

**GENERAL MANAGER'S REPORTS TO COUNCIL MEETING  
TO BE HELD TUESDAY 28 AUGUST 2018**

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General Manager

Mayor

## ITEMS FOR DECISION

### ITEM NO. 1 – MEMORANDUM OF UNDERSTANDING - COLEAMBALLY SOLAR FARM COMMUNITY FUND

FILE: COR-MAN-10

FROM: GENERAL MANAGER

#### SUMMARY

Neoen Australia has a Corporate Social Responsibility (CSR) mandate arising from construction and operation of the Coleambally Solar Farm.

Neoen Australia will commit \$20,000 per annum to projects that meet their designated CSR goals. The \$20,000 pool of funding has been named as Coleambally Solar Farm (CSF) Community Fund. Neoen has proposed this commitment consist of \$10,000 pa apportioned direct to the existing Murrumbidgee Council Demonstration Farm. The remaining amount of \$10,000 pa is to be apportioned to community projects. The CSF Community Fund will support projects that benefit and strengthen Coleambally and surrounding Murrumbidgee Council communities.

To ensure strategic and best use of the \$10,000 community projects funding, Neoen is partnering with Murrumbidgee Council in the promotion, assessment and management of the portion of the fund designated for non-Murrumbidgee Council Demonstration Farm distribution. All applications will be assessed against eligibility criteria agreed between Neoen Australia and Murrumbidgee Council.

Projects must align with at least one of the Neoen community growth focus areas. All grant applications must be completed on the CSF Community Fund application form agreed between Murrumbidgee Council and Neoen Australia. The form will include:

- An explanation of how the project will meet one or more of the community growth focus areas and the community goals of Murrumbidgee Council as represented in the Community Strategic Plan;
- Details of the organisation requesting the funding;
- Details of the specific project to be funded, including project goals (specific and measurable), total project management arrangements, project costs, funding sought, project location and timelines;
- Specific benefits to the Coleambally community or surrounding Murrumbidgee communities;
- The Not-for-Profit or Deductable Gift Recipient (DGR) status of the organisation.

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General Manager

.....Mayor

To help ensure that funding provided by the CSF Community Fund goes to projects that really make a difference to the community, grant applications will be managed through Council with approval and/or participation of a representative of Neoen Australia. Process inclusions are:

- Applications will be assessed by a panel convened through Council, including a representative of Neoen or an independent community representative nominated by Neoen;
- Applications will be called for at the commencement of each calendar year for distribution in the current financial year;
- Applications must be submitted on the agreed form approved by Neoen Australia and Murrumbidgee Council;
- Council will market the CSF through Council newsletters, website and social marketing;
- If the amount of available funding exceeds the amount requested and/or approved in formal applications, funds may be held over for activities that meet the mutual goals and obligations prescribed by Neoen Australia and Murrumbidgee Council;
- No funds will be released without the written approval of Neoen Australia.

At the Council meeting of 24 April 2018, it was resolved to initiate a partnership to undertake administrative and promotional functions associated with management of \$10,000 pa from Neoen Australia for the CSF Community Fund:

**74/04/18**     **Resolved** on the motion of Councillors Black and Gilbert that the report be received and:

1. Delegated authority be granted to the General Manager to enter into a Memorandum of Understanding (MoU) with Neoen for initiating the Coleambally Solar Farm Community Fund (CSF) for an initial period of three years;
2. Murrumbidgee Council provide promotional, administrative and management support for the dispersal of funds into the Coleambally and wider Murrumbidgee community based on the guidelines agreed between the two parties as set out in this Report.

### **Contract Implications**

The Council will enter into a Memorandum of Understanding (MoU) (attachment # 1) and not a contract with Neoen. The MoU will prescribe a three-year period with an option to extend at the end of that period by agreement in writing.

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.....General Manager

.....Mayor

If, at the end of the three-year period, neither party has given the other party at least sixty (60) days' notice that the MoU is to cease, then the MoU will continue until it is terminated by one party giving at least sixty (60) days written notice to the other party.

The Memorandum of Understanding (MoU) is a non-binding (not legal) MoU and not intended to create legally enforceable rights or obligations for either party. It merely constitutes a statement of the mutual intention of the parties and imposes no commitment on any person to process either an agreement or constitute an obligation which is binding to Council or Neoen Australia.

## **RECOMMENDATION**

The contents of the report be noted, and Council's Common Seal be affixed to documents associated with the Coleambally Solar Farm Community Fund.

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.....General Manager

.....Mayor

**ITEM NO. 2 – SALE OF LAND, COLEAMBALLY**

**FILE: 04.14**

**FROM: GENERAL MANAGER**

Council is currently in the process of selling land at Coleambally, as follows:

- Lot 515 Amaroo Avenue, Coleambally – sale to MJ & CM Breed
- 6 Curlew Crescent, Coleambally – sale to PB & AE Price
- Lots 518, 519, 520, 521 and 522 Amaroo Avenue – sale to Yenda Producers
- Lot 460, 55 Kookaburra Avenue, Coleambally – sale to JA and C Van Der Walt

The Contracts for sale of these lots have been received or are with Council's solicitor for action. A resolution of Council is required to affix the Common Seal.

**RECOMMENDATION**

That the Common Seal of Council be affixed to relevant documents for the following land sales:

- Lot 515 Amaroo Avenue, Coleambally – sale to MJ & CM Breed
- 6 Curlew Crescent, Coleambally – sale to PB & AE Price
- Lots 518, 519, 520, 521 and 522 Amaroo Avenue – sale to Yenda Producers
- Lot 460, 55 Kookaburra Avenue, Coleambally – sale to JA and C Van Der Walt

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.....General Manager

.....Mayor

ITEM NO. 3 - TASTE COLEAMBALLY FOOD & FARM FESTIVAL  
FILE: 00.00  
FROM: GENERAL MANAGER

The 2018 Taste Coleambally Food & Farm Festival will be the fourth Festival organised by the Taste Coleambally Food & Farm Festival Committee. This event (one of three in the region) has been recognised by Destination Riverina-Murray.

The Taste Coleambally Food & Farm Festival continues to be a popular Riverina event with numbers increasing each Festival. It is estimated over 3000 people attended the last Festival. Not only did the Festival promote Coleambally as one of Australia's most important food bowls and efficient water user, with its modern water distribution system, but it provided a showcase for artists and local markets. The local community received an economic boost, as well as providing a tourist stop off point on the Kidman Way.

The Taste Coleambally Food & Farm Festival is an important tourist event providing education to its visitors and showcasing the town, as well as generating income for local businesses. Whilst the Committee do seek sponsorship for the Festival from various businesses, community groups and grants it is becoming more difficult to raise funds and the Committee is seeking Council's support for this tourism and business initiative.

The Taste Coleambally Food & Farm Inc. Committee are seeking for the 2018 Festival, assistance from Council in the following areas:

1. Insurance coverage for the event 26-28 October 2018. Last Festival Murrumbidgee Council covered the Public Liability on Council property for the Festival as the events meshed with those covered by their policy. A risk assessment for the events planned for the 2018 Taste Coleambally Food & Farm Festival is attached (see attachment # 2).
2. Road closures for the Coly Colour Run on Saturday afternoon and the Main Street Festival on Sunday.
  - a. **Saturday** – closure of Brolga Place and Kingfisher Ave from 1.45pm – 3.15pm. Kingfisher Ave would require closure at Community Hall end of Brolga Place and where runners/walkers cross over from the Lion's Park to the trail behind Coleambally Motel.
  - b. **Sunday** – closure of Brolga Place and Kingfisher Ave (from end near Community Hall) between 9am - 3pm.
3. Additional Rubbish Bins around Brolga Place, John McInnes Square and Community Hall. The Committee have ordered additional toilets (portaloos) to be placed in these areas to cope with the crowd. These will be delivered on Friday morning, 26 October and picked up on Monday, 28 October.
4. VMS Boards – to be provided, located at Council discretion.

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General Manager

.....Mayor



I met with the Committee on Monday 20 August to discuss the request for Council assistance.

In respect to items 2, 3 and 4, a commitment has been given to assist with these items as has been the case in the past.

In respect to item 1 – Insurance Coverage, it was agreed that Council be requested to assist by way of a donation to underwrite the cost of the insurance, \$3736.55.

The Committee indicates its concerns that several income support sources have not been forthcoming this year, probably as a result of the circumstances rural producers are experiencing, and also due to the change in direction of support principles of some corporations. An income approaching \$30,000 is predicted, compared with \$80,000 last year.

The Committee is planning a reduction in expenditure to align with the reduced income, however the Committee is requesting that Council underwrite the cost of insurance to assist with the event. The Committee indicates that it intends to meet the cost of insurance if the income result is better than expected.

Even though the event is held on Council land, it is still the Committee's responsibility, as the event organisers, to ensure they have proper insurance cover in place, rather than rely on Council's insurance.

## **RECOMMENDATION**

That Council agree to underwrite the cost of insurance for the Taste Coleambally Food & Farm Festival, by way of a donation up to \$3,800 for the 2018 event.

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.....General Manager

.....Mayor

**ITEM NO. 4 - ADOPTION OF COUNCIL POLICIES**

**FILE: 03.06**

**FROM: GENERAL MANAGER**

As part of the implementation process for the new Council, the integration of the policies from the two former Councils is an important step. A number of policies have been tabled before Council for endorsement. These policies have then been placed on public exhibition for comment.

The policies for formal adoption by Council are listed below:

- Asset Management Policy (attachment # 3)
- Investment Policy (attachment # 4)
- Leasing of Council Residential Properties Policy (attachment # 5)
- Rates and Charges Hardship Policy (attachment # 6)
- Customer Service Charter (attachment # 7)

**RECOMMENDATION**

That the following policies be adopted:

- Asset Management Policy
- Investment Policy
- Leasing of Council Residential Properties Policy
- Rates and Charges Hardship Policy
- Customer Service Charter

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.....General Manager

.....Mayor



**ITEM NO. 5 - DARLINGTON POINT MEN'S SHED**  
**FILE: COM-SER-2**  
**FROM: GENERAL MANAGER**

In April 2018 a report was presented to Council regarding the Darlington Point Men's Shed and their request to either enter into negotiations in relation to the sale of part of Lot 10, DP1185597 or to enter into a lease/licence arrangement with Council for part of Lot 10 DP1185597. At that time, the Men's Shed Committee indicated that purchase of the land was their preferred option, but if purchase was not an option, the term of the lease or licence be at least twenty-one years, with options for extension of such an agreement.

Following discussions at the April Council meeting the resolution "on the motion of Councillors Bryce and Brown that negotiations be entered into with Darlington Point Men's Shed in relation to a short term lease of part Lot 10, DP1185597".

A lease has been prepared for a five year term (attachment # 8). . Any lease longer than 5 years will require a subdivision application. It is therefore recommended that a five year lease be offered with an option for a further five years.

#### **RECOMMENDATION**

That delegation be granted to the General Manager to finalise lease negotiations with the Darlington Point Men's Shed, and that the lease be executed under the Common Seal of Council.

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.....General Manager

.....Mayor

**ITEM NO. 6 - MAJOR PROJECTS REGISTER****FILE: 00.00****FROM: GENERAL MANAGER**

Council, at its February Ordinary Meeting, resolved priorities for projects to be funded from the Merger funds

**A. Stronger Communities Fund**

<b>Darlington Point</b>	Sports Ground Redevelopment	\$478,000
	Apex Boat Ramp	\$468,000
	Lions Park Facilities and Display	\$300,000
<b>Coleambally</b>	Netball Courts	\$280,000
	Pride of Place (Brolga Place/Kingfisher Avenue) Redevelopment	\$275,000
	Coleambally Sports Precinct	\$1M
<b>Jerilderie</b>	25% contribution to water filtration plant replacement	\$800,000
	Jerilderie Independent Living Units	\$450,000

**B. Stronger Country Communities Fund – Round 1**

In February 2018 announcements were made that Council had been successful in receiving funds for projects under Stronger Country Communities Round 1:

<b>Jerilderie</b>	Racecourse and Showgrounds Amenity Improvements	\$252,005
<b>Coleambally</b>	o Junior Sporting Change Rooms	\$225,000
	o Cemetery Toilet	
	o Town and Community Information signs	
<b>Darlington Point</b>	o Female Sports Change rooms	\$222,000
	o Information signs Trails and Tracks	
	o Town and Community Information bays	

**C. Stronger Country Communities Fund – Round 2**

Subsequently Council submitted applications for projects to be approved in the Stronger Country Communities Fund Round 2, an allocation of \$3.8M

**Jerilderie**

Swimming Pool Replacement	\$1,331M
Pre-School and Long Day Care Centre	\$994K
Sports Club Watering System (Golf Course)	\$ 60K
Rice Research (RRAPL) – Old Barracks	Nil – Application Withdrawn

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General Manager

.....Mayor

**Coleambally**

Sports Ground Seniors and Female Change Room/Community Gym	\$1,532m
Sports Stadium Refurbishment/Umpires Box	\$579K

**Darlington Point**

Sports Ground Amenities Block Refurbishment and Extension	\$320K
Waddi Community and Cultural Garden	\$200K
Town Beach and Existing Boat Ramp Redevelopment	\$260K
Waddi Culture and Education Centre	\$ 0
Darlington Point Sports Club Watering System (Golf Course)	\$191K

**D. Major Projects Fund Priorities – Additional Rounds**

At a Council workshop held on Wednesday 1 August 2018 Council gave consideration to extending the Major Projects Register, by adding additional projects in priority order for each town to satisfy an expectation that additional grant funds would become available from the State Government sale of poles and wires and commitment to allocate all the funds to regional NSW from the sale of the Snowy River Scheme to the Federal Government.

The agreed list in priority order of these projects became:

- **Darlington Point**
  - Residential Subdivision \$1.5M
  - Darlington Point Caravan Park redevelopment \$1.5M
  - Sports Ground change rooms redevelopment \$320K
  - Waddi Arts and Cultural Centre Stage 1 \$200K
  - Waddi Arts and Cultural Centre Stage 2 \$300K
- **Coleambally**
  - Town Centre beatification \$1M
  - Sports Precinct Projects \$2,352M
  - Community Hall Improvements \$300K
- **Jerilderie**
  - Jerilderie Swimming Pool Upgrade \$1,331M
  - Jerilderie Long Day Care Centre \$1,294M
  - Civic Hall Upgrade \$318K
  - Jerilderie Medical Centre Refurbishment \$500K
  - Jerilderie Golf Course Irrigation extension \$60K

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General Manager

Mayor

## RECOMMENDATION

That Council adopt the list of prioritised projects as recommended at the Council Workshop on Wednesday 1 August 2018:

- **Darlington Point**
  - Residential Subdivision \$1.5M
  - Darlington Point Caravan Park redevelopment \$1.5M
  - Sports Ground change rooms redevelopment \$320K
  - Waddi Arts and Cultural Centre Stage 1 \$200K
  - Waddi Arts and Cultural Centre Stage 2 \$300K
- **Coleambally**
  - Town Centre beatification \$1M
  - Sports Precinct Projects \$2,352M
  - Community Hall Improvements \$300K
- **Jerilderie**
  - Jerilderie Swimming Pool Upgrade \$1,331M
  - Jerilderie Long Day Care Centre \$1.294M
  - Civic Hall Upgrade \$318K
  - Jerilderie Medical Centre \$500K
  - Jerilderie Golf Course Irrigation extension \$60K

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.....General Manager

.....Mayor

**ITEM NO. 7 - DEVELOPMENT APPLICATION NO 52-17/18**  
**FILE: DA 52-17/18**  
**FROM: ASSISTANT GENERAL MANAGER, INFRASTRUCTURE & ENVIRONMENT**

### **Property Description**

Applicant: Garry Bafsky  
Property: 64 Jerilderie Street, Jerilderie  
Zoning: RU5 - Village  
Proposed Development: Chain mesh fence, decorative fuel bowsers and installation of five (5) shipping containers  
Consent Authority: Murrumbidgee Council  
Reason for Report: Aesthetic considerations in a heritage conservation area and high profile location

### **Background**

The applicant has, amongst other things, gained previous approval to construct a shed on the site. Earlier this year an existing chain mesh fence was removed and a new fence commenced construction. The line of the new fence did not match that of the existing, and extended to the eastern boundary of the allotment. The site is in a high profile, corner location and is also in a heritage conservation area. The owner was advised that work on the fence must cease and consent sought.

A Development Application was subsequently lodged. As well as applying for approval for the new fence, the Application included reference to fuel bowsers and the installation of shipping containers.

Requests for clear and accurate plans of the proposal were made on two occasions (attachments 9 and 10). Whilst some information was received, there is still some ambiguity and some questions remain unanswered.

The most recently received site plan and elevations appear as attachment 11. The full file with complete documentation received to date will be tabled at the meeting.

Correspondence has since been received from the applicant (attachment 12) asking Council to determine the Application.

