 2023
pH		6.5-8.5	7.85	7.68
Suspended solids	mg/L	15	9	2
Ammonia	mg/L	2	0	0.1
Total nitrogen	mg/L	10	5.08	2.57
Total phosphorus	mg/L	0.3	0.24	0.39
Oil and Grease	mg/L	10	0	0

3.0 Major Projects

3.1 Re-Use Scheme Irrigation Construction

Description

The project comprises of a distribution system incorporating, new and existing pipelines, new or upgraded irrigation systems at seven sites, including, pump stations, storage tanks, and telemetry system to allow central monitoring and control of the irrigation systems.

Irrigation sites included are Hudson Oval, North Park, Victoria Park, Carr Confoy, East Grove South, Goulburn Golf Club, Recreation Area, and Goulburn District Racetrack.

Budget

- Overall Project: \$10,800,000.00
- Total Spent to date: \$9,389,029.18 (87%)
- Variations to date: \$68,709.08

Project Program

Task	Expected Date of Completion	Task Status
Construction		
Reticulation Pipeline	31 March 2022	Completed
Irrigation including Pumping Station Tanks	30 November 2022	Ongoing
WWTP Construction Works	01 March 2023	Construction underway
Telemetry and Communications	01 March 2023	Designed/not commenced
Commissioning	01 March 2023	Not commenced
Approvals		
Section 60 Approval	01 March 2023	Ongoing
Crown Waterway Approval	01 March 2023	Ongoing

Project Delays

- Wet Weather effects on Construction
- Covid 19 delays
- Telemetry Control delays

Project Update

Location	Completed	Remaining
Hudson Park	Irrigation Main Line (100%)	Testing & Commissioning (40%)
	Irrigation Lateral Line (100%)	
	Storage Tank (100%)	
	Pump Station (100%)	
	Pump Station Switchboard (100%)	
	Telemetry & Instrumentation (100%)	
	Gate & Fences around tank & shed (100%)	
	Testing & Commissioning (60%)	
North Park	Irrigation Main Line (100%)	Testing & Commissioning (40%)
	Irrigation Lateral Line (100%)	
	Storage Tank (100%)	
	Pump Station (100%)	
	Pump Station Switchboard (100%)	
	Telemetry & Instrumentation (100%)	
	Gate & Fences around tank & shed (100%)	
	Testing & Commissioning (60%)	
Victoria Park	Irrigation Main Line (100%)	Testing & Commissioning (50%)
	Irrigation Lateral Line (100%)	
	Storage Tank (100%)	
	Pump Station (100%)	
	Pump Station Switchboard (100%)	
	Telemetry & Instrumentation (100%)	
	Gate & Fences around tank & shed (100%)	
	Testing & Commissioning (50%)	
Carr Confoy	Irrigation Main Line (100%)	Testing & Commissioning (50%)
	Irrigation Lateral Line (100%)	
	Storage Tank (100%)	
	Demolition of old pump station (100%)	
	Modification works of old tank (100%)	
	Pump Station (100%)	
	Pump Station Switchboard (100%)	
	Telemetry & Instrumentation (100%)	
	Gate & Fences around tank & shed (100%)	
	Testing & Commissioning (50%)	
Eastgrove South	Water and communication main lines to site boundary complete (100%)	Irrigation Main installation (70%)
	Irrigation Main installation (30%)	Irrigation Lateral Lines installation

Location	Completed	Remaining
Recreation Area	Irrigation Main Line (100%)	Telemetry & Instrumentation (20%)
	Irrigation Lateral Line (100%)	Testing & Commissioning (60%)
	Storage Tank (100%)	
	Pump Station (100%)	
	Pump Station Switchboard (100%)	
	Telemetry & Instrumentation (80%)	
	Testing & Commissioning (40%)	
	Gate & Fence around tank (100%)	

Location	Completed	Remaining
Waste Water Treatment Plant	Tank Base Excavation (100%)	Two Concrete Tank Installation
	Tank Base Backfilling work (with Road base) (100%)	Tank Overflow Pipe work (20%)
	Tank Overflow Pipe work (80%)	Tank Inflow Pipe work (20%)
	Tank Inflow Pipe work (80%)	Additional pumps Installation
		Associated electrical and telemetry control works
		Demolition of existing redundant infrastructure
		Testing & Commissioning

Goulburn Mulwaree Utilities

Project Images



3.2 Re-Use Goulburn Upgrade

Description

Construction commenced in November 2021 at the Waste Management Centre. The Construction consists of the following:

- New Re-use Hub building
- New Resource Recovery Shed
- New site office facilities & education Centre
- Additional weighbridge
- New operational vehicle wash bay
- New rainwater and leachate management systems
- Upgraded site utilities
- Upgraded stormwater network

Budget

- Contract Value: \$8,440,000.00
- Variation to date: \$133,168.52
- Contract Payments to date: \$4,333,259.42

Project Program

Task	Expected Date of Completion	Task Status
Construction	February 2023	Ongoing
Testing Commissioning	February 2023	Not Commenced
Defects Inspection and Rectification	March 2023	Not Commenced
Project Completion	April 2023	Not Commenced

Project Delays

- Weather- There has been a significant amount of rain since December that has affected the site.
- Ground conditions, waste excavation
- Working on an operational site

Project Update

Key works completed in previous month

- • RRS – Zig Zag wall, including core filling,
- • RRS – Hydrostatic testing for all installed lines
- • RRS – Excavation for weighbridge to the correct levels
- • RRS – Detailed excavation around piling cages
- • RRS – Excavation of trenches for pit 4 & 5 including conduits installation
- • RRS – Electrical trenches completed under main slab
- • RRS – Plinths formwork commenced
- • RH – Raingarden pipe outlet opening

Works Expected for Next Two Months

- • RRS – Weighbridge piling and foundations (FRP)
- • RRS – Continue services
- • RRS – Main slab FRP works
- • RH – Wall framing
- • RH & RRS – External paving works

Project Images




Goulburn Mulwaree Utilities






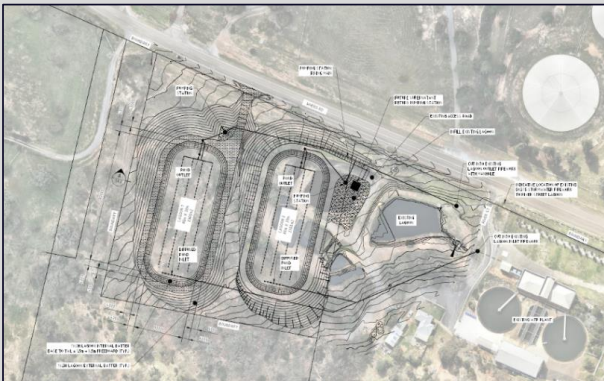
3.3 Water and Sewer Projects

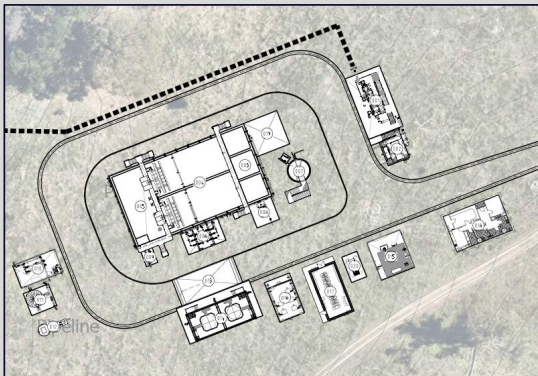
Project	
Title	Capital Works – Water Infrastructure
Project Description	Renewal of Existing Water Mains
Budget	\$2,000,000.00
Project Update	<p>Killard Infrastructure have commenced design on the following streets for this financial year:</p> <ul style="list-style-type: none"> • Bradley St • Sydney Rd • Combermere St • Glenelg/Ada St • Clifford St <p>Defects from last financial year are being rectified, Defects include:</p> <ul style="list-style-type: none"> • Road Restoration • Footpath restoration • Valve boxes • Line marking <p>Killard Infrastructure have completed the under bore & pipe laying work at Bradley Street. They are currently doing the water main work at Sydney Rd.</p>
Project Images	

Project	
Title	Capital Works – Sewer Infrastructure
Project Description	Rehabilitation of Existing Sewer mains
Budget	\$1,000,000.00
Project Update	<p>A new sewer rehabilitation package has been tendered to commence work in March 2023. This tender was advertised on 28 November 22 and closed on 17 January 23. Tender evaluation is in progress.</p> <p>Focus of this financial year's package will be on manhole rehabilitation, infiltration investigation and relining of critical large diameter lines.</p>

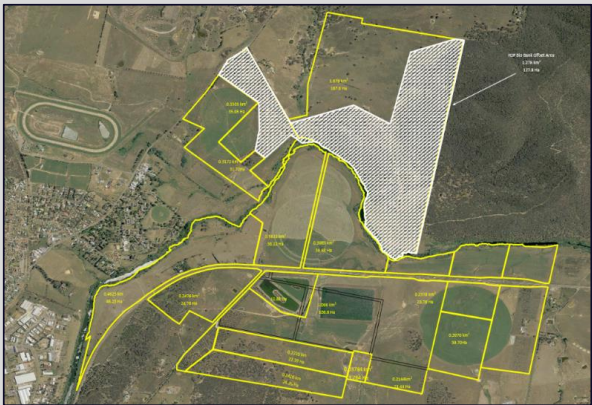
Project		
Title	Capital Works – Marulan WFP Concept Design	
Project Description	Concept Design for the upgrade of the Marulan Water Filtration Plant.	
Budget	TBD	
Key Dates	Contract Awarded	July 2022
	Works commenced	August 2022
Project Update	Work has commenced on the Concept Design for the proposed upgraded water treatment plant. Initial testing has been completed on the raw water quality with further testing required to inform the design.	
Project Images		

Goulburn Mulwaree Utilities

Project	
Title	Capital Works – Goulburn WFP Sludge Handling
Project Description	Construction of associated infrastructure to allow backwash sludge to accumulate and dry.
Budget	\$TBD
Key Dates	Start of Scope Update May 2022
Project Update	Hunter H2O has been engaged to complete the documentation of the sludge lagoon upgrade option assessment for the Goulburn Water Treatment Plant following consultation with DPE. Council should receive the draft report in mid to late February for review.
Project Images	

Project	
Title	Capital Works – Marulan WWTP Design
Project Description	Detailed design of the new Marulan Wastewater Treatment Plant to facilitate construction.
Budget	TBC
Key Dates	Start of Detailed Design TBD
Project Update	Council working with Hunter H2O and Boral to complete a risk assessment of the use of the recycled water at the quarry. Will then liaise with stakeholders to ensure all risks are mitigated.
Project Images	

Goulburn Mulwaree Utilities

Project	
Title	Former Council Irrigation Farm Development
Project Description	Subdivision and rezoning of the former irrigation farm for future uses resolved by Council.
Project Update	Development application for consolidation of the existing lots and subdivision into 5 lots has been submitted to Council with attached specialist reports. Awaiting determination.
Project Image	 <p>An aerial photograph of a rural area with several large, irregularly shaped lots outlined in yellow. The lots are numbered, including 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100. The map also shows a road network, a river, and some buildings.</p>

4.0 Waste and Recycling Initiatives

4.1 Waste Projects

Project	
Title	Drilling Mud Facility
Project Description	Construction of a purpose-built drilling mud processing facility at Goulburn Waste Management Centre.
Budget	\$1.83 million
Key Dates	Procurement processes being considered to achieve suitable and appropriate process and outcomes.
Project Update	Reviewing option for use of small projects and consultant panels.

Project	
Title	Environmental Improvement Works Goulburn and Marulan
Project Description	Ongoing environmental improvement works at Goulburn and Marulan sites.
Budget	\$100,000 Goulburn and \$175,000 Marulan
Key Dates	Ongoing
Project Update	The Marulan Waste Management Centre requires a period of dry weather for stormwater improvements to be undertaken. Goulburn Environmental Improvement Works involve improving accessibility due to consistent wet weather and to ensure effective waste disposal during the construction upgrade. Clean ups in the bushland surrounding the waste centre are also required on an ongoing basis to manage windblown litter.

4.2 Goulburn Waste Management Centre Streams Received

December 2022 and January 2023

Product	Number/Tonnes
Mattress	181
Clean Fill	5765.98
Food / Garden Organics (self-haul to centre)	30.66
Mixed Waste	465.81
Asbestos	7.48
Metal	29.22
Green Waste Collections (Council)	533.57
Commercial Waste Collections (Council)	605.72
Domestic Waste Collections (Council)	948.87
Large Street Sweeper (Council)	30.58
Residual Waste from Endeavour Industries (waste collected in recycling bins and not recycled)	110.46

4.3 ACT Materials Recovery Facility fire

A fire at the ACT Materials Recovery Facility (MRF) has impacted recycling processing in the ACT and six regional councils, including members of the Canberra Region Joint Organisation (CRJO). The fire started on 26 December 2022 and is reported to have destroyed the facility, with the ACT Government announcing it would expedite construction of a new facility for which planning was underway. Currently recycling from the ACT is being transported to interstate facilities where possible.

Goulburn Mulwaree Council has not experienced significant impacts as co-mingled recycling collected through domestic waste services and at Council's waste centres is processed at the Endeavour Industries Materials Recovery Facility in Sinclair St, Goulburn. The ACT MRF has on occasion assisted Council and Endeavour Industries if a secondary facility was required for processing over short periods of time, such as when Endeavour Industries was impacted by COVID-19.

The fire highlights the inherent risk of fire to waste facilities. While the cause of the fire is still believed to be unknown, various media outlets reported ACT Fire and Rescue Chief Matthew Mavity as saying the fire could have been started by incorrect items being placed in the recycling stream.

Items such as batteries, hot ash and gas bottles are well known to have started fires at facilities such as landfills and recycling centres, highlighting the importance of residents understanding what can and cannot go in the various colour coded bins and the need to correctly sort waste at Council's waste centres.

4.4 Interesting News and Facts

Researchers develop the world first system to recycle plastic waste and greenhouse gases

Imagine if plastic waste could be reused and turned into valuable ingredients for use in everyday items. A research team in the UK have created a system powered by the sun that does just that.

Researchers from the University of Cambridge have developed a highly efficient solar powered reactor that can convert two problem waste streams into valuable chemical products simultaneously.

During testing problematic greenhouse gas, carbon dioxide and plastic bottles were converted into syngas (used in sustainable fuel) and glycolic acid found in facial peels, moisturisers and other anti-aging cosmetics. By changing the catalyst into the system, researchers also found that other fuels like carbon monoxide and formate could be created enabling the user flexibility to change the elements produced.

"Generally, CO₂ conversion requires a lot of energy, but with our system, basically you just shine a light at it, and it starts converting harmful products into something useful and sustainable," said Dr Motiar Rahaman co-author on the research. "Prior to this system, we didn't have anything that could make high-value products selectively and efficiently."

The reactor utilises next generation perovskite solar cells that are highly efficient. The speed with which the reactor can produce fuels and compounds is also at a much high rate than existing photocatalytic CO₂ reduction processes.

Although only at an early stage, the system offers hope for a viable solution to the world's growing plastic pollution problem. Globally 367 million tonnes of plastic waste was produced in 2020, a figure expected to grow exponentially in coming years.

Within five years the team hopes to broaden the type of molecules produced by the reactor to be more complex and one day see a renewable recycling plant created using these techniques.

20

Goulburn Mulwaree Utilities

This system isn't just better than current processes, the reactor takes a leap forward to create a flexible renewable solution transforming the traditional take-make-waste process on its head to establish a viable closed loop. Let's hope more renewable recycling technology like this gains support.

<https://planetark.org/newsroom/news/researchers-develop-solar-powered-system-to-recycle-plastic-waste-and-greenhouse-gases>



Corporate & Community Services

Directorate Report

December 2022

January 2023

PRIDE

Passion Respect Innovation Dedication Excellence

Table of Contents

Contents

1.	<i>Innovation & Technology</i>	3
2.	<i>Finance</i>	3
3.	<i>Customer Service</i>	4
4.	<i>Property & Community Services</i>	5
	4.1 <i>Property Services</i>	5
	4.2 <i>Goulburn Performing Arts Centre (GPAC)</i>	7
	4.3 <i>Community Services</i>	10
5.	<i>Marketing, Events & Culture</i>	14
	5.1 <i>Marketing&Events</i>	14
	5.2 <i>Museums</i>	20
	5.3 <i>Library</i>	28
	5.4 <i>ArtGallery</i>	32

Corporate & Community Services

1. Innovation & Technology

Listed below are some of the projects/activities currently underway in Innovation & Technology:

- NSW Government has released their Cyber security policy. This policy is voluntary for Council but strongly recommended. A brief has been presented to the Executive.
- Windows 11 is now being deployed on all new PC's and laptops. When staff receive new equipment, this will now be the standard.
- Investigations have commenced into new security software for council. The existing system has worked very well but is up for review.
- The council records system is in the final stages of upgrade. It is expected to be completed over the weekend of the 11th and 12th of February.

2. Finance

Finance activities currently underway include:

- Finalising Quarter 2 Budget Review and reviewing 2022/23 budget to identify projects that may require inclusion in 2023/24 budget due to likelihood of not being completed by 30 June 2023.
- Currently in the process of developing the first draft of 2023/24 budget including meeting with all Directors and Business Unit manager to discuss Operational and Capital Budgets as well as Fees and Charges.
- Legal action and debt recovery processes are in progress as per Councils Debt Recovery and Hardship Policies.
- Procurement training continues for relevant Council staff members and the processes are being reviewed with regards to the changes to Legislation.

Corporate & Community Services

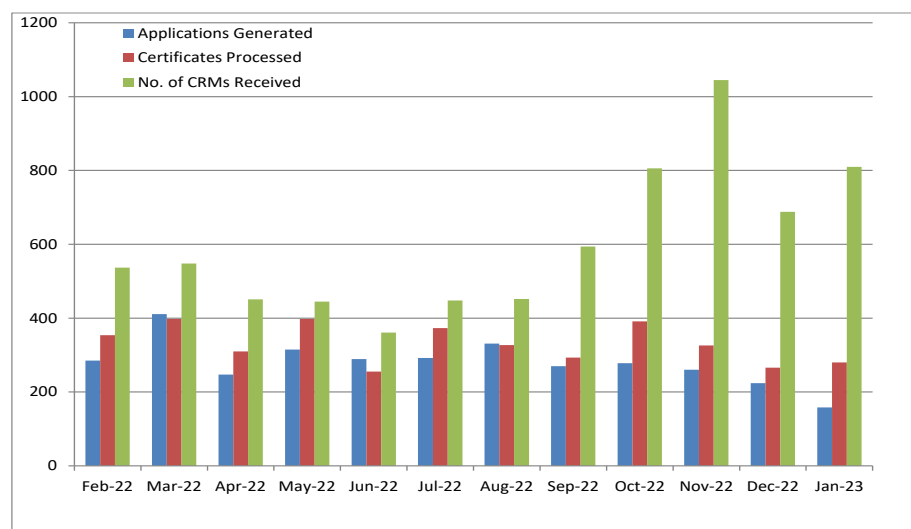
3. Customer Service

December and January have been busy months for the Customer Service Team with several staff on annual leave, and the commencement of new staff. The team were awarded the Category winner for LEAP at the All Staff End of Year Party and this continues to reflect the strong team and culture we have at the moment. Well done team.

