

14.8 PUBLIC HEARING - COUNCIL LAND CLASSIFICATION**Author:** Ken Wheeldon, Business Manager Property & Community Services**Authoriser:** Warwick Bennett, General Manager**Attachments:** 1. Public Hearing Report - Reclassification of Various Lands [↓](#) 

Link to Community Strategic Plan:	CO2.3 - Planning for public spaces undertaken to reflect the growing community's needs. CO4.1 - Create a cultural environment that contributes socially and economically to the community. CL2.1 - Undertake community consultation in accordance with adopted Community Engagement Strategies
Cost to Council:	<ul style="list-style-type: none"> - \$3,168 (inclusive of GST) to engage an independent Chair for the public hearing to include preparation of Chair's report on outcome of the hearing. - Advertising 3 x Public Notices prior to the hearing - Advertising 1 x Public Notice after the hearing
Use of Reserve Funds:	Nil.

RECOMMENDATION

That:

1. The report from the Business Manager Property & Community Services on the Public Hearing – Council Land Classification be received.
2. 59-61 Hovell Street, Goulburn be re-classified as 'Operational' land under the *Local Government Act 1993* and arrangements commence for this land to be re-zoned from RE1 – Public Recreation to R1 – Residential.
3. 20 Hercules Street, Goulburn be re-classified as 'Operational' Land under the *Local Government Act 1993* and remain zoned as RU2 - Rural Landscape.
4. The intent of Council previous resolution be confirmed with regard to 30 Albert Street, Goulburn to be subdivided in half with the corner block continue to be classified as 'Community' land and under the *Local Government Act 1993* and remain zoned as RE1 - Public Recreation and the balance of the land be re-classified as 'Operational' land under the *Local Government Act 1993* and arrangements commence for this land to be re-zoned from RE1 – Public Recreation to R1 – Residential.
5. A public notice be advertised informing of Council's decision to re-classify 59-61 Hovell Street, Goulburn, part 30 Albert Street, Goulburn and 20 Hercules Street, Goulburn as 'Operational' land.
6. All submitters be advised of Council's decision and thanked for their input.
7. Private treaty negotiations commence with the owner of 18 Hercules Street to sell them 20

Hercules Street, Goulburn, subject to agreeing to pay the current market value and costs associated with registering a stormwater easement along the northern boundary with both parties to meet own legal fees.

8. Council seal be affixed to all documentation necessary to complete the sale of 20 Hercules Street, Goulburn.

BACKGROUND

The purpose of this report is to summarise the outcome of the public hearing into the proposed reclassification of various parcels of land under the *Local Government Act 1993*.

REPORT

At its meeting held on 20 November 2018, Council resolved to commence a public consultation process and public hearing process to re-classify the following properties from 'Community' land to 'Operational' land:

- 59-61 Hovell Street, Goulburn
- 20 Hercules Street, Goulburn and;
- approximately half of 30 Albert Street, Goulburn

A Public Hearing was held on 11 April 2019 and chaired by Stephen Richardson from Cowman Stoddart Pty Ltd who are town planning, agricultural and environmental consultants. The hearing was held following the publishing of 3 public notices, 1 media release and letters being sent to all property owners in the surrounding streets of each property that was the subject of the proposed re-classifications.

Following the hearing, Council staff have reviewed the attached Public Hearing Report prepared by the Chair and comment as follows;

1. A total of 28 people attended the hearing
2. A total of 13 verbal submissions and 5 written submissions were received. A number of the verbal submissions were also supported by written submissions
3. A total of 11 verbal submissions and 4 written submissions were made in relation to the Part 30 Albert Street, Goulburn reclassification proposal
4. A total of 2 verbal submissions and 1 written submission were made in relation to the 59-61 Hovell Street, Goulburn reclassification proposal.
5. No verbal or written submissions were made in relation to the 20 Hercules Street, Goulburn reclassification proposal.

In relation to 59-61 Hovell Street, Goulburn, the main concerns expressed were;

- The need for improved stormwater measures to be put in place if the 59-61 Hovell Street land at the rear of businesses in Finlay Road is developed as a residential estate in conjunction with Council's land at 49-57 Hovell Street. During the hearing it was communicated to attendees that Council would be engaging an independent town planning consultant to prepare a development application for a '*smart, well designed residential estate that would address stormwater and access requirements*'.
- Potential for noise complaints (from new residents if a new residential estate was established on this land) against businesses in Finlay Road that are currently zoned IN1 - General Industrial.

In relation to 20 Hercules Street, Goulburn, the adjoining property owner at 18 Hercules Street attended the hearing as he has previously expressed interest in acquiring 20 Hercules Street which he has maintained for decades (i.e. it is fenced off as part of his yard). Other than already

maintaining this parcel of land at his expense, he would also like to tidy up the title to his property to include 20 Hercules Street rather than his children having to resolve this at a later date.

Council has three options available for the sale of any of its properties. These are:

- Sale by Private Treaty
- Advertise Expressions of Interest
- Sale by Public Auction

Advantages and disadvantages associated with each of method of sale is summarised as follows:

METHOD OF SALE	ADVANTAGES	DISADVANTAGES
Private Treaty	<ul style="list-style-type: none"> • Vendor is in control of the selling process • Reduced advertising costs • Vendor is in control over the nature and type of industry, particularly in times of severe drought. • Have full knowledge and understanding of whom dealing with. • Performance measures can be included in contract of sale (inc Buy-Back Option) • Can ensure a desired level of employment generation • Can be used to maximise employment generation • Provides sufficient time for proposed purchaser to do their home-work • Most common method in the private sector • Reduces lengthy delays 	<ul style="list-style-type: none"> • There is no defined time limit on the sale. • Purchaser has a cooling-off period. • May not maximise sale price. • Can be viewed as not being an open and transparent method of sale.
Expressions of Interest	<ul style="list-style-type: none"> • Can selectively target certain industries deemed appropriate for the area/zoning. • Can be used to maximise employment generation • Vendor doesn't need to determine a price at the outset i.e. set by 	<ul style="list-style-type: none"> • Can limit the potential number of suitable purchasers. • May not maximise sale price. • Purchasers decide the market value.

	the market.	
Public Auction	<ul style="list-style-type: none"> • Intensive marketing takes place • There is a defined timeframe • There is a competitive element • A firm sale is achieved • May maximise sale price • Can be seen as a more open, transparent method of sale 	<ul style="list-style-type: none"> • Vendor pays advertising • Purchasers can be wary of the competitive element • No control over employment generation or lack of if land zoned appropriately. • Is appropriate for unique or high-demand properties only • No control over development taking place i.e. cannot include performance measures in contract depending on zoning of land • Reduced control over type of industry to be established if land zoned appropriately

Private Treaty and Expressions of Interest offer greater control over the outcome of a sale however these methods can result in a lower sale price and be perceived as less transparent. A Public Auction may maximise the sale price (especially if there are multiple buyers) and is clearly a transparent process.

However, given the current zoning of 20 Hercules Street (i.e. no dwellings can be built on it), its flooding potential, configuration and other land constraints, it only has nominal value (i.e. \$10,000 - \$15,000, subject to a market valuation). It is therefore more appropriate to negotiate a sale with the adjoining property owner at 18 Hercules Street. In addition, the other adjoining property owner (who owns all other parcels of land behind 20 Hercules Street) has written to Council advising they are not interested in acquiring 20 Hercules Street.

In relation to 30 Albert Street, Goulburn, in addition to the verbal and written submissions received on the proposal to re-classify and ultimately re-zone and subdivide half of it, many comments were made on social media opposing this proposal. During the hearing, it was communicated that should Council resolve to re-classify half of 30 Albert Street to 'Operational' land and subdivide/sell half of it, the proceeds of sale would be used to provide new, updated park equipment with remaining proceeds going towards continued improvements at Victoria Park. Although there was strong sentiments at the public hearings to retain the whole block, it still remains the opinion and advice of management to subdivide the block and develop a quality playground facility on the corner part and sell the balance. This will reduce the cost liability to Council of mowing and maintaining of excess land to the neighbourhood needs – remembering that Victoria Park with all its wonderful assets is well within easy walking distance

PUBLIC HEARING REPORT

Report on the outcome of Public Hearing into the Reclassification of Various Lands under the Local Government Act 1993

**Held at Goulburn Mulwaree Council Chambers
on 11th April 2019**

**Prepared for
Goulburn Mulwaree Council**

May 2019

COWMAN STODDART PTY LTD

EXECUTIVE SUMMARY

A Public Hearing was held on the 11th April 2019 in accordance with the provisions of Section 29 of the Local Government Act 1993 with respect to the reclassification of various parcels of land from "Community" land to "Operational" land within the Goulburn Mulwaree local government area.

The Public Hearing concerned the following matters:

- The reclassification of a portion of Part 30 Albert Street, Goulburn from "Community" land to "Operational" land; and
- The reclassification of all of 59 – 61 Hovell Street, Goulburn from "Community" land to "Operational" land; and
- The reclassification of 20 Hercules Street, Goulburn from "Community" land to "Operational" land.

This report details the results of the Public Hearing into the reclassification of these three parcels of land.

A total of 28 people attended the Public Hearing.

A total of thirteen (13) verbal submissions and five (5) written submissions were made in relation to the Public Hearing. It should be noted that a number of the verbal submissions were also supported by written submissions.

- Eleven (11) verbal submissions and four (4) written submissions were made in relation to the Part 30 Albert Street, Goulburn reclassification proposal;
- Two (2) verbal submissions and one (1) written submission were made in relation to the 59 – 61 Hovell Street, Goulburn reclassification proposal;
- No verbal or written submissions were made in relation to the 20 Hercules Street, Goulburn reclassification proposal.

The submissions made in relation to the Part 30 Albert Street reclassification proposal largely objected to this reclassification proposal (only one verbal submission did not specifically object to this reclassification proposal). In summary these submissions raised the following reasons for objecting to the reclassification of the Albert Street land:

- It was alleged that the Albert Street park is well utilised by residents from this neighbourhood. The park is frequented and used by people of all ages and for different purposes.
 - Young children walking to and from local public schools.

Report on Public Hearing
Executive Summary

- Young people use the park as a meeting place.
- Young families use the park for passive and active recreational pursuits.
- Older residents enjoy the quiet ambience of the park.
- The loss of open space areas such as the Albert Street park will hamper broader community objectives of reducing obesity by removing an open space used for active and passive recreation.
- Many submissions argued that the park would be better utilised if more facilities such as seating and tables or improved playground equipment were installed within the park.
- Submissions were made that small neighbourhood parks such as the Albert Street Park are an important oasis in the urban area:
 - They provide green space particularly as modern housing becomes larger on smaller blocks, leaving less private open space. Small public parks become more important for the physical and social fabric of the neighbourhood.
 - The provision of larger recreation facilities within larger parks often involves removal of trees and vegetation. Smaller parks such as the Albert Street park provide an opportunity to retain green spaces and trees with this City.
 - Smaller parks have environmental attributes as: potential habitat for local fauna (birds); a place where there are trees; and a place to provide a respite to “urban heat islands”.
- The Albert Street park provides social, cultural; and health benefits for a local neighbourhood, and the loss of such parks would have adverse impacts on the local community.
- Larger parks may not be within easy walking distance for young children, reducing accessibility for younger children to open space facilities. Smaller neighbourhood parks are within closer proximity for the recreational needs of younger children.
- The submissions did not support the reduction in area of the Albert Street park. Submissions argued the remaining “community” land would not be adequate to meet the recreational needs of the neighbourhood.
- Submissions also raised the historic basis for the original provision of the park by the Director of War Service Homes as a place “for public garden and recreation space”.
- Submissions also raised concerns that the loss of the Albert Street park would result in a loss of amenity to neighbouring dwellings.
- Submissions also objected to the sale of open spaces like Albert Street park as a means of improving Council’s fiscal situation; or to fund recreational facilities in other parts of the City.

Report on Public Hearing
Executive Summary

The submissions made in relation to the Hovell Street, Goulburn reclassification proposal did not raise objection to this reclassification proposal, but did raise issues of concern that should be taken into consideration by Council including:

- Concerns about future rezoning of land to residential and potential amenity conflicts between future residents with existing industrial zoned and developed land (General Industrial IN1) that directly adjoins the Hovell Street land.
- Concerns were also raised about existing stormwater drainage problems that the existing industrial properties located along Finlay Road experience from the stormwater flowing from the Hovell Street land. Future development of the Hovell Street land should not exacerbate existing stormwater problems, but rather should seek to alleviate this problem.
- Concern was also raised about poor vehicle access to the Hovell Street land, particularly the narrow laneways that adjoin this land.

No verbal or written submissions were made in relation to the reclassification proposal concerning 20 Hercules Street, Goulburn.

Pursuant to Section 47(G)(3) of the Local Government Act, no later than 4 days after Council has received this report of the results of the Public Hearing held in relation to the reclassification of these parcels of land; Council must make a copy of the report available for the inspection by the public within the local government area.

PUBLIC HEARING REPORT

Report on the Outcome of Public Hearing into the Reclassification of Various Lands under the Local Government Act 1993

Held at Goulburn Mulwaree Council Chambers
11th April 2019

Person presiding at Public Hearing:

Stephen Richardson, M. Appl. Sc., BTP (1st Class Hons),
Grad. Dip. Env. Management, RPIA
Town Planner and Director
Cowman Stoddart Pty Ltd

Our ref: 19/08

Report dated 1st May 2019

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Report on Public Hearing
Goulburn Mulwaree Council
Reclassification of Various Sites

1.0 INTRODUCTION

This report details the outcome of a Public Hearing held at Goulburn Mulwaree Council on the 11th April 2019. The Public Hearing concerned the reclassification of a number of parcels of Council owned land within the Goulburn Mulwaree local government area from "Community" land to "Operational" land under the Local Government Act 1993.

The Public Hearing was specifically concerned with the following matters:

- The reclassification of a portion of Part 30 Albert Street Goulburn from "Community" land to "Operational" land; and
- The reclassification of all of 59 – 61 Hovell Street Goulburn from "Community" land to "Operational" land; and
- The reclassification of 20 Hercules Street Goulburn from "Community" land to "Operational" land.

Sections 25 and 26 of the Local Government Act 1993 requires all land vested in a Council (except a road or land to which the Crown Lands Act applies) to be classified as either "Community" or "Operational". The purpose of classification is to identify clearly that land which should be kept for use by the general public (Community) and that land which need not (Operational).

"Community land" would ordinarily comprise land such as Public Parks. "Operational" land would ordinarily comprise: land held temporarily as an 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 garage).

The classification of land is normally undertaken by the preparation of a Local Environmental Plan or by a resolution of the council under sections 31, 32 or 33 of the Local Government Act.

The classification of land is entirely separate to the land use zonings that might apply to land under a Council's Local Environmental Plan.

The major consequence of classification is that it determines the ease or difficulty with which land may be alienated by sale, leasing or some other means.

Pursuant to Section 29 of the Local Government Act 1993 a council must arrange a Public Hearing where it seeks to reclassify "Community" land as "Operational" land.