### **Policy Implications**

Jerilderie Development Control Plan contains relevant provisions in relation to the proposal. Excerpts appear in italics with related comment provided below:

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 General Manager ..... Mayor

## Objectives

### *Section 2.1 Village Development Objectives*

#### Commercial/Mixed Use Development

- *To enhance the scenic quality and amenity of commercial streetscapes and public places.*
- *To enhance the commercial amenity and economic viability of the commercial centre.*
- *To promote active street level frontages in the main street*
- *To ensure that the operation of commercial premises is compatible with and does not adversely impact on the amenity and character of any adjoining residential uses.*

Certainly there are some positives to be gained from the proposed activity, however the scenic quality, aesthetics and the impact on the amenity and character of the area are of concern. It is the writer's view that the proposal has the potential to negatively impact on the streetscape. This view differs from that of Council's Heritage Advisor.

#### Heritage Conservation

The proposal is located in Council's Heritage Conservation Area.

It should be noted that the applicant sought separate and direct advice from Council's Heritage Advisor, Noel Thomson, regarding the proposal. The Heritage Advisor provided a letter/report dated 17/8/18 (attachment 13). It is strongly recommended that the reader take the time to read this report from the Heritage Advisor given that the opinion varies from the writer's view and given that a significant amount of weight should be given to the Heritage Advisor's professional opinion.

The Heritage Advisor's report expresses the view that a chain mesh fence as proposed would have little impact - a quote from the report states:

*"The use of galvanized chain mesh fencing has an association with this site for over 50 years and replacement with new 2.4m high is appropriate at this location rather than 2.1m high steel picket fence. The replacement fence in new galvanized chain wire mesh fence at 2.4m high will have minimal impact on the significance of the Heritage Conservation Area."*

The report also references the shipping containers and states, amongst other things, as follows:

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..... General Manager

..... Mayor



*“...recommendation is for the front shipping container to be placed 200mm back from the building. The proposal to paint the shipping containers to match the colour scheme of the adjacent buildings is appropriate rather than clad with corrugated sheeting. In painting the shipping containers to match in with the buildings means that they will have minimal impact on the significance of the Heritage Conservation Area.”*

The report goes on to recommend approval.

Council's DCP also deals with the subject of heritage. An excerpt from the DCP appears below in italics.

## *2.5 Heritage Development Objective*

*Jerilderie township has many fine buildings. A Heritage Conservation Area covers the historic centre of the township of Jerilderie and there are a number of individual sites of environmental heritage that are currently listed in the Jerilderie Local Environmental Plan 2012.*

*Clause 5.10 of the LEP relates to heritage conservation specifies the circumstances under which development consent is and/or is not required, relevant assessment matters, information requirements, notification requirements relating to archeological sites, places of aboriginal heritage significance and demolition of items of state significance and conservation incentives. Schedule 5 of the LEP lists all heritage items in the Jerilderie LGA. The Heritage Map in the LEP shows the spatial location and extent of all listed heritage items in the Jerilderie LGA including the conservation area.*

### *Objectives*

- To identify heritage buildings and encourage the conservation and enhancement of these items*
- To promote public awareness of the significance of heritage items*
- To provide for public involvement in matters relating to the conservation of Jerilderie's Environmental Heritage*
- To ensure that alterations, additions and infill developments are sympathetic and respectful of the values of the heritage sites*
- To control the demolition of heritage items or buildings and archaically record these buildings in circumstances of demolition*
- To comply with the basic principle and procedures of the Burra Charter*

*The Burra Charter defines the basic principles and procedures to be followed in the conservation of Australian heritage places.*

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.....General Manager

.....Mayor

Whilst the Heritage Advisor's opinion should be given significant weight in making any decision, it is felt that careful consideration must also be given to community opinion in this particular instance.  
Council's DCP provides additional guidance on the matter of public consultation.

## Notification

### 3.2 Notification

#### 3.2.1 Objectives

- To clearly demonstrate the process for notification and/or public exhibition of development applications under various circumstances
- To provide an opportunity for public involvement in the development process
- To ensure that the views of interested persons are considered before determining development applications.

#### 3.2.2 When these provisions do not apply

These provisions do not apply to the following types of development:

- a) Exempt development (see State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- b) Complying development (see State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- c) Dwelling houses and additions to dwelling houses that:
  - i. Are consistent with the primary purpose of the zoning
  - ii. Are single storey
  - iii. Comply with Council's building line setbacks
  - iv. Comply with the Building Code of Australia
  - v. Have no other dwelling houses located on the same allotment
- d) Proposals not considered to have a significant adverse effect on neighbours or in terms of:
  - i. The views to and the view from surrounding land
  - ii. Potential overshadowing of surrounding land
  - iii. Privacy of surrounding land
  - iv. Potential noise transmission to the surrounding land
  - v. The likely visual impact of the proposed building on relation to the streetscape
  - vi. The scale or bulk of the proposed building
  - vii. Proposed hours of use
  - viii. Potential light spillage or reflection
  - ix. Potential traffic generation; and
  - x. Means of vehicle access to and provision of parking on the application site.

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General Manager

.....Mayor

### 9 3.2.3 Notification and advertising requirements

#### (a) Types of Development that must be notified

- All Designated Development (as Defined in Schedule 3 of the Environmental Planning and Assessment Regulation 2000)
- Advertised development including:

i. State Significant Development as referred to in section 76A(7) of the Environmental Planning and Assessment Act 1979 Certain types of Integrated Development as defined in Clause 5 of the Environmental Planning and Assessment Regulation 2000, and

ii. Advertised development as identified in Environmental Planning and Assessment Act 1979:

- Activities that are inconsistent with the primary purpose of the zoning
- Animal boarding or training establishments
- Brothels
- Dual Occupancy
- Intensive horticulture
- Intensive livestock keeping establishments
- Major commercial and industrial works
- Multi unit development
- Non residential uses in residential areas
- Offensive/hazardous industries
- Recreation facilities
- Wind Farms
- Development that the General Manager determines shall be notified.

### 3.2.4 Notification Period

The plans relating to a notified Development Application may be inspected and submissions must be received at Council within 14 days of the date of notification. For advertised development, notification shall be in accordance with the Environmental Planning and Assessment Regulation 2000. It should be noted that Council may resolve to vary the length of a notification period.

It is the writer's view that given the potential visual impact of the fence located on the front and side boundary line on a corner allotment in the main street, as well as the appearance of the shipping containers, there is a real potential for the community to be concerned.

For these reasons, it is felt that the application should be notified by both advertising and by writing to not only adjoining neighbours, but those along the main street within the Heritage Conservation Area.

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.....General Manager

.....Mayor

## Legislative Implications

As previously noted in this report, the site is located in a Heritage Conservation Area as set out in Council's planning document.

Some discussion below examines, or rather confirms, that approval is required for the work proposed.

Jerilderie Local Environmental Plan 2012, Clause 5.10 is the relevant piece of legislation which provides some guidance on the matter of what does and does not need approval in a Heritage Conservation Area.

Relevant sections of the LEP, Environmental Planning and Assessment Act, Building Code of Australia and State Environmental Planning Policy for Exempt and Complying Development are pasted below for consideration. The key parts are highlighted in yellow.

### Jerilderie LEP 2012

#### 5.10 Heritage conservation

##### Note.

*Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.*

**(2) Requirement for consent** - Development consent is required for any of the following:

(e) erecting a building on land:

(i) on which a heritage item is located or that is within a heritage conservation area, or

**(3) When consent not required** However, development consent under this clause is not required if:

(i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and

(ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or

(d) the development is exempt development.\*

#### Definition of "exempt development" from the Act\*

\*Council's LEP does not contain a definition for "Exempt Development". exempt development—see section 1.6.

#### 1.6 Exempt development

(cf previous s 4)

(1) The carrying out of exempt development does not require:

(a) development consent under Part 4, or

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- (b) environmental impact assessment under Division 5.1, or
  - (c) State significant infrastructure approval under Division 5.2, or
  - (d) a certificate under Part 6 (Building and subdivision certification).
- (2) Exempt development is development that is declared to be exempt development by an environmental planning instrument because of its minor impact.

## **State Environmental Planning Policy (Exempt and Complying Development Codes) 2008**

Current version for 3 April 2018 to date (accessed 1 May 2018 at 08:49)  
Part 2 Division 1 Subdivision 17

### **Subdivision 17 Fences (certain residential zones and Zone RU5)**

#### **2.33 Specified development**

The construction or installation of a fence on land within Zone R1, R2, R3, R4 or RU5 is development specified for this code **if it is not constructed or installed:**

- (a) on a lot, or along a common boundary of a lot, that contains a heritage item or a draft heritage item, or
- (b) along the boundary of, or within the setback area of, a primary or secondary road within a heritage conservation area or draft heritage conservation area, or

#### **Definition of “building” from LEP**

**building** has the same meaning as in the Act.

#### **Note.**

The term is defined to include part of a building and any structure or part of a structure, but not including a manufactured home, a moveable dwelling or associated structure (or part of a manufactured home, moveable dwelling or associated structure).

#### **Definition of “building” from the Act**

building includes part of a building, and also includes any structure or part of a structure (including any temporary structure or part of a temporary structure), but does not include a manufactured home, moveable dwelling or associated structure within the meaning of the Local Government Act 1993.

#### **Definition of “structure” from the Building Code of Australia**

**Class 10:** a non-habitable building or structure—

- (a) **Class 10a** — a non-habitable building being a private garage, carport, shed, or the like; or

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.....General Manager

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- (b) **Class 10b** — *a structure being a fence, mast, antenna, retaining or free-standing wall, swimming pool, or the like; or*  
(c) **Class 10c** — *a private bushfire shelter.*

The fence is defined as a structure, and is along the boundary within the setback area of a primary and secondary road within a Heritage Conservation Area. As such, it requires approval.

Depending on the use of the proposed shipping containers, they will be classified as either Class 7 or Class 8 under the Building Code of Australia (BCA). The applicant has not indicated a particular use, however has argued that the containers should be determined to be Class 10a, thereby avoiding the need for any fire safety or other more onerous installation requirements. See excerpt from the BCA below:

**Class 10:** *a non-habitable building or structure—*

- (a) **Class 10a** — *a non-habitable building being a private garage, carport, shed, or the like; or*  
(b) **Class 10b** — *a structure being a fence, mast, antenna, retaining or free-standing wall, swimming pool, or the like; or*  
(c) **Class 10c** — *a private bushfire shelter.*

**Class 7:** *a building which is—*

- (a) **Class 7a** — *a carpark; or*  
(b) **Class 7b** — *for storage, or display of goods or produce for sale by wholesale.*

**Class 8:** *a laboratory, or a building in which a handicraft or process for the production, assembling, altering, repairing, packing, finishing, or cleaning of goods or produce is carried on for trade, sale, or gain."*

To summarise, regardless of the ultimate classification, the fence and shipping containers require approval. As a side note, due to the commercial use the shipping containers will **NOT** be classified as Class 10.

## Conclusion

Due to the high profile location, the fact that the site is in the Heritage Conservation Area and the potential community response, the proposed fence and shipping containers should be advertised and notified prior to determining the application.

Also, because of the potential community interest or concern, it is felt that the application should be presented back to Council for final endorsement – whatever the outcome.

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..... General Manager

..... Mayor



In the interests of acceding to the request of the applicant, Council should proceed with the determination process, first by calling for submissions, then by receiving a subsequent report with reference to any submissions.

## RECOMMENDATION

That:

1. Development Application 52-17/18 be notified by:
  - a. advertising in accordance with Council policy; and
  - b. writing to property owners in Jerilderie Street Jerilderie that are within the Heritage Conservation Area.
2. Following the notification period, the matter be further considered and a report presented to Council.

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.....Mayor

**ITEM NO. 8 - DEVELOPMENT APPLICATION NO 61-17/18**  
**FILE: DA 61-17/18**  
**FROM: ASSISTANT GENERAL MANAGER, INFRASTRUCTURE & ENVIRONMENT**

### **Property Description**

Applicant: Bruce Gowrie-Smith  
Property: Lot 3, DP 608992, Campbell Street, Darlington Point  
Zoning: RU5 - Village  
Proposed Development: Worker Accommodation and Associated Communal Facilities  
Consent Authority: Murrumbidgee Council  
Reason for Report: Recommended refusal

### **Background**

#### The Current Proposal & Existing Development on Site

The subject application comprises the following:

- 1) Installation of 8 transportable modules ("dongas"), each housing four (4) sole occupancy units, thus totalling 32 sole occupancy (motel style) units.
- 2) Installation of building comprising 1 accessible ("disabled") bedroom (no attached amenities) and 3 rooms each titled "unit" (no floor layout provided to determine what these contain – presumably simply a bedroom in each).
- 3) Installation of a building comprising a manager's bedroom with bathroom and kitchen facilities, plus two sole occupancy (motel style) units.
- 4) Installation of a building comprising two shower/toilet units, one accessible and adjoining (but separate from) the accessible bedroom.
- 5) Conversion of an existing coolroom into communal facilities comprising a kitchen/dining area and a lounge area.

Recent previous development of the site has included installation of similar uses and types of construction ie dongas and communal facilities.

Also on site is a current food processing plant which the owner advises is being phased out. Prior to this, the site was a works depot for Water Conservation and Irrigation Commission (now Coleambally Irrigation)

#### Information Request History

19/6/18 - A Development Application (DA) and application for a Construction Certificate (CC) for the proposed work was lodged.

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19/7/18 - Adjoining neighbours were written to, seeking comment before 7 August, 2018.

25/7/18 - The application was advertised in the Coly-Point Observer. No submissions were received.

28/6/18 - Shortcomings in the information provided were identified, and the applicant requested to provide additional information and/or clarification.

30/7/18 – The applicant provided some (not all) of the information requested.

13/8/18 - A detailed assessment of the proposal and the standard of documentation was carried out.

14/8/18 – The applicant provided further information, including some reasonably significant changes to the proposal.

14/8/18 – The applicant was advised at a face to face meeting, and confirmed via email, that the application could not be approved because of shortcomings in the standard of information including, amongst other things, a lack of accessible units. An undertaking was made to present the proposal to Council on the understanding that the relevant information would be provided by Monday 20/8/18.

20/8/18 – 4:30pm, the applicant provided additional information (attachment # 14).

21/8/18 – Assessment of the documentation reveals that there is still insufficient information available to enable approval.

To give Councillors some insight into the type of information being requested, a copy of the contents of last email to the applicant has been pasted into a Word document and is provided (attachment # 15).

At the time of writing, the applicant had not been contacted regarding the ongoing shortfalls in information.

## **Comment**

### Documentation Shortfalls

There are a number of vague and indistinct references through the documentation that do not clearly identify what is being proposed. In addition, each iteration of paperwork presents with changes, making it less clear what is actually being proposed.

The matter of confirming the suitability of the existing coolroom wall panelling in terms of fire safety is an issue that must be resolved before approval is given. It is

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.....General Manager .....Mayor

a “cart before the horse” issue. If the paneling is found to be unsuitable, then the proposal will change dramatically.

The most serious issue is that Commonwealth Legislation (Access to Premises Standards 2010 part D3.1) requires that a certain number of accessible (disabled) units be provided based on the number of sole occupancy units on the site. When taking into account the existing dongas plus the proposed new dongas on site, the Premises Standards require a minimum of 3 accessible sole occupancy units. The applicant has provided plans proposing one accessible bedroom with access to external, separate, unisex, shared facilities. In other words the occupant of the accessible bedroom would need to exit the unit and traverse a landing outside to gain access to a shared accessible shower/toilet room. This is the height of discrimination and contravenes the “dignified and equal” access provisions of not only the previously referred to Premises Standards but also the Disability Discrimination Act. Council cannot consent to this.

The following elaborates on some of the documentation shortcomings and gives an insight into the matters at hand.


*Information Requests From My Email to Applicant Dated 14/8/18 Including My Comments on Adequacy of Documentation Subsequently Received*

1. *Updated site plan incorporating all the changes and additional information outlined below. I am advised by Darryl McNeilly that you now intend to move the units closer to the side boundary to ensure they are clear of the sewer main. Please ensure that this change is reflected on the site plan. - SATISFACTORY. As an additional comment, we will still need to put some conditions in any consent that say something about exact positioning on site to be confirmed by council staff and also something about piercing down past the zone of influence of any future excavation. This will need to be reviewed by Council's Engineering Section.*
2. *Accessible Unit/s – Provide a minimum 3 accessible sole occupancy units all incorporating, as a minimum, identical features to those within the other sole occupancy units. Information on the accessible units to include floor plans, elevations, construction details sufficient to issue a construction certificate. Note that mirror reverse layout of two must be provided. NOT ADEQUATE. The Application does not shown 3 accessible units, it shows a "disabled unit" which is simply a bedroom. This bedroom sits next to and separate from an accessible shower/toilet. In other words the occupant of the disabled unit has to go outside to get to the shower/toilet. This is blatant discrimination and far from what he must provide.*

The applicant has asked in an email received 21 August 2018 that he be allowed to address the Council and questions the need to provide disabled facilities. As stated previously in this report, it is discrimination not to provide accessible facilities in accordance with the Commonwealth Legislation (Access to Premises

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Standards 2010 part D3.1) The applicant has been advised that he can address Council.