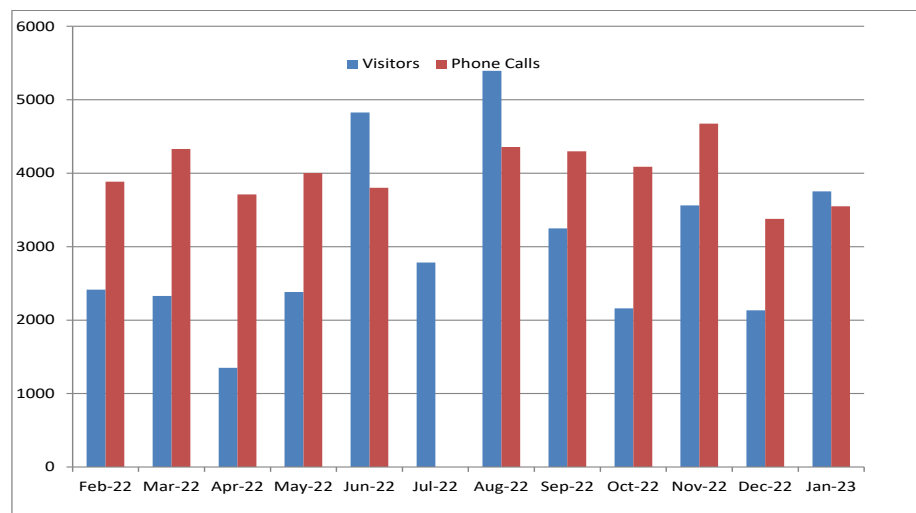
The Customer Service Team are planning for 2023 with changes to the Planning Portal which directly impact time frames for applications to be validated and time taken by the team to process.

Workloads remain high however, the team continue to work hard to ensure all priorities are met.

Productivity



Visitors and Phone Calls



Corporate & Community Services

4. Property & Community Services

The Property & Community Services Business Unit is responsible for providing a broad range of property services and community programs, and activities. The following pages provide a summary on the status of some of the property dealings and community services programs and activities in December 2022 and January 2023.

4.1 Property Services

Property Services includes the provision of strategic advice, property management (including Managed Crown Land), conveyancing support, preparation of leases and licences, provision of legal support services for property matters and maintaining data integrity within Council's property system. This unit also provides another central point of contact for major and minor investors to access information, support and assistance for investment and property related enquiries.

The Business Manager Property & Community Services also provides direct support to the Performing Arts Centre Manager and PAC Coordinators in light of GPAC now being part of the Property & Community Services Business Unit.

Property Acquisitions

- **Part 4 Montague Street, Goulburn - Goulburn Courthouse (Widen Post Office Lane)**
 - Notice of Determination for Compensation payable to DPE – Crown Lands received from NSW Valuer General along with a tax invoice from DPE – Crown Lands. A tax invoice was also received from the VG for their administration, management, and valuation fees. Costs associated with this land dealing will be included in the next Quarterly Budget Review Report to Council.
 - This dealing is now completed.
- **Parcels of Crown Land at Towrang (New Towrang Bridge & Road Works)**
 - Documentation lodged to compulsorily acquire 3 x Part Crown Reserves on northern and southern sides for new bridge and road works.
 - Plan of Acquisition registered with NSW Land Registry Services (NSW LRS).
 - NSW Aboriginal Land Council have indicated in-principal approval for partial withdrawal of an Aboriginal Land Claim over one of the Crown Reserves.
 - Land acquisitions will not be finalised until mid to late 2023.
- **Part 40 McDermott Drive, Goulburn (Shared Pathway, Middle Arm Road)**
 - Acquisition of 452m² from Department of Education | School Infrastructure NSW (DoE) for shared pathway along Middle Arm Road still underway.
 - Plan of Acquisition registered with NSW LRS and forwarded to NSW OLG.
 - Final approval will be received from the NSW Governor and Minister for Local Government in mid-February to proceed with acquisition and issue of the Proposed Acquisition Notices.
 - Land acquisition may not be finalised until 30 September 2023.
- **Part Lot 3 DP 880446 (Crown Land behind Goulburn Correctional Centre (Walking Track – Phase 3))**
 - Still dealing with NSW Aboriginal Land Council and Pejar Local Aboriginal Land Council in relation to an undetermined Aboriginal Land Claim (39401) lodged on 10 August 2015.
 - Further correspondence sent for consideration at a Pejar Local Aboriginal Land Council Special Board Meeting.
- **Shannon / Pockley Link Road - Run-O-Waters, Goulburn**
 - Further consultation undertaken with Council's Executive.
 - To be discussed at a Councillor Briefing on 14 February 2023.

Corporate & Community Services

- **Access Road to 632 Taralga Road, Tarlo**
 - Documentation prepared to support a Possessory Title Application with NSW Land Registry Services in relation to an old access road (i.e. forms part of Volume 470 Folio 88) joining Taralga Road to Council's land at Lot 2 DP 1043955.
 - This dealing is required to satisfy legal access requirements for Council and its lessees, including RDA and Campdraft.
- **Book 4805 Conveyance 760 – Duck Avenue**
 - Preparations still underway to dedicate this strip of land as public road to service a proposed townhouse development.
 - All surveying and legal costs being met by developer as part of their DA.

Easement Acquisitions

- All current easement negotiations finalised and registered with various property owners for public infrastructure projects e.g. sewerage, water, stormwater.

Leases & Licences

- **56 Clinton Street, Goulburn (Level 1 - Workspace Goulburn)**
 - Bookings continue for casual hire of Meeting Rooms, Events Space and Hot Desks.
 - Negotiations underway with commercial entity to lease remaining vacant office currently used by visiting professionals.
- **Part 14 Copford Road, Goulburn**
 - Short-Term Lease executed with Goulburn Barefoot Waterski Club Inc. for tournament on 3, 4 & 5 February 2023 with appropriate approvals obtained from TfNSW authorising use of the riverway for the tournament.
- **The Brewer Centre – 47 George St, Marulan**
 - New lease negotiated with Medical Seventh Group Pty Ltd ta/s Marima Medical Clinic.
 - Separate lease negotiated with another allied health service provider.
 - Negotiations currently underway for a separate lease of other section of the Brewer Centre.
- **The Marulan Memorial Hall**
 - New lease executed for the Mulwaree Arts Inc. re; use of small shop in front section of hall.
- **2 Bourke St, Goulburn**
 - Lease renewals in accordance with Leasing / Licencing of Council Owned / Managed Property for Community Organisations Policy recently adopted by Council.

Road Closure Applications

- **Unformed Road Reserve off Braidwood Road, Tarago**
 - Road dedicated to Council following publication of notice in NSW Government Gazette.
 - Status Search completed by DPIE - Crown Lands on an old, closed Crown Road to confirm privately owned land vested to 'an adjoining property owner'. Further research completed confirming Council is entitled to progress transfer of this land to its name. This process is still currently underway.
 - Once the above step is completed, a Plan of Consolidation of all parcels of land will be prepared / registered with NSW LRS.
 - This land will then be disposed of in accordance with a Council resolution.
- **Unformed Road Reserve adjoining Lockyer Street, Goulburn**
 - Sale of 161.5m² of part road reserve to adjoining landowner completed.
- **Encroachment of Part 2 Sloane Street at Cnr Sloane St / Finlay Road, Goulburn**
 - Road Closure notice published in NSW Government Gazette 19 August 2022.
 - Awaiting Mortgagee Consent before Plan of Easement to Drain Water 3 wide & Road Closure under *Roads Act 1993* and s88B Instrument can be lodged with NSW LRS.
 - Applicant to pay compensation to Council prior to registering new title (when created) in their name as the registered owner of 2 Sloane Street.

Corporate & Community Services

Crown Land Enquiries

- Regular enquiries continue to be received in relation to Crown Reserves and Crown Roads. These enquiries often trigger research, consultation with other sections of Council and providing detailed responses to applicants.

Property Addressing, Property Attributes and Integration of new Subdivisions in Property & Rating System

- **Property Addressing**

The Part time Administration Officer - Property Services continues to work closely with the Design & Asset Management and Planning & Development Business Units to resolve Urban and Rural Addressing anomalies and streamline Addressing Procedures. This position oversees the following functions;

- Customer Service - attending to ongoing enquiries, anomalies and oversights (i.e. for new and old subdivision approvals).
- Liaising with the private sector and government agencies to assist with correct property addressing associated with new developments to align with the NSW Addressing Guidelines.
- Land Attribute Updates - attending to ongoing land attribute update requests and ensuring accuracy of s10.7 certificates for conveyancing and development applications.
- Integration of New Subdivision Data - Information updated to Council's Property & Rating System and feeding into GIS updates.
- Ongoing review of addressing upon receipt of Supplementary Valuations received from the NSW Valuer General and ensuring Council's data integrity is up to date.
- Gazette Notification of Roads - Publishing notices in NSW Government Gazette for several old and new roads identified on registered Plans of Subdivision.

Plans of Management (PoM)

- **Victoria Park**
 - Draft PoM adopted by Council on 20 December 2022.
- **Carr Confoy Sportsground & Park**
 - Minister's consent received for endorsement to exhibit.
 - On exhibition until 21 December 2022.
 - No written submissions received by closing date 13 January 2023.
 - Public Hearing into categorisation of Council Community Classified Land conducted 14 December 2022.
 - Draft PoM to be reported to Council on 21 February 2023.
- **Generic Sportsgrounds Plan of Management**
 - Preparations continue with this draft PoM that includes Hudson Park, Cookbundoon Sporting Fields, North Park and 2 x sports grounds at Marulan.
 - Asset Condition Reports prepared to include in the draft PoM.
 - Draft PoM to be reported to Council second half of 2023.

4.2 Goulburn Performing Arts Centre (GPAC)

December 2022 marked the end of GPAC's first 9 months of operations and the conclusion of our first Season. We hosted 7 events (comprised of 12 activities) during the month – made up of school

Corporate & Community Services

presentation days, dance school concerts, our first conference K2W Conference, the final workshop in our popular Backstage at GPAC community development program, the 2023 Education Launch and the 2023 Season Launch.

The season launch was enthusiastically received and resulted in a large uptake of 2,023 memberships, including a more than doubling of our premium membership numbers. The GPAC team, also joined by the Business Manager Property & Community Services, also participated in a full day of planning and team building – a critical opportunity for the still evolving team to regroup, assess its progress over the preceding months and to plan for the upcoming year.

GPAC's last day for 2022 was 23 December with the Box Office very busy till closing with new memberships, ticket sales and purchase of gift vouchers. Typically for a regional theatre the majority of bookings for December are school concerts, school presentation dances and dance school concerts. The number of school and dance school bookings were modest as our first year, and we have already received quite a few new inquiries for December 2023, with strong interest also from dance schools in the Southern Highlands. This is set to be a key growth and engagement area in 2023 and beyond.

GPAC re-opened to the public on Tuesday 10 January with our first booked show on 29 January. Staff were kept busy conducting the extensive annual maintenance program and scheduling promotions and marketing, taking and setting up numerous new bookings and the Box Office was again inundated with ticket sales following the season launch. GPAC also delivered a weeklong Stage to Screen Theatre Workshop program for High School students, led by 'Off the Beaten Track Theatre Company' with funding from CREATE NSW's Holiday Break Program. The first 'show' for 2023 was The Lonely Spirits Variety Hour on 29 January, the first film in the STA Screen series of films – co-presented with Southern Tablelands Arts as part of GPAC's 2023 season. This popular event included pre-show music in the foyer and a post-show Q and A with the director-writer, main actors and locally based cinematographer.

DECEMBER 2022		
EVENT NAME	EVENT TYPE	ATTENDANCE
Crescent School Presentation	School Presentation	320
Goulburn High School Presentation	School Presentation	390
K2W Conference	Corporate hire	97
GPAC Education Launch	GPAC Event	14
2023 Season Launch	GPAC Event	260
Industry Dance Concert	Dance Concert	408
Dance Ed Concert	Dance Concert	212
OTHER ACTIVITIES	NUMBER	ATTENDANCE
Backstage at GPAC	Workshop	8
Rehearsals	5	270
GPAC Team Planning Day	1	6
JANUARY 2023		
EVENT NAME	EVENT TYPE	ATTENDANCE
The Lonely Spirits Variety Hour	Film	62
Pre and Post show activities		
OTHER ACTIVITIES		
Stage to Screen Theatre Workshops	Workshops – Youth	14

Post show Q and A for STA film and participants at theatre workshop.

Corporate & Community Services

Photos courtesy of PAC Manager - Raina Savage.



Corporate & Community Services

4.3 Community Services

Community Services include Neighbour Aid, Respite Programs, Leisure Link and Youth Services. The delivery of these services would not be humanly possible without the wonderful assistance received from our volunteers. A summary of activities undertaken by the Youth Services Coordinator, Leisure Link Coordinator and Neighbour Aid Coordinator in December 2022 and January 2023 is included in this report.

Youth Services

The Youth Services team had a busy December wrapping up all programs and getting ready for the January school holiday programs.

Paperback Café supported the International Day of Disability celebrations on 5 of December making over 100 coffees in 2 hours. The day was a fantastic opportunity for the café to promote itself and provide an opportunity for some of the program participants to see what it's like to be very busy with orders and making coffees.

In January the café introduced its new training manual to help streamline the process and ensure all participants receive the same training and opportunity moving forward; this is still in the trialing stages. The training manual comprises 3 stages and provides the opportunity to increase skills and information gathering to better equip participants to obtain a qualification at the end of the program.

The Youth Services term programs include supporting FIT4LIFE in partnership with the PCYC. This program finished in mid-December for the Christmas break, with the final session and opportunity to thank all the volunteers and provide the participants with a Certificate of Completion in the program. FIT4LIFE will recommence on 7 February with a new cohort of participants and return ones.

The Community Christmas Convoy was held in December and once again, this was a fantastic community event driving all over Goulburn in convoy with NSW Fire & Rescue, NSW Ambulance, PCYC, headspace, Council representatives and of course, Santa Clause. Seeing so many people come out to celebrate and join in the Christmas cheer was fantastic. The Youth Services team played a major role in supporting this event and helping PCYC to host it. This support included placing a call to the North Pole to make sure Santa was including the convoy.

January was a very busy time with the School Holiday program kicking off. Thanks to the NSW Government School Holiday Grants, the Youth Services team were successful obtaining \$15,000 to provide many free activities for our youth.

Summer School Holiday Program ran from 17 - 27 January 2023. We had a total of 244 attendees over the 2 weeks with our numbers steadily increasing from previous School Holiday programs.

To help support high school kids to get out, have fun, socialize, and tackle the warm weather, we enjoyed a variety of water activities over 3 separate days. These included our 2 main excursions to Mollymook Beach and Canberra Aqua Park as well as local river activities with "Walk on Water" at Marsden Weir. As a part of our Canberra trip, the kids also attended the iPlay Arcade of which most kids left with prizes to show off or snack on.

Outside of our highly active and energetic programs we ran 2 days of art where the kids all got to have an input towards some beautiful paintings that will contribute to this year's Comic Con Goulburn. With larger

Corporate & Community Services

numbers, we also had Henna Hand art whilst conducting comic con art to help rotate the groups which proved very popular.

To help support our local community and based on the kids' previous recommendations, we visited the Lilac City Cinema which is a great program for anyone of different abilities to attend.



Youth Services Summer School Holiday program activities



Leisure Link

Our Leisure link participants enjoyed a variety of different activities over the months of December and January. We have a couple of new people continuing to attend and have received positive feedback on how they have enjoyed the activities and friendships whilst attending the programs.

We attended the International Day of People with Disability celebrations on 5 of December and a great day was had by all. The weather was perfect and there were lots of fun activities such as basketball, choir, Zumba, marketing stands, a free sausage sizzle and ice cream.

The major activity for December was the Leisure Link Christmas party with approximately 40 people attending a beautiful 2 course lunch with lots of carols playing in the background. We had a visit from Santa Clause and everyone received a gift. This gave everyone a big smile and an exciting finish to the day.

For the Girls group and Mates group, we held a Christmas party for each group. We made Christmas cards, went to the pool, and held a planning evening ready for another big year of activities for the Girls and Mates groups.

Corporate & Community Services

We are attending Vibesfest in Belmore Park on 18 February which everyone is very excited about. There will be lots of great music, roller skating and food stalls for everyone to participate in.

The position for the new Leisure Link Support Officer was successfully filled however that person has unfortunately resigned. Recruitment for this position commences in early February.

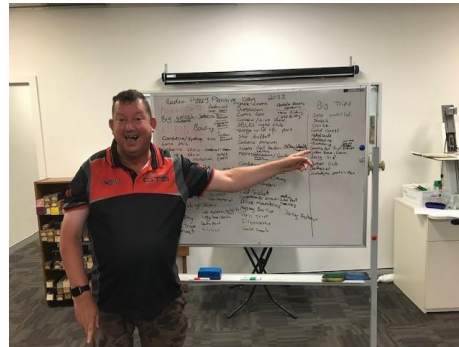
International Day of People with Disability opening

Saturday fun group planning day



Leisure Link Christmas Party

Mates group 2023 planning day



Neighbour Aid

Our Neighbour Aid clients had a very happy and busy December and enjoyed great food and companionship at various Christmas parties we hosted. 35 clients attended the Workers Club Christmas Party and another 35 clients attend our day program Christmas luncheon.

Our programs re-commenced on 9 January where we welcomed back all our clients to each day program and one-on-one support services. On 9 January we also had a planning day with the clients to map out this year's activities and outings; stay tuned to see what fun we get up to in the months ahead.

We also celebrated Australia Day all week offering novelty activities through quizzes and other games and had some Aussie classics for lunch and desert, including lamingtons, pies, pavlova, and good old sausage sandwiches with onion and tomato sauce.