Report on Public Hearing
Goulburn Mulwaree Council
Reclassification of Various Sites

2.0 THE RECLASSIFICATION PROPOSALS

The Public Hearing concerned the proposed reclassification of various parcels of land from “Community” land to “Operational” land under the Local Government Act 1993.

In summary the Public Hearing was concerned with the following matters:

- The reclassification of a portion of Part 30 Albert Street Goulburn from “Community” land to “Operational” land; and
- The reclassification of all of 59 – 61 Hovell Street Goulburn from “Community” land to “Operational” land; and
- The reclassification of 20 Hercules Street Goulburn from “Community” land to “Operational” land.

2.1 PART 30 ALBERT STREET, GOULBURN

This reclassification concerns Lot 45 DP 32090, Part 30 Albert Street Goulburn (the “Albert Street land”) (refer **Figure 1**). The land in total comprises an area of about 1726 m², however the reclassification proposal seeks to reclassify an area of 850 m² comprising the southern portion of this land (**Figure 2**). The remainder of the land would remain classified as “Community” land.

This land is presently zoned RE1 Public Recreation under the Goulburn Mulwaree Local Environmental Plan 2009 (refer **Figure 3**) and is classified as “Community” land under the Local Government Act.

The Albert Street land is a small park with a single swing set and several established trees. (refer **Plate 1**). The land is a corner allotment fronting Albert Street along its eastern frontage and Newton Street along its northern frontage. Dwelling houses are situated on adjoining parcels to the west and south.

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Figure 1: Aerial photograph depicting Part 30 Albert Street, Goulburn
(courtesy Nearmaps)

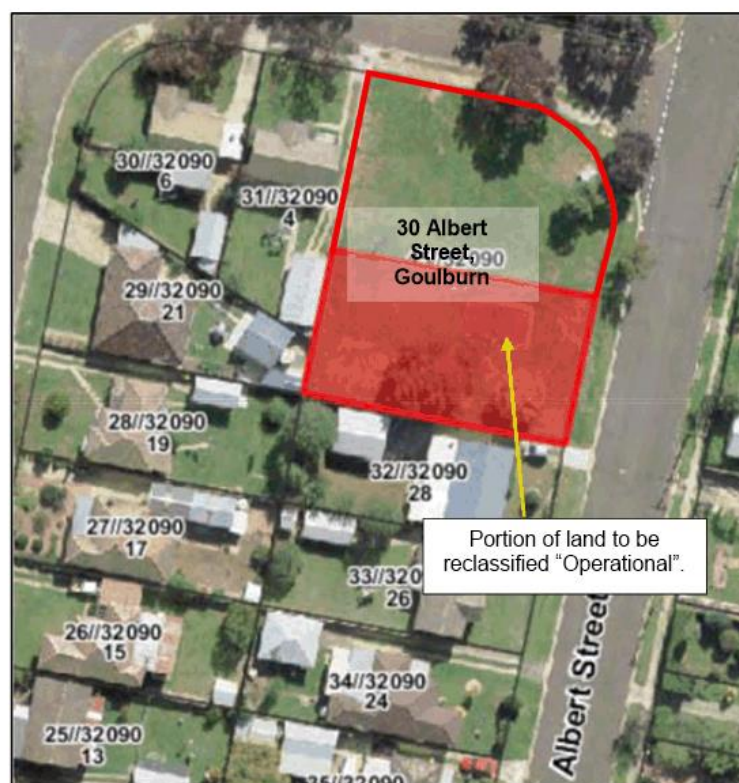


Figure 2: Land associated with reclassification of Part 30 Albert Street, Goulburn

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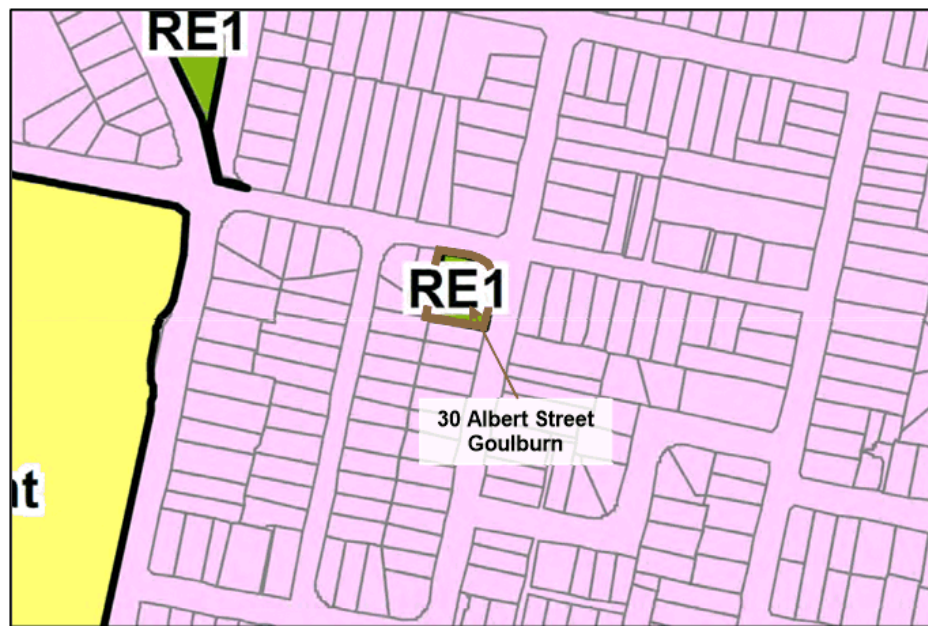


Figure 3: Zoning provisions applying to Part 30 Albert Street ,Goulburn under Goulburn Mulwaree LEP 2009.



Plate 1: View of Part 30 Albert Street Goulburn.

Report on Public Hearing
Goulburn Mulwaree Council
Reclassification of Various Sites

According to advice supplied by Council the Albert Street land was conveyed to the Council by Conveyance No 253 Book 2747 on 13 April 1965. The transferor was the Director of War Service Homes. The transferee was The Council of the City of Goulburn. The purpose of the conveyance was stated to be “for public garden and recreation space”. Deposited Plan 32090 was registered on 29 October 1965 and Lot 45 is shown on that plan as “public garden and recreation space.”

At that time the provisions of section 340A of the Local Government Act 1919 applied. Relevantly that section provided:

“340A Public garden and recreation spaces

- (1) *Where in the subdivision of land provision is made for public garden and recreation space, such space shall be conveyed or transferred to the council if the council at any time so requires ...”*

It is understood that Conveyance No 253 Book 2747 was made pursuant to that provision.

Council's justifies the reclassification of this land on the following basis:

“Council has been undertaking a Recreational Needs Strategy (draft currently on exhibition). The Strategy recommends that Council focus resources on the provision of regional recreational facilities such as the proposed upgrades to the aquatic centre, skate facilities and “rage cage” at Victoria Park. The Recreational Needs Strategy identifies some potential for rationalisation of local parks whilst maintaining parks within 5 minutes walking distance of residential areas (i.e. within 400 – 500m).

In this case, it is intended that half of the park be reclassified, rezoned to residential and sold to assist with the funding of regional recreational and community facilities. Half of the park is intended to be retained with the swings to be relocated or replaced with the retained portion. Therefore the provision of a local park in this location would continue with a reduced area.

It is noted that Victoria Park is approximately 650m away from the Albert Street Park and offers a larger recreational open space area.

Proposed New Zone:

R1 Residential”

2.2 NO. 59 – 61 HOVELL STREET, GOULBURN

This reclassification proposal involves Lot 8 DP 832816, 59 – 61 Hovell Street, Goulburn (the “Hovell Street land”) (refer **Figures 4 and 5**). This Hovell Street land comprises an area in total of 3.186 hectares. The reclassification proposal concerns the whole of this parcel of land.

Report on Public Hearing
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Reclassification of Various Sites

The Hovell Street land is presently zoned RE1 Public Recreation under the Goulburn Mulwaree Local Environmental Plan 2009 (refer **Figure 6**) and is classified as “Community” land under the Local Government Act.

The land is a “battle-axe” shaped allotment with road frontage to Hovell Street at its western frontage. The land is mainly vacant, cleared land (refer **Plate 2**), with some tree plantings along part of its southern boundary, and along its western boundary. The land is bound by industrial developments along its southern boundary (see **Plate 3**); residential development along its eastern boundary; two large lot residential properties along its northern boundary as well as undeveloped residential zoned land fronting Hovell Street.



Figure 4: Aerial photograph of 59 – 61 Hovell Street, Goulburn
(courtesy Nearmaps)

Report on Public Hearing
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Reclassification of Various Sites



Figure 5: Land associated with reclassification of 59 – 61 Hovell Street, Goulburn



Figure 6: Zoning provisions applying to 59 – 61 Hovell Street, Goulburn under Goulburn Mulwaree LEP 2009

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Reclassification of Various Sites



Plate 2: View of 59 – 61 Hovell Street, Goulburn.



Plate 3: View of industrial development along Finlay Street.
These industrial developments adjoin the Hovell Street land.

According to information supplied by Council this land was conveyed to the Council by Transfer dated 24 January 1979 registered R079857. The transferors were John Ross Overall, Dorothy Caroline Overall, John Albert Overall and Robert Charles Overall. The

Report on Public Hearing
Goulburn Mulwaree Council
Reclassification of Various Sites

transferee was The Council of the City of Goulburn. The consideration was payment by Council of the sum of \$41,500.00.

Council's justifies the reclassification of this land on the following basis:

"This site is identified in the draft Recreational Needs Strategy as being surplus to Council's recreational needs. The site is relatively large and is located on the southern fringe of the residential area in Goulburn. Other parks are within 5 minutes walking distance (Davies Crescent Park 298m and Eldon Park 578m).

It is intended that the land be reclassified, rezoned to residential and sold.

Proposed New Zone:

R1 Residential"

2.3 NO. 20 HERCULES STREET, GOULBURN

This reclassification concerns Lot 2 Section 9 DP 979849, 20 Hercules Street, Goulburn (refer **Figures 7 and 8**). This land comprises an area of 1012 m². The reclassification proposal concerns the whole of this parcel of land.

This land is presently zoned RU2 – Rural Landscape under the Goulburn Mulwaree Local Environmental Plan 2009 (refer **Figure 9**) and is classified as "Community" land under the Local Government Act.

This land is vacant land and appears to have been fenced off for many years and used by an adjoining property owner (**Plate 4**). A stormwater drain traverses the northern boundary of the land.



Figure 7: Aerial Photograph of 20 Hercules Street, Goulburn

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Reclassification of Various Sites



Figure 8: Land associated with reclassification of 20 Hercules Street, Goulburn

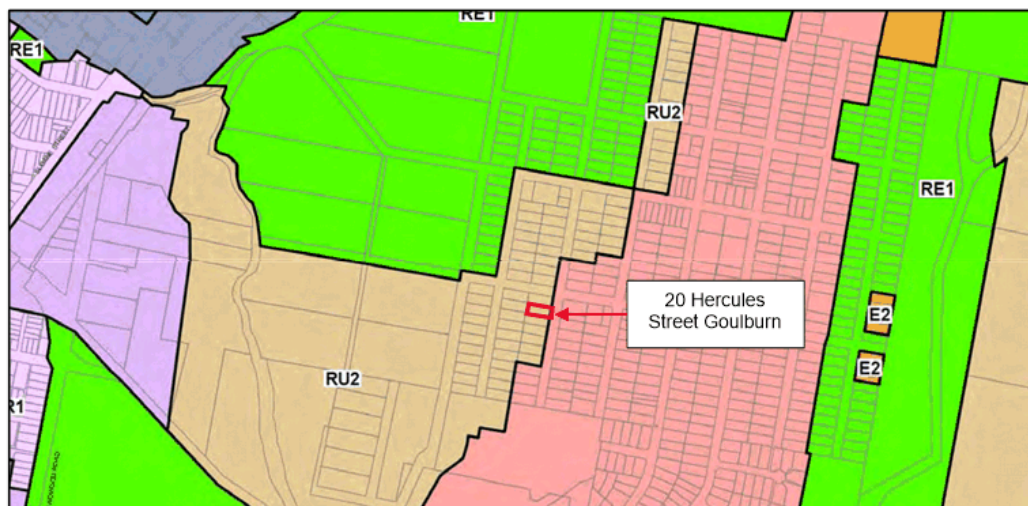


Figure 9: Zoning provisions applying to 20 Hercules Street, Goulburn under Goulburn Mulwaree LEP 2009

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Plate 4: View of 20 Hercules Street, Goulburn.

According to information supplied by Council this land was conveyed to the Council by Conveyance No. 919 Book 2237 dated 26 June 1952. The transferor was the Public Trustee. The transferee was The Council of the City of Goulburn.

The Conveyance states:

"whereas the said Council of the City of Goulburn in pursuance of section 602 of the Local Government Act 1919 duly applied to the Public Trustee to sell the lands hereinafter described under the provisions contained in the said act and whereas the amount of the improved value of the said land for the time being in force under the Valuation of Land Act 1916 (as amended by subsequent acts) is less than the total amount of the estimated fees and expenses of the Public Trustee on such sale and the rates and charges due to the said Council of the City of Goulburn now this deed witnesseth that in consideration of the sum of Ten Shillings paid by the said Council of the City of Goulburn to the Public Trustee (receipt whereof is hereby acknowledged) the Public Trustee in exercise of the powers conferred on him by Section 603A of the Local Government Act 1919 and of every other power in that behalf him hereunto enabling doth hereby convey unto the said Council of the City of Goulburn (the said land)."

Council justifies the reclassification of this land on the following basis:

"The land is currently within a rural zone and is not accessible to the public as it is fenced in with a private land holding. The site has not been identified as public recreational space (as there are larger park areas in close proximity – Eastgrove Park 287m and Carr Confoy Park 500m).

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The intention of this reclassification is to facilitate the sale of this site which is surplus to Council's recreational and operational needs. The land requires reclassification in order to be sold. Rezoning of this individual site is not considered appropriate without a review of the zoning for the whole precinct.

Proposed Zone:

No change – RU2 Rural Landscape"

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3.0 PUBLIC EXHIBITION

Public notices for the Public Hearing relating to the reclassification of these parcels of land was by Public Notices in the Post Weekly newspaper on the 14th March, 28th March and 4th April 2019.

A Media Release was also issued by Council on the 16th March 2019.

Copies of the Public Notices and Media Release are included as **Annexure 1** to this report.

Report on Public Hearing
Goulburn Mulwaree Council
Reclassification of Various Sites

4.0 PUBLIC HEARING

The Public Hearing was arranged pursuant to the provisions of Section 29 of the Local Government Act. The Public Hearing was held at the Goulburn Mulwaree Council Chambers, at Goulburn on the 11th April 2019 commencing at 6:00 pm.

Pursuant to Section 47G of the Local Government Act 1993, the person presiding at the Public Hearing, Mr Stephen Richardson of Cowman Stoddart Pty Ltd:

- (a) is not a Councillor or employee of Goulburn Mulwaree Council; and
- (b) has not been a Councillor or employee of Goulburn Mulwaree Council at any time during the 5 years before the date of his appointment as chair for these Public Hearing.