The only legislation that is available to the applicant in relation to seeking a variation to Access to Premises Standards 2010 part D3.1 is clause 11 of the Disability Discrimination Act 1992 states:

### **11 Unjustifiable Hardship**

*(1) For the purposes of this Act, in determining whether a hardship that would be imposed on a person (the **first person**) would be an **unjustifiable hardship**, all relevant circumstances of the particular case must be taken into account, including the following:*

*(a) the nature of the benefit or detriment likely to accrue to, or to be suffered by, any person concerned;*

*(b) the effect of the disability of any person concerned;*

*(c) the financial circumstances, and the estimated amount of expenditure required to be made, by the first person;*

*(d) the availability of financial and other assistance to the first person;*

*(e) any relevant action plans given to the Commission under section 64.*

*Example: One of the circumstances covered by paragraph (1)(a) is the nature of the benefit or detriment likely to accrue to, or to be suffered by, the community.*

*(2) For the purposes of this Act, the burden of proving that something would impose unjustifiable hardship lies on the person claiming unjustifiable hardship.*

The applicant has stated that the provision of 3 accessible units is not financially viable and also claims that people with disabilities will not be employed by the companies he is providing accommodation for, this in itself is an additional form of discrimination.

The applicant has also not provided details for a suitable Section 64 action plan approved by the commission (that governs the Act) therefore Council are unable to grant consent to the application in its current form.

The applicant can seek exemption from the Commission to reducing the number of accessible units required but will have to develop an action plan to provide services to disabled people in accordance with Part 3 of the Act, and the reference Section 64.

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3. Sewer Main Location – accurately shown on the site plan and indicating exact proposed distance from new buildings. SATISFACTORY. See comments against item 1. above.
4. Footings Details for units including engineer certification for footings and tie down system. NOT ADEQUATE. This item however can be conditioned requiring details before issue of the Construction Certificate. Council will not be issuing a CC without an engineer certifying the footing system. This is a major issue since the applicant continues to ignore council officer advice.
5. Existing Coolroom Walls – Provide critical radiant flux certification for insulated wall panels. See attached document titled "Insulated Panel COP". The panel must meet the requirements of Specification C1.10a Fire Hazard Properties – Floors, Walls and Ceilings, of the Building Code of Australia. NOT ADEQUATE. This item however can be conditioned requiring details before issue of the Construction Certificate.
6. Safety & Security Provisions Plan as per Council's policy (section 4.8). NOT ADEQUATE. Council's policy clearly lists what information must be provided. If a consent is issued for the proposal the following condition should be included "plans and specific details of the security monitoring system including exact light and camera positions be provided and approved by council prior to installation". The policy also specifically requires a fire services plan. The site plan shows a myriad of fire hose reels but no other services including exit & emergency lighting, portable fire extinguishers, smoke detectors are shown. Again, this can be conditioned that a plan be provided prior to release of a construction certificate.
7. Site Management Plan as per Council's policy (section 4.1) SATISFACTORY.
8. Advice regarding Site Manager as per Council's policy (section 4.1) SATISFACTORY. The Applicant proposes an on site manager and the plans provide a small, separate manager's unit. It would be advisable to include a condition that requires a sign somewhere on the premises that alerts residents to the existence of the nominated person as manager and provides relevant contact information.

#### Additional Comments from the Applicant

1. Item 10 - Communal Facilities - Very vague comments are made bringing into question what exactly the applicant is proposing. It begins by stating that the existing communal facilities (on the eastern side of the allotment) "are sufficient" but then goes on to talk about a recently renovated kitchen/dining facility in the adjoining factory. No details of this recently renovated facility are provided. Finally, item 10 refers to the proposed new facilities in an existing coolroom, plans of which have been provided. A side comment is provided about space being available for a gym in the future. It's all very non-specific and vague and does nothing to clarify exactly what he intends to do and how it is to be used.
2. Page 4 titled "New Shower/Toilet Details" - This describes a pair of amenities that presumably service the adjoining communal facilities as well as the disabled unit. It mentions demolition of an existing freezer compressor building. It

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General Manager

.....Mayor



will be necessary to therefore include consent conditions that cover demolition and any potential asbestos waste handling.

3. *Manager's Unit* - no details provided as yet in terms of structural information or up to date elevations. There also seem to be a couple of separate sole occupancy units that adjoin the manager's unit at each end. There is no indication that consideration has been made for fire and sound attenuation between these units.

4. *"Units"* - There are 3 rectangles labelled "unit" adjoining the accessible unit. No elevations or floor layout is shown for these. Like the manager's unit comments above, fire separation and sound attenuation information has not been provided.

5. *Communal Facilities* - Only a floor plan is provided and no confirmation or reference to ensuring disabled access to these facilities. There are reservations regarding the adequacy of the kitchen space. Recently the applicant mentioned he is putting on a full time cook but this verbal advice is not confirmed in his documentation. If it is the intention to have a permanent cook, the dry goods storage area (non-specified) is inadequate. Especially if there are to be large deliveries. Simply not enough room or thought gone into the kitchen.

6. *Traffic Movement* - The latest iteration of the site plan now has the units only 4 metres off the eastern boundary, effectively blocking traffic movement around the eastern end of the units as was originally proposed. A full site traffic management plan would be required prior to any additional works commencing on the site.

### **Policy Implications**

Council's "Transportable and Moveable Dwelling and Temporary Accommodation" Policy applies and has been referred to in seeking appropriate and complying documentation.

### **Legislative Implications**

The proposal would generally comply with Council's LEP if the documentation was clearer and provided the facilities and details previously requested.

### **Conclusion**

The application as it stands cannot be approved because of a lack of information and because the proposal does not comply with legislation relating to access.

Despite a number of clear requests and advice to the applicant, there remain information shortfalls.

The applicant should be advised that the application would be refused if Council were to consider it as it stands. Additionally, the applicant should be given one final opportunity to provide the relevant documentation.

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..... General Manager

..... Mayor


## RECOMMENDATION

That:

- 1) the applicant be advised the application cannot be approved based on the current documentation, and consideration of the application in its current form would result in refusal;
- 2) the applicant be given further opportunity to provide the relevant information;
- 3) the matter be reported to Council's September meeting for determination, regardless of information received.

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..... General Manager

..... Mayor

**ITEM NO. 9 - DEVELOPMENT APPLICATION NO 60-17/18**

**FILE: DA 60-17/18**

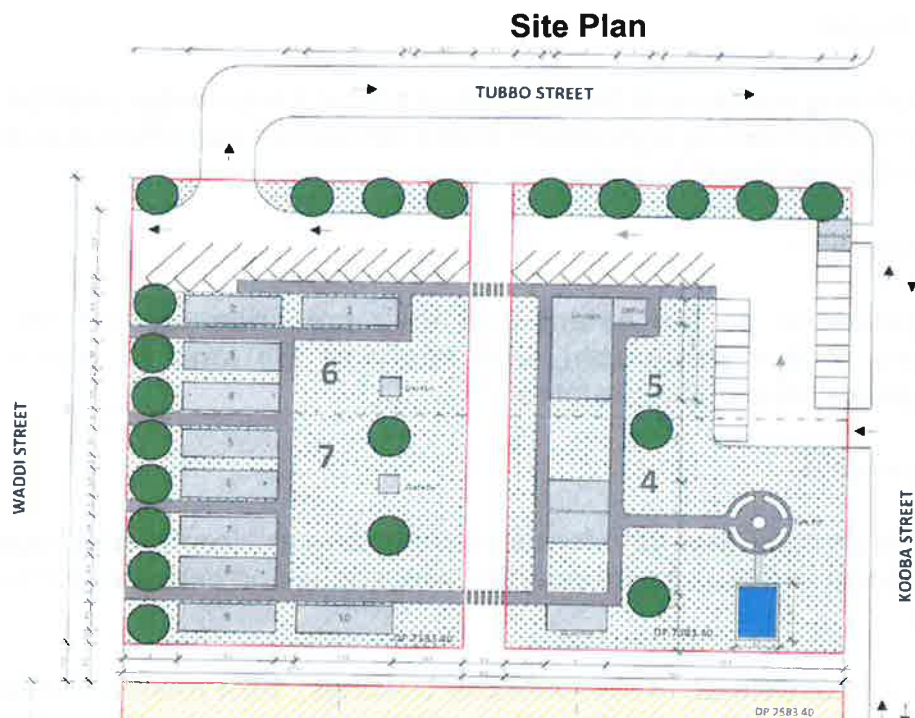
**FROM: ASSISTANT GENERAL MANAGER, INFRASTRUCTURE & ENVIRONMENT**

**Property Description**

Applicant:	Freedom Rural Pty Ltd
Property:	Lots 4,5,6 & 7, DP 758340, 20 Narrand Street, Darlington Point
Zoning:	RU5 - Village
Proposed Development:	Backpacker and Tourist Accommodation Village
Consent Authority:	Murrumbidgee Council
Reason for Report:	Objection received to the proposed development and issues regarding management and ownership of road reserves.

**Background**

15 June 2018 Development Application 60-17/18 for a Backpacker and Tourist Accommodation Village was received by Council. A copy of the site plan is provided below. The application was exhibited by way of notification to adjoining and adjacent landowners and adverts in the Darlington Point Coleambally Observer from 4 July until 17 July 2018. During the exhibition period one (1) submission was received. The concerns raised in the submissions are outlined in the evaluation section of this report



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*Chris Brown*

General Manager

Mayor

## **Comment**

### **4.15 EVALUATION**

(1) Matters for consideration—general. In determining a Development Application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the Development Application:

**(a) the provisions of:**

**(i) any environmental planning instrument, and**

Murrumbidgee Local Environmental Plan 2013 is the relevant planning instrument for this application. The proposed Backpacker and Tourist Accommodation Village is permissible with consent in the RU5 – Village Zone. The proposal complies with the objectives of the plan.

**(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and**

Not applicable

**(iii) any development control plan, and**

Not applicable.

**(iv) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and**

None applicable.

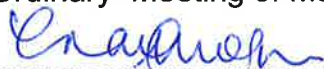
**(v) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the Development Application relates,**

None applicable

**(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

The development consists of 14 demountable buildings, 10x4 room buildings for accommodation, one kitchen building, one office building, one common room

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General Manager

Mayor

building and a laundry building. The site is located in north Darlington Point away from most services available in the town. There are no formed roads that service the proposed development.

The impacts on the natural environment will be minimal. The social impact will be limited due to the proposed development being located away from the more densely populated areas in Darlington Point. The economic impact should be positive, with workers located in the town and additional employment for people to manage and service the development.

**(c) the suitability of the site for the development**

The site is located on land that is unserviced by formed roads and has been identified as flood prone. The site is located within walking distance of most services in Darlington Point and there is adequate room on the site to ensure compliance with the requirements of the relevant Australian Standards and the Building Code of Australia.

**(d) any submissions made in accordance with this Act or the regulations**

The one (1) submission received outlined a number of areas of concern, each of these is outlined in the table below with comment.

Concern	Comment
Safety and security	Concern was raised about the safety and security of neighbouring properties and property owners. How will the people using the development impact on the area. A plan of management for the proposed development has been provided. The site will be managed and controlled to ensure there is no disorderly behaviour from people occupying the development.
Amenity	Concerns were raised about the increased noise in the area. The management plan has addressed some of the concerns, and any consent would be conditioned with a noise limitation condition.
Traffic and Services	Concerns about the unformed roads and the ability of services to cope with the increased population. A review of Council's infrastructure indicates that there is capacity to accommodate this development. The road issues are dealt with in greater detail in the external referral section of this report.

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.....General Manager

.....Mayor



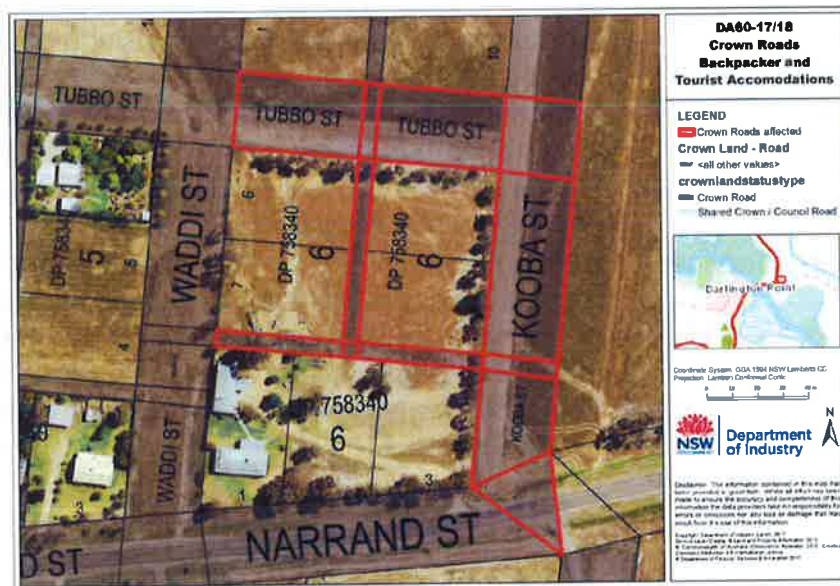
The proposed Backpacker and Tourist Accommodation Village is considered to be in the public interest as it will provide alternative accommodation to visitors to the town in a location that is within walking distance of the services of Darlington Point. The development will also provide employment opportunities at the facility itself.

## 7.12 Fixed development consent levies

## Policy – Transportable or Moveable Dwelling and Temporary Accommodation Policy

## External Referrals

1. Council take over management of the roads identified in the following plan; or
2. The applicant apply to close and purchase the Crown Roads.



Счастье

..Mayor



These options were presented to the developer and the developer's preference is for the Council to take over management of the roads.

This would mean an increased asset management cost to Council, which has not been included in Council's long term financial plan.

#### **Internal referrals**

Engineering – Concern raised regarding the addition of the roads to Council's road network. Further discussions are required with the developer to finalise this matter before the application can be determined.

#### **Conclusion**

The site of the proposed Backpacker and Tourist Accommodation Village is considered to be suitable except for the road network and access to the site. This issue may have great cost implications to Council and the developer, therefore it is recommended that the matter of the road network surrounding the development be resolved between Council and the developer prior to the application being determined.

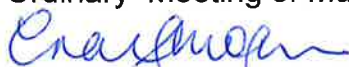
#### **RECOMMENDATION**

That Delegated Authority be granted to the General Manager to:

- 1) Negotiate with the developer and Crown Lands regarding the road network surrounding the development;
- 2) To determine Development Application No. 60-17/18 for a Backpacker and Tourist Accommodation Village on Lots 4, 5, 6, & 7, DP 758340, addressed as 20 Narrand Street, Darlington Point, dated 15 June 2018 and described in details accompanying the application under *Section 4.16 of the Environmental Planning and Assessment Act, 1979*.

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.....General Manager

.....Mayor

**ITEM NO. 10 - DEVELOPMENT APPLICATION NO 58-17/18**

**FILE: DA 58-17/18**

**FROM: ASSISTANT GENERAL MANAGER, INFRASTRUCTURE & ENVIRONMENT**

**Property Description**

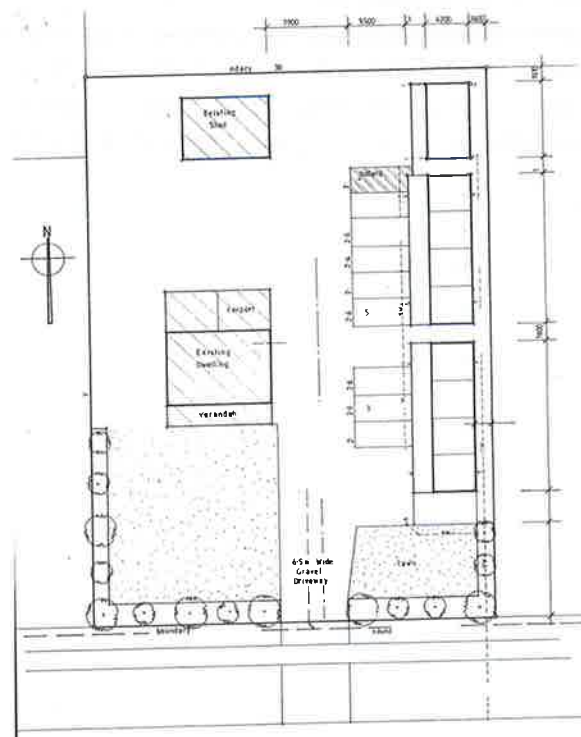
Applicant: Mr Robert Curphey  
Property: Lot 2, DP 602758, 23 DeMamiel Street, Darlington Point  
Zoning: RU5 - Village  
Proposed Development: Budget Motel  
Consent Authority: Murrumbidgee Council  
Reason for Report: Councillor Curphey is the applicant and objections received.