Corporate & Community Services



Australia Day Celebrations



Christmas Luncheons



Corporate & Community Services

5. Marketing, Events & Culture

5.1 Marketing & Events

Marketing & Public Relations

- Published 27 posts to the Goulburn Australia Facebook page during December and January, reaching 50,147 people as at 31 January 2023.
- Published 22 posts to the Goulburn Australia Instagram page during December and January, reaching 16,514 people as at 31 January 2023.
- Published the Vibesfest 2023 Facebook Event which has reached 2,768 people and received 142 responses as either 'interested' or 'going'.
- Published a paid Facebook/Instagram ad for Festival of Small Halls which has received 818 ticket link clicks.
- Published 4 videos to the Goulburn Australia TikTok page, receiving a combined total of 1,940 views as at 31 January 2023.
- Designed and distributed 9 x 'Weekly What's On' EDMs (Electronic Direct Mail) to 583 subscribers, receiving an average open rate of 46.8% during December and January.
- Designed and distributed a 'Monthly What's On' EDM for December and January to 1,464 subscribers, receiving an average open rate of 40%.
- Designed and distributed the printed monthly Calendar of Events for December and January to local businesses and Council sites for display, and for customers at the Visitor Information Centre.
- Received 2 x new Goulburn Australia Marketing Membership Applications from:
 - Longfield 1838
 - Mount Wayo Retreat
- Wrote and distributed 3 x Media Releases:
 - *Hockey NSW Indoor State Championships Ramp Up in Goulburn*
 - *Festive Cheer Set to Spread Across Belmore Park*
 - *Goulburn to Host Swimming NSW Country Regionals*
- The ongoing digital campaign running with News Corp Australia, focussing on the Visit, Live, Work and Invest pillars of the Goulburn Australia campaign continues to receive excellent results. Campaign performance from 1 December 2022 – 31 January 2023 is below:
 - Programmatic (online display) adverts have received 235,457 impressions, a click-through rate (CTR) of 0.14% and 323 people have clicked on our adverts during this period.
 - Social Media advertisements have received 192,525 impressions, CTR of 2.37% and 4,572 people have clicked on our advertisements during this period.
- Liaised with Radio Goulburn to arrange a radio advertisement campaign for Festival of Small Halls. This included radio advertisements and interviews.
- Liaised with Radio Goulburn to arrange a sponsorship campaign for Australia Day 2023. This included radio advertisements, on-air key messaging and naming rights for Australia Day segments.
- Liaised with our contracted Graphic Designer to design the following advertisements:
 - Half page Shop Local advertisement in the Goulburn Post
 - Full page advertisement to be placed in the NSW Seniors Festival Feature in The Senior
 - Digital display banners for the Truly Aus website
 - Full page advertisement to be placed in True Blue magazine on Rex Airlines
 - Editorial content feature on the Truly Aus website
 - Half page advertisement for Cruzin magazine
 - Content to be featured in Australian Traveller social media posts and EDM's
 - See below for two examples of recent advertisements.

Corporate & Community Services



Cruzin Magazine advertisement



Truly Aus Digital Banner

Groups Liaison

- Issued a Filming Permit for Peter Oliver Imagery for drone footage to be captured at Goulburn's Australia Day event.
- Liaison with stakeholders and arranging all logistics for staff to attend AIME 2023 (the Asia-Pacific Incentives and Meetings Event) in Melbourne from 13-16 February, in conjunction with Destination NSW and Destination Southern NSW. Pictured to the right is the backdrop for our Goulburn Australia booth, where we will meet with potential buyers to raise awareness of Goulburn Australia as a desirable destination to place their future events and/or conferences.
- Campbelltown Patch and Quilt Guild are coming to Goulburn from 27-30 July. Their group of 30 are staying at the Mercure Goulburn and we will prepare 30 Welcome to Goulburn Bags for their arrival.
- Several Guided City Tours have been booked during the months of December and January for 2023. See table of bookings below:



Goulburn Australia booth at AIME 2023

Date	Group Name	Tour Type
Sat. 25 February 2023	Travelwise	Guided City Tour
Thu. 9 March 2023	Near or Far Bus and Coach	Guided City Tour
Wed. 14 June 2023	Potter Travel	Guided City Tour
Mon. 25 September 2023	Forrester's Beach Probus Club	Guided City Tour
Mon. 16 October 2023	Pambula Probus Club	Guided City Tour

Corporate & Community Services

Events

- Swimming NSW Country Regional Championships** were held in Goulburn from 21-22 January at the Goulburn Aquatic Centre. The event which is organised by Swimming NSW was supported by Goulburn Mulwaree Council through the Event Development Fund and supported by the Goulburn Amateur Swim Club. The event far exceeded the 400 expected participants with 570 registered swimmers over the two days. Council's Community Facilities team supported the event with staff to put up the marquees at both ends of the pool and for competitors' marshalling and check start areas. The Aquatic Centre provided portaloos and additional staffing and opened early to give time for all competitors to come in as well as extending hours for the long meet. The feedback on the organisation of the event from Swimming NSW was all very positive, as were the Facebook messages received from regional swim clubs. The economic benefit associated with this event is estimated to be \$1,077,300.



Corporate & Community Services

- **Australia Day** was held on 26 January at the Goulburn Historic Waterworks. The event was supported by the National Australia Day Council, the NSW Government and Goulburn Mulwaree Council. The event included a portrait exhibition tribute to past Goulburn Australia Day Citizens of the Year, First Nation Dancers, Smoking Ceremony, First Nations workshops, Citizenship Ceremony, Community



Event of the Year, Citizen and Junior Citizen of the Year, and for the first time, Senior Sportsperson and Junior Sportsperson of the Year. The Australia Day Ambassador was Dual Olympic Gold Medallist Ellen Ryan. To assist with parking and those less mobile, a shuttle bus was provided from Victoria Park and an internal Waterworks shuttle, plus a trackless train to pick up people from the gate and deliver to the Pumphouse. The Wollondilly River came to life with pedalo boats, stand-up paddle boarding, and kayaks which were all free activities. There were also activities with the Library and Art Gallery, free face painting, car club exhibitions, food, and market stalls, as well as over four hours of live music from local bands.



Corporate & Community Services

- Festival of Small Halls** is to be held on 5 February at St Saviour's Cathedral Hall. This event is supported by Council's Event Development Fund. The Hume Conservatorium's Bluegrass Ensemble will support the event which brings an amazing local (Australian artist/band) and an international band and tours local small halls from in between Cygnet to Illawarra Folk Festival. This year Goulburn is the last stop of the five and a half week tour. Council is responsible for booking the venue, providing the support act, advertising, organising refreshments and local ticket sales at the Visitor Information Centre, event set-up and door sales on the night.
- Vibesfest** will be held on Saturday 18 February in Belmore Park. The event invites local bands from high schools including Crookwell, and the Hume Conservatorium to play with well-known local artists. Due to the popularity in 2022 of adding additional activities and with support from the NSW Government through the Reconnecting Regional NSW Community Events Program, this year's event will include a roller rink around the rotunda. Sessions for the roller rink can be booked on the day for \$10 per session. The event will include free face painting, bubble play, and drop-in circus activities, a jumping castle and bungee run. Local services such as the NSW Police and Headspace as well as the Community Drug Action Team have also been invited to attend. The event will conclude with the Lieder Youth Theatre Fire Show.
- Hockey NSW Indoor State Championships – Masters** will be held in Goulburn from 3-5 February (Men's) and 10-12 February (Women). This is the final year of a second three-year term. This event has been proudly supported by Council's Marketing and Events Unit since 2016. In the Men's division there are 19 teams, 17 from outside of Goulburn Mulwaree (total players/officials: 228). In the Women's division there are 31 teams, 29 from outside of Goulburn Mulwaree (total players/officials: 372). The total expected economic benefit from these events is \$794,880 (Men - \$293,760, Women - \$501,120).
- Other events** the Events team have been assisting with over this period include Esports League as part of Goulburn Comic Con, Seniors Week, Goulburn Multicultural Festival, Tag20 and Event Development Funding applications.



Corporate & Community Services

Visitor Services

- There were a total of 198 event listings created on the Goulburn Australia website during December 2022 and January 2023.
- Developed and distributed a 'List your Event on the Goulburn Australia Website' EDM to raise event organisers' awareness around listing their own events on the Goulburn Australia Website.
- The Goulburn Australia website witnessed a decrease in visitation when comparing sessions from Dec. 2022 to Nov. 2022 of 14.12%, or 1,765 sessions (a session being the period of time a user is actively engaged with any page on the website). For context, the website had 10,737 sessions in Dec. 2022. Despite this, when comparing sessions in Jan. 2023 to Dec. 2022 an increase of 21.57%, or an additional 2,316 sessions, was witnessed with a total of 13,053 sessions in Jan. 2023.
- A decrease of 1.26%, or 303 sessions, was witnessed when comparing sessions in Dec. 2022 and Jan. 2023, to Dec. 2021 and Jan. 2022. Despite this collective decrease in sessions, an increase in the number of pages being viewed in each session actually rose with an increase of 11.11% in page views (page views refers to each time the specific page is viewed. Someone visiting the site in one session but visiting the same web page twice would count as 2 page views). The 'home page' saw an increase in page views of approximately 67.03%, equating to an additional 3,289 page views, the 'View all Events' page which is the events listing page within the website saw an increase of 25.89% or an increase of 731 page views, and a remarkable increase of page views to the 'Visit & Explore - Do' page of 343.69%, or an additional 1,416 page views.
- Some of the recent interesting quotes from our VIC Guest Book are featured below:
 - *"Very Impressed. WILL RETURN!!" – CANBERRA*
 - *"EXCELLENT! Information Thank You" – MELBOURNE*
 - *"Fantastic Assistance! Information Thank You" – QLD*
 - *"AMAZING SERVICE! Thank You for your welcome to Australia" – LONDON*
 - *"THANK YOU, THANK YOU! Love your video presentation of Goulburn – Will return" – SYDNEY*

POSTCODES COLLECTED AT VIC				
		DECEMBER	JANUARY	
Total postcodes collected		594	631	
Local Residents		112	122	
New South Wales		218	179	
Victoria		83	103	
Queensland		71	78	
South Australia		13	6	
Northern Territory		3	1	
Australian Capital Territory		44	35	
Western Australia		13	12	
Tasmania		10	2	
Overseas/International		27	93	
DOOR STATISTICS COLLECTED				
	2,021	2022	Variance	
December Walk-in Visitors	2,463	3,356	893	36.3%
Yearly Total Walk-in Visitors 2022	20,312	33,522	13,210	65.0%
	2022	2023	Variance	
January Walk-in Visitors	2,287	3,412	1,125	49.2%

Corporate & Community Services

5.2 Museums

Rocky Hill Volunteers

Our staff member Molly taking a photo with our wonderful Rocky Hill volunteers who returned to work on the 18th of January, which happened to be Museum Selfie Day! The last couple of weeks has seen the volunteers tidying the storage area in the cottage which included moving books upstairs to our research/library room. This room will soon be available to the public for reading and research purposes. The room will be named in honour of our much-loved former curator, the late Bob Saunders.

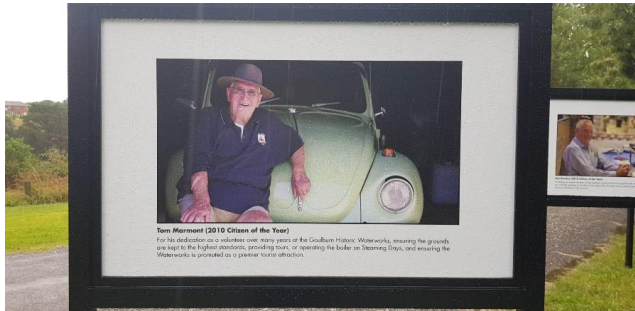
Waterworks volunteers

Waterworks volunteers returned in early January and work began to prepare the site for Australia Day. Photos show volunteer Peter mowing and Ian whippet snipping.



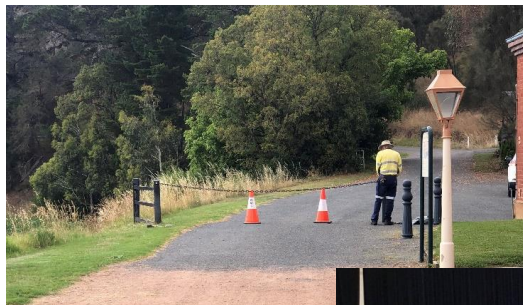
Corporate & Community Services

Our long-term Waterworks volunteer Tom Marmont was part of a photographic display at the Waterworks remembering those citizens in Goulburn who were awarded the Australia Day Citizen of the Year for their commitment to the community.



Murray and Peter working on the final touches to the café door which has made a huge difference to movement in and out of the café., and better for air circulation as well. Approximately 18 hours was spent on this preparation.

Bryan installing the chain barrier next to the Pumphouse on the 24th of January.

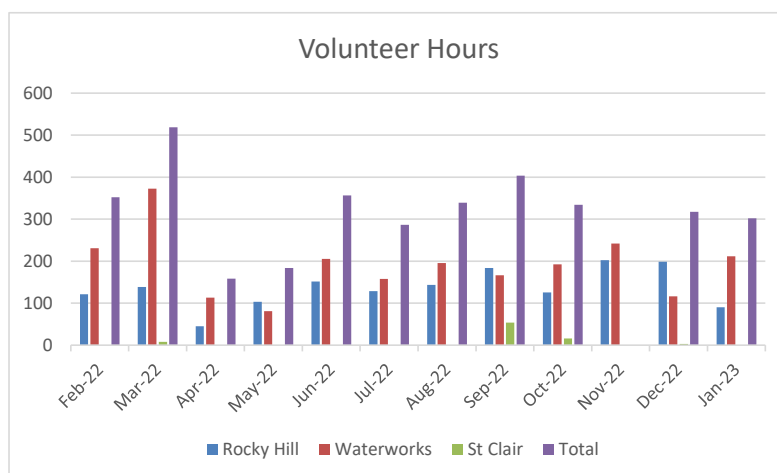


Volunteer Christmas Party
Council's Volunteer Christmas Party was held on 5 December. Approximately 80 people attended including the Mayor, Councillors and Senior Staff. Carol James and the Youth Council once again provided us with a delicious meal. A good time was had by all!



Corporate & Community Services

Museum Volunteer hours



Social Media

Museums team members, Jennifer and Molly have recently taken over the Rocky Hill facebook page and have made a huge impact in a very short time! This and future reports will include a snapshot of this work which we will be expanding on in the coming months. Well done to both.

ROCKY HILL FACEBOOK PAGE				
MONTH	POSTS	REACH	REACTIONS	MOST POPULAR POST
December	28	8099	429	Event – New Exhibition Opens
January	19	7712	672	Behind the Scenes – Carol and Kathy 15 year service

Rocky Hill

Fire Training

Museums staff and volunteers undertook extensive fire training on the 20th of December with external company, Fire and Safety Australia. Thank you to Sharon Fitzgerald for organising the day. The training was well received by all who attended and will be followed up by the development of a guiding document designed to respond to the unique issues we face at Rocky Hill in regards to a fire situation.

New Exhibition

December was a busy month for Rocky Hill Museum staff and volunteers with the launch of a new exhibition across both museum buildings late afternoon on Friday the 16th. The bump-out and bump-in started on Monday the 13th with the final touches completed lunch time Friday. Staff and volunteers worked tirelessly to undertake the huge task of removing, re-tagging and re-boxing the previous exhibition objects and updating the catalogue system to ensure the location of each object is recorded accurately.

Showcases and cabinets were re-configured and thoroughly cleaned before the new exhibition objects were put in place along with their labels and the large interpretative panels. Research for the panels and ideas around what and how to display the collection began long before bump-in – it's always wonderful to see these efforts come to life and to welcome people to the exhibition.

Corporate & Community Services

Before...



After...



Corporate & Community Services



A number of speakers are booked in to give talks that resonate with the exhibition content at key commemorative points through the year and we look forward to announcing these in the near future.

Substantial Donation - Laffin Collection

Rocky Hill was fortunate to be approached by Craig Laffin in late 2022 with an offer to donate a substantial portion of his father's research collection primarily consisting of hundreds of paper-based objects, including a vast map collection, many of which are unique and not held elsewhere. John Laffin was an Australian military historian who spent much of his career in the UK where he researched and wrote more than 28 books, primarily on WW1.

Also included in the donation is a rare leather WW1 trench coat in excellent condition and an extremely rare flag flown on one of the first British tanks to enter WW1 in 1917 – the tank was known as Hilda and the framed flag is complete with certified provenance. The collection will be catalogued over the coming months and will be earmarked for the first Rocky Hill digitisation project scheduled to commence in 2023.

Rocky Hill Visitor Numbers

Rocky Hill welcomed international visitors from a wide range of countries in December - Singapore, Macedonia, Italy, Scotland & the UK, Malaysia, Thailand, the Philippines, USA, NZ, Spain, Pakistan and multiple groups from Fiji. We had visitors from all Australian states aside from Tasmania.

Around Christmas and New Year we were very busy, with many out-of-town and interstate visitors here to visit family or travelling through.

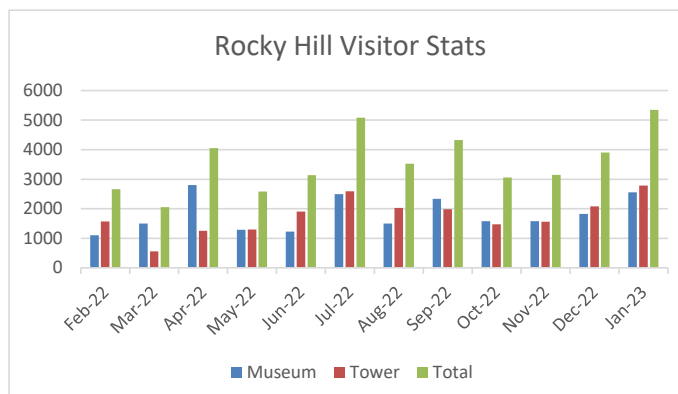
Corporate & Community Services

Rocky Hill was also busy in January with plenty of locals enjoying the new exhibition and some recognising family names on display. We welcomed international visitors from Denmark, Sweden, Russia, Mexico, UK, South Africa, Austria and PNG. QLD, ACT and VIC are by far the states most represented amongst our visitors.

The Sydney Weekender feature continues to bring visitors, and an article in the Jordan Crossing Gazette was also mentioned.

The Swimming NSW Country Regional meeting held at the Aquatic Centre this month also brought visitors into the museum.

We welcomed a walk in visit from a retirement village bus group from the ACT who were very impressed with the exhibition and site.