Section 47G of the Act requires the person presiding to report on the outcome of the Public Hearing. This report has been prepared in accordance with Section 47G of the Act.

Section 47G(3) of the Act, also requires that not later than 4 days after Council has received this report concerning the Public Hearing, Council must make a copy of the report available for inspection by the public at a location within the Council area.

The Public Hearing at Goulburn Mulwaree Council Chambers on the 11th April 2019 was attended by Mr Richardson (Chairman), Council staff – Brendan Hollands (Acting General Manager and Director of Corporate & Community Services) and Ken Wheeldon (Business Manager Property & Community Services)..

A register of people attending the Public Hearing was kept and shows 28 people in attendance. (A copy of this register is included as **Annexure 2** to this report.)

This hearing commenced at 6:00 pm and was completed by 7.15 pm.

A total of thirteen (13) individuals made verbal submissions at the hearing. The majority of submissions (eleven (11)) concerned the Albert Street land. Eleven (11) of these submissions raised objections or concerns to the reclassification of this land. Two (2) verbal submission was made in relation to the Hovell Street property; and no verbal submissions were made in relation to the Hercules Street property.

In addition to the verbal submissions, a total of eleven (11) written submissions were also made by the public to Council in response to the public notification of the Public Hearing prior to the Public Hearing taking place. Several of these written submissions were made by persons who also presented verbal submissions to the Public Hearing. Copies of these written submissions were supplied to the Public Hearing Chair prior to the meeting. Copies of the written submissions are included in **Annexure 3** to this report.

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These written submissions included ten (10) submissions concerning the reclassification of the land at Part 30 Albert Street, Goulburn; and one (1) submission concerning the reclassification of the land at 59 – 61 Hovell Street, Goulburn.

No verbal or written submissions were made in relation to the reclassification of 20 Hercules Street, Goulburn.

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5.0 ISSUES RAISED AT PUBLIC HEARING

The following section of the report provides a summary of the issues raised by the individual verbal and written submissions made to the Public Hearing. Also included are summaries of responses from Council staff made to specific verbal submissions where relevant.

5.1 PUBLIC HEARING ON 11TH APRIL 2019

5.1.1 Part 30 Albert Street, Goulburn

At the outset it should be noted that many people who made verbal submissions to the Public Hearing also made written submissions that were either supplied to Council prior to the Public Hearing or were supplied directly to me at the Public Hearing.

Public Submissions – Verbal

1. Linda Polosak 76 Verner Street, Goulburn

- Ms Polosak provided the Public Hearing with a written submission in support of her verbal submission.
- Objected to proposed reclassification of Albert Street land.
- Land was originally transferred to Council by the then Director of War Service Homes. The purpose of the conveyance stated at the time to be “for public garden and recreation space”. The Department of Veteran Affairs understood the importance of open spaces which could be enjoyed by all when they handed the land to Goulburn.
- Now more than ever before, local, safe open spaces for children and adults are needed, particularly with ever increasing number of houses being built on small blocks with little outdoor space.
- Understands that Council wants to use funds from sale of this land to compensate and redirect to provision of facilities in Victoria Park. However according to Ms Polosak not everyone wants to use Victoria Park and all its facilities. Many people want the quiet sanctuary of a small park.
- Following hottest summer on record, Ms Polosak is of the view that it is time council consider the effect of urban heat islands that cities and towns become with asphalt and buildings. Established parks in urban settings provide respite and should not be developed.
- Loss of open space also leads to loss of habitat.

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- In Ms Polosak's view we need more parks and open spaces not less. More money needs to be spent on this park not less.
- Ms Polosak advised when she moved to this area, her children used the park and that was over 30 years ago. Since then no maintenance or new facilities have been provided within this park.
- As a separate question Ms Polosak asked what was a "Rage Cage". (This was one of the projects currently planned for Victoria Park.)
- Ms Polosak also queried whether Council had an estimate of what financial return they expected to receive from the sale of part of the Albert Street land.

Brendan Holland (Council's Acting General Manager and Director of Corporate & Community Services) and Ken Wheeldon (Business Manager Property & Community Services) responded to these last two queries:

- *A "Rage Cage", which is being constructed in Victoria Park, will essentially be a fenced spaced where a variety of small scale sports can be played without impacting on surrounding areas of the park.*
- *At this point in time Council has not arranged any valuations in relation to the parcels of land the subject of the Public Hearing. Such would be premature as Council would need to proceed through a Planning Proposal process first to enable the planning provision of this land to be altered.*

2. Nikki Shepherd – 43 William Street, Goulburn

- Ms Shepherd provided the Public Hearing with a written submission in support of her verbal submission.
- Objected to proposed reclassification of Albert Street land.
- Green space is critical as it contributes to society's health and well-being.
- It is a valuable space for a number of purposes including: a place for picnics; kicking a ball; using the much loved and utilised swings; space for kids to run, explore and play; a place for Goulburn High School and MHS kids to "chill" and talk; a place for Wollondilly Public School kids to play on their way to and from school; dogs on leads are taken to this park; birds such as Plovers nest at this park every season and other fauna species inhabit this park.
- The green space is already very small. Developing half of it will destroy the quality of the space for the benefit of the local community.
- Part development or whole development of the park will devalue properties nearby and in the neighbourhood.

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- Ms Shepherd has taken her children to play at this park since they were small. Ms Shepherd's family including nephews, nieces, and her sister's mother-in-law (83 years of age Mrs Robin Cole, former Major Keith Cole's wife) have all used and still use and like to spend time in this park.
- Visually green space such as this park contributes to increased mental health and well-being. According to Ms Shepherd, the outer areas of Goulburn are losing its charm with new residential estate developments, which provide few green open spaces.
- According to Ms Shepherd, green spaces around the city need to be protected and even heritage listed as these spaces are not just of social significance, but also of physical and mental health, historical and cultural significance. Green spaces also contribute to supporting the vulnerable state of Goulburn flora and fauna biodiversity.
- This is a public green recreation space. According to Ms Shepherd, Goulburn has so much development currently taking over the outskirts of the city. Green spaces should not become more housing development. According to Ms Shepherd, it is bad for the general health and well-being of Goulburn's residents.
- If any further development were to happen at Albert Street park Ms Shepherd was of the view that it should enhance the health and well-being of the community by planting more shrubs and plants; providing another play area (like the one that has been constructed at Gibson Street park); public seating; an outdoor gym; perhaps picnic table; and BBQ. Any development at this park needs to make it a better green and recreation space.
- With the onset of climate change – existing green spaces need to be held onto.

3. Jenny Campton-Smith – 8 Kadwell Street, Goulburn

- Ms Campton-Smith provided the Public Hearing with a written submission in support of her verbal submission.
- Objected to proposed reclassification of Albert Street land.
- Ms Campton-Smith was appalled Council would countenance selling a green space especially considering increasing temperatures caused by climate change. According to Ms Campton-Smith we need all the green spaces we already have not less.

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- Ms Campton-Smith's children as well as other neighbourhood children all played in this park. The park is still a meeting place for people. Goulburn has a small number of parks throughout the City that provide the opportunity for children and adults to meet and play.
- Ms Campton-Smith does not support concentrating activities around Victoria and Belmore Parks. Ms Campton-Smith indicated that not everyone can or wants to go to larger parks. Only larger parks or those associated with organised sport appear safe from being sold off. The community should retain pockets of green space dotted around the City. The space is valuable as it is. If Council sees 'value' in terms of greater patronage then perhaps Council could install seating for people to use, to improve the use of the park.
- Ms Campton-Smith considers it is a sad day when 'value' to a community is only thought of in restricted terms. The value of parks should not be restricted to a monetary value. Rather such facilities were assets for the whole community.
- Ms Campton-Smith stressed she has never written to Council before about the sale of assets in the past. However, feels very strongly about the reclassification of this land, stating the idea of selling off any park is short sighted. In this day and age, a green space should never be surplus to community needs.
- Ms Campton-Smith was of the view that as no facilities like tables and chairs were provided in the park, and existing facilities were not upgraded or maintained, that the facilities were being deliberately run down to justify that people were not using the park.

4. Cameron Bell – 29 Albert Street, Goulburn

- Mr Bell supplied a written submission to Council prior to the Public Hearing.
- Raises objection to reclassification of this land.
- Mr Bell indicated that one of the reasons they originally purchased their house in this area was the local park, and remained one of the reasons why they enjoy living there.
- Selling public assets should not be solution to get council out of desperate financial situation.
- Parks are an important component of the city and increasingly becoming rare in this day and age.

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- Mr Bell indicates he has walked with his children to and from school through this park for 9 years (so far).
- During this time his children have: witnessed plovers raise chicks each year; played on the swings; been able to learn to kick a football; and summon the courage to climb a tree.
- He has observed the health benefits of having green space near his house.
- Mr Bell pleads that Council should think of local children and the well-being of the local community. Mr Bell requests that Council do not sell the park, because once it has gone it can never be got back.
- Mr Bell also raised concern with what would happen when the land was sold and it was developed. Raised concern about whether future development would be sympathetic to streetscape. Raised concern about other developments approved throughout the City.
- Observed that Council should not be selling off open space. Mr. Bell stressed that local children need outdoor space to provide opportunities for activities and to learn skills (such as kicking a football). Open space also provides opportunities for people to feel better and to be less depressed.
- Mr Bell raised the question as to what Council would do to raise funds once all the open space has been sold off.

5. Adrian Pfoeffer – 37 Albert Street, Goulburn

- Mr Pfoeffer supplied a written submission to Council prior to the Public Hearing.
- Raises objection to reclassification of this land.
- This land is a valued community open space that is used by local residents on most days, and especially during holiday times.
- The demographics of the area are changing. There are many young couples moving back into this area and the park will be used more frequently in the future by these young couples with their children. This open space will become better used as a result of changing demographics in this local area.
- Once open space is lost, it is gone forever.
- Reducing the area of the open space will not benefit the local community.
- The small amount of money that Council could get for this land is minuscule compared to the present and future value as open, green space. The park should be retained as open space.

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- Mr Poeffer enquired as to whether Council has investigated the amount of funds that would likely be raised from the sale of the land. He indicated that any funds obtained would be not be sufficient in his view to outweigh the benefit this park provides to the local community.

Ken Wheeldon (Business Manager Property & Community Services) responded to this query by stating that Council was only seeking to reclassify the land at present and had not investigated likely valuations for the land.

6. Patricia Barber – 3 Auburn Street Goulburn

- Raises objection to reclassification of this land.
- Raised concern about the lack of trees in Goulburn. Explained she had come from the Illawarra which was very green with trees.
- The development of infrastructure in Victoria Park (extensions to the Aquatic centre etc) according to Ms. Barber results in a reduction in green space in this park. Enquired about how much further green space would be lost in Victoria Park as a result of expansion of the Aquatic Centre for instance.
- As a result of loss of green space in larger parks, according to Ms. Barber smaller neighbourhood parks become more important as green spaces. Smaller parks also provide quiet spaces that larger parks do not provide.

Councillor and Mayor Bob Kirk addressed the point of extensions to the Aquatic Centre by indicating the extensions would generally be situated within the footprint of the existing centre.

At this point the Chair intervened indicating that the proposed extensions to the Aquatic Centre within Victoria Park fell outside the three matters the subject of the Public Hearing.

7. Lynne Makin – 29 Hoskin Street. Goulburn

- Raises objection to reclassification of this land.
- Resided in area for 42 years.
- Confirmed the park was used by the community. Ms Makin outlined her grandchildren visit and play in the park and stated the park is always in use.
- In Ms Makin's view the park would be better utilised if more equipment was installed in the park.
- According to Ms Makin not all people want to visit Victoria Park. Victoria park can be overwhelming. Victoria Park is not suitable for instance for older people according to Ms Makin – it is not necessarily a peaceful place.

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- People need a quiet place. People visit the park for different reasons. The park is used for instance by people with disabilities.
- The Albert Street park is well situated within proximity of 2 schools.
- The park could be improved with the installation of better equipment.

8. David Mullen – 26 Hurst Street, Goulburn

- Raises objection to reclassification of this land.
- Agreed with many of the issues raised by other submissions.
- Mr Mullen did not agree with reducing the size of the park by half.
- Rather Mr Mullen indicated consideration should be given to improving the facilities in the park and installing additional park equipment making it more useful.

9. Deputy Mayor Peter Walker – 43 William Street, Goulburn

- Did not state a position on this matter due to role in Council.
- Enquired as to whether there was a figure as to how much funds would be re-spent in Park following sale.

Ken Wheeldon (Business Manager Property & Community Services) responded to this query by stating that Council's resolution with respect to this matter does not go to this detail. Rather simply that Council has resolved that funds from the sale of part of the Albert Street park would be used to improve this park and other park lands.

10. Bob Lamb – Hamden Street, Goulburn

- Raises objection to reclassification of this land.
- Mr Lamb outlined that when he was younger he played sports in this park including cricket and football.
- Indicated there was a need to improve equipment within the park.

11. Kerry Lamb – Hamden Street, Goulburn

- Raises objection to reclassification of this land.
- Would like to see Council be more forward thinking by improving existing assets rather than stripping them away.
- Put more money in facilities like this park and more people will use it.
- In the past many sports used this park. If the park was better maintained and equipment installed its use would be improved.

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Public Submissions – Written

1. Natasha Boswell – 28 Albert Street, Goulburn

Ms Boswell made two separate written submissions, one attached to an email dated 14th March 2019 and the second in an email dated 27th March 2019 attached to which were a series of photos of the park and views from her premises of the park. The following is a summary of the issues raised by both submissions:

- Ms Boswell objects to reclassification of this land.
- Ms Boswell states she acquired her property on basis that the land adjoining her property was designated “public recreation” and was “Community land”.
- Ms Boswell states that if the reclassification proceeds the value of her property would depreciate. If this happens Ms Boswell states she will instigate legal action seeking compensation for “injurious affection” as a result of the decrease in sale value of her home having regard to section 55(f) of the *Land Acquisition (Just Terms Compensation) Act 1991*.
- Ms Boswell’s email submission dated 27th March 2019 included photographs of the park and views of the park taken from her residence. These photographs show the existing trees located within the park that Ms Boswell indicates would be removed with any future development of the land in question. Views from her residence of the park would also be lost should the land be sold for future development. The photographs supporting Ms Boswell’s submissions are included with her submission in **Annexure 3** to this report.
- Ms Boswell also objects to the reclassification of the land as the land in question is not vacant but is a public park and community ‘greenspace’. The park is used by the local community including local families and school children.
- Ms Boswell also questions whether funds obtained from the future sale of part of this public park will be used to fund other open space, but rather will be used for other unrelated purposes. Any funds gained from such a sale she indicates should be accountable in terms of its future expenditure.
- Ms Boswell also raises concern that the loss of small neighbourhood parks such as the Albert Street park will remove opportunities for active play and physical activity by children. Ms Boswell raises concern that consolidating recreational opportunities in larger parks at the expense of local neighbourhood parks will result in parks and recreational activities that are not within walking distance of where children live and they will not be able to visit such parks on a daily basis

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as they can with smaller neighbourhood parks. The loss of such parks will undermine attempts to encourage children to become more active.