**Background**

19 June 2018 Development Application 58-17/18 for an 8 unit Budget Motel was received by Council. A copy of the site plan is provided below.

The application was exhibited by way of notification to adjoining and adjacent landowners and adverts in the Darlington Point Coleambally Observer from 27 June until 10 July 2018. During the exhibition period a total of 3 submissions were received. The concerns raised in the submissions are outlined in the evaluation section of this report

**Site Plan**



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*Robert Curphey*

General Manager

Mayor

## **Comment**

### **4.15 EVALUATION**

(1) Matters for consideration—general. In determining a Development Application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

**(a) the provisions of:**

**(vi) any environmental planning instrument**

Murrumbidgee Local Environmental Plan 2013 is the relevant planning instrument for this application. The proposed motel is permissible with consent in the RU5 – Village Zone. The proposal complies with the objectives of the plan.

**(vii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)**

Not applicable

**(viii) any development control plan**

Not applicable.

**(ix) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4**

None applicable.

**(x) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates**

None applicable

**(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,**

The development consists of three demountable buildings, one three room building with an office, a 4 room unit and a disabled unit. The development has been

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General Manager

Mayor

designed to limit the impact on the streetscape. The site is highly modified, therefore the development will have no impact on the natural environment. The development will provide the first motel in Darlington Point, so will have a positive impact on the economy of Darlington Point. Socially the motel will have a positive impact on the community as it will provide an alternative accommodation place for visitors.

**(c) the suitability of the site for the development**

The site for the motel is located within a village street in Darlington Point. It is surrounded by residential developments and has been modified by past developments. The site is flat and serviced by telecommunications, electricity, potable water, sewerage and sealed road access. It is considered suitable for the proposed development.

**(d) any submissions made in accordance with this Act or the regulations**

The three submissions received outlined a number of areas of concern, each of these is outlined in the table below with comment.

Concern	Comment
Safety and security	Concerns were raised about the proximity of the proposed motel near residential properties. The applicant has addressed concerns by providing details of the operation of the motel as short stay accommodation, with management of the site to limit check in and check out times and lighting to ensure visual safety.
Amenity	Concerns were raised about the overlook of the motel when viewed from the street. This has been addressed by the applicant by way of mature landscaping plants and higher fences. Noise issues have been addressed by provision of management details for the motel. The motel will be managed to ensure that noise is kept to a minimum with no check in after 9pm and traffic movements or loud noise after 10pm. This will be included as a condition of consent.
Maximum length of Stay	This will be limited due to the development being for a motel. A condition will be included in the consent that the motel is not to be used for long term accommodation.
Stormwater Disposal	The site is serviced by a table drain and a stormwater disposal plan will be required prior to the development commencing and will be included as a condition of consent.
Vehicle access and egress	There is adequate room on the site for vehicles to enter and exit the site in a forward direction. However the consent will be conditioned that prior to release of a construction certificate a design is to be provided to Council for the parking, vehicle manoeuvring and access and egress from the site.

This is page 36 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.

 General Manager .....Mayor

**(e) the public interest**

The proposed motel is considered to be in the public interest as the motel will provide alternative accommodation to visitors to the town in a central location.

**7.12 Fixed development consent levies**

As the works are valued at under \$100,000 no levy is required.

Engineering – No comment. Conditions imposed.

**RECOMMENDATION**

Development consent be granted to Development Application No. 58-17/18 for an 8 Unit Motel on Lot 2, DP 602758, addressed as 23 DeMamiel Street, Darlington Point, dated 19 June 2018 and described in details accompanying the application under *Section 4.16 of the Environmental Planning and Assessment Act, 1979*, and subject to the following conditions:

1. The development shall take place in accordance with the plans and documentation submitted with the application. A copy of these are held by Council as Plan No. 58-17/18.

Reason: **To clarify the extent of the consent.**

2. A Construction Certificate is to be obtained from Council or an accredited Private Certifier to verify that if all building work is carried out in accordance with those endorsed detailed plans and specifications it will fully comply to all of the provisions of the Building Code of Australia (BCA).

Reason: **This is a prescribed Condition of the Environmental Planning and Assessment Act and Associated Regulations.**

3. Use of the site for the proposed development shall not take place until all conditions of this approval have been satisfied.

Reason: **To ensure compliance to all requirements.**

4. Prior to any works being undertaken in the road reserve a road opening permit is to be obtained from Council.


Reason: To ensure Council's assets are maintained in accordance with relevant Australian Standards.

**5. CLASS 2, 3 or 4 BUILDINGS**

**The following inspections are required for 48 hours notice is to be given to Council or an accredited certifier to enable an inspection to be conducted:**

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.....General Manager

.....Mayor



- a) at the commencement of building work, and
- b) after excavation for and prior to the placement of, any footings, and
- c) prior to pouring any in-situ reinforced concrete building element, and
- d) prior to covering of the frame work for any floor, wall, roof or other building element,
- e) prior to covering all hot and cold water plumbing and sewer plumbing and drainage,
- f) prior to waterproofing in any wet areas, for a minimum 10% of rooms with wet areas within a building, and
- g) prior to covering any stormwater drainage connections, and
- h) after building work has been completed and prior to any occupation certificate being issued in relation to the approval.

**Please note that failure to comply with this condition may result in the Occupation Certificate not being granted.**

Reason: To ensure compliance with the Environmental Planning and Assessment Regulation 2000 associated legislation and Council requirements.

- 6. All plumbing and drainage work to be carried out in accordance with AS3500 National Plumbing and Drainage Code.

Reason: To ensure compliance with the requirements of the relevant legislation.

- 7. Prior to release of the Construction Certificate, plans are to be submitted to Council for approval for the control of stormwater from the roof and hardstand areas.

Reason: To prevent any increase in the stormwater flows from the subject development towards lower properties.

- 8. Builders/Developers are to provide on-site waste bins for waste materials generated during construction or they are to remove waste from the site on a daily basis.


Reason: To avoid a public health nuisance.

- 9. Building work shall not commence on the site before 7.00 am Monday to Saturday and 8.00am on Sundays and cease by 8.00pm daily.

Reason: To ensure compliance with the requirements of the Protection of the Environment Operations Act 1997 and Regulations.

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.....General Manager .....Mayor

10. Completion of landscaping in accordance with the approved landscaping plan prior to commencement of the use of the site and such landscaping is to be continuously maintained in accordance with the approved plan. Maintenance is the landowner's responsibility.

Reason: To ensure satisfactory completion and maintenance of landscaping.

11. Provision is to be made of an approved safety fence around the site prior to commencement of works.

Reason: To protect the safety of persons on adjoining land.

12. All vehicles must enter and exit the development in a forward direction to avoid possible conflict with through traffic on DeMamiel Street.

Reason: To minimise possible accidents with traffic on the adjacent road.

13. Provision of a driveway profile conforming to Council's specifications.

Reason: To ensure that access is constructed to a satisfactory engineering standard.

#### **14. Car Park Design**

Prior to issue of a Construction Certificate, submission of a design for a sealed car park with detail of layout, drainage, pavement and any associated fill compaction being prepared by a suitably qualified engineer.

Reason: To ensure provision of a car park commensurate with proposed use.

#### **Advice to Applicant in regard to Condition 14**

Reference is made to Australian Standards AS 2890-1 and 3500 –3.2 for car park layout and drainage.

#### **15. Car Park Capacity**


A minimum provision of 9 car parking spaces is required on the subject land.

Reason: To provide adequate on-site car parking commensurate with traffic generation of the development.

#### **16. Loading**

All loading and unloading associated with the development shall be carried out within the site, from the loading bay shown on the approved plans.

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.....General Manager .....Mayor

Reason: To ensure that such operations do not interfere with use of the adjoining roadway and/or footpath.

## **17. Advertising Signs**

No advertising sign and/or structure other than that which is permissible without consent is to be erected as part of the approved development until a formal application has been submitted to Council and a Development Consent has been issued.

Reason: Unless shown as part of the development proposal, separate Development Consent is required for advertising signs and/or structures.

### **Advice to Applicant in regard to Condition 17**

Please check with Council staff regarding the erection of any sign.

## **18. Disability Access**

Access for people with disabilities is to be provided in accordance with Section d 3.3 of the Building Code of Australia.

Reason: To ensure compliance with the requirements of the Building Code of Australia.

19. Earthworks are to be wholly contained within the property/site. It is the responsibility of the landowner and/or the principal contractor to ensure compliance with this condition.

Reason: to ensure that the development does not encroach onto neighbouring lots.

## **20. Signage**

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

- a. showing the name, address and telephone number of the principal certifying authority for the work, and
- b. showing the name for the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c. stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

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.....General Manager

.....Mayor

*This Condition does not apply to:*

- a. building work carried out inside an existing building, subdivision work or demolition work that is carried out inside an existing building, that does not affect the external walls of the building; or
- b. in relation to Crown building work that is certified, in accordance with Section 116G of the Environmental Planning and Assessment Act, to comply with technical provisions of the State's building laws.

Reason: This is a prescribed condition of the Environmental Planning and Assessment Act 1979 & Regulation 2000.

## **21. Toilet Facilities**

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

The provision of toilet facilities in accordance with this condition must be completed before the commencement of construction works.

Reason: This is a prescribed condition of the Environmental Planning and Assessment Act 1979 & Regulation 2000.

22. The structure(s) are to comply with the relevant requirements of the Building Code of Australia and the Environmental Planning and Assessment Act 1979.

Reason: To ensure compliance with the Building Code of Australia.

23. Installation of hard-wired smoke detectors within the building is to be undertaken in accordance with the Building Code of Australia prior to issue of the Occupation Certificate.

Reason: To ensure compliance with the requirements of the Building Code of Australia.

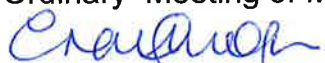
## **24. Portable fire extinguishers**

Portable fire extinguishers are to be provided in accordance with section E1.6 of the Building Code of Australia.

Reason: To ensure compliance with the Building Code of Australia.

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.....General Manager

.....Mayor

## 25. Essential Fire Safety Equipment

All essential fire or other safety measures must be maintained in accordance with BCA requirements.

Reason: To ensure compliance with the Building Code of Australia.

## 26. Annual Fire Safety Statement

The owner shall supply to the Council an Annual Fire Safety Statement which is to state that each essential fire or other safety measure installed in the building has been inspected and tested by a competent person and that the service was or was not designed, installed and capable of operating at the required standard.

Reason: To ensure the ongoing maintenance of fire and safety equipment.

27. Reception hours are to be from 7am to 9pm daily. With Management to advise guests arriving outside of these hours to be mindful of the neighbourhood and noise.

Reason: to ensure the amenity of the adjoining and adjacent land owners is maintained.

28. Noise is to be limited to 5dBA above background noise.

Reason: to ensure compliance with the Protection of the Environment Operations (Noise Control) Regulation 2017.



..... General Manager

..... Mayor



ITEM NO. 11 - DEVELOPMENT APPLICATION NO 54-17/18  
FILE: DA 54 -17/18  
FROM: ASSISTANT GENERAL MANAGER, INFRASTRUCTURE & ENVIRONMENT

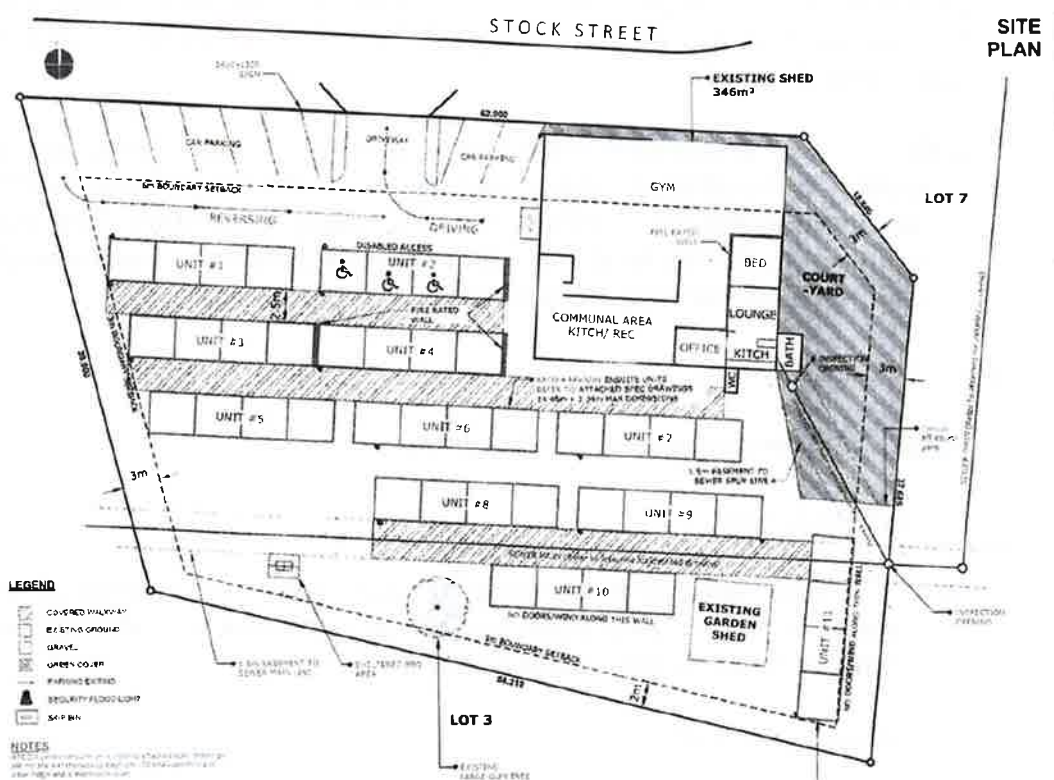
### Property Description

Applicant: Epiphany Investments Pty Ltd  
Property: Lot 6, DP 826992, 20 Stock Street, Darlington Point  
Zoning: RU5 - Village  
Proposed Development: Backpackers Lodge  
Consent Authority: Murrumbidgee Council  
Reason for Report: Objections received to the proposed development, variations are sought to Council Policy and refusal recommended.

### Background

15 June 2018 Development Application 54-17/18 for a Backpacker Lodge was received by Council. A copy of the site plan is provided below.

### Site Plan



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*Crane*

General Manager

Mayor

The application was exhibited by way of notification to adjoining and adjacent landowners and adverts in the Darlington Point Coleambally Observer from 4 July until 17 July 2018. During the exhibition period 3 submissions were received. The concerns raised in the submissions are outlined in the evaluation section of this report

During the exhibition period, additional information was requested from the developer in relation to the development to ensure compliance with the Building Code of Australia, Council's Transportable or Moveable Dwelling and Temporary Accommodation Policy and the Environmental Planning and Assessment Regulation. The additional information was received on Monday 20 August 2018.

## **Comment**

### **4.15 EVALUATION**

(1) Matters for consideration—general. In determining a Development Application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

#### **(a) the provisions of:**

##### **(xi) any environmental planning instrument**

Murrumbidgee Local Environmental Plan 2013 is the relevant planning instrument for this application. The proposed Backpacker Lodge is permissible with consent in the RU5 – Village Zone. The proposal complies with the objectives of the plan.

##### **(xii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)**

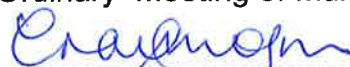
Not applicable

##### **(xiii) any development control plan**

Not applicable.

##### **(xiv) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and**

None applicable.



- (xv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates

None applicable

**(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

The development consists of 11 x 4 room units, and the conversion of a shed on site into a gym, communal area, office and manager's accommodation. There is also a garden shed on the site. No laundry facilities are indicated for the site and only 7 onsite car parking spaces are proposed for the site.

The development, in its current form, is considered over development of the site. The development is located in close proximity to all amenities within the town but is not in keeping with the character of the streetscape.

No landscaping is proposed and access and egress to the site is considered inadequate for both pedestrians and vehicles.

**(c) the suitability of the site for the development**

As stated above, the development in its current form is considered to be over development of the site as there is inadequate room on site to provide all services required to service a development of this size. The development is out of character with other developments in the vicinity which are single residences.

**(d) any submissions made in accordance with this Act or the regulations**

Three (3) submissions were received raising concerns about the proposed development. Each concern is outlined in the table below with comment.

Concern	Comment
Safety and security	Concern was raised about the safety and security of neighbouring properties and property owners. How will the people using the development impact on the area. A plan of management for the proposed development has been provided. The site will be managed and controlled to ensure there is no disorderly behaviour from people occupying the development. There will be a manager on site.
Amenity and Streetscape	Concerns were raised about the increased noise in the area. The management plan has addressed some of the concerns and any consent would be conditioned with a noise limitation condition. The impact on the streetscape could be reduced with appropriate landscaping and an overall reduction in the amount of development on the site.

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General Manager

.....Mayor

Services	Concerns were raised about the ability of the water, sewer and stormwater services to the land to service the development. The network is considered to be adequate to service a development of this size.
Inadequate Plans	This has been partially addressed by the additional information received, however as refusal is recommended it was assessed that the objectors did not need to see the additional information. If Council consider approving the application, the objectors should be afforded the opportunity to review the additional documentation.
Car parking	The car parking on site is inadequate. The applicant is seeking a variation to the required number of onsite parking spaces. This matter is addressed in the policy section of this report.