Rocky Hill Visitor Book Highlights Dec 22/Jan 23

Visiting From	Comments
Central Coast	<i>Incredible collection. Lest we forget</i>
	<i>It was very interesting to see the WW2 from the point of view of an inland city like Goulburn. Great exhibit!</i>
Brisbane	<i>The footage in both the museum + the cottage was very well presented. Information in both well done too. Wish I had more time to read it all.</i>
	<i>A fantastic museum. Great displays. Sensitive approach. Will spend more time here next time. So much more to see. Thank you.</i>
	<i>Terrific find after years of passing the 'lookout' by.</i>
Donegal, Ireland	<i>So sad but a fantastic exhibition. Delighted to have visited</i>
Sutherland	<i>Outstanding collection/interpretation. Wonderful guides too - very knowledgeable.</i>
Wodonga	<i>Great to see history of Goulburns' effects during the ar.</i>
Goulburn	<i>Great to make a local connection!</i>
Goulburn	<i>The staff are amazing :)</i>
Melbourne	<i>The best War Museum aside National War Memorial. Very well maintained. Friendly staff & (illegible) Museum pieces.</i>
Wollongong	<i>Informative and unbelievably sad</i>
Culcairn	<i>It was very interesting definitely coming back, hard facts that I won't forget</i>

Corporate & Community Services

Goulburn Historic Waterworks

Australia Day at the Waterworks

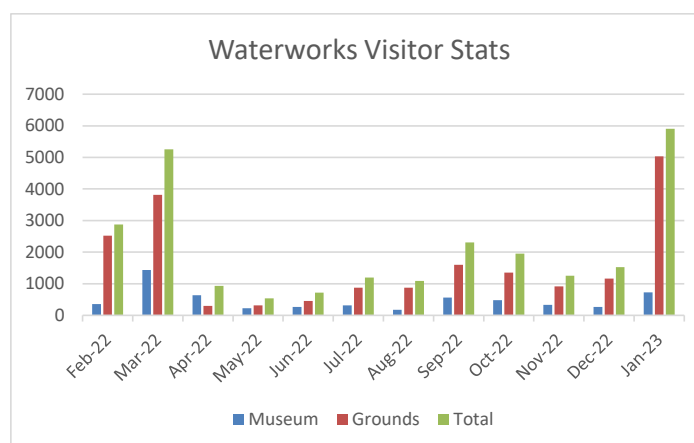
We were very pleased to host the Australia Day celebrations once again at Goulburn Historic Waterworks. More than 3000 people enjoyed the riverside celebrations including market stalls and watercraft.



5

Waterworks Visitor Numbers

The Waterworks had a relatively quiet month in December, with two tour bookings and two café hire bookings. We welcomed international visitors from Germany, Bangladesh, and the USA and from all states except Western Australia and the Northern Territory. Visitors increased during the school holidays and we were quite busy, particularly around and after Christmas. Warmer weather has seen a lot of recreational visitor to the grounds as well-kayaking, picnics, fishing and swimming.



The Waterworks was busy again during January, both with visitors to the Pumphouse museum and also the grounds. Lots of people enjoyed the warm weather- swimming, fishing, picnics, kayaking and even the odd stand-up paddle board. We had one tour booking and three site hires, including one major event in the Australia Day activities hosted by Council, and a memorial service for former GMC team member - Dan Tetley.

Corporate & Community Services

We saw overseas visitors from countries such as Poland, Germany, Ukraine, Austria, PNG and Nepal. It has also been nice to see visitors making the effort to return because the museum was closed the first time they visited. One visitor mentioned Lonely Planet as how he learned about our museum, and one group at each site mentioned that they were geocaching.

Waterworks Visitor Book Highlights Dec 22/Jan 23

Visiting From	Comments
Campbelltown	<i>Absolutely amazing engineering, amazing how smart they were. Thank you Bryan for the beautiful tour! :)</i>
Sydney	<i>Love the museum. Many things to see. Recommend to start again steam train</i>
	<i>Amazing! Wonderful tour with Mark. So much info and history. We will be</i>
Wollongong	<i>A hidden gem! Needs more advertising-I'll help :) Stuart was very helpful</i>
Sunshine Coast	<i>Awesome history!! Thanks for keeping and maintaining a wonderful piece of</i>
	<i>Thank you to Stuart for a wonderful and engaging tour. The stories brought the stream engine to life and have made it truly memorable.</i>
Grafton	<i>Great bit of history, need to return in March for steam day</i>
Oatley	<i>Very interesting and great to see these machines in perfect condition. Thank</i>
Sydney	<i>Excellent information given by Mark. Wonderful experience looking at the</i>
Melbourne	<i>Fantastic tour, extremely interesting. Wonderful treasures to keep for many</i>
Young	<i>Incredible insight into history & engineering. Thanks a lot</i>
Mt Waverley	<i>Worth a trip from Melbourne!</i>
Sydney	<i>Such an amazing history. Our guide Kathy was so knowledgeable and warm.</i>
Sydney	<i>Most unique Waterworks I have seen-good to know it is functional as well. Mark was awesome</i>
Canberra	<i>Stuart was a wonderful guide who brought us back into the industrial era.</i>

Corporate & Community Services

5.3 Library

Monthly Statistics

Activity	November 2022	December 2022	January 2023
Loans and renewals main library and web	9614	7262	9943
Loans and renewals mobile library	82	26	-
Loans and renewals eBook, eAudio, eMagazine	2386	2082	2387
TOTAL loans and renewals	12082	9370	12330
New physical collection items received	496	319	371
New electronic collection items received	3166	2839	2877
TOTAL new collection items received	3662	3158	3248
Visitors	6793	4749	5282
Internet sessions	674	441	616
New members	99	55	103
Local studies enquiries	28	12	20
Children's programs attendance	1024	631	357
Adult's programs attendance	170	205	185
Social media engagement (Facebook & Instagram)	2699	1117	1335

Thanks and Feedback

"Thanks to you and the Library team for all the fabulous events this year. We love the Library!"

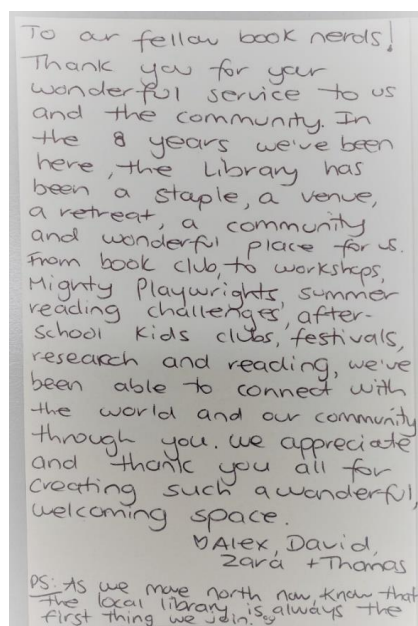
"Thank you Maria and team for your service with the Big READ Bus to Tallong at The Midge Café. I have really appreciated your mobile library for the last 6 years."

"My heartfelt thanks for hosting me on the debut of my novel."

"Thank you everyone for helping me throughout the year with my books and magazines and books from other libraries. This has been very much appreciated."

"Thank you Maria for all your time and effort put into your visits to Tarago Pre-School. We'll miss your visits!"

"Thank you for all you have done. You have made my mother's days a happier, book-filled time."



Corporate & Community Services

Library Activities

- The Library team spent time in December spring cleaning, tidying up and re-organising storage spaces. Library staff also held a staff planning day looking at our programs, events, and promotional activities for 2023.
- The Library Home Library Service is undergoing a review and update. New procedures are being created, and streamlining of the home library service is being undertaken to ensure a more efficient and effective service provision to clients.
- The Library welcomed 5 new volunteers in January, who will be selecting and delivering materials to home library clients. The new volunteers are expected to be inducted and undertaking their duties in March.
- A new online exhibition highlighting the Library's local history resources related to music in the 20th and 21st Centuries was published on the Library's website. Our online exhibitions require significant research by Library staff and are a great way to highlight our historical resources and the skills of the Library team. The online exhibitions can be viewed online: <https://gmlib.co/archives-spotlight>
- Digitisation of historical Council minute books, dating back to the early 1800s is underway in the Library. The digitised versions will be published on the Library's website and will provide fantastic access to a previously inaccessible and highly valuable local historical resource. This is the first work being undertaken as part of a project to digitise historical Council records.
- Updates and improvements to the Library website are ongoing, with new pages for children's services and collections now complete. The new pages provide better access to our physical and digital collections and further highlight regular programs and special events. The new suite of pages is available on the Library website: <https://gmlib.co/librarykids>
- Preparations for Goulburn Comic Con 2023 are underway, with over 80 applications for stallholders received. The event will include acrobatic stunt shows, rock n roll wrestling, demonstrations, gaming tournaments, cosplay competitions, and market stalls. Aussie NightMarkets will be in attendance as well. Further information about the event is available on the Library's website: <https://gmlib.co/comiccon>



Corporate & Community Services

Programs and Events

December and January were busy months in the Library, celebrating Christmas and Summer.

In December we welcomed author Alison Brahe Daddo talking about her book *Queen Menopause* to a grateful audience of 40 people.

We ended the year with Christmas story time and craft for kids and a special Christmas craft afternoon for adults, making scented candles and framed decorations. All sessions were fully booked and lots of Library members took home wonderful hand-made Christmas decorations.



We celebrated Summer and reading with our annual kids and adults Summer Reading Challenges. Over 200 people of all ages joined the challenges, reading a series of books in December and January and winning some fantastic prizes along the way. Our Summer Reading Challenges are a fantastic way to promote reading for joy and help motivate young people to continue reading over the holiday period.

The Library welcomed 2023 with a fantastic series of school holiday activities including a Teddy Bear's Picnic, complete with fairy bread for afternoon tea, a series of space and planets exploration workshops, and a Chinese New Year story party. Over 150 children attended our holiday activities.



The Library attended Council's Australia Day celebrations at the Waterworks in partnership with Goulburn Regional Art Gallery, providing a shady reading zone and lots of fun arts and craft activities.

Planning is also underway for a new series of programs for adults and children to be launched in February, including Mindful Mondays, Tell Me a Story, and Service NSW Drop Ins, along with our ongoing regular programs. Full details of the Library's upcoming programs and events can be found on our website:

Regular Programs - <https://gmlib.co/regularprograms>

Special Events - <https://gmlib.co/events>

Corporate & Community Services

Mobile Library

The Library's Mobile Library service, the Big READ Bus ceased operations in December, after 6 years of service. Patronage of the service had declined significantly since COVID and it was no longer viable for the Library to continue offering mobile services.

The Library's Home Library and Outreach services are continuing, and the majority of the Big READ Bus' clients are continuing to receive services through these avenues.



Maria Daly, the Library's Mobile Library Operator, retired in December.

Corporate & Community Services

5.4 Art Gallery

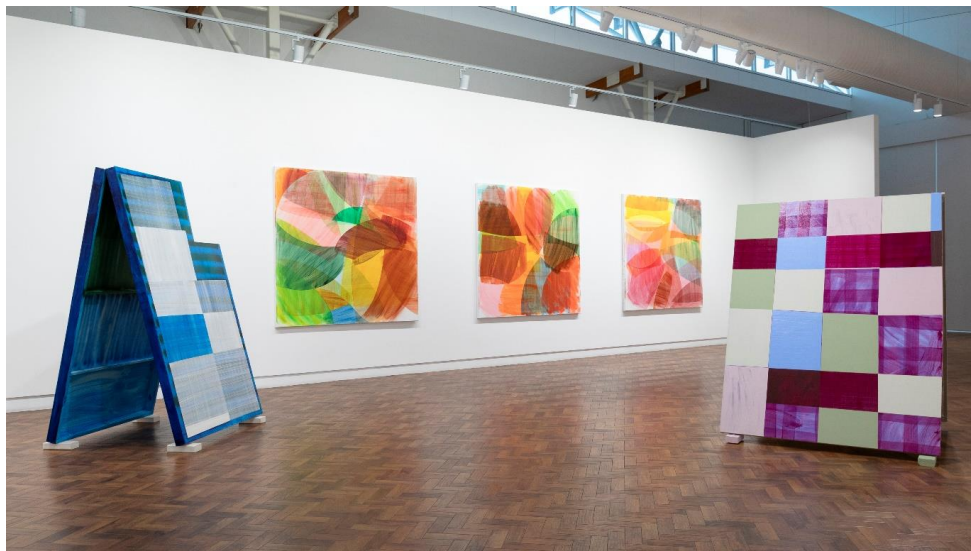


Image credit: Installation view *Bright*, 2022 at Goulburn Regional Art Gallery featuring Emma Beer, *#bossyapp*, 2018, Gemma Smith, *Thrown open*, 2022, *Collage painting*, 2022, *Haptic bounty* 2022, courtesy of the artist and Sarah Cottier Gallery, and Emma Beer, *#communication*, 2022. Photograph: Silversalt Photography.

HIGHLIGHTS

- The Gallery has supported 135 artists in 2022 and 13 artists in 2023 to date.
- Instagram is now at 4,459 followers.
- In late 2022, it was publically announced that the Gallery's grant application for Creative Capital Minor Works and Equipment was successful. This is of great importance to the Gallery as it will allow for the development of an under-utilised space within the Gallery's footprint to transform into an exhibition space. This good news has been met with excitement within the community.
- In December 2022, the Gallery hosted an artist Q & A with eminent artist and arts leader Vivienne Binns and leading contemporary artist Emma Beer chaired by Gallery Director Yvette Dal Pozzo. This program brought well known and respected artists to the Gallery and had a very strong attendance from the Southern Highlands, Goulburn and Canberra.
- The Gallery hosted a highly attended curator's talk with Jennifer Lamb on Wednesday 18 January. Jennifer spoke to her selection in *The Window*, the early years of the Gallery, for which she was the inaugural director, and the experiences of creating exhibitions with leading Australian contemporary artists in the late 90's and early 2000's.
- The Gallery hosted a Q&A with artist Kate Vassallo in Gallery 2 on Friday 20 January. Facilitated by Program and exhibitions coordinator Hannah Gee, the talk explored Vassallo's practice broadly, including the dedication to repetition, medium and concurrent artworks, ambitions for future projects, and Maltese-Australian heritage.
- The Gallery has spent the last two weeks preparing for new exhibitions, opening on 3 February 2023. These exhibitions include Julian Meagher, *The Green Ray*, Jacqueline Bradley, *all of a sudden* and *The Window*, curated by Clara Adolphs.
- The Gallery welcomed to the team its new Gallery Administration Trainee Abbey who is off to a flying start!

Corporate & Community Services

EXHIBITIONS ON TOUR

The Gallery's exhibition Barbara Cleveland *Thinking Business* will tour from July 2021 – September 2023 through Museums and Galleries NSW to the following venues:

- Penrith Regional Gallery, Home of the Lewers Bequest, NSW
- Redland Art Gallery, QLD
- Pine Rivers Art Gallery, QLD
- Gosford Regional Gallery, NSW
- Bank Art Museum Moree, NSW – did not tour to Moree due to flooding
- Somerset Regional Art Gallery – The Condensery, QLD
- Goldfields Arts Centre, WA

This tour has been funded by the Australia Council for the Arts, and has acquired further funding to create a digital web version of the tour for each venue that has been impacted by COVID 19 restrictions.



Image credit: Installation view *Bright* 2022 at Goulburn Regional Art Gallery featuring Gemma Smith, *Thrown open*, 2022, *Collage painting*, 2022, *Haptic bounty* 2022, courtesy of the artist and Sarah Cottier Gallery. Photography by Silversalt Photography. Installation view *Bright* 2022 at Goulburn Regional Art Gallery featuring Margaret Worth, *A Magnificence*, 1966, and Lara Merrett, *Towards the Summit* 2018 and *Slow Runs (Nature Banners)*, 2021, courtesy of the artist and Sullivan + Strumpf. Photograph Silversalt Photography. Installation view Kate Vassallo, *Connections* in Gallery 2 at Goulburn Regional Art Gallery. Photo by Silversalt Photography. Installation view *The Window* curated by Jennifer Lamb featuring Guy Warren, *Wingman as Icarus*, 1998, Goulburn Regional Art Gallery. Donated by the artist, 2007, Treehna Hamm, *No family, no life*, 1999, Goulburn Regional Art Gallery. Acquired 1999 and Treehna Hamm, *Perpetrators of peace*, 1999, Goulburn Regional Art Gallery. Acquired 1999. Photograph: Silversalt Photography.

Corporate & Community Services

EXHIBITIONS

21 October 2022 – 21 January 2023

- *Bright*, a group exhibition celebrating abstraction and colour, closed to the public on Saturday 21 January. The show featured artworks by Emma Beer, Vivienne Binns, Yvette Coppersmith, Lara Merrett, Gemma Smith, Esther Stewart and Margaret Worth. Running over the summer holidays, the exhibition was displayed to locals and visitors to the region, as well as a number of school and special interest groups.

9 December – 21 January 2023

- Kate Vassallo's Gallery 2 exhibition opened to the public on Friday 9 December 2022. Titled *Connections*, the exhibition highlighted new works from Vassallo, emphasising her signature dedication to material process and repetition.
- The Window, curated by inaugural director of Goulburn Regional Art Gallery opened to the public on 9 December. Works included key works from the permanent collection by artists involved in the ambitious touring exhibition *Icarus* in 1999. The works by Guy Warren, Tom Arthur and Treahna Ham reflected Lamb's tenure during a time of great ambition and daring.

UPCOMING EXHIBITIONS 3 February 2023 – 18 March 2023:

Julian Meagher *The Green Ray*

Jacqueline Bradley *Gallery 2 – all of a sudden*

The Window curated by Clara Adolphs

PUBLIC PROGRAMS

02/12/2022	In Conversation Vivienne Binna and Emma Beer
18/01/2023	Curators Talk with Jennifer Lamb
20/01/2023	Artist Talk with Kate Vassallo
03/02/2023	Opening Julian Meagher, Jacqueline Bradley and Clara Adolph's

PERMANENT COLLECTION

Cultural Gifts Program paperwork has been commenced for a donation of an artwork by contemporary artist Maria Fernanda Cardoso – awaiting outcome

EDUCATION

1-2 Dec	Afternoon Art Club
2 Dec	Canvas stretching workshop with Emma Beer
6 Dec	Art Teenies
7, 8, 9 Dec	Afternoon Art Club
7 Dec	Life Drawing with Anthea da Silva
13 Dec	Art Teenies
13 Dec	Making Christmas Gifts workshop
14 Dec	Life Drawing with Anthea da Silva
20 Dec / 10 Jan / 17 Jan	Art Teenies
18 Jan	Youth Workshop painting Manga canvases
19 Jan	School Holiday Workshop Creating manga or Fantasy Characters
24 Jan	Stencil Printing on Fabric
26 Jan	Australia Day Activities

Corporate & Community Services

Art Teenies

Art Teenies is a free Gallery program that proves you're never too young to start lifelong learning in the visual arts. Art Teenies is delivered every Tuesday morning during exhibitions catering for under 5 year olds and their parent. Five programs were delivered in November by Education Officer Kirsten Jeffcoat. The sessions were inspired by Gallery 1 exhibition *Bright*. During the session participants were led through the exhibition space for a brief tour, before enjoying a story time, songs and practical activity in the Education Studio.

Practical activities this month focused on colours, shapes, patterns and textures with each exploration responding to a different artist's work in the current exhibition. How wonderful to be able to teach these elements of design in front of an original artwork. The children responded enthusiastically, sometimes in unexpected ways and on varied tangents. Materials used included paper, cardboard, cellophane, acrylic and watercolour paints to create coloured shapes, collages, painted dots to make patterns and coloured and decorated sunglasses. Children wore their coloured sunglasses through the exhibition to view the artworks in a new light.



Image Credit: Art Teenies' participants learning how to use scissors with their trusting grandmothers, courtesy Goulburn Regional Art Gallery.

Corporate & Community Services

Adult workshops

In December the Gallery hosted a series of Life Drawing evening classes for adults with local artist Anthea da Silva. Always a popular activity, these sessions included beginners, amateurs and accomplished artists.