- Ms Boswell also indicates that whilst the reclassification will involve only part of the park and therefore retaining part of the existing park for recreational purposes, the reduced area of the park will not be an adequate substitute for the current situation.

2. Kym Weeks (no address provided with email submission)

- Raises objection to reclassification of this land.
- This submission acknowledges that the reclassification concerns only part of the land – however states that this is not good enough.
- The author of this submission takes their grandchildren to the park so they can enjoy the space to run around. They also enjoy picnics in the park after school.
- Objects to Council taking away children's access to a park that is near a local primary school.
- No justification for loss of half a park so Council can sell the land.

3. Sarah Bell – 29 Albert Street, Goulburn

- Raises objection to reclassification of this land.
- Ms Bell advises she is an early childhood educator and can attest to benefits to children who have access to open space to promote physical learning through play. Accessible open space: promotes children's health; combats the obesity epidemic; allows children to engage in imaginative play either alone or with other children; helps children develop crucial social skills.
- Albert Street Park offers:
 - Convenient destination for mini-excursions for family day care children.
 - Pleasant place for local high and primary school students to meet or have a break and play on their walk to and from school.
 - Family with special needs child frequently uses park.
 - Children use park to walk dog.

4. Sam (no surname or address provided)

- Raises objection to reclassification of this land.
- Sam advises he has lived across the road from the Albert Street park since he was 1 years old and has grown up playing soccer and football with his friend and family in the park.

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- Sam states that he is now 14 and does not use the park all that often now but sees its benefit for younger children in the area.

5.1.2 No. 59 – 61 Hovell Street, Goulburn

Public Submissions – Verbal

1. Tim White – (Owns industrial property in Finlay Street, Goulburn)

- Did not specifically object to reclassification of land.
- Mr White raised concerns about future rezoning of land to residential and potential conflicts with existing industrial zoned and developed land (General Industrial IN1) that directly adjoins the Hovell Street land. Does not want to see future residential development occur within close proximity of industrial development with potential for future residents complaining about existing industrial uses. His land is zoned IN1 General Industrial which allows a range of industrial uses. These uses should not be frustrated by having residential development situated too close to industrial land.
- Mr White also raised concerns about existing stormwater drainage problems his land is already experiencing from the stormwater flowing from the Hovell Street land above his property. He would not want to see future development of the Hovell Street land exacerbate this stormwater problem.

2. Nick Dominis – 22 Sloane Street, Goulburn

- Did not specifically object to reclassification of land.
- Mr Dominis raised concern about poor vehicle access to land, particularly the narrow laneways that adjoins land. Sought advice as to whether Council had plans to improve access as part of proposal.

Ken Wheeldon (Business Manager Property & Community Services) responded to this query by stating that Council had no plans as of yet. That the current proposal involved only a reclassification of the land. Council would need to go through a Planning Proposal process which would need to address a range of issues including:

- *Vehicle access and in particular the adequacy of Sloane Street.*
- *Buffers to industrial zoned land.*

Public Submissions – Written

1. Craig Maddren – Signage One (no address provided with email submission)

- This submission does not raise objection to the reclassification of this land. Rather the submission raises several issues for Council's consideration.

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- If the land is sold for residential development Mr Maddren is concerned that this could adversely affect the business he operates from adjoining land. Mr Maddren is concerned that future residents may raise complaints about noise from machinery used in his business. At present he advises that this land provides a good buffer between industrial and residential development.
- Mr Maddren is also concerned that, alternatively, if the land is used for light industry that such could adverse impact upon the amenity of existing residents who had purchased their adjoining residential land on the basis that the subject land was community land and could not be built upon.
- Mr Maddren understands the need for council to sell the land as there is no park for children to use, it is just vacant land that Council is required to maintain. His main concern relates to Council's future intentions for the land and implications for neighbouring property owners.

5.1.3 No. 20 Hercules Street, Goulburn

Public Submissions – Verbal

There were no verbal submissions made at the Public Hearing in relation to the proposed reclassification of the Hercules Street land.

Public Submissions – Written

There were no written submissions made in relation to the proposed reclassification of the Hercules Street land.

Copies of all the written submissions are included within **Annexure 3** to this report.

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6.0 MAIN ISSUES

In summary, a total of thirteen (13) verbal submissions were heard and five (5) written submissions were made to the Public Hearing. It should be noted that a number of the verbal submissions to the Public Hearing were also supported by written submissions as well.

- Eleven (11) verbal submissions (including some supported by written submissions) and four (4) separate written submissions were made in relation to the Part 30 Albert Street, Goulburn proposal;
- Two (2) verbal and one (1) written submissions were made in relation to the 59 – 61 Hovell Street, Goulburn proposal; and
- No submissions were made in relation to the 20 Hercules Street, Goulburn reclassification proposal.

The following is a summary of the main issues that have arisen from the verbal submissions heard at the Public Hearing and written submissions made before the Public Hearing.

6.1 PART 30 ALBERT STREET, GOULBURN

The majority of submissions to the Public Hearing concern the proposed reclassification of the Albert Street land.

Of the 11 verbal submissions made in relation to this matter, all but one submission, raised objection to this reclassification proposal. The four (4) separate written submissions also objected to this reclassification proposal.

The main issues raised in objection to the reclassification of the Albert Street land included:

- The Albert Street Park is a well utilised park by residents from this neighbourhood. The park is frequented and used by people of all ages and for different purposes.
 - The park is used by young children particularly those walking to and from local public schools.
 - Young people use the park as a meeting place.
 - Young families use the park for recreation for passive recreation such as picnics, playing on the swings, or a general play area to more active pursuits such as playing cricket or kicking a football.
 - Older residents enjoy the quiet ambience of the park. A number of submissions raised concern that larger parks, such as Victoria Park, generate a lot of activities

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and can be quite busy and noisy. Parks such as the Albert Street Park provide a quieter alternative open space option for peace and contemplation.

- Submissions pointed out that the loss of open space such as the Albert Street park would hamper overall community aspirations of improving the health and reducing obesity by removal of an open space used for active and passive recreation.
- Many submissions argued that the park would be better utilised if more facilities such as seating or improved playground equipment were installed within the park.
- Submissions were made that small neighbourhood parks such as the Albert Street Park are an important oasis in the urban environment:
 - They provide a green space. Submissions noted that with modern housing becoming larger on smaller blocks, leaving less private open space, small public parks are becoming more important for the physical and social fabric of the neighbourhood.
 - Submissions also outlined that with the development of larger recreation facilities within larger parks involved removal of trees and vegetation. Smaller parks such as the Albert Street park provide an opportunity to retain green spaces and trees within this City.
 - Submissions also pointed out environmental values of small parks like Albert Street Park including: as potential habitat for local fauna (birds); a place where there are trees; and a place to provide respite from “urban heat islands”.
- Many submissions outlined that small parks like the Albert Street park provide social, cultural; and health benefits for a local neighbourhood, and the loss of such parks would have adverse impacts on the local community.
- Submissions raised concern that larger parks were not always within walking distance for young children. Consolidating recreational facilities in larger parks reduced accessibility for younger children to open space facilities. Such frustrates community attempts for children to become more active.
- The majority of submissions did not support Council's proposal to reclassify approximately half the Albert Street land “Operational” retaining a smaller park area as “Community” land. Submissions indicated that the remaining area would not be adequate to meet the recreational needs of the neighbourhood.

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- Submissions also identified the historic basis for the provision of the park. The purpose for the creation of the park originally by the Director of War Service Homes was stated to be “*for public garden and recreation space*”. Submissions identified the Department of Veteran Affairs appreciated the importance of open spaces which could be enjoyed by all when they handed the land to Goulburn.
- Submissions also pointed out the loss of the Albert Street Park would result in a loss of amenity to neighbouring dwellings. One submission in particular threatened to take legal action and potentially seek compensation for “Injurious affectation” and loss of amenity caused by the loss of the park adjacent to their property.
- A number of submissions objected to the sale of open spaces like Albert Street Park to improve Council’s fiscal situation; or to fund recreational facilities in other parts of the City.

6.2 NO. 59 – 61 HOVELL STREET, GOULBURN

Two (2) verbal and one (1) written submission were made in relation to this reclassification proposal.

These verbal and written submissions did not raise specific objection to the reclassification of the Hovell Street land; however, they did raise concerns that they wished to see addressed including:

- Concerns about future rezoning of land to residential and potential conflicts with existing industrial zoned and developed land (General Industrial IN1) that directly adjoins the Hovell Street land. Submissions did not want to see future residential development occur within close proximity of industrial development with potential for conflicts to arise between future residents and existing industrial land uses. The adjoining industrial lands are zoned IN1 General Industrial which allows a range of industrial uses. Submissions sought to ensure that existing and future industrial development should not be frustrated by having residential development situated too close to industrial zoned land.
- Concerns were also raised if in the alternative, the Hovell Street land was instead zoned industrial this could raise conflicts with the amenity of adjoining residential properties. (*According to Council’s Mr Wheeldon this concern however should not arise as Council does not intend to ‘rezone’ this land for industrial purposes.*)
- Concerns were also raised about existing stormwater drainage problems that the existing industrial properties situated along Finlay Road and below the Hovell Street

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land experience from the stormwater flowing from the Hovell Street land. Future development of the Hovell Street land should not exacerbate existing stormwater problems, but rather should seek to alleviate this problem.

- A submission also raised concern about poor vehicle access to land, particularly the narrow laneways that adjoins land.

6.3 NO. 20 HERCULES STREET, GOULBURN

No verbal or written submissions were made in relation to the Hercules Street land.

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7.0 CONCLUSION

A Public Hearing was held on the 11th April 2019 in accordance with the provisions of Section 29 of the Local Government Act 1993 with respect to the reclassification of various parcels of land from "Community" land to "Operational" land within the Goulburn Mulwaree local government area. .

The Public Hearing was concerned with the following matters:

- The reclassification of a portion of Part 30 Albert Street, Goulburn from "Community" land to "Operational" land; and
- The reclassification of all of 59 – 61 Hovell Street, Goulburn from "Community" land to "Operational" land; and
- The reclassification of 20 Hercules Street, Goulburn from "Community" land to "Operational" land.

This report details the results of the Public Hearing into the reclassification of these three parcels of land..

A total of 28 people attended the Public Hearing.

A total of thirteen (13) verbal submissions and five (5) written submissions were made in relation to the Public Hearing. It should be noted that a number of the verbal submissions were also supported by separate written submissions.

- Eleven (11) verbal submissions and four (4) written submissions were made in relation to the Part 30 Albert Street, Goulburn reclassification proposal;
- Two (2) verbal submissions and one (1) written submission were made in relation to the 59 – 61 Hovell Street, Goulburn reclassification proposal;
- No verbal or written submissions were made in relation to the 20 Hercules Street, Goulburn reclassification proposal.

The majority of the submissions made in relation to the Part 30 Albert Street reclassification proposal objected to this reclassification proposal (only one verbal submission did not specifically object to this reclassification proposal). In summary these submissions raised the following reasons for objection to the reclassification of the Albert Street land:

- The Albert Street land is utilised by residents from this neighbourhood. The park is frequented and used by people of all ages and for different purposes.
 - Young children walking to and from local public schools.
 - Young people use the park as a meeting place.

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- Young families use the park for passive and active recreation pursuits.
- Older residents enjoy the quiet ambience of the park.
- The loss of open space areas will hamper community objectives of reducing obesity by removing open space used for active and passive recreation.
- Many submissions argued that the park would be better utilised if more facilities such as seating and tables or improved playground equipment were installed within the park.
- Submissions were made that small neighbourhood parks such as the Albert Street Park are an important oasis in the urban area:
 - They provide a green space particularly as modern housing becomes larger on smaller blocks, leaving less private open space. Small public parks are important for the physical and social fabric of the neighbourhood.
 - The provision of larger recreation facilities within larger parks often involves removal of trees and vegetation. Smaller parks such as the Albert Street park provide an opportunity to retain green spaces and trees with this City.
 - Smaller parks have environmental attributes such as: potential habitat for local fauna (birds); a place where there are trees; and a place to provide a respite from “urban heat islands”.
- The Albert Street park provides social, cultural and health benefits for a local neighbourhood, and the loss of such parks would have adverse impacts on the local community.
- Concentrating recreational facilities in larger parks which may not be within walking distance for young children; reducing accessibility for younger children to open space facilities.
- The submissions did not support the reduction in area of the Albert Street park. According to many submissions the remaining “Community” land would not be adequate to meet the recreational needs of the neighbourhood.
- Submissions also identified the historic basis for the provision of the park by the Director of War Service Homes as a place “for public garden and recreation space”.
- Submissions also pointed out the loss of the Albert Street Park would result in a loss of amenity to neighbouring dwellings.
- Submissions also objected to the sale of open spaces like Albert Street Park to improve Council's fiscal situation; or to fund recreational facilities in other parts of the City.

The submissions made in relation to the Hovell Street, Goulburn reclassification proposal did not raise objection of this reclassification proposal but did raise issues that they considered should be taken into consideration by Council including:

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Reclassification of Various Sites

- Concerns about future rezoning of land to residential and potential conflicts arising between future residents and existing industrial zoned and developed land (General Industrial IN1) that directly adjoins the Hovell Street land.
- Concerns were also raised about stormwater drainage problems that the existing industrial properties fronting Finlay Road experience from stormwater flowing from the Hovell Street land. Future development of the Hovell Street land should not exacerbate existing stormwater problems, but rather should seek to alleviate this problem.
- Concern was also raised about poor vehicle access to the Hovell Street land, particularly the narrow laneways that adjoins this land.

No verbal or written submissions were made in relation to the reclassification proposal concerning 20 Hercules Street, Goulburn.

Pursuant to Section 47(G)(3) of the Local Government Act, no later than 4 days after Council has received this report of the results of the Public Hearing held in relation to the reclassification of these parcels of land; Council must make a copy of the report available for the inspection by the public within the local government area.



Stephen Richardson
Director and Town Planner
COWMAN STODDART PTY LTD

ANNEXURE 1

Public Notices and Media Release

**Public Notices
14th , 28th March 2019 and 4th April 2019**

Media Release dated 26th March 2019

**Public Hearing Report
11th April 2019**

COWMAN STODDART PTY LTD

4 POST WEEKLY Thursday March 14, 2019

Goulburn Mulwaree Council

Goulburn Mulwaree Council News
Website: www.goulburn.nsw.gov.au

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DEVELOPMENT PROPOSALS

Notice is given that Council has received the following development applications:
DA 0248/1819
Subject land: 5 Crundwell St, Goulburn
Proposal: Erection of new commercial shed
Applicant: Tim Lee Architects
Consent Authority: Goulburn Mulwaree Council
Submissions due: 5pm 15th March 2019

All information is available on our website under "On Exhibition." Please address any submissions to—Goulburn Mulwaree Council, Reference: Please use the DA/MOD number.

ClubGRANTS FUNDING AVAILABLE

Applications are now being accepted for funding from the ClubGRANTS Scheme 2019 Category 1 Funding.