### **(e) the public interest**

The provision of additional temporary accommodation within Darlington Point is in the public interest, as long as the development is well designed and located in a suitable location. The proposal before Council is considered to be of poor design and over development of the site, and therefore is not in the public interest in its current form.

### **7.12 Fixed development consent levies**

The value of the proposed development is \$200,000 so a levy of \$2000 would be levied if an approval was granted.

### **Policy – Transportable or Moveable Dwelling and Temporary Accommodation Policy**

The applicant is seeking a variation to the onsite parking requirements for the development. The policy requires one space per sole occupancy unit or per 4 beds in the draft plan. Plus, one space for the manager's residence and 1 per employee. This is a minimum requirement of 12 parking spaces on site under the draft plan. 7 spaces are proposed on the site, and a request to utilise the swimming pool parking across the road is included.

The proposed parking on site is considered to be inadequate as vehicles will not be able to enter or exit the parking spaces due to inadequate vehicle manoeuvring areas in the vicinity of the parking spaces.

The request to use the pool car parking area is also considered to be inadequate as the pool parking not only provides parking for cars for the 5 months the pool operates, it also provides bus parking for school visits.

It is therefore recommended that the request to vary on site car parking be refused.

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General Manager

Mayor

## Internal referrals

Engineering – Concerns were raised about the onsite parking and the overall scale of development on the site.

## RECOMMENDATION

Development Application No. 54-17/18 for a Backpackers Lodge on Lot 6, DP 826992, addressed as 20 Stock Street, Darlington Point, dated 15 June 2018 under *Section 4.16 of the Environmental Planning and Assessment Act, 1979* be refused for the following reasons:

- 1) The proposed development does not comply with the requirements of the Draft Transportable or Moveable Dwelling and Temporary Accommodation Policy due to inadequate provision of facilities and onsite car parking;
- 2) The proposed development will have an adverse impact on the streetscape and the amenity of the area, and therefore is considered to not comply with Clause 4.15(1) (b) of the Environmental Planning and Assessment Act 1979;
- 3) The development is considered to be over development of the site, therefore is not considered to be suitable for the site as required by Clause 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.

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.....General Manager

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**ITEM NO. 12 - COLEAMBALLY CEMETERY CONCEPT PLAN**

**FILE: 02.15**

**FROM: ASSISTANT GENERAL MANAGER, INFRASTRUCTURE & ENVIRONMENT**

**Background**

The Coleambally Cemetery Concept Plan was presented to the July Council meeting. At that meeting Councillors requested that the Plan be amended to ensure grave orientation be consistent with RSL guidelines. The Concept Plan has been revised to take these guidelines into consideration (attachment # 16).

**Sustainability/Legislative Provisions**

N/A

**Financial Consideration**

Nil



**RECOMMENDATION**

That the revised Coleambally Cemetery Concept Plan, as presented, be adopted.

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*Erin Thompson*

General Manager

Mayor

**ITEM NO. 13 - ADVICE FROM AGENCIES REGARDING REZONING OF LOT 534, DP 1097168, COLEAMBALLY**

**FILE: 04.25.01**

**FROM: ASSISTANT GENERAL MANAGER, INFRASTRUCTURE & ENVIRONMENT**

At the May 2018 Council meeting, the following was resolved in relation to the rezoning of Lot 534, DP 1097168, Coleambally.

1. Subject to appropriate rezoning being approved, Council consent be given to the developers to apply, at their cost, for development consent for the development outlined in their letter dated 6 April 2018;
2. Council approve, in principle, to sale of part of the land in question subject to:
  - a. Rezoning being approved; and
  - b. Such sale being processed in accordance with a policy, yet to be developed and adopted.

Agencies preliminary agency consultation has been undertaken, and the results are as follows:

Agency	Comments
Department of Planning and Environment	Opposed to the rezoning until such time as Strategic Landuse Plan is completed for the entire Council area.
Office of Environment and Heritage (OEH)	OEH does not support rezoning of this area of RU1 (primary Production) to RU5 (Village Zone) for the following reasons: <ul style="list-style-type: none"><li>• The site has relatively large patch of remnant vegetation that contains habitat for threatened species;</li><li>• It is an archaeologically sensitive environment and Aboriginal Cultural Heritage (ACH) values have not been considered;</li><li>• There are other more suitable area for development adjacent to the existing RU5 Village Zone.</li></ul>
Roads and Maritime Services (RMS)	RMS has considered the preliminary request based on the information available and offers the following preliminary comments: <ol style="list-style-type: none"><li>1. Land within Coleambally is currently accessed from the Kidman Way by a number of public road intersections such as Pine Avenue and Kingfisher Drive and the internal road network. Access directly from the Kidman Way to individual land parcels is not available;</li><li>2. As practical access can be achieved to the subject site from the adjacent local road network, access directly between the site and the Kidman Way is denied. This is</li></ol>

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.....General Manager .....Mayor

	<p>consistent with the provisions of Clause 101 (2) of the State Environmental Planning Policy (Infrastructure);</p> <p>3. Given the area of the subject site and the potential land uses and impact of the development of the site on the surrounding road network, a Traffic Impact Assessment may be required to accompany the Planning Proposal;</p> <p>4. Development of the site may warrant the upgrade of the current intersection treatments of the Kidman Way with Pine Drive and Kingfisher Avenue.</p> <p>Subject to consideration of the above issues, RMS would have no objection to the rezoning of the subject site as proposed.</p>
Crown Lands	No comment as the proposal does not affect Crown Land.
Murray Darling Basin Authority	No formal advice regarding the rezoning and will have no jurisdiction with regard to this matter.
Family and Community Services	No issues raised.
Civil Aviation Safety Authority	No issues with the proposed rezoning, however they identified the Coleambally airstrip as being private. Discussions with CASA outlined that future works to the airstrip should be referred to CASA.
NSW Education	Concerned about the impact on teacher numbers and compatible land uses close to the school.
Transport for NSW	No comment at this stage.
Department of Primary Industry	No concerns relating to impacts on agriculture.

In light of the agencies comments, a number of studies would need to be undertaken including, but not limited to:

- Land use strategy for the entire Council area;
- Biodiversity Assessment Report;
- Aboriginal Heritage;
- Traffic Impact Assessment.

The costs associated with preparing the reports and assessments would be well over \$100,000 and there has been no budget allocated for this project.

In light of the agency responses to the proposed rezoning, it is recommended that the rezoning not be undertaken.

## RECOMMENDATION

Rezoning of Lot 534, DP 1097168, Coleambally not be undertaken at this stage, and be included in consideration for a strategic land use plan for the entire Murrumbidgee Council area.

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..... General Manager

..... Mayor

**ITEM NO. 14 - DRAFT DARLINGTON POINT FLOOD STUDY**

**FILE: 04.25.15**

**FROM: ASSISTANT GENERAL MANAGER INFRASTRUCTURE & ENVIRONMENT**

In 2017 Council commenced preparation of the draft Darlington Point Flood Study. The project has been overseen by the Floodplain Risk Management Committee.

GHD have prepared the draft study, which will be tabled at the meeting.

The draft study was presented to the Floodplain Risk Management Committee on 19 July 2018. The Committee resolved that the study be reported to Council.

The study covers the urban and outlying areas of Darlington Point and provides the township with a model which allows for the depth of flooding to be defined in each property in the study area.

The study has modelled various size floods which are mapped in the appendix section of the study. This is a requirement of the Floodplain Management Manual from NSW Office of Environment and Heritage.

The main flood Council needs to look at is the 1:100 years event. This event is the State standard for planning requirements under the Local Government Act 1993 and Environmental Planning and Assessment Act 1979.

The study gives a clear outline of the areas that will be affected by flood water and the impact the realignment of the levee will have on the land to the south and west of the town. The study will become a Council policy, therefore it is recommended that the draft Darlington Point Flood Study be publicly notified and exhibited for a period of no less than 28 days, with a submission period of 42 days, in accordance with Section 160 of the Local Government Act 1993.

During the exhibition period, a community meeting will be held in Darlington Point to explain the plan to members of the public. The dates being put forward are 18, 19 or 20 September 2018. It is proposed to be an evening meeting.

At the end of the exhibition period the matter will be reported to Council, with details of any submissions received or changes made to any of the policies in the manual, for resolution in accordance with Section 161 of the Local Government Act 1993.

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This is page 51 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.



General Manager

Mayor

## RECOMMENDATION

That:

- 1) The draft Darlington Point Flood Study be publicly notified and exhibited for a period of 28 days, with a submission period of 42 days, in accordance with Section 160 of the Local Government Act 1993;
- 2) A public meeting be held in Darlington Point on a date and time to be determined;
- 3) On completion of the submission period the draft Darlington Point Flood Study be reported to Council for resolution in accordance with Section 161 of the Local Government Act 1993.

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This is page 52 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.



..... General Manager

..... Mayor



**ITEM NO. 15 - TRANSPORTABLE OR MOVEABLE DWELLINGS AND  
TEMPORARY ACCOMMODATION POLICY**  
**FILE: 03.06**  
**FROM: ASSISTANT GENERAL MANAGER - INFRASTRUCTURE AND  
ENVIRONMENT**

At the June meeting of Council it was resolved that the Draft Murrumbidgee Transportable or Moveable Dwellings and Temporary Accommodation Policy be exhibited in accordance with Section 160 of the Local Government Act 1993.

The application was exhibited for a period of 28 days , with a 42 day submission period, and during the submission period one (1) submission was received regarding the Policy (attachment # 17) The issues raised in the policy are outlined below, with comment:

1. Exclude development of this nature in the central area of Darlington Point

Comment: The author sites a number of clauses from the Darlington Point Structure Plan to emphasise the need for suitable sites to be provided. Under Section 4.15 of the Environmental Planning and Assessment Act 1979 one of the key considerations is the suitability of the site to house the proposed development. The policy has been prepared to ensure that overall site considerations are considered.

2. The policy is in contradiction of the Town Structure Plan for Darlington Point

Comment: The policy covers the entire Council area and not just Darlington Point. As part of the consideration of any development application in Darlington Point the Structure Plan has to be considered. Its recommendations would be considered for any application.

3. Car parking and Access Issues

Comment: Onsite parking is considered key to the success of any of these type of developments within the Council area as private vehicle transport is the main form of transport available in the Council area. The onsite parking requirements have been reviewed and it is recommended that the policy be amended so that a minimum of one parking space is required per sole occupancy unit unless a bus service is available to and from the site. This will replace the provision of one space per 4 beds

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This is page 53 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.

.....General Manager .....Mayor

#### 4. The Condition of the Buildings to be Used

Comment: Council inspects the buildings to ensure compliance with the Building Code of Australia and all relevant Australian Standards. A Compliance Certificate is required for all relocatable buildings prior to them being approved for construction.

#### 5. Safety Issues such as Gas and Electricity

Comment: These issues are addressed by the relevant Authorities other than Council. Council will require Compliance Certificates prior to occupation of the buildings in accordance with the Environmental Planning and Assessment Act and Regulations.

#### 6. Adequate water and sewerage infrastructure to accommodate these developments and the cost to the community as a whole to provide this additional infrastructure

Comment: As part of any application before Council these matters will be assessed as Council is the water and sewer authority.

#### 7. Vehicle entry and exits from the site

Comment: Traffic flows are considered as part of any Development Application before Council. It was not included in the policy as this is required to be assessed.

#### 8. Vegetation removal

Comment: Vegetation removal and plantings are assessed for each application received by Council.

#### 9. Perimeter fencing

Comment: Fencing height and style will depend on the location of the development and will be considered as part of any application before Council.

#### 10. Concerns about decommissioning of the sites and enforcement for non-compliance

Comment: Council are required to undertake inspections of accommodation places on an annual basis and annual fire safety certificates are required to be provided. Compliance inspections will be programmed annually.

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This is page 54 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.



..... General Manager

..... Mayor

## RECOMMENDATION

That the Draft Murrumbidgee Transportable or Moveable Dwellings and Temporary Accommodation Policy be adopted in accordance with Section 161 of the Local Government Act 1993 with the following amendment:

Clause 4.3 (a) (iii) be replaced with:

- one parking space is required per sole occupancy unit unless a bus service is available to and from the site.

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This is page 55 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.

.....General Manager .....Mayor

**ITEM NO. 16 - MURRUMBIDGEE COUNCIL PLANNING MATTERS**

**FILE: 04.25.01**

**FROM: ASSISTANT GENERAL MANAGER, INFRASTRUCTURE & ENVIRONMENT**

10 May 2018 Council received a letter from the Department of Planning and Environment outlining planning matters to be addressed by Council. A copy of the letter is provided (attachment # 18).

The items are addressed individually in the following:

Planning Proposal (PP 2017 MURRU 001 00) to rezone a portion of Lot 80, DP 1225744 Conargo Road, Jerilderie from RU1 Primary Production to RU5 Village

The Department is waiting on additional information including:

- Heritage Impact Statement/Assessment, as the subject site includes an archaeological item;
- Specific supply and demand data, including indication of the number and size of lots to be facilitated by the proposal;
- An indication of what is proposed that is identified as high hazard flood prone land.

Council is able to provide information on the last 2 dot points utilising Council staff. A consultant is required to prepare the information required for the first dot point. A quotation to undertake the work has been received. \$7500 is the quote to undertake the required works on ground and to prepare the required reports.

There is no budget allocation for this work, therefore it is recommended that Council resolve to have the works undertaken and the cost be referred to the quarterly review.

Value of completing a Murrumbidgee Local Land Use Strategy

The Department is encouraging the Council to prepare a Council wide strategy, and given the development that is taking place in the region it is strongly recommended that a land use strategy be prepared.

Darlington Point Development Control Plan

The Department again is encouraging the preparation of a Development Control Plan, for Darlington Point in particular. Coleambally is also missing Controls. It is recommended that a Council wide Development Control Plan be prepared.

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.....General Manager

.....Mayor

Combining the Jerilderie Local Environmental Plan 2012 and Murrumbidgee Local Environmental Plan 2013

Council needs to consider the amalgamation of the Local Environmental Plans into one Plan. This was part of the list of items in the implementation funding, but was not considered to be a priority when the Councils first merged. However, given the increasing development interest in the Council area it is recommended that this become a priority in the event that additional implementation funds are received.

**COMMENT**

In order to progress the Jerilderie LEP 2012 Amendment 1 it is recommended that \$7500 be sourced for the preparation of the Heritage Impact Statement /Assessment for the archeological item on the site.

That Council put together a brief to go out to tender for the preparation of a Council wide Land Use Strategy, a Council wide Local Environmental Plan and Council wide Development Control Plan.

That funding for the preparation of the Landuse Strategy, Local Environmental Plan and the Development Control Plan be sourced from any additional implementation funds received by Council.

**RECOMMENDATION**

That:

- 1) \$7500 be voted for the preparation of the Heritage Impact Statement /Assessment for the archeological item on the site;
- 2) A brief be prepared for a tender for the preparation of a Council wide Land Use Strategy, a Council wide Local Environmental Plan and Council wide Development Control Plan;
- 3) Funding for the preparation of the Land Use Strategy, Local Environmental Plan and the Development Control Plan be sourced from any additional implementation funds received by Council.

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.....General Manager

.....Mayor



ITEM NO. 17 - PLAN OF MANAGEMENT – TIDDALIK WETLANDS AND BIRD  
SANCTUARY  
FILE: 03.16  
FROM: ASSISTANT GENERAL MANAGER INFRASTRUCTURE AND  
ENVIRONMENT

## Background

The following report was tabled at the Council meeting on 26 November 2016:

Murrumbidgee Shire Council resolved at its March, 2016 meeting that the draft Plan of Management for the Tiddalik Wetlands and Bird Sanctuary (attachment # 7) be placed on public exhibition for a period of twenty-eight days. Advertisements were placed in local newspapers, with submissions closing 5.00pm on 6 May, 2016.

Two submissions were received. The following information is offered in response to the issues raised by the submitters: -

- The wetlands and surrounding area have not been adequately maintained for a number of years and lacked the necessary maintenance to allow the area to realise its full potential. A number of community members have been endeavouring to have the Committee of Management reinstated to provide a means for the necessary maintenance to be undertaken on a voluntary basis;
- The soil taken from the pit, that is now the wetlands, was used to fill low areas in the new subdivision. The reasoning behind the decision to use such soil was to create a retention basin for stormwater drainage from the south-western part of the town;
- The ecosystem of the wetlands system is designed to control mosquito breeding, and anecdotal evidence is that residents of the area do not have any more issues with this pest than the rest of the town.

The suggestion that “the purpose of the Wetland and Sanctuary is to attract and provide habitat for local wildlife” could be incorporated in documents to further clarify the thinking behind the project. Murrumbidgee Council resolved at its June 2016 meeting, as follows:

**15/06/16**      **Resolved** (Mr Evans) that additional information be provided to the Local Representation Committee on the draft Plan of Management for the Tiddalik Wetlands and Bird Sanctuary, prior to its adoption by Council.