Image credit: Anthea da Silva teaching Life Drawing at the Goulburn Regional Art Gallery 2022, courtesy Goulburn Regional Art Gallery.

Afternoon Art Club

Afternoon Art Club is a nine-week program which is delivered during school terms on Wednesdays and Thursdays for Primary School aged children and Fridays for High School students. These have been fully subscribed with waiting lists. Five Afternoon Art Club sessions were delivered in the month of December by Education Officer, Kirsten Jeffcoat. Most projects connected to the exhibition *Bright* responding to the themes of colour and abstraction and exploring the elements of art and design including colour, shape, texture, pattern and tone.

Friday afternoons cater for high school aged participants. This month they developed their own body of work. They had had the opportunity to select their materials and techniques to create art works on a coherent theme. Most chose drawing or painting, with one participant learning the art of book binding to make a concertina book.

High school Art Club were treated to a hands-on practical workshop with *Bright* exhibiting artist Hannah Beer, who taught them how to stretch their own canvas for painting.

The Gallery has two youth volunteers to assist with the After School Art Club: Chloe and Grace who are both local high school students. Afternoon Art Clubs resume in February 2023 with a new series of activities based on the current exhibitions.



Image: School Holiday Workshop at the Goulburn Regional Art Gallery. Credit: Goulburn Regional Art Gallery

Corporate & Community Services

School holiday workshops The Gallery delivered three workshops for the December - January school holiday period. A Christmas end of year workshop "Make your own Christmas gifts" in December saw participants make original photo frames, decorated pens and cards. In January the gallery offered 'Stencil Printing onto Fabric' and 'Draw your own Manga or Fantasy Character', in preparation for the upcoming Goulburn Comic Con.



Youth community project, ongoing school holiday collaboration with Youth Services

The Gallery, in consultation with Youth Services, organised and delivered a creative art workshop during the January school holiday period. On January 18, to prepare for Goulburn Comic Con, the Education Officer, Kirsten Jeffcoat, and Gallery Administration Trainee, Abbey Loader, introduced participants to the Japanese Art of Manga. They drew comic style characters and animals in bold outline and then painted them on large canvases to be included in the Art Gallery stand at Goulburn Comic Con. Young people had the opportunity to finish painting these at the Community Centre on 24 January. This has been a valuable collaboration between three council services for Goulburn's youth.

Image: Goulburn Regional Art Gallery's Youth workshop on the art of Manga.
Image: Youth Services



Collaboration with the Library

On January 26, the Art Gallery and Library shared a marquis to welcome locals and their families at the Goulburn Waterworks. Gallery Education Officer, Kirsten Jeffcoat, joined forces with the Library's Education and Outreach Officer, Amy Frazer, to present their respective services and engage children in activities. It was a positive collaboration and a fun community event. Over 130 people engaged in learning about what the Art Gallery and Library have to offer.

Schools as Community Centres (SaCC) Outreach

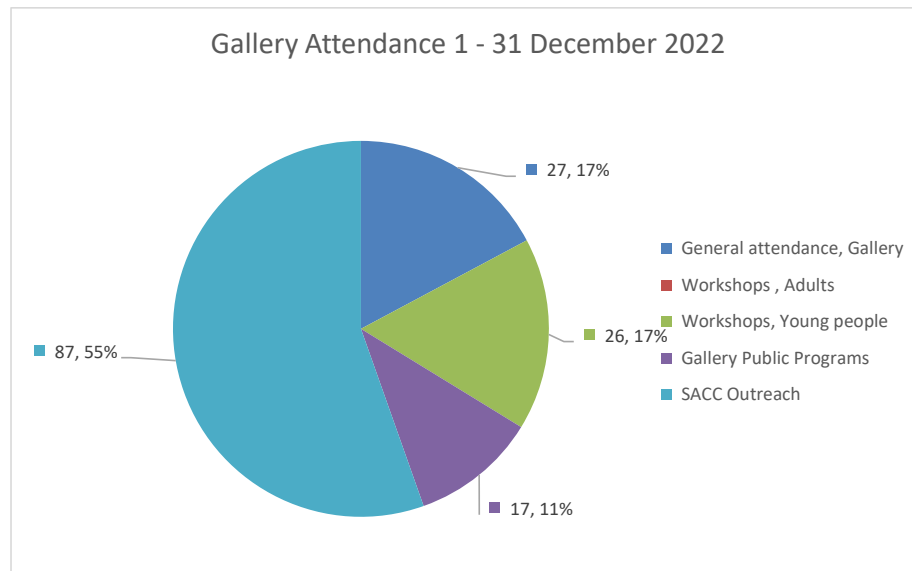
Outreach Officer, Janet Gordon, spent December exploring Christmas and how our Outreach Playgroups families celebrate. The children enjoyed sharing and listening to the different traditions and customs of their peers. Gordon finished December with a Christmas party where the children decorated cookies, make reindeer food, made decorations, and had a visit from the big man in red. Outreach Playgroups were on holiday break during January with them returning 31st January. Gordon and SaCC Facilitator, Tegan Johnson, have plans for an exciting 2023 Outreach Playgroups program.

Corporate & Community Services

AUDIENCES AND REACH

1 – 31 December 2022

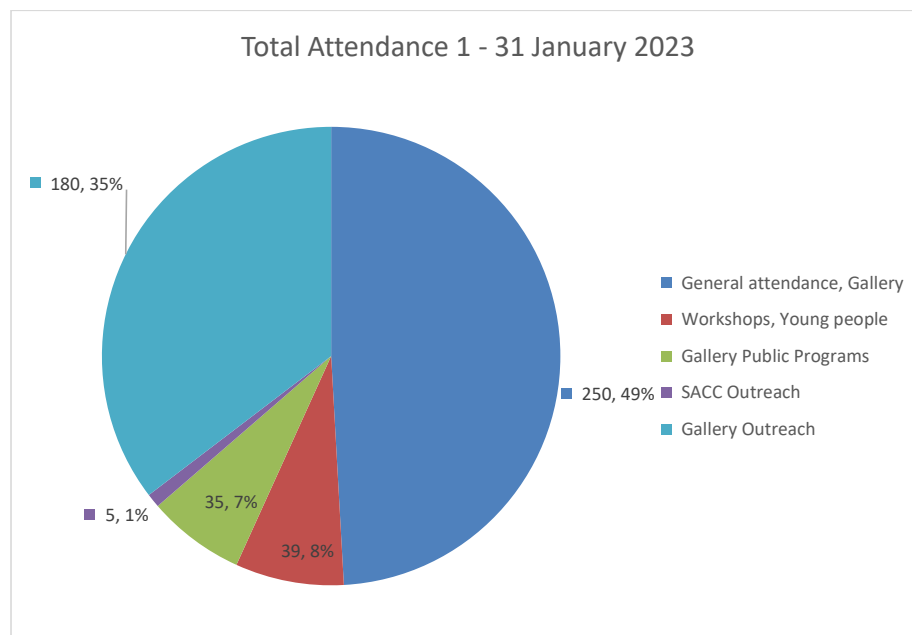
Xmas Closure 22 December – 2 January



1 – 31

January 2023

Closed for install 23 January – 2 February 2023



Corporate & Community Services

FEEDBACK

'An excellent, well curated exhibition. Beautiful works and insight into artists both known and unknown to me.'

'Thank you for such a beautiful space and some enjoyable works.'

'A gorgeous gallery. Thank you.'

'Glad to see 'Bright' before it disappeared. Jennifer Lamb's turn at curating 'The Window' has inspired me to establish a 'Window' at my school for young artists with a context and vision to share. Looking forward to future exhibition'.

'Glorious show, contemporary, interesting application. Friend of Gemma Smith.'

'Lovely space and Gallery. Colourful exhibition'.

'Nice to pop in and see this beautiful show'.



Installation view *Bright* featuring Yvette Coppersmith, *Untitled Movement (Magenta)*, 2022; Esther Stewart, *Painted ladies (Living room)*, 2022 and Esther Stewart, *Painted ladies (Bathroom)*, 2022. Photograph: Silversalt Photography.

Operations Departmental Report

December 2022 & January 2023



One team delivering with **P**assion **R**espect **I**nnovation **D**edication **E**xcellence

Contents

1. Operations Service Response Status.....	3
2. Operations Table of Planned Works	4
3. Community Facilities.....	5
3.1 Operational	5
3.2 Aquatic Centre	8
4. Works	10
4.1 Maintenance Grading	10
4.2 Operational	10
5. Road Safety	10
5.1 December 2022 and January 2023	10
6. Capital Works	12

1. Operations Service Response Status

Requests received and actioned in December 2022. Over the month of December 2022, Operations received 225 new service response requests from customers. This is an average of over seven requests received each day of the month during December 2022. These works are in addition to normal programmed works.

Operations Service Response Status – December 2022					
Work Group	Primary Group	New Requests	Completed Requests	% Completed	YTD % Completed
Community Facilities	Buildings	5	5	100%	98%
Community Facilities	Cemeteries	2	2	100%	78%
Community Facilities	Parks & Assets	23	23	100%	97%
Parks & Gardens	Parks & Assets	50	46	92%	96%
Parks & Gardens	Trees	46	45	98%	99%
Works	All	99	87	88%	96%
December 2022 Total		225	208	92%	96%

Requests created and actioned in January 2023. Over the month of January 2023, Operations received 302 new service response requests from customers. This is an average of over 9.5 requests received each day of the month during January 2023. These works are in addition to the normal programmed works.

Operations Service Response Status – January 2023					
Work Group	Primary Group	New Requests	Completed Requests	% Completed	YTD % Completed
Community Facilities	Buildings	13	11	85%	94%
Community Facilities	Cemeteries	2	1	50%	91%
Community Facilities	Parks & Assets	49	34	70%	93%
Parks & Gardens	Parks & Assets	43	16	37%	90%
Parks & Gardens	Trees	58	32	55%	92%
Works	All	137	111	81%	95%
January 2023 Total		302	205	68%	94%

Incomplete tasks are those that were received at the end of the month and placed on maintenance scheduled.

2. Operations Table of Planned Works

Planned works that may impact the community in Q3 are listed below. Noting that some will carry into Q4.

Planned Works – Q3			Business Unit
Location	Date	Description of works	
Windellama Road Stage 4 (Gundry Lane to Painters Lane Intersection)	February- April 2023	Pavement Rehabilitation Works	Works
Windellama Road Stage 2 & 3 (Muffets Lane to Lumley Road Intersection)	February- April 2023	Pavement Rehabilitation Works	Works
Highlands Way	February-March 2023	Pavement Rehabilitation Works	Works
Auburn Street Goulburn	Throughout February	Steam Cleaning	Community Facilities
Urban Asphalt Night Works- Bradley Street (Auburn to Bourke)	12-13 February	Asphalt Works	Works
Urban Asphalt Night Works- Victoria Street (Kingham to Citizen Street)	14 February	Asphalt Works	Works
Urban Asphalt Night Works- Bourke Street (Montague to Verner Street)	15 February	Asphalt Works	Works
Urban Asphalt Night Works- Bourke Street (Verner to Clinton Street)	16 February	Asphalt Works	Works

Dates may vary due to weather, availability of crews and any urgent works requirements.

3. Community Facilities

3.1 Operational

Tree Maintenance – throughout December and January staff worked on entrance ways to Goulburn and around School zones. The work involved tree lifting, sucker removal and clearing around signage. This work forms part of the annual maintenance program. Staff time was also put to watering of immature tree plantings and CBD pots.



Before



After

Tree Lifting

Noxious Weeds – December and January saw spraying within Zone 15 (Rural), with blackberries being the predominant target species. Minor works were also undertaken on entrances to the towns and villages to control grass weeds in road median and blisters. This work supplemented the work undertaken by the tree maintenance team.

Reserves and Sports Fields – due to the wet and warm weather the staff increased the frequency of mowing on both the sports fields and walking trail areas. Due to the Christmas holiday period, the mowing program was altered to focus on community areas, such as parks, throughout the LGA.



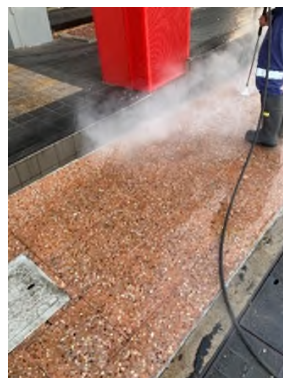
Walking track mowing

Hockey Fields - staff installed further bird deterrents at the hockey fields to assist in preventing bird damage. There has been evidence of birds attacking the fields in a couple of locations. The photo below shows one of the kites installed that are supplemented with bird noises and frequencies. At this stage they have been proved effective.



New Bird Deterrents at Hockey Fields

CBD Maintenance – staff have commenced steam cleaning in the CBD with the focus being food outlets. The image below was taken during the cleaning on the northern end of the CBD. Work will continue through February.



Steam Cleaning – Northern End CBD

Landscaped Areas – the summer prune was completed in January with the flowers expected to bloom around the second week of March. Staff will focus on weeding and the general presentation of the gardens through to March. The photo below was taken at the Phyllis Rudd Rose Garden on Auburn Street.



Rose Pruning – Phyllis Rudd Rose Garden

Cemeteries – staff undertook 13 interments during December 2022. This brings the total to 151 interments across Council managed sites for the calendar year.

Cemetery	December 2022		YTD Interments	
	Body Interments	Ashes Interments	Body Interments	Ashes Interments
General	10	2	77	31
St Patrick's	1	0	40	1
Tarago	0	0	1	1
Tallong	0	0	0	0
TOTAL	11	2	118	33

Staff undertook 13 interments during January 2023.

Cemetery	January 2023		YTD Interments	
	Body Interments	Ashes Interments	Body Interments	Ashes Interments
General	7	4	7	4
St Patrick's	2	0	2	0
Tarago	0	0	0	0
Tallong	0	0	0	0
TOTAL	9	4	9	4

New beams were installed at the General Cemetery during January. The beams are located on the lawn sections and provide a place where plaques and flowers can be placed. The photo below shows the preliminary works completed just prior to the installation of the beam.



General Cemetery – New Beam Installation

Vandalism – The following table is a listing of vandalism that has occurred in the LGA from July to January 2023. The table indicates the cost to repair this damage, which includes materials and labour costs. The table does not capture the vandalism from cleaning up litter and impacts on other maintenance programs as staff are diverted away to attend to these acts of vandalism.

Month	Cost
July 2022	\$3,500
August 2022	\$3,530
September 2022	\$4,050
October 2022	\$3,200
November 2022	\$4,700
December 2022	\$4,300
January 2023	\$3,800
Rolling Annual Cost	\$27,080
Rolling Annual Average Monthly Cost	\$3,869

3.2 Aquatic Centre

On 21-22 January 2023 the Centre, in conjunction with Goulburn Amateur Swimming Club hosted the NSW Country Regional Championships held. The event was very successful with over 1,000 swimmers and spectators. Australia Day attracted just over 1,000 people attending the Centre. School swimming carnivals have also recommenced at the Centre.

Learn to Swim recommenced this week for the new term with numbers nearing 800 students. The program has now seen the commencement of mini squads which is nearing capacity. Staff continue to assist and work closely with Goulburn Swimming Club and the Triathlon Club to ensure continued success.

Unfortunately, vandalism has been problem at the Centre through December and January. There have been two broken windows with a replacement cost of \$2,000 per window. Seven other window panels have also been damaged. At this stage the windows are safe and do not need replacing.



Boarded up windows and damaged window panes



New Shelters, Lawn & Plantings at GALC

The table below outlines the attendance for the month of December 2022.

Program	December 2022
Aquatic/Fitness memberships	2,153
Visit passes (Swim only and Fitness Classes – not Aqua Aerobics)	729

Squad Swimming (GMC no longer provides this service)	0
Recreational Swimming (Casual visits)	4,815
Children under 2 years	270
Spectator (excl. Carnivals)	947
Swimming Lessons	1,388
Swimming student out of hours	32
School Swimming (GALC Programs)	1,338
School student entry (Debt of Ed)	1,672
Aqua Aerobics (incl visit passes)	209
Gym visits casual	150
Aquathon	61
Fitness Passport- Aquatic	665
Fitness Passport- Fitness	204
NSW Police Academy	0
Staff Entry	4
TOTAL	14,457

The table below outlines the attendance for the month of January 2023.

Program	January 2023
Aquatic/Fitness memberships	2,988
Visit passes (Swim only and Fitness Classes – not Aqua Aerobics)	1,021
Squad Swimming	24
Free entry (NSW Country region/Australia day)	1,966
Recreational Swimming (Casual visits)	8,813
Children under 2 years	458
Spectator (excl. Carnivals)	2,527
Swimming Lessons	714
Swimming student out of hours	14
School Swimming (GALC Programs)	0
School student entry	0
Aqua Aerobics (incl visit passes)	401
Gym visits casual	74
Aquathon (does not run in Winter)	77
Fitness Passport- Aquatic	1,480
Fitness Passport- Fitness	340
NSW Police Academy	0
Staff Entry	13
TOTAL	20,910

4. Works

The Works Section is currently focused on delivering several capital works projects while also meeting the demands of routine maintenance.

4.1 Maintenance Grading

The following roads were included in the maintenance grading program for December 2022 and January 2023.

Maintenance Grading January December 2022	
Completed by Council in January 2023	Completed by Council in December 2022
<ul style="list-style-type: none"> Willow Glen Road 	<ul style="list-style-type: none"> Bullamalita Road Browns Road Barbers Creek

4.2 Operational

An 800m section of Windellama Road Stage 1 (2.3Kms) was sealed in mid-November. Mountain Ash Road Stage 3 (1.2Kms) sealed in late November. Guard rails had been installed and line marking had been completed before Christmas Break.

Gravel overlay was completed for Pavement Rehabilitation works on Windellama Road Stage 2 for the base layer. Bitumen sealing is planned for Stage 2 (2.5Kms) by mid-February. The contract crew has completed the drainage structure upgrade works on Windellama Road Stage 3. Bulk earthworks and pavement work on Windellama Stage 3 (2.3Kms) are planned to start by mid-February.

Drainage works for Windellama Road Stage 4 (3.5Kms). Towrang Road pavement deterioration works have also been completed.

The stormwater project at Rosebery Street, Tarago is approximately 90% complete. Wet ground has slightly delayed the project. Anticipate completion by end of February.

The Rural Bitumen resealing program is approximately 52% complete - Lookdown Road, Taylor Creek, Currawang Road and Bullamalita Road are sealed. These works will continue through February. Urban Bitumen Resealing is planned to commence late February.

Asphalt Works program has commenced at Marys Mount and Middle Arm Road Intersection and McDermott Drive. The works are planned to be completed by late early March.

5. Road Safety

5.1 December 2022 and January 2023

Coffee with a Cop –

Goulburn Mulwaree Council Road safety and Traffic Officer(RSTO) conducted several road safety initiatives over December and January. They include, Coffee with a Cop, Truckies on the Hume, attended a day at the Goulburn Multicultural Centre where she presented to the group on the importance of having their child seats fitted correctly and handed out safe seat vouchers on the day.