Goulburn and district community organisations may apply for funding towards local community service needs and priorities from the ClubGRANTS scheme.

Category 1 Funding

At least 50% of funding from each club is to be allocated to "Category 1" projects.

Projects in the following categories qualify for Category 1 funding: Community welfare and social services; Community development; Community health services; Employment assistance activities.

Funding applications for programs, projects and services assisting people with disabilities, older people, people from non-English speaking backgrounds, Aboriginal and Torres Strait Islanders, women and young people are particularly encouraged.

Goulburn Mulwaree Council administers the ClubGRANTS Scheme locally on behalf of the Workers' Club and Soldiers' Club. The ClubGRANTS Committee will identify the local priorities from the applications received and make recommendations to participating ClubGRANTS Clubs.

How To Apply

- Please go to the ClubNSW website www.clubnsw.com.au for detailed information related to all aspects of ClubGRANTS Funding.
- An Application Form and copy of the Guidelines can be obtained from Goulburn Mulwaree Council's website www.goulburn.nsw.gov.au. Applicants are strongly encouraged to read the Guidelines prior to seeking funding.

For further information, please contact Debbie McCarthy at Goulburn Mulwaree Council on (02) 4823 4552 or email debbie.mccarthy@goulburn.nsw.gov.au

The closing date for applications is 5pm Thursday 18th April 2019

Weed control – Rural Roads and Playing Fields

Please be advised that Council will be undertaking weed control on the following rural roads during the month March 2019 period:

Middle Arm Road, Campbell's Lane, Rumana Road, Norwood Road, Marble Hill Road, Greys Road, McClellands Road, Kingsdale Road, Denny's Lane, Rhinno Arm Road, Glen Col Road, Mount Pedlar Road, Forest Siding Road, Bell's Lane, Troopers Way, Annes Lane, Tarago Road, Cowary Road, Highland Way, Mountain Ash Road, Windellama Road, Brisbane Grove Road, Bungendore Road, Gurrindah Road, Parkesbourne Road, Range Road and Currawang Road.

Glyphosate and/or selective chemical will be used as necessary to control various noxious weeds including St Johns Wort, Serrated Tussock, Blackberry and African Lovegrass.

Council will also be undertaking broad-leaf and general weed control on various sports fields and reserves including but not limited to **walking track, Carr Craggy Oval, Apex Park BMX Track, O'Brien Park, Manfred Park, Marsden Vale, Eastgrove South, North Park, Hudson Oval, Pell and Seiffert Ovals, Cooksbourne, Council Dog Parks, City Rose Gardens, Goulburn CBD, median strips and rural villages.**

Glyphosate and/or selective herbicides will be used appropriate to the weed and the situation.

For more information, please contact Council's Parks Coordinator at Councils operations Department on 48 234 818 or via email to christopher.tustin@goulburn.nsw.gov.au

Notice of Public Exhibition: Proposed Road Naming

Council gives public notice of the proposal to name a Crown Lane adjoining a property at Bulls Pt Road, Brayton. The proposed road name is: **Knowledge Lane**

Submission Details

The draft proposal, including a map showing the location of the proposed road, will be on display from 21 February 2019 to 21 March 2019 at the Customer Service Area, Goulburn Civic Centre, 184-194 Bourke Street, Goulburn between the hours of 8:30am and 5pm Monday to Friday or available on Council's website.

Council is seeking community comment on the proposed road names. All interested persons are invited to inspect the exhibited documents and make written submissions (email acceptable) with respect to the proposal. All submissions must be received by 5pm, Thursday 21 March 2019.

Submissions may be submitted via email to property@goulburn.nsw.gov.au, or by post to: The Property Coordinator, Goulburn Mulwaree Council, Locked Bag 22, GOULBURN NSW 2580. Reference: Resolution 2018/4

Contact Details

To find out more about the proposal please contact The Property Coordinator on (02) 4823 4444.

POSITIONS VACANT

Executive Assistant - Utilities

Provide executive support to the Director Utilities and the wider directorate.

Commencing Salary \$1,339.50 to \$1,507.85 per week, plus 9.5% superannuation.

Applications close 18 March 2019 at 5pm

PUBLIC HEARING – COUNCIL LAND CLASSIFICATION

A Public Hearing will be held to consider reclassifying the following parcels of public lands from "Community" land to "Operational" land under the Section 29(1) of the Local Government Act 1993:

Land: Part 30 Albert Street, Goulburn.
Zoning under LEP: RE1 Public Recreation
Legal Description: Lot 45 in DP 32090.

Land: 59-63 Howell Street, Goulburn
Zoning under LEP: RE1 Public Recreation
Legal Description: Lot 8 in DP 832616

Land: 20 Hercules Street, Goulburn
Zoning under LEP: RU2 Rural Landscape
Legal Description: Lot 2 Section 9 in DP 979849

Public Hearing

The Public Hearing will be chaired by an independent person:

Date: Thursday 11 April 2019

Time: 6pm

Location: Council Chambers, 184-194 Bourke Street, Goulburn NSW 2580

If you wish to make a verbal submission to the public hearing:

- Phone Council's Property Coordinator on (02) 4823 4509 before 9 April 2019
- Email council@goulburn.nsw.gov.au before 9 April
- If you are unable to attend the public hearing and have not already made a submission during the public exhibition period, you can email your submission to council@goulburn.nsw.gov.au before 9 April 2019

The independent chair will prepare and present a report on the outcomes of the public hearing regarding the proposed change in classification of the subject lands to Council. A copy of the independent chair's report will be made available on Council's website www.goulburn.nsw.gov.au following its presentation to Council.

Pursuant to Section 101 of the Environmental Planning and Assessment Act, 1979:

The following approvals have been determined. The approvals listed below are available for public inspection, free of charge, ordinary office hours at Goulburn Mulwaree Council's Customer Service Centre, 184-194 Bourke Street.

APPROVED – January 2019

DA/0081/1819	95 Auburn Street, GOULBURN	Replace an existing sign at the site store
DA/0117/1819	19 Cook Place, BUNGONIA	Construction of a single storey dwelling
DA/0115/1819	42 Clyde Street, GOULBURN	Retrospective development application for structure (studio and shed) that has been
DA/0190/1819	70 Gullerston Way, GOULBURN	Construction of 2 semidetached dwellings
DA/0173/1819	87 Scone Street, GOULBURN	Construction of a shed with bathroom
DA/0174/1819	19 Goulburn Street, MARULAN	3 lot subdivision
DA/0178/1819	67 Kingsdale Road, KINGS DALE	Construction of a single storey dwelling and existing dwelling to secondary dwelling
DA/0175/1819	124 Verner Street, GOULBURN	Construction of a steel framed shed
DA/0180/1819	28 Crestwood Drive, GOULBURN	Garageport (garage and car port)
DA/0181/1819	3 Galahar Place, GOULBURN	Additions to existing dwelling to create a new and new carport
DA/0183/1819	6 Cottonwood Avenue, GOULBURN	Construction of a two storey dwelling
DA/0191/1819	14 Duke Street, GOULBURN	Extension and roofed pergola
DA/0192/1819	314 Mulwaree Street, TARAGO	Construction of a single storey dwelling and
DA/0193/1819	327 Rosemont Road, GUNDARY	Relocated dwelling
DA/0197/1819	2 Loosely Avenue, MARULAN	Car shed 1x1 to be built on property
DA/0198/1819	622 Thornford Road,	Construction a single storey colourbond dw
DA/0301/1819	330 Run-O-Waters Drive, RUN O	Construction of 2x carports and 2x shed
DA/0202/1819	3 Kingsfisher Road, GOULBURN	Construction of a shed
DA/0203/1819	72 Mulwaree Street, TARAGO	Construction of a single storey dwelling
DA/0206/1819	1 Riverview Place, GOULBURN	Construction of a single storey dwelling
DA/0210/1819	80 Mistral Park Road, GOULBURN	Construction of a single storey dwelling
DA/0211/1819	58 Mistral Park Road, GOULBURN	Construction of a single storey dwelling
DA/0212/1819	34 Mistral Park Road, GOULBURN	Construction of a single storey dwelling
DA/0214/1819	10-14 Memorial Road, GOULBURN	Upgrade boundary fence to 2.4m high security fence
DA/0215/1819	70 Mulwaree Street, TARAGO	Construction of a single storey dwelling
DA/0216/1819	82 Huxtable Place, GOULBURN	Construction of 6000/6000 colorbond shed
DA/0217/1819	153 Red Hills Road, MARULAN	Construction of in-ground fiberglass swimming pool
DA/0446/1516	35 Ada Street, GOULBURN	Two detached dual occupancy dwellings
CD/0077/1819	49 Quail Street, GOULBURN	Dwelling alterations and additions
CD/0041/1819	199 Parkesbourne Road, YARRA	In ground fiberglass swimming pool
CD/0043/1819	3 Vendetta Street, GOULBURN	Construction of a single storey dwelling
CD/0045/1819	12 Voyager Avenue, GOULBURN	Construction of a single storey dwelling
CD/0046/1819	8 Huxtable Place, GOULBURN	Proposed principal & secondary dwelling
CD/0048/1819	11 Cottonwood Avenue, GOULBURN	Construction of a single storey dwelling
CD/0050/1819	5 Voyager Avenue, GOULBURN	Construction of a single storey dwelling
CD/0051/1819	24 Morris Place, MARULAN	Construction of a single storey dwelling
CD/0057/1819	49 Quail Street, GOULBURN	Dwelling alterations and additions

Public Exhibition – Proposed Air Quality Monitoring Station -Leggett Park, Goulburn

Pursuant to Clause 47A of the Local Government Act 1993, notice is hereby given that Council is proposing to install a Leggett Park to the Office of Environment and Heritage for the purposes of installing and operating a Quality Monitoring Station.

The NSW Air Quality Monitoring Network is operated by NSW Office of Environment and Heritage (OEH) to help the community with accurate, real-time air quality data and information via the OEH website.

The location of the Station (proposed station footprint 5.2m x 5.2m) details of the proposed lease are as follows:

- Lease to: Office of Environment and Heritage
- Purpose: To install and operate an Air Quality Monitoring Station
- Area: Northern portion of Leggett Park
- Term of Lease: 5 years with a 5 year renewal option.

The proposal may be inspected at the Customer Service Counter, Goulburn Civic Centre, 184-194 Bourke Street, Goulburn, during business hours or through <http://www.goulburn.nsw.gov.au>.

Any person may, during the period of twenty eight (28) days from this notification, make written submission opposing the proposal to Council by 5:00 pm on Thursday, 28 March 2019. Submissions can be emailed to property@goulburn.nsw.gov.au or sent to Locked Bag 22, Goulburn NSW 2580. If a submission includes objection to the proposal, the grounds of objection must be specified.

Any submissions made will be collected for reporting and could form part of a report available to the public. Further information, please do not hesitate to contact Council's Business Manager Property & Community Services Ken Wheelton on 4823 4484.

4 POST WEEKLY Thursday March 28, 2019
goulburnpost

WHAT'S ON

goulburnpost.com.au/entertainment

GOULBURN NSW SENIORS TENNIS TOURNAMENT

On Friday, March 29 to Sunday, March 31, Goulburn Railway Tennis Club and the Goulburn Tennis Club. Telephone: 0418 162 252

All players are required to be a member of Tennis Seniors Australia.

THE ART OF AGEING

From Friday, March 29 to Saturday, May 11, Goulburn Regional Art Gallery. Admission: free. Telephone: 4823 4434

This exhibition presents the work of five photographers, each from a regional city in New

South Wales, exploring, turning and flipping the idea of seniority.

HSRCA AUTUMN FESTIVAL OF HISTORIC MOTORSPORT

On Saturday, March 30, 9am-3pm and Sunday, March 31, 9.15pm to 5pm, Wakefield Park. Telephone: 9988 4743

There'll be a wonderful field of historic cars, including sports, racing and touring cars from the '30s to the '90s, driven with verve and vigour around the classic countryside circuit.

MARKET IN TARAGO

On Saturday, March 30, 9am-2pm, Tarago

Town Hall. Admission: Gold coin donation. Telephone: 0429 200 458

Some of your old favourite stall holders will be returning as well as some exciting new ones! Music, food, coffee, shopping and friends!

HAULIN' THE HUME


On Saturday, March 30, 10am-2.30pm, Goulburn Recreational Area. Admission: free. Telephone: 0459 991 929

An incredible display of historic commercial vehicles will be available for viewing for a short time. We will be raising funds for ASPECT Autism Spectrum Australia.

Listings: goulburnaustralia.com.au



Play a bit of tennis at the Goulburn Seniors Tennis Tournament.



Goulburn Mulwaree Council News

Website: www.goulburn.nsw.gov.au

LIKE US ON

FACEBOOK!

DEVELOPMENT PROPOSALS

Notice is given that Council has received the following development applications:

DA 0252/1819

Subject land: 12 Copford Road, Goulburn

Proposal: Change of use for premises to general industry.

Applicant: CPC Land Development Consultants Pty Ltd

Consent Authority: Goulburn Mulwaree Council

Submissions due: 5pm 4th April 2019

All information is available on our website under "On Exhibition." Please address any submissions to: Goulburn Mulwaree Council, Reference: Please use the DA/WD number.

PUBLIC HEARING – COUNCIL LAND CLASSIFICATION

A Public Hearing will be held to consider reclassifying the following parcels of public lands from "Community" land to "Operational" land under the Section 28(3) of the Local Government Act 1993:

Land Part 30 Albert Street, Goulburn.

Zoning under LEP: RE1 Public Recreation

Legal Description: Lot 45 in DP 32090

Land 39-61 Howells Street, Goulburn

Zoning under LEP: RE1 Public Recreation

Legal Description: Lot 8 in DP 832816

Land 20 Hercules Street, Goulburn

Zoning under LEP: RU2 Rural Landscape

Legal Description: Lot 2 Section 9 in DP 973849

Council already owns each of the parcels of land the subject of this re-classification.

Part 30 Albert Street was transferred to Council by the then Director of War Service Homes on the 13 April 1965. The purpose of the conveyance was stated at that time to be "for public garden and recreation space".

59-61 Howells Street was acquired by Council by Transfer dated 24 January 1979. No purpose was identified for this acquisition at that time.

20 Hercules Street was transferred to Council from the Public Trustee on 26 June 1952. No purpose was identified for the transfer of this land at that time.

The major consequence of classification is that it determines the ease or difficulty with which land may be alienated by sale, leasing or some other means. That is to say the reclassification of the Albert and Howells Street properties in particular will remove their public reserve status and they will be no longer be protected under the Local Government Act from potential future sale once they have been reclassified to operational.

Council considers these parcels of land have no strategic or operational value to the future growth or livability of the region. The reclassification of these parcels of land to "operational" will enable Council to dispose of these properties by sale which will present an opportunity for Council to consolidate assets and utilise sale proceeds to fund much need community capital projects.

There are no interests to be discharged for any of these parcels of land. Interest refers to property ownership as well as rights and privileges affecting land, such as leasehold, easements and covenants and mortgages. Council does however intend to register a 1m easement for stormwater purposes over 20 Hercules Street.