On 9 August 2016, I met on site with two representatives of the Committee, who undertook to provide a list of future works requested of Council in three categories of immediate, medium term and long term. This list was provided on 11 October

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.....General Manager

.....Mayor

2016, and has been included below with estimates of cost for each item. Current expenditure by Council is limited to grass cutting and limited general maintenance, which is costed to parks and gardens allocations. There are several remedial works which are considered desirable to bring the wetland up to the expected standard of the original construction (shown in green, a total of \$131,000).

### High Priority Work

ITEMS	COST
Weed spraying	\$7,000.00
Excavation and earthworks Area 1 (closer to Campbell Street)	\$14,000.00
Excavation and earthworks Area 2 (middle section)	\$42,000.00
Excavation and earthworks Area 3 (closer to Britts Road)	\$42,000.00
Construction of sand beach areas (2 beach areas)	\$14,000.00
Re-instate islands	\$17,000.00
Shelter with bench and seats	\$11,000.00
Signs	\$2,000.00
TOTAL	\$149,000.00
Contingency (10%)	\$14,900.00
<b>GRAND TOTAL</b>	<b>\$163,900.00</b>

### Medium Priority Work



ITEMS	COST
Wheelchair friendly concrete/ashphalt footpath (2.2m W x 620m L)	\$140,000.00
Rubbish bins	\$2,000.00
Maintenance vehicle track (250m L x 3m W)	\$14,000.00
Annual service and running of pump station	\$10,000.00
Plantation of additional native trees and shrubs	\$5,000.00
TOTAL	\$171,000.00
Contingency (10%)	\$17,100.00
<b>GRAND TOTAL</b>	<b>\$188,100.00</b>

### Long Term Work

ITEMS	COST
Outdoor fitness stations x 4 (playground standard)	\$40,000.00
Thinning/controlling of excessive weeds (ongoing annually)	\$5,000.00
Small shelter at the viewing mound	\$6,000.00
TOTAL	\$51,000.00
Contingency (10%)	\$5,100.00
<b>GRAND TOTAL</b>	<b>\$56,100.00</b>

The Committee members also indicated a desire that the Committee be reinstated as a Section 355 Committee of Council. I asked at the meeting that a list of names be provided of those who would be interested in being members of this Committee under these circumstances. At the date of preparing this report I have not been provided with this list.

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 General Manager
 

 Mayor

I also approached the author of the submission against the Plan of Management, to get an impression of the support for this approach to the wetland. I am unable to provide a clear picture of the level of support for either the Plan or the alternative of turning the area into a retardation basin.

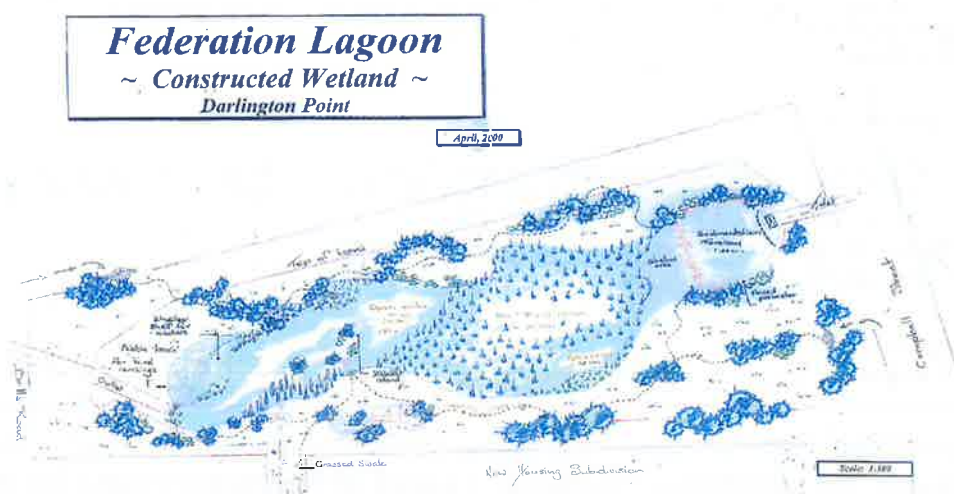
Adoption of the Plan would mean a commitment to spend significant funds on continuing development and an annual expenditure in the order of \$20,000. There is an existing commitment of \$2,000 for specific work annually and the maintenance expenditure occurs within the parks allocation which is not defined.

**101/11/16 Resolved** (Mr Evans) that the future of the Tiddalik Wetland and Bird Sanctuary be considered as part of the Darlington Point Strategic Plan, and the level of financial commitment to this asset be listed for consideration as part of the 2017-2018 Delivery Plan.

The further report was tabled at the Council meeting on 26 June 2018:

Tiddalik Wetlands and Bird Sanctuary were created with a Centenary of Federation Grant from the Federal Government obtained by Heritage Darlington Point with the assistance of former Murrumbidgee Shire Council. Initially the land was used as a storm water retention basin and the opportunity to turn the area into a functional community facility was the catalyst for the grant application.

The Tiddalik Wetland and Bird Sanctuary future is of significant concern in respect to the Council capacity to be able to maintain the wetlands in accordance with the approved management plan.



Tiddalik Wetlands and Bird Sanctuary to date has created a significant problem in terms of mosquito management, as all management options used to control the mosquito population provide only a short term relief. Furthermore, over 1/3 of the wetland area has been invaded by Cumbungi – most prevalent are two species (*T. domingensis* – Narrowleaf Cumbungi and *T. orientalis* – Broadleaf Cumbungi).

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General Manager

.....Mayor

If uncontrolled, it has a potential to overgrow the entire area of the Tiddalik Wetlands and Bird Sanctuary. The scale of the problem can be quantified by taking into consideration that the overall area of the wetlands is approximately 6000 sqm and an average height of the growth of the Cumbungi of 1 metre. This indicates that approximately 2000 cubic metres of vegetation would be required to be removed on a biennial basis, together with an ongoing annual insect and vermin control program.

## CONCLUSION

The following management options should be taken into consideration for the future of the Tiddalik Wetland and Bird Sanctuary:

1. Do nothing except for insects and vermin management. Annual management cost of \$25,000;
2. Control Cumbungi growth, insect and vermin population. Annual management cost of \$35,000;
3. Implement original development concept by adjusting the elevation and the landform to ensure unrestricted gravity flow installation and construction of recreation areas and equipment. Overall implementation cost \$500,000; annual management cost of \$35,000;
4. Reinstate original landform and drainage path construction cost \$150,000; annual management cost of \$8,000.

Murrumbidgee Council resolved at its June 2016 meeting, as follows:

**134/06/18** ***Resolved** on the motion of Councillors Wells and Curphey that a thorough and costed works and maintenance vote be explored based on the submission received by Council from Tiddalik Wetlands Management Committee, with a report presented to the August meeting of the Council.*

## ISSUES

During the process of the preparation of the report, Mayor Ruth McRae and I met with the representatives of the Tiddalik Wetlands and Bird Sanctuary Committee on 3 July 2018. During the meeting I explained that based on the Council calculation the maintenance cost would range from \$25,000 to \$35,000 per annum. Should removal or the existing weeds be considered as the preferred option, it would require consideration be given not only to the excavation and transport but also disposal costs of removed green waste.

Mr Paul Goodsall a member of the Tiddalik Wetlands and Bird Sanctuary Committee insisted that the calculation provided by the Committee is accurate, and suggested that the organic waste could be burnt in-situ. He also requested that in preparation of the report, the Council seek advice from James McGuire, formerly

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.....General Manager

.....Mayor



with Local Land Services, and considered by Mr Goodsall as an expert on cumbungi management.

During preparation of the report, the following people with expertise on cumbungi management were consulted:

1. James McGuire (Office of Environment and Heritage) – considering that the cumbungi has invaded reed beds, he suggested to eradicate weeds by chemical control and remove the whole vegetation. He stated that this could be done by burn off, but he suggested caution should burn off be the preferred options for eradication of cumbungi. He also stated that there is a significant risk that in the absence of competing vegetation after the removal cumbungi, weeds may come back even stronger. He also suggested the development and implementation of an annual weeds control and maintenance program that would control vegetation growth around the wetland.
2. Kevin Kelly (Coleambally Irrigation) – stated that Coleambally Irrigation have not used mechanical control of cumbungi for a number of years, as it has been proven to be ineffective. He suggested spraying and removing vegetation as well implementation of an annual weeds control program. In his opinion, based on hands on experience, the best time to spray cumbungi is early March, thus spraying cumbungi at any other time would be ineffective.
3. Irrigation Farmer -stated that based on his, and family, hands-on experience, neither mechanical or chemical control of cumbungi will be effective without an annual control program.

Tiddalik Wetland and Bird Sanctuary future is of significant concern from the point of view of the Council capacity to maintain the wetlands in accordance with the approved management plan. Over 1/3 of the wetland area has been invaded by cumbungi – most prevalent are two species (*T. domingensis* – *Narrowleaf Cumbungi* and *T. orientalis* – *Broadleaf Cumbungi*). If uncontrolled, it has a potential to overgrow the entire area of the Tiddalik Wetlands and Bird Sanctuary. The scale of the problem can be quantified by taking into consideration the overall area of the wetlands, some 6000 sqm, and an average height of the cumbungi growth, estimated to be in the vicinity of 1 metre. This equates to approximately 2000 cubic metres of vegetation that need to be removed and reed beds reinstated, together with an ongoing annual insect and cumbungi control program.

## CONCLUSION

### Option 1

Based on the advice received, it has been concluded that in order to maintain the Tiddalik Wetlands and Bird Sanctuary in line with the original concept, the following works would need to be undertaken:

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 General Manager ..... Mayor



1. Eradicate all vegetation within the wetland by chemical means. Waste to be disposed of to a landfill or burnt in-situ. Estimated cost of \$10,000 to \$45,000.
2. Re-establish reed beds. Estimated cost of \$35,000.
3. Annual maintenance program developed and implemented to prevent the growth of cumbungi - \$25,000.

#### **Option 2**

Maintain status quo. Annual cost \$10,000.

#### **Option 3**

Remove the wetland and return to the originally designed retardation basin:

1. Reinstatement of natural landform \$150,000.
2. Annual maintenance cost \$5,000.

#### **RECOMMENDATION**

That the Tiddalik Wetland maintenance program be limited to the \$10,000 vote allocated in the 2018/2019 budget, and grants be sourced to facilitate a removal of the wetland and return to the originally designed retardation basin.

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.....General Manager

.....Mayor

**ITEM NO: 18 - AUDIT RISK AND IMPROVEMENT COMMITTEE**  
**FILE 05.08.03**  
**FROM: FINANCE MANAGER**

Following the inaugural Audit Risk and Improvement Committee, there are a number of items to be attended to as a result of recommendations from this Committee.

The Draft Audit Risk and Improvement Committee Charter was presented to the meeting for discussion and a number of changes were recommended. Attached is a copy of the amended Charter for discussion and subsequent adoption (attachment # 19).

The Committee also recommended that Council invite expressions of interest for the internal audit function. It would be anticipated the internal auditor undertake approximately 3 internal audit assignments per year, with expressions of interest invited for a 3 year term.

A Chair to the Committee needs to be appointed by Council, and Mr David Maxwell is recommended for this position.

#### **RECOMMENDATION**

That:

- 1) Council appoint Mr David Maxwell as Chair of the Audit Risk and Improvement Committee.
- 2) The amended Audit Risk and Improvement Committee Charter be adopted;  
and
- 3) Expressions of interest be advertised for an internal auditor.

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.....General Manager .....Mayor

**ITEM NO. 19 - NEW COUNCIL IMPLEMENTATION FUND - JUNE 2018**  
**FILE: 03.13.08A**  
**FROM: FINANCE MANAGER**

**New Council Implementation Fund**

This report provides an update on expenditure to date of the New Council Implementation Fund.

	<b>Budget</b>	<b>Revised Budget</b>	<b>Expenditure (June 18)</b>
PMO and Other Staffing Costs	\$1,400,000	\$1,400,000	\$1,296,735
Asset Management	\$330,000	\$330,000	\$327,125
Communications/Webpage	\$74,500	\$74,500	\$66,366
Information Technology	\$1,800,000	\$1,800,000	\$1,334,285
Policy Development	\$31,000	\$31,000	\$30,522
Human Resources (staff training and accommodation)	\$265,000	\$265,000	\$298,114
Marketing & Branding	\$92,500	\$92,500	\$92,343
Service Reviews	\$240,000	\$180,000	\$126,672
Signage/Uniforms/Rebranding	\$127,000	\$127,000	\$120,871
SCF Grant Administration	\$50,500	\$50,500	\$50,335
Miscellaneous	\$200,000	\$200,000	\$234,054
GIS Conversion Project	\$80,000	\$80,000	\$24,565
Master Key System	\$25,000	\$25,000	
Radio Network Conversion	\$40,000	\$40,000	
Local Representation Committee Allowances (2016/17)	\$124,500	\$124,500	\$124,117
Provision for adjustment to new Salary System during 2018/19	\$120,000	\$120,000	\$82,081
Provision of Integrated Telephone System		\$60,000	\$61,058
<b>TOTAL</b>	<b>\$5,000,000</b>	<b>5,000,000</b>	<b>\$4,269,243</b>

**PMO and Other Staffing Costs**

Includes costs for PMO staff, additional staff assistance and consultants, together with voluntary redundancies.

**Asset Management**

Asset Management Strategy and six (6) Asset Management Plans were adopted by Council on 27 February 2018.

**Communications/Webpage**

The web page has been updated and constantly monitored. Communication with the community continues through various media forms.

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.....General Manager

.....Mayor

**Information Technology**

Significant progress has been made with the provision of hardware and infrastructure. The financial operating system is currently undergoing testing and conversion data is being imported. A proposed "Go Live" for the implementation of the single financial operating system is 1 November 2018.

**Policy Development**

Development of policies by external consultant has been completed. Further policy development will continue in house.

**Human Resources (staff training and accommodation)**

Some ongoing staff training continues.

**Marketing & Branding**

Branding and marketing has been completed.

**Service Reviews**

Additional costs are expected to be incurred should Council undertake a "deep dive" into twelve "higher order" service areas.

**Signage/Uniforms/Rebranding**

Some additional signage works may still be required to be undertaken.

**SCF Grant Administration**

Grant administration by outside consultants has been completed.

**Miscellaneous**

A number of additional costs have been incurred as a result of various recruitment processes being undertaken.

**GIS Conversion Project**

Consultant engaged to commence this project. Work will continue into the future with harmonisation of mapping to include integration with Civica V7 upgrade.

**Master Key System**

Proposed costs of new system of master keys (and locks) to be installed across the Council area.

**Radio Network Conversion**

This is an estimate to allow the installation of a single new radio network (with appropriate radios and handpieces) across the Council area. This project has not commenced at this time.

**Local Representation Committee Allowances**

Actual expenditure for LRC.

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..... General Manager

..... Mayor

**Provision for adjustment to new Salary System during 2018/19**

Adjustments have been undertaken for the period 13 May 2016 until 31 July 2017. Further adjustments for the period from 1 August 2017 will be undertaken once staff have been allocated into the new salary structure.

**Provision of an Integrated Telephone System**

Council's telephone system has been upgraded to enable point to point transfers.

**RECOMMENDATION**

That the information contained in the report be noted and variations to the budget allocations be approved.

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..... General Manager

..... Mayor



# COMMITTEE MINUTES

## ITEM NO. 20 - MINUTES OF THE DARLINGTON POINT FLOODPLAIN RISK MANAGEMENT COMMITTEE MEETING THURSDAY 19 JULY 2018, COMMENCING 12.30PM

FILE: 04.25.05

**1. Welcome by Steve Goodsall**

**2. Present:**

Daniel Williams – BMT WBM Pty Ltd  
Stephen Goodsall – Murrumbidgee Council  
Susan Appleyard – Murrumbidgee Council  
Steve Manwaring – NSW Office of Environment and Heritage  
Ian Leckie – SES  
Phillip Wells – Councillor  
Kevin Adams – Invited Community Member  
Peter McGaffin – NSW Public Works Advisory

**3. Apologies:**

Peter Chudek – Murrumbidgee Council  
William Wade – Murrumbidgee Council  
Craig McIntyre – SES  
Robert Curphey – Councillor  
Gavin Gilbert – Councillor  
John Catell – Community Representative  
Mick Grace – Invited Community Member  
Bruce Gowrie-Smith – Invited Community Member  
Fred Spain – NSW Public Works Advisory

**4. Presentation:**

Daniel Williams (BMT WBM Pty Ltd) presented the DRAFT final Flood Study report for comment. Please refer to the attachment for the BMT WBM Pty Ltd presentation for the day.