The RSTO also hosted a free “Survive the Ride” workshop in the Council Chambers on Sunday 11 December with 9 people attending.

January 2023

Pheasant wood Circuit Learner Drivers Program

RSTO received \$3000 from Youth Summer Break Program for 10 Youth to attend a Learner Driver Program on Monday 16 January. The cost of the day is \$300 each with vehicles supplied but with the funding we were able to put 10 disadvantaged youth through.



Coffee with a Cop



Survive the Ride



Goulburn Multicultural Centre

6. Capital Works

Capital Works Program Status Report

Financial Performance

YTD performance in comparisons to baseline budget - \$7.8m variance

The delivery of the Capital Works Program is currently tracking behind the baseline budget, the year to date expenditure on the Program was \$10.1m or 44% behind the baseline budget. The year to date variation is driven by the following factors:

- Late, expected overspend (Project has experienced delays and expected to be over budget) – (Growing Local Economies)
- Within budget - (project is within budget awaiting commitments to be realised, or slight delays) – (Various Projects)
- Proposed Scope Change (Projects that the scope will be amended due to budget restraints) – (Jerrara Road Upgrade, Deccan Street Rehab, Kinghome/Albert Roundabout - Blackspot)
- Weather Delays (Project has been delayed due to inclement weather) – (WWT Cemetery Street)
- Late, expected to be on budget (Project has experienced delays but expected to be within budget) – Bourke Street Wombat Crossing, School Zone Patches & Dragon Teeth, Bradley Street Drainage Upgrade)

Graph 1 – YTD Underspend variance – Highlights the driver behind the current overspend for the program

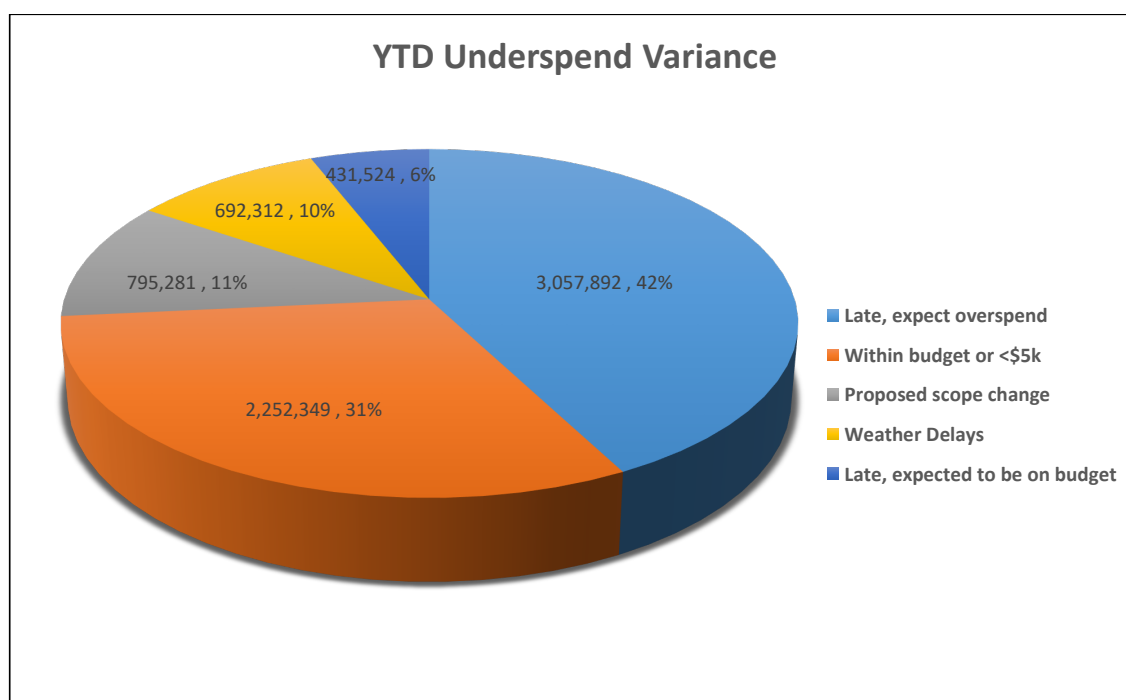
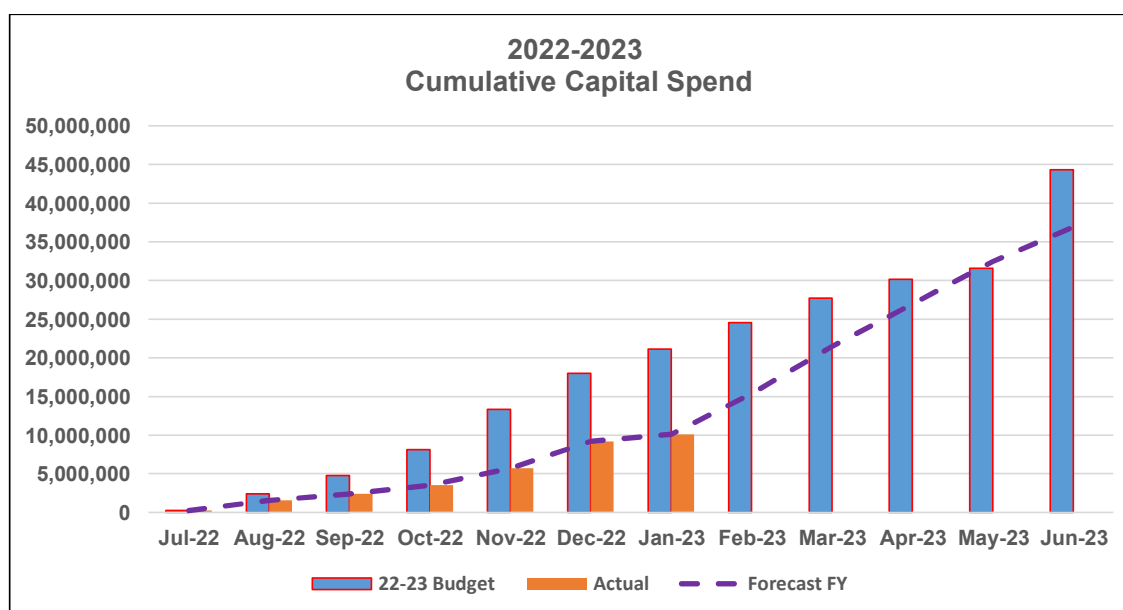


Table 1 – Overall Financial Performance Summary – Highlights performance via Business Unit

Department	22-23 Project Budget	YTD Budget	YTD Actual	Forecast to end FY
Asset & Design	10,000	0	3,703	10,000
Community Facilities	924,361	626,991	233,466	932,970
Projects	31,397,410	10,600,351	4,802,036	22,712,728
Works	11,988,935	6,763,147	5,058,975	13,271,084
Total Program	44,320,706	17,990,489	10,098,180	36,917,782

Graph 2 – Cumulative 2022-22 Capital Expenditure v Capital Works Program Budget**Forecast Performance**

The Capital Works Program was resolved to the value of \$35,935,047 for 2022-23. As a result of the allocation of carry-overs and recent grant approvals the Capital Works program for 2022-23 is \$44,320,706. This figure will change throughout the financial year as a result of Council resolutions and Quarterly Review processes.

Graph 2 indicates performance to date, giving a forecast spend of \$36,917,782.

Currently the forecast spend is lower than the budget due to predicted changes in the following projects:

- Carr Confoy Pavilion (LRCI/RSFF) - original forecast spend of \$8m is currently predicted to be \$344k, the original budget allocated is for the total budget, at this stage we predict that only the design phase will take place this financial year;
- Deccan Street Rehabilitation (FLR) - original forecast spend of \$2m is currently predicted to be \$543k, due to market prices being well above budget. Proposing a scope change;
- Growing Local Economies – Original forecast spend of \$5.5mm is currently predicted to be \$4.3m, due to continual delays on the project; and
- Budget allocation for quarterly review - several projects have not been allocated a budget and need to be included in Q2 (Japanese Gardens, Hockey Redevelopment, Access inclusion Water Works, Streets as Shared Spaces, Mountain Ash Road, Jerrara Oallen Ford Rd, GMC ops Centre.)

The expenditure for this financial year has been substantially put under stress due to continued wet weather and the recent resignations of Operational staff.

APPENDIX

Table 2 – Major Projects – indicates the individual performance of Operations Major Capital Works Projects and Programs. The traffic lights indication the status of the projects in individual report for each of the above active projects follows in this report.

Project Name	Phase	22-23 Budget	YTD Budget	YTD Actual	Budget	Schedule	Comments
Carr Confoy Pavilion – BBRF (G)	Design	8,000,000	-	51,241	●	●	Project requires quarterly review to defer construction phase to 23-24. Predict a spend of \$344k this financial year.
Growing Local Economies (G)	Construction	5,503,323	2,865,000	104,156	●	●	Project requires a variation to scope, project delays. Predict a spend of \$4.3m this financial year.
Windellama Road – Fixing Local Roads (G)	Construction	3,403,516	1,890,000	657,857	●	●	
Fleet Management – Capital	Construction	2,693,942	821,613	455,019	●	●	
Mayfield Rd Bridge Replacement	Design	500,000	213	813	●	●	
Deccan Street Rehabilitation – FLR (G)	Design	1,989,108	323,901	43,426	●	●	Project delays, delivery to continue into next financial year. Predict a spend of \$543k this financial year.
Jerrara Road Upgrade – Blackspot (G)	Construction	1,740,394	475,000	81,794	●	●	
North Park Pavilion – LRC/MRSFF (G)	Design	1,532,603	540,781	740,317	●	●	
Deterioration Works	Construction	1,150,000	1,150,000	1,490,837	●	●	
RHL Program	Construction	940,944	87,122	227,017	●	●	
WWT – Cemetery St (G)	Construction	872,443	872,443	174,876	●	●	
Towrang Road Bridge Upgrade	Construction	862,247	862,247	371,501	●	●	Project has resulted in an underspend. Predict a spend of \$401k this financial year. Some of the underspend will be transferred to Carrick Rd Bridge.
Urban Asphalt Program	Construction	815,000	815,000	162,158	●	●	
Hockey Redevelopment – New Amenities	Design	756,461	655,939	69,954	●	●	Project requires quarterly review, additional funding needs to be secured to address accessibility issues
Urban Stormwater Drainage	Construction	824,240	445,978	177,065	●	●	
Netball Court Resurfacing – SCCF (G)	Design	699,998	-	-	●	●	Project delays, delivery to continue into next financial year. Predict a spend of \$150k this financial year.
Rural Resealing	Construction	687,402	159,902	301,094	●	●	
Streets as Shared Spaces	Construction	244,105	244,105	377,987	●	●	Project requires quarterly review, incorrect budget entered
North Park Landscaping/Access – SCCF (G)	Construction	291,474	82,778	83,087	●	●	
Bradley St Drainage Upgrade Works	Design	1,550,000	287,498	37,903	●	●	
Riverside Park Pump Track Project	Design	548,600	105,414	9,655	●	●	
Gravel Resheeting	Construction	550,001	350,001	197,364	●	●	
Aquatic Centre Upgrade	Construction	535,936	535,936	572,224	●	●	
Japanese Garden – Victoria Park	Design	-	-	87,422	●	●	Project requires quarterly review to allocate budget
Kinghorne Street Rehab (Albert-Hoskins)	Design	500,000	55,000	-	●	●	Project deferred
Open Space – Capital	Construction	412,686	402,456	127,012	●	●	
Hockey Redevelopment – Existing Amenities	Design	143,380	143,380	15,612	●	●	Project requires quarterly review, additional funding needs to be secured to address accessibility issues
Kinghorne/Albert Roundabout – Blackspot (G)	Design	409,060	55,000	8,095	●	●	
Playground – Tony Onions Park (G)	Design	400,000	400,000	241	●	●	
Mountain Ash Road – Pavement Renewal	Construction	-	-	301,700	●	●	Project requires quarterly review to allocate budget. Predict a spend of \$491k this financial year.
Carrick Road Bridge Upgrade	Construction	377,977	377,977	406,258	●	●	Project requires quarterly review to allocated additional budget from Towrang Bridge
Bradfordville School Footpaths (G)	Construction	341,891	341,891	99,834	●	●	
Rosemont Rd Rehabilitation 22-23	Construction	324,000	162,000	108,883	●	●	
Village Footpaths – LRC13 (G)	Design	300,000	-	-	●	●	
<div> ● No action required ● Escalate issue to Director ● Escalate issue to Council </div>							

Capital Works Program 2022-2023 Status Report for Operations As at 31 December 2022

Financial Performance

YTD performance in comparisons to baseline budget - \$8.8m variance

The delivery of the Capital Works Program is currently tracking behind the baseline budget, the year to date expenditure on the Program was \$9.2m or 59% behind the baseline budget. The year to date variation is driven by the following factors:

- Late, expected overspend (Project has experienced delays and expected to be over budget) – (Growing Local Economies)
- Weather Delays (Project has been delayed due to inclement weather) – (Windellama Road, WWT Cemetery Street, Urban Asphaltting Program)
- Proposed Scope Change (Projects that the scope will be amended due to budget restraints) – (Jerrara Road Upgrade, Deccan Street Rehab)
- Within budget - (project is within budget awaiting commitments to be realised, or slight delays) – (Various Projects)
- Reactive projects, expenditure occurs as required (Generally equipment replaced as required or available) – (Light & Heavy Fleet, Renewals)

Graph 1 – YTD Underspend variance – Highlights the driver behind the current overspend for the program

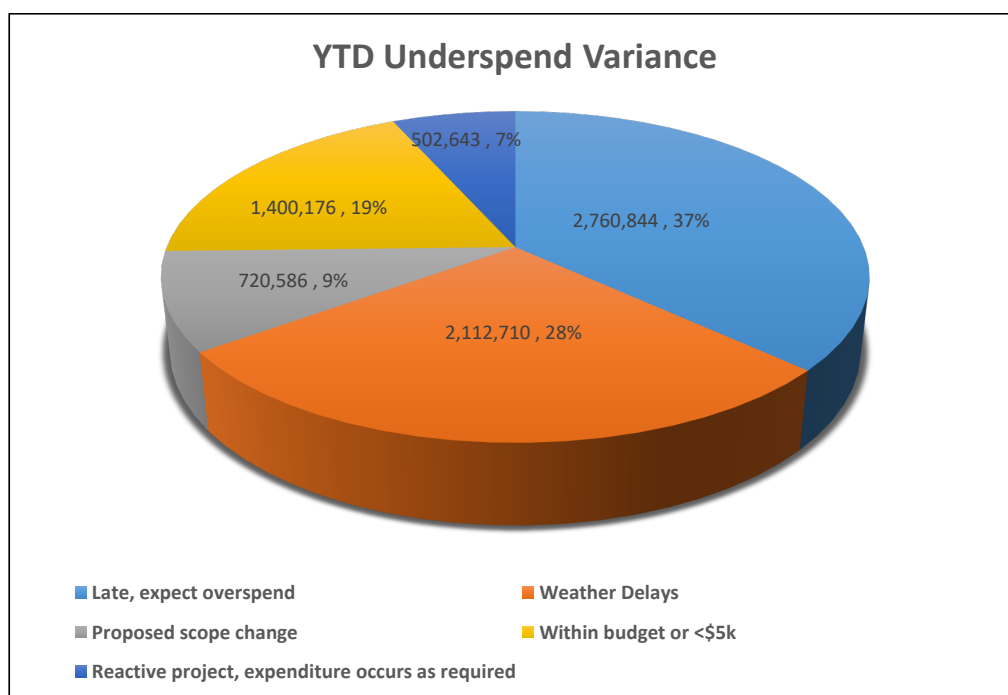
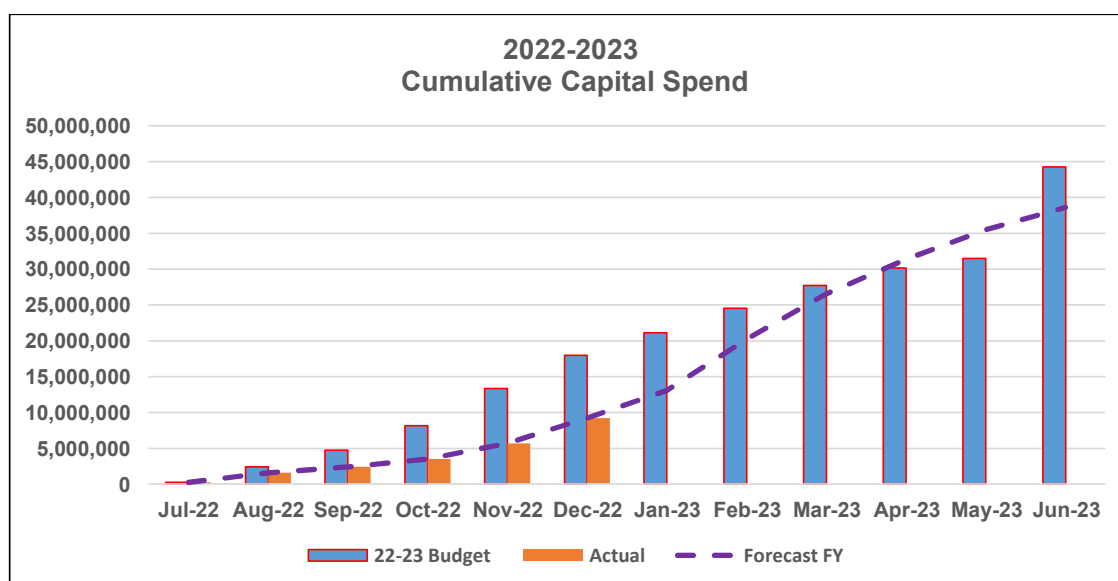


Table 1 – Overall Financial Performance Summary – Performance highlights performance

Department	22-23 Project Budget	YTD Budget	YTD Actual	Forecast to end FY
Asset & Design	10,000	0	1,282	10,000
Community Facilities	924,361	626,991	232,446	932,115
Projects	31,346,780	10,600,351	4,633,758	24,111,649
Works	11,988,935	6,763,147	4,340,742	13,566,668
Total Program	44,270,076	17,990,489	9,208,228	38,620,432

Graph 2 – Cumulative 2022-22 Capital Expenditure v Capital Works Program Budget

Forecast Performance

The Capital Works Program for Operations was resolved to the value of \$35,935,047 for 2022-23. As a result of the allocation of carry-overs and recent grant approvals the Capital Works program for 2022-23 is \$44,270,076. This figure will change throughout the financial year as a result of Council resolutions and Quarterly Review processes. **Graph 2** indicates performance to date, giving a forecast spend of \$38,620,432.