Public Hearing

The Public Hearing will be chaired by an independent person: **Date:** Thursday 11 April 2019

Time: 5pm **Location:** Council Chambers, 384-384 Bourke Street, Goulburn NSW 2580

If you wish to make a verbal submission to the public hearing you can do this via

- Phone Council's Property Coordinator on (02) 4823 4509 before 9 April 2019
- Email council@goulburn.nsw.gov.au before 9 April

The independent chair will prepare and present a report on the outcome of the public hearing regarding the proposed change in classification of the subject lands to Council. A copy of the independent chair's report will be made available on Council's website www.goulburn.nsw.gov.au following its presentation to Council.

Code of Conduct Policy

Council, at its meeting on 19 March 2019 considered the Draft Code of Conduct Policy and resolved to place this Policy on public exhibition. Copies of this Policy are available from the Customer Service desk in the Civic Centre, the Goulburn Branch Library or from Council's website: www.goulburn.nsw.gov.au

Submissions on the Draft Code of Conduct Policy are invited and will be received up to close of business on 24 April 2019. For submissions to be considered, they must be addressed to Council's Business Manager Governance with the subject line: Submission – Draft Code of Conduct Policy

- Email to: council@goulburn.nsw.gov.au
- Mail to: Locked Bag 22, Goulburn NSW 2580

Please note submissions cannot be kept confidential and may be included in a Council report. For more details, please call Council on 02 4823 4444.

Code of Meeting Practice Policy

Council, at its meeting on 19 March 2019 considered the Draft Code of Meeting Practice Policy and resolved to place this Policy on public exhibition. Copies of this Policy are available from the Customer Service desk in the Civic Centre, the Goulburn Branch Library or from Council's website: www.goulburn.nsw.gov.au

Submissions on the Draft Code of Meeting Practice Policy are invited and will be received up to close of business on 24 April 2019. For submissions to be considered, they must be addressed to Council's Business Manager Governance with the subject line: Submission – Draft Code of Meeting Practice Policy

- Email to: council@goulburn.nsw.gov.au
- Mail to: Locked Bag 22, Goulburn NSW 2580

Please note submissions cannot be kept confidential and may be included in a Council report. For more details, please call Council on 02 4823 4444.

ClubGRANTS FUNDING AVAILABLE

Applications are now being accepted for funding from the ClubGRANTS Scheme 2019 Category 1 Funding.

Goulburn and district community organisations apply for funding towards local community needs and priorities from the ClubGRANTS scheme.

Category 1 Funding

At least 50% of funding from each club is allocated to "Category 1" projects.

Projects in the following categories qualify for Category 1 funding: Community welfare and services; Community development; Community health services; Employment assistance activities.

Funding applications for programs, projects, services assisting people with disabilities, people from non-English speaking backgrounds, Aboriginal and Torres Strait Island women and young people are particularly encouraged.

Goulburn Mulwaree Council administers ClubGRANTS Scheme locally on behalf of Workers' Club and Soldiers' Club. The ClubGRANTS Committee will identify the local priorities for applications received and make recommendations to participating ClubGRANTS Clubs.

How To Apply

- Please go to the ClubNSW website www.clubnsw.com.au for detailed information related to all aspects of ClubGRANTS Funding.
- An Application Form and copy of the Guidelines can be obtained from Goulburn Mulwaree Council's website www.goulburn.nsw.gov.au

Applicants are strongly encouraged to read the Guidelines prior to seeking funding.

For further information, please contact Debbie McCarthy at Goulburn Mulwaree Council on (02) 4823 4552 or email debbie.mccarthy@goulburn.nsw.gov.au

The closing date for applications is 3pm Thursday 18th April 2019

REQUESTS FOR TENDER

171870017 Seiffert Oval Lighting Upgrade

Goulburn Mulwaree Council is seeking tenders from suitably qualified companies to design and construct an upgraded lighting system to Seiffert Oval Sporting Fields in Goulburn.

Tenders close promptly at 2pm on Tuesday, 16 April 2019

181970016 Walkway Walking Track Solar Lighting

Goulburn Mulwaree Council is seeking tenders from suitably qualified companies to supply and deliver of 140 solar powered LED path lights and mounting poles.

Tenders close promptly at 2pm on Tuesday, 16 April 2019

181970011 Hydro Vacuum Excavation Truck

Goulburn Mulwaree Council is seeking tenders from suitably qualified companies to supply a Hydro Vacuum excavation truck, poles.

Tenders close promptly at 2pm on Tuesday, 16 April 2019

For all three of these projects tender documents are available from, and responses are to be submitted at, www.tenderlink.com.au/goulburn. All enquiries are to be submitted via the Tenderlink forum.

Public Exhibition Notice – Planning Proposal

In accordance with Schedule 1 Clause 4 of the *Environmental Planning and Assessment Act 1979* Goulburn Mulwaree Council hereby gives public notice of the exhibition of a planning proposal **745 Crookwell Road, Kingsdale (Lot 16 DP 10699310)** to amend the Goulburn Mulwaree Local Environmental Plan 2009 to permit a restaurant or cafe as an additional permitted use under Schedule 1 (Note: this will only apply to the subject land).

Exhibition details:

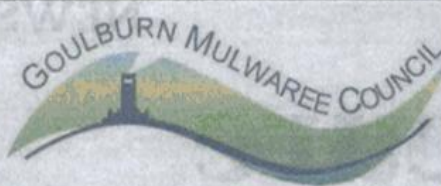
The planning proposal and supporting information will be on public exhibition from **Thursday 28 March 2019 until close of business Friday 26th April 2019**. It will be available to view at the Civic Centre (184 Bourke Street Goulburn), the Goulburn Mulwaree Library or at www.goulburn.nsw.gov.au

Submissions shall be made in writing addressed to the General Manager, including the planning proposal number (REZ/D002/1718) and can be lodged in person at the Civic Centre, via post to Locked Bag 22 Goulburn, NSW, 2580 or emailed to council@goulburn.nsw.gov.au

Please note, submissions may be made public in accordance with the *Government Information (Public Access) Act 2009* including both the substance of the submission and the identity of the author. Submissions will potentially be provided or published in Council reports and correspond on Council's website, to government agencies, in court proceedings or to any person seeking a review. The onus is on anyone making a submission to include with their submission advice if they have made any political donations within the last two (2) years.

Contact Details:

If you would like to speak with a Council officer about the proposed amendment, please contact Council's Strategic Planning Team on (02) 4823 4444 during business hours.



Goulburn Mulwaree Council News

Website: www.goulburn.nsw.gov.au

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DEVELOPMENT PROPOSALS

Notice is given that Council has received the following development applications:

DA 0279/1819

Subject land: 138 Clyde Street, Goulburn

Proposal: 7 Lot Staged Subdivision

Applicant: Landteam

Consent Authority: Goulburn Mulwaree Council

Concurrence Authorities: Water NSW

Submissions due: 5pm 18th April 2019

DA 0291/1819

Subject land: 74 Clinton Street, Goulburn

Proposal: Demolition of above ground structures (former service station, canopy, associated buildings), removal of underground fuel storage, and remediation works.

Applicant: GHD Pty Ltd

Consent Authority: Goulburn Mulwaree Council

Concurrence Authorities: Water NSW

Submissions due: 5pm 18th April 2019

All information is available on our website under "On Exhibition." Please address any submissions to— Goulburn Mulwaree Council, Reference: Please use the DA/MOD number.

POSITIONS VACANT

Senior Lifeguard

Commencing salary between \$986.90 - \$1,110.80 per week.

Applications close 8 April 2019 at 5pm.

Water Quality Officer

Commencing salary between \$1,339.50 - \$1,507.85 per week.

Applications close 15 April 2019 at 5pm.

Team Leader Marketing (Fixed Term)

Commencing salary between \$1,339.50 - \$1,507.85 per week.

Applications close 15 April 2019 at 5pm.

Business Manager Design & Asset Management
Commencing salary between \$138,465 - \$155,841 per annum, inclusive of 9.5% superannuation and 3.5% Civil Liability allowance.

Applications close Monday, 22 April 2019 at 5pm.

Further information: www.goulburn.nsw.gov.au

Expression of Interest Number 1819E2003 – Australian Blues Music Festival (2020-2024)

Goulburn Mulwaree Council is seeking Expressions of Interest from individuals or an organisation to undertake the organisation and management of the Australian Blues Music Festival for a period of five years (2020-2024 Festivals).

The Request for Expression of Interest can be found at:

<https://www.goulburn.nsw.gov.au/Information/EOI1819E2003-Australian-Blues-Music-Festival-2020-2024.aspx>

Enquiries regarding the Expression of Interest can be made by contacting Debbie McCarthy on (02) 4823 4552.

EOI closes 2pm Tuesday 30 April 2019.

REQUESTS FOR TENDER

1718T0017 Seiffert Oval Lighting Upgrade

Goulburn Mulwaree Council is seeking tenders from suitably qualified companies to design and construct an upgraded lighting system to Seiffert Oval Sporting Fields in Goulburn.

Tenders close promptly at 2pm on Tuesday, 16 April 2019

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Tenders close promptly at 2pm on Tuesday, 16 April 2019

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Zoning under LEP: RE1 Public Recreation

Legal Description: Lot 45 in DP 32090.

Land: 59-61 Hovell Street, Goulburn

Zoning under LEP: RE1 Public Recreation

Legal Description: Lot 8 in DP 832816

Land: 20 Hercules Street, Goulburn

Zoning under LEP: RU2 Rural Landscape

Legal Description: Lot 2 Section 9 in DP 979849

Council already owns each of the parcels of land the subject of this re-classification.

Part 30 Albert Street was transferred to Council by the then Director of War Service Homes on the 13 April 1965. The purpose of the conveyance was stated at that time to be "for public garden and recreation space".

59-61 Hovell Street was acquired by Council by Transfer dated 24 January 1979. No purpose was identified for this acquisition at that time.

20 Hercules Street was transferred to Council from the Public Trustee on 26 June 1952. No purpose was identified for the transfer of this land at that time.

The major consequence of classification is that it determines the ease or difficulty with which land may be alienated by sale, leasing or some other means. That is to say the reclassification of the Albert and Hovell Street properties in particular will remove their public reserve status and they will be no longer be protected under the Local Government Act from potential future sale once they have been reclassified to operational.

Council considers these parcels of land have no strategic or operational value to the future growth or liveability of the region. The reclassification of these parcels of land to 'operational' will enable Council to dispose of these properties by sale which will present an opportunity for Council to consolidate assets and utilise sale proceeds to fund much need community capital projects.

There are no interests to be discharged for any of these parcels of land. Interest refers to property ownership as well as rights and privileges affecting land, such as leasehold, easements and covenants and mortgages. Council does however intend to register a 3m easement for stormwater purposes over 20 Hercules Street.

Public Hearing

The Public Hearing will be chaired by an independent person: **Date:** Thursday 11 April 2019

Time: 6pm **Location:** Council Chambers, 184-194 Bourke Street, Goulburn NSW 2580

If you wish to make a verbal submission to the public hearing you can do this via

- Phone Council's Property Coordinator on (02) 4823 4509 before 9 April 2019

- Email council@goulburn.nsw.gov.au before 9 April

The Independent chair will prepare and present a report on the outcomes of the public hearing regarding the proposed change in classification of the subject lands to Council. A copy of the independent chair's report will be made available on Council's website www.goulburn.nsw.gov.au following its presentation to Council.

Public Exhibition Notice – Planning Proposal

In accordance with Schedule 1 Clause 4 of the *Environmental Planning and Assessment Act 1979*, Goulburn Mulwaree Council hereby gives public notice of the exhibition of a planning proposal at **745 Crookwell Road, Kingsdale (Lot 16 DP 1069310)** to amend the *Goulburn Mulwaree Local Environmental Plan 2009* to permit a **restaurant or café** as an additional permitted use under Schedule 1 (Note: this will only apply to the subject land).

Exhibition details:

The planning proposal and supporting information will be on public exhibition from **Thursday 28 March 2019 until close of business Friday 26th April 2019**. It will be available to view at the Civic Centre (184 Bourke Street Goulburn), the Goulburn Mulwaree Library or at www.goulburn.nsw.gov.au

Submissions shall be made in writing addressed to the General Manager, including the planning proposal number (**REZ/0002/1718**) and can be lodged in person at the Civic Centre, via post to Locked Bag 22 Goulburn, NSW, 2580 or emailed to council@goulburn.nsw.gov.au

Please note, submissions may be made public in accordance with the *Government Information (Public Access) Act 2009* including both the substance of the submission and the identity of the author. Submissions will potentially be provided or published in Council reports and correspondence, on Council's website, to government agencies, in court proceedings or to any person seeking a copy. The onus is on anyone making a submission to include with their submission advice if they have made any political donations within the last two (2) years.

Contact Details:

If you would like to speak with a Council officer about the proposed amendment, please contact Council's Strategic Planning Unit on (02) 4823 4444 during business hours.

Public Exhibition Notice – Planning Proposal Draft Amendment to Goulburn Mulwaree Local Environmental Plan 2009

In accordance with Section 3.34(2)(c) of the *Environmental Planning and Assessment (EPA) Act 1979*, Goulburn Mulwaree Council hereby gives public notice of the exhibition of a Planning Proposal to amend the *Goulburn Mulwaree Local Environmental Plan (GM LEP) 2009* by prohibiting cemeteries as a land use within the E2 – Environmental Conservation and E3 – Environmental Management zones. Council has been issued an authorisation to exercise its delegations to be the *Relevant Planning Authority* (RPA) under Section 3.36(2) of the EPA Act 1979 for this Planning Proposal.

The intended outcome of the proposed amendment is to:

The intended outcome of this Planning Proposal is to amend *Goulburn Mulwaree Local Environmental Plan 2009* (GM LEP 2009) to prohibit 'Cemeteries' in zone E3 Environmental Management and zone E2 Environmental Conservation so that cemeteries and ancillary development do not impact on environmentally sensitive land. The second objective of the proposed amendment is to continue to allow historic operational cemeteries at Bungonia (Lot 1 DP 89405 and Lot 2 DP 1130082) and Tallong (Lot 7312 DP 1145878) under the GM LEP 2009 (Schedule 1).

Exhibition details:

The draft plan and supporting information will be on public exhibition from

Thursday 4th April 2019 until Friday 10th May 2019 at the Goulburn Civic Centre (184 Bourke St, Goulburn), Goulburn Mulwaree Library, and on our website: www.goulburn.nsw.gov.au

Submissions shall be made in writing addressed to the General Manager, including the planning proposal number (**REZ/0001/1718**) and can be lodged in person at the Civic Centre, via post to Locked Bag 22 Goulburn, NSW, 2580 or emailed to council@goulburn.nsw.gov.au

Please note, submissions will be made public in accordance with the *Government Information (Public Access) Act 2009* including both the substance of the submission and the identity of the author. Submissions will potentially be provided or published in Council reports and correspondence, on Council's website, to government agencies, in court proceedings or to any person seeking a copy.