**5. Minutes:**

- 1) Kevin Adams expressed concern that the levee realignment to protect around the Britts Road subdivision will have increased impact of the dwellings at the southern end of Hay Road.
- 2) It was explained that the flood study in its current DRAFT form will be released for exhibition and comment post the next Council meeting. A Flood Impact Map and the Floor Levels of the dwellings to the south of the town along Hay Rd will be released with the minutes of this meeting and as an

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General Manager

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appendix to the flood study. This will provide all residents in the study area the opportunity to provide comment on the flood study to be considered prior to finalisation of the report.

3) The forward program for the flood study will be as follows:

1. Review and comment by committee, all replies to SA & SG (2 weeks)
2. Flood Study taken to August Council meeting to gain approval to proceed with "Exhibition Period" (1 day)
3. Exhibition Period – Post hard copy at Council and electronic copy on Council website. Comments to be provided to SA & SG. (4 weeks)
4. Community meeting to be held approx. ½ way through Exhibition Period to provide community the opportunity for clarification on the report. (Early/Mid September)
5. Comments reviewed and passed on to BMT WBM Pty Ltd for required changes. Alternatively comments referring to future steps in the flood study will be collated and dealt with at the correct timeline in the project.
6. Final Report is tables at the October Council meeting for finalisation.
7. Flood Study is accepted as final.

4) BMT WBM Pty Ltd to provide some additional plans for the Community Information session. Plans plainly showing flood paths and depths for a 1% flood. Specifically targeting area external to the levee protected area. (North and South Darlington Point.)

## **6. General Business**

Nil

## **7. Next Meeting Date**

Community Meeting – approx. 11<sup>th</sup> – 13<sup>th</sup> September. Final time and date to be determined pending availability of key personnel.

It will be an evening meeting possibly held at the Darlington Point Club.



.....General Manager

.....Mayor

**ITEM NO. 21 - MINUTES OF THE STRONGER COMMUNITIES FUND  
ASSESSMENT PANEL MEETING THURSDAY 9 AUGUST 2018, COMMENCING  
4.00PM**

**FILE 03.13.08A**

**Present:** Cr Ruth McRae, Mayor (Chair)  
Cr Robert Black, Deputy Mayor  
Mr Peter Chudek, Acting General Manager  
Mr Adrian Lindner, Independent Probity Advisor

**Apologies:** Mr James Bolton, Department of Premier & Cabinet  
Mr Ian Girdwood (representing Mr Greg Aplin, MP, Member  
for Albury)  
Mr Craig Moffitt, General Manager

**Minutes:** Julie Conn

**Item for Discussion - Upgrade to Civic Hall Kitchen, Jerilderie**

The report which was tabled at the Council meeting of 24 July 2018, was discussed.

Councillor McRae spoke regarding the opportunity to use the interest from the unexpended Stronger Communities Fund Grant for the purpose of completing the Jerilderie Civic Hall kitchen upgrade.

At 4.05pm Council's Finance Manager, Mrs Vicki Sutton joined the meeting. Mr Lindner asked how the distribution of the Stronger Communities Fund grants were progressing and finalisation of projects.

Mr Chudek spoke as to the projects that were currently underway. He advised local capacity to complete projects has been challenging, however Council has developed a strategy to bundle projects in an effort to overcome this problem and make it easier to attract contractors. An estimated \$2.5m has been expended of the \$10m in grant funds available.

Councillor McRae spoke about the requirements of the hall users, and advised of usage over the last year. Additional upgrade works are required to ensure the kitchen complies with the National Food Premises Code and NSW Trade Waste requirements. Under the National Food Premises Code, it is a requirement that the hall kitchen be fitted with an industrial range hood.

Mr Lindner identified that the kitchen upgrade project would come under the Major Projects Fund, for larger projects and providing new/improved infrastructure.

Mr Lindner spoke of the criteria which must be met to allow for the allocation of funds.

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.....General Manager

.....Mayor

After discussions, his only area of concern was had a community consultation process been undertaken?

Mr Chudek advised that this has been done through our Community Strategic Plan consultation process. Cr McRae advised that the local newspaper, the Southern Riverina News, has reported this week of the proposed upgrade, and Cr McRae advised of a significant number of phone calls in support of the upgrade.

No allocation of funds for the upgrade was made by the former Jerilderie Shire Council, even though they had identified the project as a high priority.

Following these discussions, Mr Lindner advised his concerns regarding community consultation had been dealt with, and he considered all criteria had been met.

**RESOLVED** on the motion of Cr R McRae, Seconded A Lindner, that the Stronger Communities Fund Assessment Panel recommend that Council make available an allocation of \$182,310 from the Stronger Communities Fund Grant for upgrade to the Civic Hall Kitchen, Jerilderie.

There being no further business, the meeting closed at 4.23pm.

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Cr Ruth McRae  
Chair

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.....General Manager

.....Mayor

**ITEM NO. 22 - MINUTES OF THE JERILDERIE TIDY TOWNS COMMITTEE  
ANNUAL GENERAL MEETING THURSDAY 2 AUGUST 2018, COMMENCING  
6.00PM**

**FILE: 02.09**

**Present:** Faith Bryce, (chair), Sadie Herrick, Richard Wright, Joan Kuschert, Gwen McLaughlin, Elaine Forbes, Fred Scammell, June Scammell, Garry Borger, Lisa Brackenrig.

**Apologies:** Ian Sneddon, Robyne Sneddon, Isobel Milne, Joan Ferris, Chris Girdwood, Polly Fisher, Judy Knight, Dot Mills, Graham Mills, Ann Wright, Jan Crittenden, Bruce Crittenden, Ruth McRae, Loretta Marriott, Pat Godfrey, Alan Knight, Colin Sweeney.

Moved Richard Seconded June that the apologies be accepted.  
Carried.

**Minutes of the previous AGM :**

Accepted as read on the motion of Faith Seconded Fred  
Carried.

**Business arising from the Minutes:**

- nil

**Treasurers Report tabled:**

Accepted on the motion of Richard Seconded Garry  
Carried.

**Presidents Report tabled:**

Accepted on the motion of Faith Seconded Fred  
Carried.

**Election of Office Bearers:**

All positions declared vacant. Faith Bryce conducted the election of Office Bearers.

**President:**

Faith Bryce Nominated by: June Seconded: Elaine  
Accepted.

**Vice President:**

Ian Sneddon Nominated by: Sadie Seconded: Faith  
Accepted.

**Treasurer:**

Richard Wright Nominated by: Sadie Seconded: June  
Accepted.

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.....General Manager

.....Mayor



**Secretary:**

Sadie Herrick  
Accepted.

Nominated by: Garry

Seconded: Fred

**Publicity Officer:**

Chris Girdwood  
Accepted.

Nominated by: June

Seconded: Richard

**Auditor:**

Murrumbidgee Council.

Moved: Richard

Seconded: Faith

Vikki Sutton be approached to conduct audit.

Carried.

**General Business:**

Moved Richard/Sadie that Ian Sneddon's sterling performance over his many years in office be noted.

Carried

Meeting Closed: 6.10pm

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President

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date

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.....General Manager

.....Mayor

**ITEM NO. 23 - MINUTES OF THE JERILDERIE TIDY TOWNS COMMITTEE  
GENERAL MEETING THURSDAY 2 AUGUST 2018, COMMENCING 6.10PM  
FILE: 02.09**

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**Present:** Faith Bryce, (chair), Sadie Herrick, Richard Wright, Joan Kuschert, Gwen McLaughlin, Elaine Forbes, Fred Scammell, June Scammell, Garry Borger, Lisa Brackenrig.

**Apologies:** Ian Sneddon, Robyne Sneddon, Isobel Milne, Joan Ferris, Chris Girdwood, Polly Fisher, Judy Knight, Dot Mills, Graham Mills, Robyne Sneddon, Ann Wright, Jan Crittenden, Bruce Crittenden, Ruth McRae, Loretta Marriott, Pat Godfrey, Alan Knight, Colin Sweeney.

Moved Fred Seconded June that the apologies be accepted. Carried.

The Minutes of the last meeting were accepted as read on the motion of Richard  
Seconded Garry  
Carried.

**Business arising from the Minutes:**

- Over payment of \$3000 to Tidy Towns coffers has been rectified (before Sadie could spend it...)
- Letters to Council re Road side Clean Up have been sent. Secretary to send an amendment to Peter re wrong date!!!

**Treasurer's report as tabled: At AGM**

Moved Richard Seconded Joan K that the Treasurers Report as tabled be accepted.  
Carried.

**Correspondence:**

**Inwards:**

- Extension of KNSWB submissions date - email
- Texts and emails from Sneds and Faith re submissions.

**Outwards:**

- All 4 submissions now sent. Thanks guys
- Letter to Peter C re informing Council of Road side clean up
- Letter to Peter C re our wish to install solar lighting at nth & sth town entrance signs and asking for direction from Council with this matter.

Moved Lisa Seconded Gwen that correspondence be accepted. Carried.

**General Business:**

- Faith informed meeting that Sned's Notice Board should arrive next week.
- Working Bees... Sunday August 12, 10.00am Tip Road  
Thursday Aug 16, 5.00pm Horgan's Walk  
Sunday August 26, 9.30am Newell Highway.
- Fred has poisoned some of Horgans Walk. Thanks Fred.

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This is page 74 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.



.....General Manager

.....Mayor

- Sadie will email Footy & Netball Clubs re helpers for Road Side Clean Up (Newell Highway)
- KABNSW will send an assessor to view our 4 projects. All projects are willing to have the visit. Sadie & Faith to organise the day.
- Committee to spread the word for a bit of a town spruce up to greet assessor Mr Doug McDonald. Something in paper too.
- Faith will email Council regarding the visit of assessor – perhaps some slashing etc can be done.
- June mentioned that we check the BBQ on morning of visit – just in case it is a bit messy.
- Meeting asked that we send a message of condolence to Ruth and her family.
- Faith asked that Committee send a letter of endorsement to Council regarding a grant application which is for a painting and photography workshop and an art exhibition which will be held in The Willows. Great idea. We have so much talent in this town. (just not at my house)
- Discussion on fund raising for the Jerilderie Independent Living Units project.
- Sadie has organised raffle tickets, Sneds has organised the raffle prizes and community groups will be asked to assist with the selling of the tickets.
- Moved Garry/Lisa that Jerilderie Tidy Towns Committee members be willing to sell raffle tickets for JILL. Carried.
- Sadie to get dates for selling tickets.
- Moved Faith/Joan K that we have this raffle on Jerilderie Race Day. Carried.
- Lisa suggested we have a notice board displaying plans and info on the Independent Living Units and the benefit to our community.
- Discussion on Drought Relief assistance. Richard to enquire into Lions Club drought projects. Meeting would like to donate \$200 to this cause.

Meeting Closed: 7.10pm  
 Next Meeting: September 6, 2018  
 At: Our Office  
 Time: 6.00pm

.....  
 President 06/09/2018

✕ .....

#### JOBS TO BE DONE

##### Working Bees...

- Sunday August 12, 10.00am Tip Road
- Thursday Aug 16, 5.00pm Horgan's Walk
- Sunday August 26, 9.30am Newell Highway.
- Sadie – letter to Council re endorsement of grant application
- Sadie – liaise with KABNSW re assessor visit.
- All to spread the word re spruce up the town for visit.
- Wait for emails to see jobs re assessor visit and ticket selling rosters.
- Richard to check where to send the cheque.

This is page 75 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.



..... General Manager

..... Mayor

# Tidy Town Treasurer's Report

## JERILDERIE TIDY TOWNS COMMITTEE

31/07/18

### Itemised Profit and Loss August 2017 through July 2018

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
Deposit	27/02/2018		LIONS CLUB JERIL...	DONATION		BENDIGO BA...	-250.00	-250.00
Deposit	21/03/2018		SUNCORP MET	SPONSERS...		BENDIGO BA...	-250.00	-500.00
Deposit	22/03/2018		COLONY INN HOTEL	SPONSERS...		BENDIGO BA...	-250.00	-750.00
Deposit	23/03/2018		L KELLY	SPONSERS...		BENDIGO BA...	-100.00	-850.00
Cheque	28/03/2018	62	I SNEDDON	PRIZES		BENDIGO BA...	63.50	-786.50
Deposit	28/03/2018		JERILDERIE GRAIN	SPONSERS...		BENDIGO BA...	-150.00	-936.50
Deposit	0/04/2018		APEX CLUB JERIL...	SPONSERS...		BENDIGO BA...	-250.00	-1,186.50
Deposit	23/04/2018		S & S RAFFLE	P L TAKINGS		BENDIGO BA...	-320.25	-1,506.75
Cheque	1/05/2018	03	CRAIG MATHESON	TROPIES MA...		BENDIGO BA...	430.89	-1,075.86
Deposit	21/05/2018		S & S RAFFLE	RAFFLE & E...		BENDIGO BA...	-1,083.50	-2,159.36
Deposit	21/05/2018		SHOW & SHINE	STALL HOLD...		BENDIGO BA...	-200.00	-2,359.36
Deposit	21/05/2018		SHOW & SHINE	BBQ		BENDIGO BA...	-1,375.90	-3,735.26
Cheque	7/06/2018	64	IGA	BBQ SUPPLI...		BENDIGO BA...	419.16	-3,297.10
Cheque	7/06/2018	65	BAKERY JER	BBQ BREAD		BENDIGO BA...	59.40	-3,237.70
Cheque	7/06/2018	66	MURRUMBIDGEE ...	S & S PRINTL...		BENDIGO BA...	56.00	-3,181.70
Cheque	7/06/2018	67	AGriVET SERVICES	BBQ GAS		BENDIGO BA...	32.95	-3,148.75
Total SHOW & SHINE							-3,148.75	-3,148.75
Supplies								
Office								
Cheque	7/08/2018	68	S HERRICK	SEC's EXP		BENDIGO BA...	57.70	57.70
Total Office							57.70	57.70
Total Supplies							57.70	57.70
Travel & Ent								
Meals								
Cheque	8/12/2017	58	COLONY INN HOTEL	XMAS PARTY		BENDIGO BA...	720.00	720.00
Deposit	8/12/2017		MEMBERS	XMAS DINN...		BENDIGO BA...	-480.00	240.00
Cheque	13/12/2017	57	S HERRICK	XMAS EXP		BENDIGO BA...	78.25	318.25
Cheque	14/03/2018	61	IGA JERILDERIE	SUPPLIES		BENDIGO BA...	19.98	338.23
Total Meals							338.23	338.23
Total Travel & Ent							338.23	338.23
Total Expense							11,424.83	11,424.83
Net Ordinary Income							-7,975.63	-7,975.63
Net Income							-7,975.63	-7,975.63

This is page 76 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.



General Manager

Mayor

**ITEM NO. 24 - MINUTES OF THE HERITAGE DARLINGTON POINT  
COMMITTEE MEETING 5 AUGUST 2018, COMMENCING 10.25AM**

**FILE: 02.34**

**Present:** as for AGM.

**Apologies:** as for AGM.

**Minutes:** Minutes of 3 June 2018 were tabled and endorsed (Ken/ Laurie)

**Business Arising:**

1. Council Community Grant – no application was made, having not received a reply/quote from either of windmill mechanics (Greg Seymour, Coleambally; Aussie Windmill Repairs, Currawarna).
2. Disabled Access Ramp -- to General Business.

**Correspondence:**

**Outward:**

- 4 June 2018 – Men's Shed, D. Point – update re Disabled Access Ramp project.
2. 5 June – Greg Seymour, Lot 105, McDonald Rd., Coleambally.

**Inward:**

1. 20 June – Essential Energy – information, contact numbers for power outages (13 20 80) and network enquiries (13 23 91).
2. 3 July -- RAHS, *Journal*, June 2018; *History* magazine, June 2018.
3. 12 July -- Waddi Centre – NAIDOC week, morning tea event 18 July.
4. 12 July –Essential Energy – notifying power cut, 22 July.
5. 25 July – Murrumbidgee Council – Water rates, 0.88c (pay by
6. 25 July – Murrumbidgee Council – Rates \$221.00\*

\*Rates notice questioned; rates on museum property have previously been waived since c. 1980s Letter to Council, requesting clarification of situation.

**RAHS e-newsletters:**

- 1.4 July – NAIDOC Week, 2-9 July; Exhibition and Walking tour; Seminar 25 July, 'Maps for Historical Research'; news from Affiliated Societies.
  2. 26 July – 2018 Conference to be Port Macquarie, 20-21 Oct., theme 'Surveying the Past, Mapping the Present'; link to Paul Irish website, coastalsydneystories.com
- Changes at NSW Land Registry Services HLRV; access conditions altered. \*\*  
News from Affiliated Societies.  
= Email message from Lachlan Turner, who photographed the courthouse 16 Nov. 2017 – is planning return visit in Oct. 2018, to note progress. Hopefully exterior painting will be completed before that date?  
Moved that all correspondence be accepted as read and actions endorsed (Shirley/Ken)

This is page 77 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.



.....General Manager

.....Mayor



**Treasurer's Report:** As for AGM. Balance, \$5,809.31.  
Laurie presented accounts totalling \$24.00, for window sash cord purchased (front windows of Pol. Residence). Committee agreed to reimburse from Petty Cash.