Currently the forecast spend is lower than the budget due to predicted changes in the following projects:

- Carr Confoy Pavilion (LRCI/RSFF) - original forecast spend of \$8m is currently predicted to be \$344k, the original budget allocated is for the total budget, at this stage we predict that only the design phase will take place this financial year;
- Deccan Street Rehabilitation (FLR) - original forecast spend of \$2m is currently predicted to be \$543k, due to market prices being well above budget. Proposing a scope change;
- Growing Local Economies – Original forecast spend of \$5.5mm is currently predicted to be \$4.3m, due to continual delays on the project; and
- Budget allocation for quarterly review - several projects have not been allocated a budget and need to be included in Q2 (Japanese Gardens, Hockey Redevelopment, Access inclusion Water Works, Streets as Shared Spaces, Mountain Ash Road, Jerrara Oallen Ford Rd, GMC ops Centre.)

The expenditure for this financial year has been substantially put under stress due to continued wet weather and the recent resignations of Operational staff.



APPENDIX

Table 2 – Major Projects – indicates the individual performance of Operations Major Capital Works Projects and Programs. The traffic lights indication the status of the projects in individual report for each of the above active projects follows in this report.


Project Name	Phase	22-23 Budget	YTD Budget	YTD Actual	Budget	Schedule	Comments
Carr Confoy Pavillion – BBRF (G)	Design	8,000,000	-	51,241	🟡	🟡	Project requires quarterly review to defer construction phase to 23-24. Predict a spend of \$344k this financial year.
Growing Local Economies (G)	Construction	5,503,323	2,865,000	104,156	🟡	🟢	Project requires a variation to scope, project delays. Predict a spend of \$4.3m this financial year.
Windellama Road – Fixing Local Roads (G)	Construction	3,403,516	1,890,000	657,857	🟢	🟢	
Fleet Management – Capital	Construction	2,693,942	821,613	455,019	🟢	🟢	
Mayfield Rd Bridge Replacement	Design	500,000	213	813	🟢	🟢	
Deccan Street Rehabilitation – FLR (G)	Design	1,989,108	323,901	43,426	🟡	🟢	Project delays, delivery to continue into next financial year. Predict a spend of \$543k this financial year.
Jerrara Road Upgrade – Blackspot (G)	Construction	1,740,994	475,000	81,794	🟢	🟢	
North Park Pavillion – LRC/RSFF (G)	Design	1,532,603	540,781	740,317	🟢	🟢	
Deterioration Works	Construction	1,150,000	1,150,000	1,490,837	🟢	🟢	
RHL Program	Construction	940,944	87,122	227,017	🟢	🟢	
WWT – Cemetery St (G)	Construction	872,443	872,443	174,876	🟢	🟢	
Towrang Road Bridge Upgrade	Construction	862,247	862,247	371,501	🟡	🟢	Project has resulted in an underspend. Predict a spend of \$401k this financial year. Some of the underspend will be transferred to Carrick Rd Bridge.
Urban Asphalt Program	Construction	815,000	815,000	162,158	🟢	🟢	
Hockey Redevelopment – New Amenities	Design	756,461	655,939	69,954	🟡	🟡	Project requires quarterly review, additional funding needs to be secured to address accessibility issues
Urban Stormwater Drainage	Construction	824,240	445,978	177,065	🟢	🟢	
Netball Court Resurfacing – SCCF (G)	Design	699,998	-	-	🟢	🟢	Project delays, delivery to continue into next financial year. Predict a spend of \$150k this financial year.
Rural Resealing	Construction	687,402	159,902	301,094	🟢	🟢	
Streets as Shared Spaces	Construction	244,105	244,105	377,987	🟡	🟢	Project requires quarterly review, incorrect budget entered
North Park Landscaping/Access – SCCF (G)	Construction	291,474	82,778	83,087	🟢	🟢	
Bradley St Drainage Upgrade Works	Design	1,550,000	287,498	37,903	🟢	🟢	
Riverside Park Pump Track Project	Design	548,600	105,414	3,655	🟢	🟢	
Gravel Resheeting	Construction	550,001	350,001	197,364	🟢	🟢	
Aquatic Centre Upgrade	Construction	535,936	535,936	572,224	🟢	🟢	
Japanese Garden – Victoria Park	Design	-	-	87,422	🟡	🟢	Project requires quarterly review to allocate budget
Kinghorne Street Rehab (Albert-Hoskins)	Design	500,000	55,000	-	🟡	🟡	Project deferred
Open Space – Capital	Construction	412,686	402,456	127,012	🟢	🟢	
Hockey Redevelopment – Existing Amenities	Design	143,380	143,380	15,612	🟡	🟡	Project requires quarterly review, additional funding needs to be secured to address accessibility issues
Kinghorne/Albert Roundabout – Blackspot (G)	Design	409,060	55,000	8,095	🟢	🟢	
Playground – Tony Onions Park (G)	Design	400,000	400,000	241	🟢	🟢	
Mountain Ash Road – Pavement Renewal	Construction	-	-	301,700	🟡	🟢	Project requires quarterly review to allocate budget. Predict a spend of \$491k this financial year.
Carrick Road Bridge Upgrade	Construction	377,977	377,977	406,258	🟡	🟢	Project requires quarterly review to allocated additional budget from Towrang Bridge
Bradfordville School Footpaths (G)	Construction	341,891	341,891	99,834	🟢	🟢	
Rosemont Rd Rehabilitation 22-23	Construction	324,000	162,000	108,883	🟢	🟢	
Village Footpaths – LRC13 (G)	Design	300,000	-	-	🟢	🟢	
<div> 🟢 No action required 🟡 Escalate issue to Director 🔴 Escalate issue to Council </div>							


The information provided in the following reports provides ITD budgets and expenditure for those projects that run over financial years:

Project	North Goulburn Employment Precinct	
Budget:	\$8,675,437	
Expenditure to date:	\$3,249,500	
Funding Partners	Growing Local Economies \$7.150,000 Targeted Road Safety Works Program \$2,800,000 EOT approval to June 2023 GMC contribution - \$638,082	
Key Dates	Construction Commenced	October 2022
	Construction Completed	June 2023
Project forecast to be completed within budget?	No, due to increase in prices for fuel and materials.	
Project forecast to be completed on time?	No, due to delays caused by third party asset owners.	
Delays experienced during the month	Ongoing discussions regarding variations and EOT claims from Contractors	
Issues to report	Variations re third party services and EOT's. <ul style="list-style-type: none">Delays resulting from above points.	
Works Completed last month	<ul style="list-style-type: none">Ongoing discussion with Contractors regarding the mobilisation in October 22Consultant hired to issue CC for McDonalds signVariation request for underground power being assessedQuotes for all the communications assets received and being assessedWater main relocation at the intersection commenced	
Priorities for the next month	<ul style="list-style-type: none">Finish water main relocationConstruction to commence.	




Project	Windellama Road - Fixing Local Roads Project	
Budget:	\$5,666,902	
Expenditure to date:	\$3,055,694.45	
Funding Partners	<ul style="list-style-type: none">TfNSW Fixing Local Roads \$4,565,860Roads to Recovery \$1,052,766GMC \$49,276	
Key Dates	Construction Commenced	August 2021
	Construction Completed	September 2023
Project forecast to be completed within budget?	Yes	
Project forecast to be completed on time?	Yes	
Delays experienced during the month	Wet weather delays	
Issues to report	<ul style="list-style-type: none">Deterioration of remaining sections of road due to the increase in heavy vehicle movements. To be monitored during project and repairs undertaken when necessary.Project scope being delivered in full due to the low sub grade strength requiring a more substantial pavement. Whilst subgrade testing has been undertaken to inform the design, significant variations in the sub grade strength have detected throughout construction and could be expected.	
Works Completed last month	<ul style="list-style-type: none">Guard Rails and line marking has been completed on Stage 1Gravel overlay completed on Stage 2. Final trimming in progressStage 3 drainage works in progress. Pavement work planned in late FebruaryStage 4 drainage works has been completed. Pavement formation works in progress	
Priorities for the next month	<ul style="list-style-type: none">Completion of stage 2 works with bitumen sealing and line marking.Mobilization and kick off pavement rehabilitation work on stage 3.Ripping and recompacting subgrade and gravelly overlay for subbase level.Completion of gravel crushing for stage 3 and 4 works.	






Pavement Works – Stage 2 & 4



Project	Mountain Ash Road - Fixing Local Roads Project	
Budget:	\$2,633,125	
Expenditure to date:	\$2,459,887.66	
Funding Partners	<ul style="list-style-type: none">TfNSW Fixing Local Roads \$2,383,665Roads to Recovery \$178,073GMC \$71,387	
Key Dates	Construction Commenced	March 2021
	Construction Completed	March 2023
Project forecast to be completed within budget?	Yes	
Project forecast to be completed on time?	Yes	
Delays experienced during the month	Wet weather delays	
Issues to report	<ul style="list-style-type: none">Project budget overrun on Stage 1 –Poor Subgrade on stage 1 section. Overspend from Stage 1 will be managed via additional contingency now approved in the scope variation for stages 2 and 3.Wet winter, spring, summer and autumn months making construction difficult to progressDeterioration of Currawang Road and Brisbane Grove Road due to the increase in heavy vehicle movements hauling material to site.Total 78 days lost due wet weather and COVID related issues with 1,325mm of rain falling on site from June 2021 to the end of September 2022	
Works Completed last month	<ul style="list-style-type: none">Line marking has been completed on stage 3 worksFinal seal on Mountain ash road stage 1	
Priorities for the next month	<ul style="list-style-type: none">Post Completion report and Financial Closure.	




Line Marking – Stage 3




Final Sealing- Stage 1

Project	Roseberry Street Drainage	
Budget:	\$200,000	
Expenditure to date:	\$146,699	
Funding Partners	GMC Reserve	
Key Dates	Construction Commenced	June 2022
	Construction Completed	December 2022
Project forecast to be completed within budget?	Yes	
Project forecast to be completed on time?	No	
Delays experienced during the month	Wet weather delays. Extremely wet ground making it impossible to drive machine in backyard	
Issues to report	Total 45 days lost due wet weather and COVID related issues with 1,460mm of rain falling on site from June 2022 to the end of January 2023	
Works Completed last month	Laying of Storm pro-pipes in the backyard. Reshape and rock lining of Open Swale	
Priorities for the next month	Removal of Trees from backyard. Connecting the storm pro pipes to outlet pit.	
<div></div> <div></div>		



Project	Rosemont Road Rehabilitation	
Budget:	\$324,000	
Expenditure to date:	\$231,398	
Funding Partners	GMC \$324,000	
Key Dates	Construction Commenced	November 2022
	Construction Completed	December 2022
Project forecast to be completed within budget?	Yes	
Project forecast to be completed on time?	Yes	
Delays experienced during the month	Nil	
Issues to report	Nil	
Works Completed last month	<ul style="list-style-type: none">Stabilization and reshaping of 2 KM pavement14/7mm DD Bitumen sealingLine Marking	
Priorities for the next month	<ul style="list-style-type: none">Financial closure	






Pavement Works – Rosemont Road

Project	Highland Way Rehabilitation	
Budget:	\$420,293	
Expenditure to date:	\$22,503	
Funding Partners	GMC \$324,000, RRRP \$96,293	
Key Dates	Construction Commenced	January 2023
	Construction Completed	March 2023
Project forecast to be completed within budget?	Yes	
Project forecast to be completed on time?	Yes	
Delays experienced during the month	Nil	
Issues to report	Nil	
Works Completed last month	<ul style="list-style-type: none">• Setting up the base station and GPS machine guidance model.• Mobilization of Vegetation and Drainage crew.• Gravel crushing started at Kettle's pit	
Priorities for the next month	<ul style="list-style-type: none">• Completion of Vegetation and Drainage works• Mobilization of pavement crew and start of pavement rehabilitation works.	




Pavement Works – Rosemont Road

Project	Rural Bitumen Resealing Works	
Budget:	\$706,473.00	
Expenditure to date:	\$331,533.24	
Funding Partners	LRCI \$687,402, GMC reserve	
Key Dates	Construction Commenced	November 2022
	Construction Completed	April 2023
Project forecast to be completed within budget?	Yes	
Project forecast to be completed on time?	Yes	
Delays experienced during the month	Nil	
Issues to report	Due to CPI increase and Bitumen price increase, scope has been reduced.	
Works Completed last month	Bitumen resealing works completed on Lookdown road, Taylors Creek, Bullamalitta, Currawang and Elm groove road	
Priorities for the next month	<ul style="list-style-type: none">• Complete rest of rural resealing programme• Mobilization on urban resealing programme	



Bitumen Resealing Works – Currawang and Taylors Creek Road

Project	Urban Asphalt Works	
Budget:	\$815,000.00	
Expenditure to date:	\$162,158	
Funding Partners	LRCI \$120,000, Roads to Recovery \$400,000, GMC Reserves	
Key Dates	Construction Commenced	November 2022
	Construction Completed	April 2023
Project forecast to be completed within budget?	Yes	
Project forecast to be completed on time?	Yes	
Delays experienced during the month	Nil	
Issues to report	Water and Gas pipeline at Howard Blvd at shallow depth	
Works Completed last month	<ul style="list-style-type: none">• Mary Mount/ Middle arm intersection• Mcdermott drive	
Priorities for the next month	Complete rest of urban Asphalt programme	



Bitumen Resealing Works – Currawang and Taylors Creek Road

Project	Light Fleet
Budget	\$637,904
Expenditure to date	\$218,889
Funding Partners	NA
Key Dates	Nil
Project forecast to be completed within budget	Yes
Project forecast to be completed on time	Yes
Delays experienced during the month	Nil
Issues to report	Nil
Works Completed last Month	<ul style="list-style-type: none"> Procurement process underway for 2022/23 Replacement Program Delivery of Plant # 1244 – Hyundai Staria Delivery of Plant # 9033 – Kia Sportage Delivery of Plant # 9023 – Kia Sportage
Priorities for the next month	<ul style="list-style-type: none"> Procurement underway for 2022/23 Budgets and Replacement Program Draft Budget for 2023/24 Replacement Program

Project	Heavy Fleet
Budget	\$2,011,038
Expenditure to date	\$295,349
Funding Partners	NA
Key Dates	Nil
Project forecast to be completed within budget	Yes
Project forecast to be completed on time	Yes
Delays experienced during the month	Nil
Issues to report	Nil
Works Completed last Month	<ul style="list-style-type: none"> Completed RFQ for Plant # 9111 Delivery of Plant # 9052 – Komatsu Forklift Delivery of Plant # 9136 – Multihog Footpath Sweeper/Scrubber
Priorities for the next month	<ul style="list-style-type: none"> Evaluation of RFQ for replacement of Plant # 9111 Draft Budget for 2023/24 Replacement Program

Project	Deccan Street Rehabilitation Project	
Budget:	Funds from FLR - \$1,567,100 Funds from LRCI3 - \$522,366 Total - \$2,089,466	
Expenditure to date:	\$143,784	
Funding Partners	<ul style="list-style-type: none"> Fixing Local Roads Program Local Roads and Community Infrastructure Grant Agreement Extension in Start of construction and Project Completion 	
Key Dates	Construction Commenced	April 2022
	Construction Completed	June 2023 (LRCI Milestone) June 2024 (FLR Milestone)
Project forecast to be completed within budget?	TBC. The current project scope was issued via RFQ to the stabilisation panel which exceeded the project budget significantly. The scope to be reviewed and reduced to align with the available budget, subject to agreement with the funding partners.	
Project forecast to be completed on time?	Yes. Refer to issues	
Delays experienced during the month	The RFQ submission received exceeded the available budget. Re-scoping and re-quoting required.	
Issues to report	The re-scoping exercise may add delays. The June 2023 completion date for the LRCI funding is at risk.	
Works Completed last month	Tender declined and Council resolved to re-tender the works. Works have been re-scoped and scope and time variation has been applied for with the funding body.	
Priorities for the next month	Follow up on the scope and time variations with the funding body.	



Project	Jerrara Road – Black spot	
Budget:	\$1,771,000	
Expenditure to date:	\$34,780	
Funding Partners	Australian Government Black Spot	
Key Dates	RFT released	TBC
	Design approved	December 2022
	Construction Commenced	TBC
	Construction Completed	Planned 31 st May 2023
Project forecast to be completed within budget?	No. Re-scoping of project required to meet the budget	
Project forecast to be completed on time?	Yes	
Delays experienced during the month	Nil	
Issues to report	The design has progressed to satisfy the funding agreement which is indicating that the project funding scope is unlikely to be delivered within the available budget. Council needs to re-design, re-scope to fit within the \$2 million allowable amount for Blackspot projects it also needs to meet relevant SPI criteria.	
Works Completed last month	<ul style="list-style-type: none"> • Design ongoing and completed • Change of scope requiring additional funds • Applied for variation to funding agreement as scope has been changed. 	
Priorities for the next month	<ul style="list-style-type: none"> • Discuss variation proposal with funding body. • Transports design people indicate that we can get the curves down to 400m rather than 600m so this will need some re-work. So essentially what radius can we get the curves down to? • Costs will also need to come down below \$2 million. Anything above \$2 million will not be approved. • Transport is looking for council to reduce costs by utilising Hi level sign posting and guard rails and posts. • Once this information is available council can lodge a revised variation changing the scope and requesting an extension of time. An extension of time is approved by the Federal Government. 	