The onus is on anyone making a submission to include with their submission advice if they have made any political donations within the last 2 years.

Contact Details:

If you would like to speak with a Council officer about the draft plan, please contact Council's Strategic Planning Unit on (02) 4823 4444 between 8:30am and 5:00pm from Monday to Friday.

ClubGRANTS FUNDING AVAILABLE

Applications are now being accepted for funding from the ClubGRANTS Scheme 2019 Category 1 Funding.

Goulburn and district community organisations may apply for funding towards local community service needs and priorities from the ClubGRANTS scheme.

Category 1 Funding

At least 50% of funding from each club is to be allocated to "Category 1" projects.

Projects in the following categories qualify for Category 1 funding: Community welfare and social services; Community development; Community health services; Employment assistance activities.

Funding applications for programs, projects and services assisting people with disabilities, older people, people from non-English speaking backgrounds, Aboriginal and Torres Strait Islanders, women and young people are particularly encouraged.

Goulburn Mulwaree Council administers the ClubGRANTS Scheme locally on behalf of the Workers' Club and Soldiers' Club. The ClubGRANTS Committee will identify the local priorities from the applications received and make recommendations to participating ClubGRANTS Clubs.

How To Apply

- Please go the ClubsNSW website www.clubsnsw.com.au for detailed information related to all aspects of ClubGRANTS Funding.
- An Application Form and copy of the Guidelines can be obtained from Goulburn Mulwaree Council's website www.goulburn.nsw.gov.au. Applicants are strongly encouraged to read the Guidelines prior to seeking funding.

For further information, please contact Debbie McCarthy at Goulburn Mulwaree Council on (02) 4823 4552 or email debbie.mccarthy@goulburn.nsw.gov.au

The closing date for applications is 5pm Thursday 18th April 2019

Draft Recreational Needs Strategy

Goulburn Mulwaree Council is seeking feedback on the Draft Recreational Needs Strategy, which has been prepared to provide a framework for the future investment in open space and sports facilities throughout the Council area.

Some of the key findings of the draft strategy are that:

- The local government area should focus on the development of regional or state level facilities.
- Council should explore the opportunity of co-locating athletics, cricket, AFL and cycling in Victoria Park with upgraded facilities to be funded through the sale of the land on which they are currently located.
- Council should continue work on the Riverside Walk and associated parks along it.
- Council should work to maintain and improve a contiguous network of recreational open space.
- Gibson Street Park, Buffalo Crescent Park, Hovell Street Reserve and Thoroughgood Park have been identified as underutilised and could be reduced in size or disposed of to fund and improve more centralised and highly utilised recreational facilities such as the Goulburn aquatic centre.
- New controls should be included in the *Goulburn Mulwaree Development Control Plan 2009* to require large residential subdivisions to provide adequate recreational open space and maintain green corridors.

The draft strategy may be found on Council's website at <https://www.goulburn.nsw.gov.au/>.

The Draft Recreational Needs Strategy will be on public exhibition until close of business 9 May 2019. Submissions shall be made in writing and addressed to the General Manager and can be made in person at the Civic Centre (184 Bourke St, Goulburn), by post to Locked Bag 22 Goulburn, NSW 2580 or emailed to council@goulburn.nsw.gov.au. Feedback is also encouraged on Goulburn Mulwaree's Yoursay page at <https://yoursay.goulburn.nsw.gov.au/>. All submissions shall be published and addressed at a Council meeting following public exhibition.

26th March 2019Mayor: Councillor Bob Kirk
General Manager: Warwick Bennett

FOR IMMEDIATE RELEASE



MEDIA RELEASE

Public hearings for land reclassification

A public hearing to consider reclassification of public land from community to operational land has been set for Thursday 11th April. The hearing will be chaired by an independent person as required under the Local Government Act 1993.

The public hearing will discuss land in Albert Street, (currently zoned RE1 Public Recreation), Hovell Street (RE1 Public Recreation) and Hercules Street (RU2 Rural Landscape). The meeting comes following the council meeting held 20th November where Councillors considered a number of properties around the region that have no strategic or operational requirements into the future.

Mayor Bob Kirk encouraged community members to come along to the public hearing to provide important feedback before council moves forward.

"In November we considered a number of properties and parcels of land that are not of strategic or operational value to the future growth or liveability of the region. We believe that it's an opportunity for council to consolidate assets and utilise sale proceeds to fund much need community capital projects."

"An essential part of the process is consulting with the community to make sure our priorities align, and the public hearing will be a great chance to do this."

The hearing will commence at 6pm in the Council Chambers, 184 Bourke Street, Goulburn on Thursday 11th April. Submissions are also able to be made via email to council@goulburn.nsw.gov.au or verbally by phoning Council's Property Coordinator on 4823 4509 – these are due before 9th April.

One team delivering with **P**assion **R**espect **I**nnovation **D**edication **E**xcellence

MEDIA INTERVIEWS: Please contact Goulburn Mulwaree Council's Communications Manager
Jackson Reardon on 4823 4515

ANNEXURE 2

Register of Attendees to Public Hearing

**Public Hearing Report
11th April 2019**

COWMAN STODDART PTY LTD



Public Hearing Attendance Record Sheet – Thursday 11th April 2019

	Name	Address	Contact Details	Comments
1	KEN WHEELTON	1/- GMC 184-194 BRIDGES	48234484	GMC STAFF.
2	Betty Lamb	Hampton St	48216628	
3	ASST LAMB	HAMPDEN ST Goulburn	48216628	
4	Lynne Makin	29 Hoskins St Goulburn	48217380	
5	Rob Moxey	PO Box 65		
6	BRENDAN HOLLANDS	14 GMC	48234427	GMC STAFF
7	ANNE KEENE	7 DOWHIRST ST	0448215568	
8	Jenny Campton-Smith	8 Kadwell St. Goulburn.		
9	Linda Polosak	76 Verner St Goulburn	48218150.	
10	Doreen Sturges	Tarago	48494609	Councillor
11	Doris Muller	26 HARVEST ST Goulburn	0418259616	
12	Dawn Ballin	43 HOSKINS GOULBURN	48214434	
13	Shirley Davis	37 HOSKINS GOULBURN	4222553	
14	David Fennamore	24 Rieuw-Haw St	48214779	
15	Don Cole	10 Newton St	0452-271783	
16	Nick Dominis	22 Selwyn St	047328869	
17	Janah Bell	29 ALBERT ST	0458 0321828	
18	Cameron Bell	29 ALBERT ST	0456 825303	
19	Samuel Bell	29 ALBERT ST	—	
20	ADRIAN PROFFER	37 ALBERT ST	0417 997 806	
21	Herold DROVER	18 HERCULES ST.	0245218564	

Grace White 17-19 Finlay Rd 0400023991
 Cr Leah Ferrara Goulburn Mulwaree Council.
 Cr Carol James. Goulburn Mulwaree Council.
 Cr Bob Kirk " " Mayor.
~~Cr Peter Walker " " Deputy Mayor.~~
 Louise Thawer Goulburn Post Editor



Public Hearing Speaker Registration Sheet – Thursday 11th April 2019

	Name	Address	Contact Details	Comments
1	??????? on behalf of Natasha Boswell			Approved by Steve Richardson
2	GMC	Faraya	02-48494605	
3	Linda Polosak	76 Verner St Goulburn	48218150	
4	Jenny Campton-Smit	8 Kadwell St. Goulburn		
5	Cameron Bell	29 Albert St	0456825303	
6	ADRIAN PROEFFER	37 ALBERT ST		
7	Nicki Shepherd	43 William St	0402330159	
8	TIM LATTIN	17-19 Ferry Rd.	040265097	
9				
10				
11				
12				
13				
14				

ANNEXURE 3

Written Submissions made by Public

**Public Hearing Report
11th April 2019**

COWMAN STODDART PTY LTD

Submission to Steven Richardson

Regarding: The reclassifying of the land at 30 Albert St, Goulburn from Public Recreation to Operational land.

1. The land at 30 Albert St was transferred to the Council by the then Director of War Service Homes on the 13th of April, 1965. The purpose of the conveyance was stated at the time to be "for public garden and recreation space". (Goulburn Mulwaree Council News in the Post Weekly 04/04/2019). I am sure that the Department of Veterans Affairs understood the importance of open spaces, which could be enjoyed by all, when they handed over the land to Goulburn. (War Service Homes is under the Department of Veterans Affairs.)



2. I feel quite certain that now, more than ever before, that local, safe, open spaces for children and adults are needed. Particularly, with the ever increasing number of houses being built on small blocks with little outdoor space.
3. Not everyone wants to walk/drive to Victoria Park; many people want the quiet sanctuary of a small local park. In any case, Victoria Park has many uses and includes on its 18.61 hectare site a large Rose Garden, a Skate Park which is soon to be extended, the Goulburn Leisure and Aquatic Centre, (incidentally, the heated, indoor pool will be closed for maintenance for the school holidays.

What a great decision when the weather is cooling rapidly, it was 2.6 degrees this morning!), 2 full size cricket fields (Prell Oval and Seiffert Oval), a leash-free dog area, exercise equipment, presumably for adults and a \$1.5 million adventure playground for children, that opened in late 2018.

4. This begs the question, does the Council want to split this tiny, open urban area in two and change the zoning of one half to Operational land so that it can then be sold off and, with another zoning change, be built upon. Thereby regrouping some of the costs of Victoria Park?
5. Having had the hottest Summer on record in 2018-2019, it is time that the council consider the effect of the urban heat islands that cities and towns become with all our asphalt and buildings. Established parks in urban settings should not be available to be developed, therefore the land should not be reclassified to Operational.
6. With every loss of open space we increase habitat loss.
7. We need more parks and open spaces, not less. More money needs to be spent on this park, not less.

Linda Polosak.
Polosak.

Stephen Richardson

From: niki shepherd <nikishepherd@gmail.com>
Sent: Monday, 8 April 2019 2:48 PM
To: Council
Subject: Fwd: Part of Lot 45 - Albert Street Park. Attention to Mr Ken Wildon

Dear Mr Ken Wildon,

I would like to express my objection to the selling of Part of Lot 45 - Albert Street Park.

The following are my reasons for not wanting this green space to become a construction site for further housing development..

1. Green space is a critical player that contributes to society's health a well being
2. It is a valuable space for a number of uses. These uses include - a place for picnics, kicking a ball, using the much loved and utilised swings, space for kids to run and explore and play, a place for Goulburn High School and MHS kids to chill and talk, a place for Wollondilly kids to play and walk through to and from school, dogs on leads are taken to this park, birds such as Plovers nest at this park every season and other fauna species inhabit this park.
3. The green space as it is is already a very small block, developing half of it will destroy the quality of our current benefit experienced by our community now.
4. Part development or whole development of the park will devalue properties near by and in the neighbourhood of the park.
5. I have taken my children to play at this park since they were small (2005, my nephews and nieces and my elderly sister's mother in law (83 years of age Mrs Robin Cole former Major Mr Keith Cole's wife) have used and still use this park now they still go and like to spend time at this park.
6. Visually green space such as this park contributes the increased mental health and well being, the research is there and the evidence of this is in. Our outer perimeter of Goulburn is losing it's charm with developments such as;
 - Snowgum estate
 - Joseph's Estate
 - Boatshed Estate
 - Merino estate
 - Tillage Estate
 - Mary's Mount Estate

To name a few.

The little green spaces left in Goulburn (like Part of Lot 45 - Albert Street Park) around the city need to be protected and even heritage listed as these spaces are not just of social significance but also of physical health and mental health significance and historical significance and cultural significance not to mention how green spaces such as these contribute to supporting the vulnerable state of Goulburn flora and fauna biodiversity.

I request that you please forward my email on to Mr Steven Richardson and also Jackie Harmer please.

This is a public green recreation space. Goulburn has so much development currently taking over the outskirts of our beautiful city. Please do not let our city's green spaces become even more housing development. It is wrong, it is bad for the general health and well being of Goulburn's valuable residents.

If any further development were to happen at Albert Street park it should to enhance the health and well being of our community such as with the planting of more shrubs and plants or perhaps another play area like the one that has been constructed at Gibson Street park, some public seating so people can comfortably sit at the park like the seating constructed recently along the Wollondilly track, even an outdoor gym and perhaps a picnic table and BBQ. Any development at this park needs to make it a better GREEN and RECREATION space.

Please contact me to confirm you have received this email before the Public Hearing. If I am unable to attend I would like to request that Steven Richardson be given a copy of this email and that someone please read this email out during the meeting.

Kind regards,
Niki Shepherd

Please call me on 0402330158 if you would like to speak to me. I would be happy to talk to you about this matter

--

Kind regards,
Niki Shepherd

w: www.nikishepherd.com.au
e: nikishepherd@gmail.com
m: 0402330158

10/04/2019

General Manager: Warwick Bennett

General Manager: Warwick Bennett

X DELETE

↩ REPLY

↩ REPLY ALL

➡ FORWARD

...



Campton-Smith, Jennifer

Fri 11/01/2019 3:58 PM

Mark as unread

To: council@goulburn.nsw.gov.au;

Dear Mr. Bennet,

I am contacting you because of an article that appeared in the *Goulburn Post* late last year about the proposed sale of some Council assets. I spoke to Peter Walker about my concerns and he suggested I contact you. He also requested you send my email to the other councillors.

My concern is over the proposed sale of 30 Albert Street, which is a park on the corner on Newton and Albert Streets. I live in Kadwell Street. I am appalled to think that Council would countenance selling a green space in the city, especially considering we live in a period of increasing temperatures because of climate change. We need all the green spaces we already have, not less.

My four children when they were young, as well as our neighbours' children, would all play in the park. They also met other children there as well. A colleague who lives across the road from 30 Albert Street has told me it is still a meeting place for people. Goulburn has a small number of parks throughout the city that provide the opportunity for children and adults to meet and play. Why would Council even think of selling such an asset?

I hope the thought is not to concentrate activities around Victoria and Belmore Parks. Not everyone can, and wants to, go to these larger parks. Why is it that only the larger parks, or those associated with organised sport, appear to be safe from any proposed sell off? We should retain these pockets of green spaces dotted around the city. The space is valuable as it is but if Council sees "value" in terms of greater patronage, perhaps they could install seating for people to use. At present, there is none.

I think it's a very sad day when "value" to a community has to only be thought of in restricted terms. In the *Goulburn Post* on Wednesday 9th January, 2019, an online comment was "Leave the parks alone!". I totally concur.

I have never written to Council about any past sale of assets. However, I feel very strongly about this situation. The idea to sell off any park in the city is a short-sighted proposal.

Yours sincerely,
Jenny Campton-Smith.
(8 Kadwell Street, Goulburn)
0467 640 348

In this day & age,
a green space should
never ever be surplus
to community needs

Stephen Richardson

From: apfo7443@bigpond.net.au
Sent: Monday, 8 April 2019 4:01 PM
To: Council
Subject: council land classification

Dear Sir/Madam,

We oppose the rezoning and sale of the Albert Street Park (Part 30 Albert Street, Goulburn NSW 2580) as proposed in your letter of 8th march 2019.

This land is a valued community open space that is used by local residents on most days, and especially during holiday times. There are also many young people moving back into this area and the park will be used more frequently in the future by these young couple with their children and infants.

Once open space is lost, it is gone forever. The small amount of money that council could get for this land is minuscule compared to the present and future value as open, green space.

Regards

Adrian Pfoeffer & Constance McCabe
37 Albert St.
Goulburn NSW 2580

Stephen Richardson

From: Ken Wheeldon <ken.wheeldon@goulburn.nsw.gov.au>
Sent: Tuesday, 2 April 2019 10:13 AM
To: Stephen Richardson
Cc: Kate Wooll
Subject: Albert Street Park Rezoning

Hi Stephen

Another submission / objection received (see below).

We will send an acknowledgment letter today.

Cheers

Ken Wheeldon
Business Manager Property & Community Services

P: 02 4823 4484 | **M:** 0408 978 765
Goulburn Mulwaree Council | Locked Bag 22 Goulburn NSW 2580
W: www.goulburn.nsw.gov.au | [Find us on Facebook](#)



From: Jacqueline Harmer
Sent: Tuesday, 2 April 2019 9:49 AM
To: Ken Wheeldon
Subject: FW: Albert Street Park Rezoning

From: Cameron Bell [<mailto:deburghsteel@gmail.com>]
Sent: Monday, 1 April 2019 7:05 AM
To: Council
Subject: Albert Street Park Rezoning

Goulburn Mulwaree Council
 1st April 2019

Dear Sir/Madam,

I read in the paper that Goulburn Mulwaree Council is planning to rezone and sell our little park in Albert Street.

I object to this.

I suppose council has found itself in a desperate financial situation, but selling our assets should not be the solution. They can only be sold once; then what?

Parks are important components of our city. They are increasingly rare in this day and age, and they must be held on to, and treasured.

As a resident of Albert St I have walked with my children to and from school through our park for nine years so far. We have watched the plovers raise their chicks there each year. I have pushed my kids on the swings there since they could walk. I taught my son to kick a footy there. I watched my kids summon the courage to climb the tree. We have all felt the health benefit of having a green space near or house.

Please don't sell our park. Once it's gone we can never get it back.

Please think of our children. please consider the well-being of our community.

Faithfully,

Cameron Bell
29 Albert Street
Goulburn

Stephen Richardson

From: Ken Wheeldon <ken.wheeldon@goulburn.nsw.gov.au>
Sent: Tuesday, 2 April 2019 10:28 AM
To: Stephen Richardson
Cc: Kate Woolf
Subject: Albert Street park sale. Attention Ken Wheeldon

Hi Stephen

Another submission / objection received (see below).

We will send an acknowledgment letter today.

Cheers

Ken Wheeldon
 Business Manager Property & Community Services

P: 02 4823 4484 | M: 0408 978 765
 Goulburn Mulwaree Council | Locked Bag 22 Goulburn NSW 2580
 W: www.goulburn.nsw.gov.au | Find us on Facebook

-----Original Message-----

From: Kym Weeks [mailto:kymweeks40@gmail.com]
 Sent: Sunday, 31 March 2019 8:01 PM
 To: Council
 Subject: Albert Street park sale. Attention Ken Wheeldon

Attention Ken Wheeldon,
 I writing to voice my objection to the 30 Albert Street park sale/reclassification. With consultation with residents in our local area who use the park on a daily basis, I feel the need to express my discontent about the proposed sale. I do know that there are plans to keep some of the park but to local residents it is really not good enough. I take my grandchildren to the park and they enjoy the large space to run around. We also enjoy picnics there after school. I think it is ridiculous that council would take away children's access to a park - especially one that is so near a local primary school. Why should they lose half a park so that you can sell the land? We are not happy!

K. Weeks.

Sent from my iPhone

Attention Ken Wheeldon,
Goulburn Mulwaree Council,

My name is Natasha Boswell, I reside at 28 Albert street and I am writing to you regarding the sale of the Albert street park (Lot 45 in DP 32090), located next door to my house. I would have liked to attend the public hearing and voice this submission in person, however I am due to give birth to my first child April 15. As such, please consider this my written submission and rejection of council's proposal to reclassify 30 Albert street. I expect this submission to read out at the council meeting, Thursday April 11, 2019, and for this written submission to be on file should I decide to take further action.

For background, I purchased 28 Albert street largely because of its location; confident that the neighbouring block would remain classified as community land given its long-term status as such and also given the sign erected front-and-centre, declaring it as part of a; *'Nation Building Project: Economic Stimulus Plan ... rebuilding infrastructure for the future.'* I understand that this sign was erected under the Rudd government as part of a 150 million-dollar roads package which also funded community infrastructure: parks and community venues. I purchased my house and land in 2012, secure in the knowledge that the parcel of land beside it was designated for 'public recreation' and was 'community' land.

As I understand it, council now plans to reclassify this land from 'community' to 'operational' because they have decided it is, *'considered surplus to strategic*

requirements.’ Reclassifying this land is required so that council might use that [surplus money] which quote; “may be disposed of in the future.”

My first objection is this; given that my house is valued in large part due to its neighbouring location to ‘community land’ (and I can prove this via third-party property valuations), if this reclassification should go ahead, my property value would immediately depreciate. This would be through no fault or action of my own but due to council intervention. I would like it noted that should this happen, I will seek legal action to be compensated for the decrease in the potential sale value of my home. This would also affect other neighbouring homes who will likely take similar legal action. Highlighted is the overview of compensation for which I am entitled as determined by the Land and Environment Court of NSW:

Reference:

www.lec.justice.nsw.gov.au/Pages/publications/issues_in_focus/compensation_for_compulsory_acquisition_of_land_overview.aspx

Summary of relevant law and regulation:

Increase or decrease in value of adjoining or severed land (s 55(f))

A decrease in value of adjoining or severed land (sometimes called injurious affection) may give rise to a claim for compensation, whereas an increase in their value (sometimes called betterment) may give rise to a downward adjustment in the compensation payable: s 55(f).

For example, the compulsory acquisition of land for, and subsequent creation of, a road may result in a decrease in the value of the owner’s adjoining land due to higher levels of noise, or it may result in an increase in value due to easier access.

For example, in the case of acquisition of an easement over land, market value compensation is the difference between the value of land without the easement and the value of the land with the easement.

As you can see, if the value of my home and land depreciates due to injurious affection, I will be entitled to claim for compensation under New South Wales law.

Secondly, I object because this park is a positive fixture within the neighbourhood and is frequented all day by local residents. On November 26, 2018, the Goulburn Post printed an article which quoted council directly. It stated that; *'large tracts of vacant land ... are being sold ... to help pay for projects such as the proposed Aquatic Centre and Victoria Park redevelopment.'* Erroneously, 30 Albert street is not 'vacant' because it is, at its very essence, a park and a community greenspace. Council members may not have spent any length of time at the Albert street park however I can assure you that it is regularly used by the local neighbourhood. The area is a neighbourhood of families, whose children attend the nearby Wollondilly Public School and Goulburn High, and the park is an afternoon pit-stop for children and their parents in the afternoons and even for a quick swing before the school bell rings. The so-called 'vacant' space is also perfect for local picnics on weekends, kicking a ball, and for running around with a dog on a leash. Spend any amount of time at the park and you will see all of these things.

Third, the argument that money from the sale of this land will go to fund Victoria Park (as quoted by the local paper) is not a reassuring one. Although I'm sure families appreciate the 'adventure playground' and the opportunity to line up behind

thirty other parents for their own child's five-minute chance on the swing, it does not balance out the loss of a small neighbourhood park. Not everyone wants to be elbowing people out of the way just to spent some quality time with their children or to sit quietly and read a book under a shady tree. If, in fact the land where children play on a daily basis is truly considered merely 'surplus' to council then the worry that they will use the future sale money for projects other than greenspaces is also likely and very concerning. Taking away childrens' access to green spaces to fund other green spaces is not moving in a forward direction and taking that access away to fund roundabouts or shopfront paving is even worse. Where is this money really going and can you prove it? I believe council should be held accountable for its redistribution down to the very cent of sale price.

My fourth objection is that you are effectively stealing children's opportunity for active play and physical activity. Council is attempting to remove neighbourhood parks where children can kick a ball before dinner, creating a scenario wherein they need to schedule park time and active play because the other community spaces are not in easy walking distance. The argument could be made that Victoria Park is only blocks away however a minimum two block walk for a child is not feasible on a daily basis, nor should they be expected to cross many busy roads to get there; Goldsmith Street being of particular concern. Furthermore, if children are encouraged by community and government initiatives to engage in minimum of thirty minutes of active play and physical activity per day, then why are you removing the very greenspaces which make this possible?

Fifth, there is a rumour – and it is only that, as I have had a distinct lack of communication from council – that a small park will remain on the corner after the land is divided into two residential blocks and sold. I can only surmise that this is on the table because council recognizes just how important the current park is to local residents and seeks to placate them with a paltry offering so that they do not voice their objection as I am doing. Having spoken to local residents I can assure you that a postage-sized piece of grass is not an adequate substitute for what they currently have. There was also no mention of any community land remaining available within the March 8, 2019, written correspondence I received.

I am writing this submission because this is a matter that I and the local neighbourhood plan to take further action on – including going to our local government representative, newspaper and legal representatives. There is no justification to why rate-paying citizens and their children are losing out in the realm of community infrastructure for council's own fiscal gain. Reclassifying this land from community to operational is simply a low blow to the neighbourhood so that council can have 'surplus' funds for redistribution. Why would council want to take swing-sets away from children? And won't this so-called surplus be eaten up by adjoining land-owners compensation claims anyway?

Natasha Boswell

28 Albert street, Goulburn.

Email: tashboz@hotmail.com.au or phone: 0432744431

Stephen Richardson

From: Natasha Boswell <tashboz@hotmail.com>
Sent: Wednesday, 27 March 2019 5:22 PM
To: Stephen Richardson
Subject: 30 Albert street reclassification
Attachments: IMG_1586.jpg; ATT00001.txt; IMG_1587.jpg; ATT00002.txt; IMG_1589.jpg; ATT00003.txt; IMG_1590.jpg; ATT00004.txt; IMG_1591.jpg; ATT00005.txt

Hi Stephen,

As I was walking my dog this afternoon, it struck me that it might be a good idea to take some photos to support my submission. As you can see, this is the park and beside it is my house. There at two beautiful shady trees beside the swings whereas there is no established vegetation on the side where the new corner park would be put. These two trees would sadly be cut down if reclassification should go ahead.

I've also included the views from my kitchen and dining room windows so that you can truly assess just how detrimental the reclassification would be to my current property value. My gorgeous park view would instead become the brick facade of new construction.

Thank you again for your time and consideration.

Natasha Boswell











Stephen Richardson

From: lax ! <sam160804@gmail.com>
Sent: Sunday, 7 April 2019 8:40 AM
To: Council
Subject: Albert Street Park

Please don't sell my park. I have lived across the road from this park since I was 1 year old and grew up playing soccer with friends and kicking the footy with my dad and sister. I am now 14 and unfortunately do not often find the time to use the space but can certainly see it's value to younger kids in the area. And I sure hope you can too.

Thank you

Stephen Richardson

From: S Bell <sjdbell@gmail.com>
Sent: Sunday, 7 April 2019 9:27 AM
To: Council
Subject: Albert Street Park

Dear Sir/Madam,

I am writing to express my objection to the proposed rezoning of our park in Albert Street.

As an early childhood educator I can attest to the benefits to our children of the availability of open green space to promote physical learning through play.

Regarding Albert Street Park in particular:

- The simple swing set offered convenient destination for mini-excursions with my family day care children.
- The park serves as a pleasant place for Goulburn High School students to chill with their mates as they wait for their parents to pick them up after school.
- I also notice that the family of a special-needs child frequently utilises the park.
- My children always enjoyed having this space to play with our dog.
- Wollondilly Public School children often take a break from their walk home to enjoy playing on the swing.

Regarding parks and green space in general, it is pretty obvious that easily accessible open green space helps children's physical health and helps combat the current obesity epidemic.

Easy access to an open green park allows children to engage in imaginative play; alone and with other children. This helps children develop crucial social skills, improving their chances of becoming valuable and successful members of society.

Dr. Annemarie Wright of VicHealth says "Green space is an important determinant of health, not just because it enables physical activity but also because it has been shown to promote higher levels of mental wellbeing and social connectedness". Many studies have supported this view.

Any green space within our city contributes to the physical and mental wellbeing of our population. Any plan to rezone and sell any of these spaces is trading the health of our children, in order to make developers even richer. This simple fact suggests gross shortsightedness and incompetence at best, or plain old corruption.

Please do not sell our parks. Once they are gone we will not be able to get them back.

Yours Faithfully,

Sarah Bell

29 Albert Street
Goulburn

Stephen Richardson

From: Ken Wheeldon <ken.wheeldon@goulburn.nsw.gov.au>
Sent: Tuesday, 19 March 2019 5:06 PM
To: Stephen Richardson
Cc: craig@signageone.com
Subject: 59-61 Hovell Street Goulburn

Hi Stephen

Please refer to the email below.

As the appointed independent Chair of the upcoming Public Hearing on the proposed re-classification of 3 parcels of Council owned land, please liaise with Mr Maddren on Council's behalf.

In the meantime I am happy to contact Mr Maddren to explain the difference between 'Community' and 'Operational' land under the LG Act and also Council's proposed future plans to re-zone 59-61 Hovell St to Residential land noting that the adjoining parcel of Council land above 59-61 Hovell St is already zoned residential.

Please note, if 59-61 Hovell Street is re-zoned to Residential, Council intends to prepare a Development Application to ensure an adequate vegetation buffer strip is retained directly behind the light industries in Finlay Road as part of any development considerations for this site.

Hi Craig

I am out of the office tomorrow and Thursday but happy to contact you before Friday if you would prefer.

Cheers
 Ken Wheeldon

Sent from my iPhone

Begin forwarded message:

From: Craig Maddren <craig@signageone.com>
Date: 19 March 2019 at 4:42:08 PM AEDT
To: "Ken.Wheeldon@goulburn.nsw.gov.au" <Ken.Wheeldon@goulburn.nsw.gov.au>
Subject: 59-61 Hovell Street Goulburn

Hi Ken,
 I have called your office today however just managed to get your message bank so I thought I would just send you this email.

I have a few questions re this Public Hearing of 59-61 Hovell st.

The first question is:
 What does the word "Operational" really mean.
 Is this land to be sold as residential or light industry or something else altogether.

My concern is if it is sold as residential how is that then going to effect my business with the noise of our machinery, as it is now we have a very good buffer from us to the current residential housing as this land is now classed as community. My next concern is if it is classed as light Industry, will this not then effect the current residential homes that these people would have purchased at the time fully aware that this was in fact community land and could never be built on.

I fully understand the needs of council to sell off this land to me it's a given that you would do this it just makes sense as there is no park there for kids to use and it's just another lot of land that has to be maintained by council staff. I fully understand this, I just would like to know what really is the end goal here with this land.

I look forward to your reply.

Regards