Project	North Park Pavilion	
Budget:	\$1,582,603	
Expenditure to date	\$744,052	
Funding Partners	<ul style="list-style-type: none"> Regional Sports Facilities Fund Local Roads and Community Infrastructure Grant 	
Key Dates	Deed Signed	February 2022
	Construction	August 2022 – June 2023
	Regional Sports Grant Completion	23 June 2023
	LRCI Grant Completion	December 2023
Project forecast to be completed within budget?	Yes	
Project forecast to be completed on time?	Yes	
Delays experienced during the month	Minor wet weather delays although not expected to extend the overall program	
Issues to report	Nil	
Works Completed last month	<ul style="list-style-type: none"> Roof and windows installed Block work Solar panel being installed on roof 	
Priorities for the next month	<ul style="list-style-type: none"> Rough in of services Wall and ceiling lining installation 	



Project	Wollondilly River Walking Track - Cemetery Street to Josephs Gate	
Budget:	\$ 2,000,000	
Expenditure to date:	\$ 1,307,688	
Funding Partners	Bushfire Local Economic Recovery EOT request	
Key Dates	Commence Design	February 2021
	Complete Design	November 2021
	Handover to Projects	February 2021
	Construction Commenced	May 2021
	Construction Completed	June 2023
Project forecast to be completed within budget?	Yes	
Project forecast to be completed on time?	No. Extension of time request has been submitted to the funding body, requesting an extension of time until October 2023.	
Delays experienced during the month	Yes. Ongoing delays due to Crown Lands not issuing the consent to build the path over their land because of Aboriginal claim on the land.	
Issues to report	Ongoing matters to resolve land access with Crown Lands and ALC.	
Works Completed last month	<ul style="list-style-type: none"> Park seats installation underway with concrete slabs complete. Letter has been drafted and ready to be sent this month. Contractor mobilised to site and vegetation clearing has been completed Works on the river crossing has commenced 	
Priorities for the next month	<ul style="list-style-type: none"> Land acquisition with ALC to continue while construction continue. River crossing construction to continue 	



Project	Hockey Centre Redevelopment	
Budget:	\$7,081,000.00	
Expenditure to date	\$6,292,548	
Funding Partners	Growing Local Economies	
Key Dates	Deed Signed	17 December 2020
	Construction	September 2022 – March 2023
	Grant Completion Date	June 2023
Project forecast to be completed within budget?	No. Currently working through issues to obtain a Construction Certificate. The issues to be resolved include fire protection to the southern boundary and accessibility matters from the Finlay Road boundary and also the existing the building. Revised forecast costs to be assessed and submitted to Council for approval.	
Project forecast to be completed on time?	An EOT to complete the project by June 2023 was accepted by the funding body. An additional EOT is likely required due to ongoing Construction Certificate delays.	
Delays experienced during the month	Yes. Ongoing delays with delays to obtaining Construction Certificate	
Issues to report	<ul style="list-style-type: none">• Planning section has previously reviewed the submitted construction certificate and requested submission of additional information from contractor.• The major concern being accessibility issues from Finlay Road.• Accessibility issues have been reviewed by the Design architect and accessibility consultant. Changes required have been included in revised documentation and resubmission of the amended CC application is imminent.	
Works Completed last month	A thorough review of the site and buildings has been undertaken to address all accessibility issues that were raised by the planning section.	
Priorities for the next month	<ul style="list-style-type: none">• Approval of CC• Construction to commence• Priority works prior to season commencing	



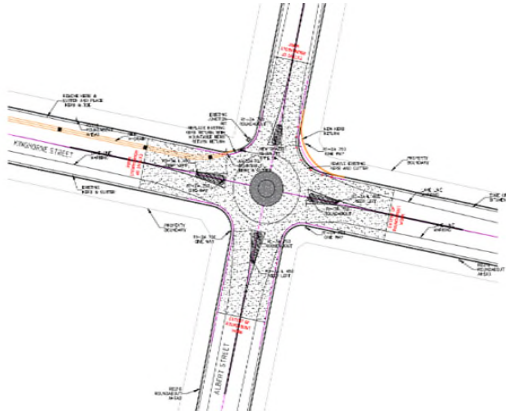

Project	Streets as Shared Spaces	
Budget:	\$488,210	
Expenditure to date	\$399,311	
Funding Partners	Transport for NSW	
Key Dates	Deed Signed	May 2022
	Construction Commenced	August 2022
	Grant Completion	September 2022
Project forecast to be completed within budget?	Yes	
Project forecast to be completed on time?	No. Lead time for furniture items will delay completion. Funding partner advised of delays.	
Delays experienced during the month	Delay in supply of chill out trees.	
Issues to report	Pedestrian crossing compliance amendments have been reviewed, and a quotation sought to resolve.	
Works Completed last month	<ul style="list-style-type: none"> • Proto-type solar light installed in the main street • Chalk art work completed • Shade tree seating platforms being installed • Lining marking completed • Library box for parklet installed. • Pedestrian ramp installed • Chill out trees installed 	
Priorities for the next month	<ul style="list-style-type: none"> • Fairy lights to be installed in trees. • Axels to be delivered and installed to seating for chill out trees 	



Project	North Park Immediate Priorities	
Budget:	\$345,925	
Expenditure to date	\$139,902	
Funding Partners	SCCF	
Key Dates	Deed Signed	February 2022
	Procurement for toilet block	July 2022 – September 2022
	Construction	November 2022 – June 2023
	Grant Completion Date	February 2024
Project forecast to be completed within budget?	Yes	
Project forecast to be completed on time?	Yes. Timeframe on Deed is 01 February 2024	
Delays experienced during the month	Nil	
Issues to report	Nil	
Works Completed last month	<ul style="list-style-type: none"> • Third contract meeting held. • Trees removed • Toilet block formwork and drainage in place • RFQ send out for grant stand slabs and moving of shed 	
Priorities for the next month	Fit out of toilet	




Project		Kinghorne Street Roundabout – Black Spot	
Budget:	\$416,860		
Expenditure to date:	\$18,220		
Funding Partners	Australian Government Black Spot Funding		
Key Dates	Design approved	September 2022	
	Procurement for Construction	October 2022-December2022	
	Construction Commenced	January 2023	
	Construction Completed	May 2023	
Project forecast to be completed within budget?	Yes		
Project forecast to be completed on time?	Yes		
Delays experienced during the month	Nil		
Issues to report	Nil		
Works Completed last month	<ul style="list-style-type: none">• Council resolved to enter into negotiations with Form and Pour• Cost and time variation has been applied for with the funding body		
Priorities for the next month	<ul style="list-style-type: none">• Follow up on the cost and time variations with the funding body• Start formal negotiations with Form and Pour		





Project	Tony Onions Park Play Space	
Budget:	\$400,000	
Expenditure to date	\$2,222	
Funding Partners	Everyone Can Play Grant	
Key Dates	Deed Signed	February 2022
	Construction Commenced	September 2022
	Construction Completed	August 2023
Project forecast to be completed within budget?	Yes	
Project forecast to be completed on time?	Yes. Timeframe on deed is 24 August 2023	
Delays experienced during the month	Nil	
Issues to report	Nil	
Works Completed last month	<ul style="list-style-type: none"> Detailed design completed and fabrication underway – see picture below Colours chosen for shade sail and soft fall 	
Priorities for the next month	Playground to commence installation first week in February 2023	



Project:	Schools Infrastructure	
Budget:	\$3,937,500	
Expenditure to date:	\$3,289,787	
Funding Partners	Road Safety Program School Zone Infrastructure	
Key Dates	RFT released	April 2021
	Design approved	August 2021
	Construction Commenced	August 2021
	Construction Completed	December 2022
Project forecast to be completed within budget?	Yes	
Project forecast to be completed on time?	Yes	
Delays experienced during the month	Delays with the electrical contractor negotiating an outage with Essential Energy for installation of lights above the wombat crossings. Outage most likely now, not until January 2023 school holidays. Extension of time will be applied for with funding body.	
Issues to report	Refer to delays. TfNSW has advised that the wombat crossing constructed on Fitzroy St may not be traversable by the wind farm delivery vehicles. Negotiations underway regarding possible modifications.	
Works Completed last month	<ul style="list-style-type: none"> • Lightings on Fitzroy St, Decan St and Clinton St have been installed. • The Fitzroy Street wombat crossing redesign works have commenced and preliminary drawings have been forwarded to TfNSW for review. • TfNSW have been advised that Council will not be able to start the removal and reinstallation works until the funding has been agreed on. 	
Priorities for the next month	<ul style="list-style-type: none"> • Monitor the progress of Fitzroy Street wombat crossing rework with the funding body. • Complete redesign for the Fitzroy Wombat crossing with the available budget as advised by the funding body • Funding body has approved a scope variation for additional path on Amaroo Place. Commence scope of works for this package. 	

Project	Japanese Gardens	
Budget:	\$965,122 (Funded budget 950,000, awaiting quarterly review)	
Expenditure to date	\$295,898.55	
Funding Partners	BBRF	
Key Dates	Deed Signed	January 2022
	Design Commenced	November 2022
	Construction Commenced	June 2023
	Construction Completed	December 2023
Project forecast to be completed within budget?	Yes	
Project forecast to be completed on time?	Yes. Timeframe on deed is 31 December 2023	
Delays experienced during the month	Nil	
Issues to report	Nil	
Works Completed last month	<ul style="list-style-type: none">• Edmiston Jones engaged for design• Tree removed 19.12.22• Stumps ground 0.901.23• Site survey• Service locations	
Priorities for the next month	Complete concept design	
		

Project	Natural Disaster – Disaster Funding Arrangements																																																						
Budget	\$22.5 Million																																																						
Expenditure to date	\$12.2 Million																																																						
Funding Partners	Natural Disaster Funding Arrangements Enacted																																																						
Key Dates	<table><tr><th>Australian Government Reference Number</th><th>Month of Event</th><th>Completion Date</th><th colspan="2">Completion Status</th></tr><tr><td>AGRN 871</td><td>01-December-2019</td><td>30-September-2023</td><td colspan="2">30%</td></tr><tr><td>AGRN 898</td><td>01-February-2020</td><td>30-September-2023</td><td colspan="2">89%</td></tr><tr><td>AGRN 923</td><td>01-August-2020</td><td>30-June-2023</td><td colspan="2">80%</td></tr><tr><td>AGRN 960</td><td>01-March-2021</td><td>30-June-2023</td><td colspan="2">20%</td></tr><tr><td>AGRN 987</td><td>01-December-2021</td><td>30-June-2024</td><td colspan="2">14%</td></tr><tr><td>AGRN 1001</td><td>01-January-2022</td><td>30-June-2024</td><td colspan="2">Awaiting SOW</td></tr><tr><td>AGRN 1012</td><td>01-March-2022</td><td>30-June-2024</td><td colspan="2">5%</td></tr><tr><td>AGRN 1034</td><td>01-October-2022</td><td>30-June-2025</td><td colspan="2">Data collection</td></tr></table>	Australian Government Reference Number	Month of Event	Completion Date	Completion Status		AGRN 871	01-December-2019	30-September-2023	30%		AGRN 898	01-February-2020	30-September-2023	89%		AGRN 923	01-August-2020	30-June-2023	80%		AGRN 960	01-March-2021	30-June-2023	20%		AGRN 987	01-December-2021	30-June-2024	14%		AGRN 1001	01-January-2022	30-June-2024	Awaiting SOW		AGRN 1012	01-March-2022	30-June-2024	5%		AGRN 1034	01-October-2022	30-June-2025	Data collection										
Australian Government Reference Number	Month of Event	Completion Date	Completion Status																																																				
AGRN 871	01-December-2019	30-September-2023	30%																																																				
AGRN 898	01-February-2020	30-September-2023	89%																																																				
AGRN 923	01-August-2020	30-June-2023	80%																																																				
AGRN 960	01-March-2021	30-June-2023	20%																																																				
AGRN 987	01-December-2021	30-June-2024	14%																																																				
AGRN 1001	01-January-2022	30-June-2024	Awaiting SOW																																																				
AGRN 1012	01-March-2022	30-June-2024	5%																																																				
AGRN 1034	01-October-2022	30-June-2025	Data collection																																																				
Project forecast to be completed within budget	<table><tr><th>EVENT</th><th>NDFA ALLOCATION</th><th>SPEND</th><th>COMMITMENTS</th><th>CLAIMS</th></tr><tr><td>AGRN 871</td><td>\$ 1,399,175.00</td><td>\$ 488,047.87</td><td>\$ 422,026.12</td><td>\$ 417,139.45</td></tr><tr><td>AGRN 898</td><td>\$ 5,928,408.00</td><td>\$ 5,106,078.01</td><td>\$ 54,468.73</td><td>\$ 5,075,334.79</td></tr><tr><td>AGRN 923</td><td>\$ 7,855,557.00</td><td>\$ 5,846,522.52</td><td>\$ 626,992.77</td><td>\$ 4,989,841.61</td></tr><tr><td>AGRN 960</td><td>\$ 1,021,890.00</td><td>\$ 400,308.43</td><td>\$ 70,268.70</td><td>\$ 227,625.16</td></tr><tr><td>AGRN 987</td><td>\$ 1,777,812.00</td><td>\$ 289,670.33</td><td></td><td>\$ 520,220.54</td></tr><tr><td>AGRN 1001</td><td>\$ 3,670,826.00</td><td></td><td>\$ 458,349.88</td><td>\$ 96,840.20</td></tr><tr><td>AGRN 1012</td><td>\$ 842,597.00</td><td>\$ 116,771.13</td><td>\$ 220,450.64</td><td>\$ 105,863.00</td></tr><tr><td>AGRN 1034</td><td></td><td>\$ -</td><td>\$ -</td><td>\$ -</td></tr><tr><td>Total</td><td>\$ 22,496,265.00</td><td>\$12,247,398.29</td><td>\$ 1,852,556.84</td><td>\$11,432,864.75</td></tr></table>	EVENT	NDFA ALLOCATION	SPEND	COMMITMENTS	CLAIMS	AGRN 871	\$ 1,399,175.00	\$ 488,047.87	\$ 422,026.12	\$ 417,139.45	AGRN 898	\$ 5,928,408.00	\$ 5,106,078.01	\$ 54,468.73	\$ 5,075,334.79	AGRN 923	\$ 7,855,557.00	\$ 5,846,522.52	\$ 626,992.77	\$ 4,989,841.61	AGRN 960	\$ 1,021,890.00	\$ 400,308.43	\$ 70,268.70	\$ 227,625.16	AGRN 987	\$ 1,777,812.00	\$ 289,670.33		\$ 520,220.54	AGRN 1001	\$ 3,670,826.00		\$ 458,349.88	\$ 96,840.20	AGRN 1012	\$ 842,597.00	\$ 116,771.13	\$ 220,450.64	\$ 105,863.00	AGRN 1034		\$ -	\$ -	\$ -	Total	\$ 22,496,265.00	\$12,247,398.29	\$ 1,852,556.84	\$11,432,864.75				
EVENT	NDFA ALLOCATION	SPEND	COMMITMENTS	CLAIMS																																																			
AGRN 871	\$ 1,399,175.00	\$ 488,047.87	\$ 422,026.12	\$ 417,139.45																																																			
AGRN 898	\$ 5,928,408.00	\$ 5,106,078.01	\$ 54,468.73	\$ 5,075,334.79																																																			
AGRN 923	\$ 7,855,557.00	\$ 5,846,522.52	\$ 626,992.77	\$ 4,989,841.61																																																			
AGRN 960	\$ 1,021,890.00	\$ 400,308.43	\$ 70,268.70	\$ 227,625.16																																																			
AGRN 987	\$ 1,777,812.00	\$ 289,670.33		\$ 520,220.54																																																			
AGRN 1001	\$ 3,670,826.00		\$ 458,349.88	\$ 96,840.20																																																			
AGRN 1012	\$ 842,597.00	\$ 116,771.13	\$ 220,450.64	\$ 105,863.00																																																			
AGRN 1034		\$ -	\$ -	\$ -																																																			
Total	\$ 22,496,265.00	\$12,247,398.29	\$ 1,852,556.84	\$11,432,864.75																																																			
Project forecast to be completed on time	Yes. With approved variations to timelines																																																						
Delays experienced during the month	Yes. Another Natural Disaster Event AGRN 1034																																																						
Issues to report	Caoura Road has a major landslide requiring urgent attention and possible land acquisitions and alternate routes designed.																																																						
Works Completed last Month	The Cullulla Road causeway is completed and just requires inspection and handover.																																																						
Priorities for the next month	<ul style="list-style-type: none">Finalise the AGRN 1001 January 2022 EventComplete and Inspect Cullulla RoadCaoura Road Landslide progressingComplete the Forward Works Program.																																																						
<div></div> <p><u>Completed works on Ambrose Road</u></p>																																																							

Projects in Design

Table 3 – Projects in Design– Identifies the major projects currently in design phase and how they are tracking against the program. These designs could pose a major risk to the delivery of the Capital Works Program if they are not completed on time.

Project	Start	Finish	Status	Comments
Currawang Road Overlay Upgrade	28-Oct-22	05-Jan-23	Complete	Draft design received, and currently under review.

Pending Grant Applications

Table 4 – Pending Grant Projects – Identifies projects with current grant applications submitted, if successful these projects will be added to the program. If the projects are successful they may require current projects to be carried over into the next financial year, if this is the case it will be identified in the below table.

Project	Budget	Fund	Decision	Status	Risk to current Program/Comment
Pothole Repair on Regional Roads	\$439,896	Fixing Local Roads Pothole Repair Program	Nov-22	Successful	
Goulburn Rail Trail Business Case Development	\$147,775	Regional NSW- Business Case and Strategy Development Fund Round 1	Dec-22	Successful	
Tarlo Street Graffiti Project	\$71,517	Graffiti management Program	Dec-22	Successful	
Repair of Dog Training and Kennel Club Fencing, Dressage Arena, Internal Road and Harness Training Track (retrospective funding)	\$52,150	Crown Land Recovery Fund	Jan-23	Successful	
Copford Reach Boat Ramp Upgrade	\$256,788	Boating Now Program	Aug-22	Pending	
BMX Track Upgrade	\$150,000	NSW Infrastructure Grants	Jan 23	Pending	
East Grove South Sports Field Improved Drainage and levelling	\$1.3m	Essential Community Sports Assets Program		Pending	
Marsden Weir Shared path Access Project	\$370,738	Open Space – Places to Swim	Feb-23	Pending	
Ross Whittaker Pavilion Female Facilities Upgrade	\$130,673	Female Friendly Community Sport Facilities Program	Feb-23	Pending	
Currawang Causeway Betterment	\$3,443,054	Infrastructure Betterment Fund	Feb-23	Pending	
Goulburn Mulwaree	\$2,335,601	Regional and Local Roads Program		Pending	

Projects Deferred

Table 5 – Projects Deferred – Identifies projects with confirmed budgets in the 22-23 Capital Works Program that are required to be deferred. If there are any risks associated with their deferral they will be identified below.

Project	Budget	Reason for deferral	Risk
Kerb & Gutter – Queen St	\$55,000	Stormwater issues, requires additional budget	Medium – deterioration could cause further pavement damage
Footpath Replacement Program	\$90,000	Will be upgraded in Hospital Development	Nil
Kinghorne Street Rehab (Albert-Hoskins)	\$500,000	Budget to be used elsewhere	Nil

Projects Completed

Table 6 – Projects Completed – Identifies the projects that have been physically completed during the financial year. The project has been financially completed if Finalisation Document ID has been populated.

Project	Budget	Final Expenditure	Finalisation Document ID
Deterioration Works – Middle Arm Road	\$325,000	\$169,752	
Deterioration Works – Wollumbi Road	\$260,000	\$182,136	
Deterioration Works – Pomeroy Road	\$280,000	\$287,350	
Deterioration Works – Gurrundah Road	\$516,682	\$521,246	
Gravel Re sheeting – Merilla Lane	\$30,000	\$35,997	
Upgrade Zebra crossing – Deccan Street	\$160,000	\$151,861	
Bradfordville School Footpath	\$928,523	\$686,466	
LRCI Roberts park Landscaping	\$100,000	\$100,267	
Towrang Bridge Upgrade	\$4,153,000	\$3,568,613	
Carrick Road Bridge Upgrade	\$917,615	\$785,647	

17 CLOSED SESSION

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

RECOMMENDATION

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

17.1 Goulburn Mulwaree Award Working Party Minutes - 13 February 2023

This matter is considered to be confidential under Section 10A(2) - a 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 personnel matters concerning particular individuals (other than councillors).

17.2 Legal Options - St Johns Orphanage

This matter is considered to be confidential under Section 10A(2) - g 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

18 CONCLUSION OF THE MEETING

The Mayor will close the meeting.