**General Business:**

1. Disabled Access Ramp – Ken presented provisional plans for committee's approval. Steel supporting structure will be required, to be fabricated in two sections; to be made by professional tradesman. Volunteers can assist with pouring concrete footings, and laying decking. Final plan will be prepared to submit for Council approval.
2. Cultural Gardens Community Consultation Meeting, 30 July, Waddi Community Hall. Laurie and Mona attended. Plans for Cultural Garden/associated landscaping were presented. Plan requires removal/demolition of former Westpac bank building facing street. (Discussion: It was noted that the structure in question has very little historical significance --circa late 1950s – also may present problems such as termite damage and asbestos materials. Not considered acceptable for museum). Note: To date we have not had formal approach/information re this matter.
3. Gift photographs: Group of photographs to be presented to Lee Blumer and Trevor Mills (River Walk Cafe), as thanks for painting exterior of courthouse, as proposed. Mona has priced a suitable 3-aperture frame (\$12.50). Committee approved the purchase be made.
4. Museum Visitors: further attendance since Open Day – tour groups were received 5, 6, 12, and 22 June; a further 2 visitors 21 July, and *ColyPoint* Observer reporter on 24 July.  
Resulting article tabled (25 July, 2018, p. 1).
5. Additions to Photo Collection: A batch of 16 photographs has been received from Mr John Love, who was surveyor in this area, 1964. Batch includes four of particular interest, showing views of buildings of museum complex; others relevant to surveying or of scientific interest. Pictures tabled for viewing by committee members.
6. Seminar and Workshop: (a) Mona attended RAHS seminar on Land Titles Records at State Archives, Kingswood, on 15 June. Privatisation at the Land Titles Office in 2016 has changed conditions of access and made some records less accessible to researchers. Note also, further change notified in RAHS e-newsletter, 26 July.\*\*  
(b) Also attended Grants Workshop, Griffith on 19 July. Printout (73 pp) to be tabled next meeting.
7. HDP Newsletter, July 2018: Has been issued; copies tabled at meeting. Copies have been distributed Post Office, Council DP office, Hygge coffee shop, Punt Hotel; emailed to media, councillors, and all on mailing list.

**Meeting closed:** 10.58 a.m.

**Next meeting:** 6 October 2018.

This is page 78 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.



..... General Manager

..... Mayor

## ITEMS FOR INFORMATION

ITEM NO. 25 – MONTHLY FINANCIAL REPORT – JULY 2018

FILE: 05.13

FROM: FINANCE MANAGER

### BACKGROUND

The financial reports are presented to Council on a monthly basis. To develop this report, Council's Cash Book is reconciled with the bank balances shown in Council's bank statements as at 31 July 2018. The report shows that Council's investments have been invested in accordance with the *Local Government Act 1993*, *Local Government (Financial Management) Regulation 1999* and Regulations and Council policies and procedures.

### ISSUES

1. **Cash at Bank:** Council's consolidated cash position (cash and investments) as at 31 July 2018 was \$24,813,744.07 with the cash at bank amount for the same period being \$987,494.83.
2. **Investments:** As at 31 July 2018, Council's total invested funds were \$23,826,249.24. Average interest rates over the reporting period were 2.40%. The bulk of Council's investments (70.19%) are held in Bendigo Bank, the ANZ (6.78%) and IMB Ltd (14.38%), in accordance with the guidelines and requirements of the Financial Management Regulations.

### RECOMMENDATION

I hereby certify that:

- 1) the cash book was reconciled with the bank balance as shown by the bank statements as at 31 July 2018;
- 2) the investments have been invested in accordance with the Local Government Act, Regulations and Council's policies.

That Council receive and note the monthly financial report containing the bank balances and investment schedule as at 31 July 2018.

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Vicki Sutton

**RESPONSIBLE ACCOUNTING OFFICER**

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This is page 79 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.



.....General Manager

.....Mayor

**STATEMENT OF BANK BALANCES**

	2018-19	2017-18
	Consolidated	Consolidated
<b>CASH AT BANK 30 JUNE 2018</b>	<b>2,664,501.85</b>	<b>1,714,417.87</b>
ADD - Receipts - 31 July 2017	2,054,725.74	1,821,117.69
ADD - Receipts - Bendigo Bank	1,963,045.10	913,182.65
ADD - Cancelled	0.00	0.00
ADD - Adjustments	0.00	0.00
LESS - Cheques	-42,511.49	-44,103.44
LESS - EFT - Autopay	-4,610,328.57	-2,798,918.54
LESS - Payroll	-528,929.62	-342,105.05
LESS - Bank Charges & Transfers	-11,582.11	-8,154.35
LESS - Loan Repayments	0.00	-481.12
LESS - Investments	-500,000.00	-191,350.61
LESS - Visa Card Pymt	-80.00	-1,907.46
LESS - Fuel Card	-907.17	-709.87
LESS - Photocopy Rental	-438.90	-438.90
<b>CASH AT BANK 31 JULY 2018</b>	<b>987,494.83</b>	<b>1,060,548.87</b>
<b>CASH AT BANK 31 JULY 2018</b>	<b>758,488.15</b>	<b>670,141.07</b>
Bank Statements - Bendigo Bank	234,560.09	394,630.96
PLUS Outstanding Deposits	0.00	0.00
LESS Unpresented Cheques	-4,386.90	-4,223.16
LESS Outstanding Autopay	-1,166.51	
LESS Reverse Autopay	0.00	
<b>CASH AT BANK 31 JULY 2018</b>	<b>987,494.83</b>	<b>1,060,548.87</b>
Add Investments	23,826,249.24	27,438,834.95
<b>Total Cash and Investments</b>	<b>24,813,744.07</b>	<b>28,499,383.82</b>
<b>Represented by:-</b>		
Trust Account - North	179,328.46	175,675.16
Trust Account - South	26,586.76	17,858.76
Water Fund - North	1,206,494.83	1,298,948.73
Water Fund - South	888,342.82	533,047.34
Sewer Fund - North	1,926,468.88	1,807,916.40
Sewer Fund - South	1,838,783.48	1,818,284.59
Domestic Waste Management - North	11,701.06	11,701.06
Domestic Waste Management - South	73,804.00	103,804.00
Unexpended Grant Funds	1,055,829.29	506,254.13
Plant Reserve - North	512,030.48	713,943.71
Plant Reserve - South	522,686.00	31,000.00
Employee Leave Entitlement Reserve-North	450,000.00	450,000.00
Employee Leave Entitlement Reserve-South	1,170,000.00	810,000.00
Infrastructure Reserve - North	3,921,784.69	4,074,176.20
Infrastructure Reserve - South	791,758.00	701,447.00
Residential Housing Reserve - North	0.00	120,000.00
New Council Implementation Fund	598,491.60	2,787,279.10
Stronger Communities Fund	8,377,164.75	9,281,313.01
General Fund	<b>1,262,488.97</b>	<b>3,256,734.63</b>
	<b>24,813,744.07</b>	<b>28,499,383.82</b>

This is page 80 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.



General Manager

Mayor

## **SCHEDULE OF INVESTMENTS**

**31 JULY 2018**

<b>Institution</b>	<b>Amount</b>	<b>Rate</b>	<b>Matures</b>	<b>NO.</b>
Bendigo	735,769.14	2.00%	18-Aug-18	40/18
St George	527,288.18	2.45%	22-Aug-18	42/18
Bendigo	1,010,069.03	2.00%	22-Aug-18	41/18
IMB Ltd	200,000.00	2.60%	30-Aug-18	43/18
NAB	206,427.14	2.00%	02-Sep-18	44/18
IMB Ltd	201,801.73	2.60%	12-Sep-18	45/18
IMB Ltd	300,000.00	2.70%	20-Sep-18	46/18
NAB	305,284.88	2.45%	23-Sep-18	47/18
ANZ-Les Wallis	44,267.64	2.20%	29-Sep-18	48/18
IMB Ltd	308,811.68	2.70%	03-Oct-18	1/19
SUNCORP	1,021,620.37	2.65%	08-Oct-18	2/19
IMB Ltd	408,808.51	2.70%	3/10/2018	20
IMB Ltd	500,000.00	2.55%	15/08/2018	21
IMB Ltd	400,000.00	2.60%	10/09/2018	24
IMB Ltd	301,775.34	2.60%	7/08/2018	25
Bendigo	512,875.24	2.60%	08/10/18	26
Bendigo	405,336.16	2.55%	05/09/18	28
ANZ	552,698.01	2.30%	12/09/18	29
Bendigo	500,000.00	2.65%	05/11/18	34
Bendigo	502,493.15	2.00%	16/10/2018	35
IMB Ltd	500,000.00	2.65%	25/09/18	36
Bendigo	3,816,853.70	2.00%	16/09/18	38
ANZ	402,293.69	2.30%	31/10/18	39
Bendigo	1,888,523.66	2.45%	16/12/18	40
ANZ	614,974.45	2.30%	13/08/18	41
Bendigo	2,040,045.61	2.10%	16/09/18	42
IMB Ltd	305,513.98	2.60%	01/08/18	44
Bendigo	5,312,717.95	2.00%	16/09/18	45

**Total Investments** **23,826,249.24**

Average Interest Rates	2016/17	2.71%
Average Interest Rates	2017/18	2.34%
Average Interest Rates	2018/19	2.40%

### **PERCENTAGE OF FUNDS HELD**

SUNCORP	1,021,620.37	4.29%
ANZ	1,614,233.79	6.78%
Bendigo	16,724,683.64	70.19%
IMB Ltd	3,426,711.24	14.38%
NAB	511,712.02	2.15%
St George	527,288.18	2.21%

**TOTAL** **23,826,249.24** **100%**

This is page 81 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.



..... General Manager

..... Mayor

**ITEM NO. 26 - DEVELOPMENT APPLICATIONS APPROVED UNDER DELEGATION**

**FILE: 04.25**

**FROM: ASSISTANT GENERAL MANAGER, INFRASTRUCTURE & ENVIRONMENT**

Development Applications approved under delegation for the month of July 2018 are detailed below.

DA No.	Property Location	Works Undertaken	Description	Value	Approval Date
DA62-17/18	47 Campbell Street, Darlington Point 2706 Lots 147, 148, 149 DP 252736	Construction	Dwelling additions	\$75,000.00	9/07/2018
DA63-17/18	28 Coreen Street Jerilderie NSW 2716 Lot 3 DP 935563	Construction	Carport/Shed	\$2,900.00	2/07/2018
DA01-18/19	6 Rankin Road Jerilderie NSW 2716 Lot 6 DP1167871	Construction	Shed	\$30,000.00	11/07/2018

**RECOMMENDATION**

The information contained in the Applications Approved Under Delegation Report be noted.

This is page 82 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.



General Manager

Mayor



**ITEM NO. 27 - RATES AND CHARGES COLLECTION REPORT**  
**FILE: 05.33**  
**FROM: FINANCE MANAGER**

This report provides Council with an update on rates and charges collection, showing totals for the initial levy, rebates applied, interest and legal costs incurred and total outstanding for the financial year.

	<b>Jerilderie</b>	<b>Murrumbidgee</b>	<b>Total</b>
Arrears brought forward	\$ 275,967	\$ 192,807	\$ 468,774
2017-2018 Levy	\$2,832,824	\$2,963,590	\$5,796,414
Less Pensioner Rebates	\$ 45,306	\$ 54,770	\$ 100,076
Interest raised to 30/6/18	\$ 19,855	\$ 14,421	\$ 34,276
Debt Recovery costs to 30/6/18	\$ 1,931	\$ 316	\$ 2,247
<b>Rates &amp; Charges to 30/6/18</b>	<b>\$ 3,085,271</b>	<b>\$ 3,116,364</b>	<b>\$ 6,201,635</b>
Amount Collected to 30/6/18	\$ 2,827,517	\$ 2,859,545	\$ 5,687,062
<b>Total Outstanding (to 30/6/18)</b>	<b>\$ 257,754</b>	<b>\$ 256,819</b>	<b>\$ 514,573</b>

## **RECOMMENDATION**

That the information contained in the Rates and Charges Collection Report to 30 June 2018 be noted.

This is page 83 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.



..... General Manager

..... Mayor

**ITEM NO. 28 - BILLABONG YANCO PROJECT PRESENTATION**  
**FILE: 03.23.19**  
**FROM: ACTING GENERAL MANAGER, INFRASTRUCTURE & ENVIRONMENT**

Attached is the presentation from the Local Land Services regarding the outcomes of the Billabong Yanco Project (attachment # 20).

The project has run over a 5 year period, and has been instrumental in bringing together the agencies, groups and local representatives that utilise the two creek systems.

With limited funding, the project was able to deliver some significant studies for the area, undertake on-ground works and trial some practices that would otherwise not have been able to be undertaken.

The social and cultural benefits to the region have also been significant, especially for Jerilderie, as can be seen in the presentation.

The project also played a major role in keeping all members informed about upcoming projects from various agencies and gave the region a greater voice. This, in turn, has provided Council with a great network of contacts for matters relating to the creek systems.

#### **RECOMMENDATION**

That the information contained in the report be noted.

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This is page 84 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.



.....General Manager

.....Mayor

**ITEM NO. 29 - PROGRESS REPORT ON DARLINGTON POINT STRUCTURE PLAN APRIL TO JUNE 2018**

**FILE: 04.25.14**

**FROM: ASSISTANT GENERAL MANAGER, INFRASTRUCTURE & ENVIRONMENT**

Council requested that a periodic report be prepared for Council regarding the actions in the Darlington Point Structure Plan. It is recommended that a quarterly report be presented to Council.

Below is the April – June 2018 update. Please note the items shaded are those that have been updated since last report to Council.

Action No.	Action	Time frame	Comment
4.1.2, 4.1.4, 4.2.1, 4.3.4, 4.4.2	<ul style="list-style-type: none"><li>• Prepare an amendment to the Murrumbidgee Local Environmental Plan 2013 that seeks to :</li><li>• Rezone land west of King Street from RU1 Primary Production to RU5 Village and amend minimum lot size from 100ha to 600m2 applicable to this land</li><li>• Rezone land to the south of Narrand Street and West of Kooba Street from Ru1 Primary Production to RU5 Village and amend the minimum lot size from 100ha to 200-m2 applicable to this land.</li><li>• Rezone Tiddalik Wetlands and Bird Sanctuary between Campbell Street and Britts Road from RU5 Village to RE1 PPublic Recreation and remove the minimum lot size applicable to this land.</li><li>• Rezone land at the southern end of town adjoining the Sturt Highway from RU1 Primary Production and RU5 Village and B6 Enterprise Corridor, B&amp; Business Prk or IN1 General Industrial (subject to further investigation and) and remove the minimum lot size;</li></ul>	Medium –long  Actioned	<i>Flood study for Darlington Point due to be reported to Council August 2018.</i>  <i>Report to Council August 2018 regarding Land Use Plan, Local Environmental Plan and Development Control Plan Project</i>

This is page 85 of 103 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Tuesday 28 August 2018.

 General Manager ..... Mayor

	<ul style="list-style-type: none"> <li>Amend the LEP by Incorporating a "Flood Planning Map" for Darlington Point</li> </ul>		
4.1.5	Investigate rezoning of land south of Britts Road for Large Lot residential development. This should only be considered after Environmental and Cultural Heritage Assessments have been undertaken	Medium-long  Actioned	<i>Report to Council August 2018 regarding Land Use Plan, Local Environmental Plan and Development Control Plan Project</i>
4.1.9	Investigate opportunities for infill development on the football /sports ground should this facility be relocated	Short  No further Action	<i>Letter received and Darlington Point Club is against the relocation of the facilities to their land. No further action required.</i>
4.1.10	Further investigate opportunities to encourage existing commercial and light industrial businesses located within the residential areas to relocate to designated commercial or industrial areas on the fringe of town	Medium-long term	<i>Report to Council August 2018 regarding Land Use Plan, Local Environmental Plan and Development Control Plan Project</i>
4.2.3	Amend the Darlington Point & Coleambally Development Control Plan to incorporate additional building controls with respect to industrial development adjoining the Sturt Highway, which specifically addresses: <ul style="list-style-type: none"> <li>Vehicular access</li> <li>Building design and setbacks;</li> <li>Landscaping; and</li> <li>Signage</li> </ul>	Medium  Actioned	<i>Report to Council August 2018 regarding Land Use Plan, Local Environmental Plan and Development Control Plan Project</i>
4.2.4, 4.6.2	Investigate, including a thorough cost benefit analysis, opportunities to relocate Council Depot site and sewerage treatment works to industrial zoned areas to allow for the redevelopment of centrally located land within the main town.	Long  Actioned	<i>Estimate for relocation of Depot and sewerage treatment works being undertaken. Report to be presented to October meeting of Council</i>
4.2.7	Investigate potential options /uses for the former sawmill site. In particular, these investigations need to address the issue of flooding	Medium	<i>Waiting on Flood Study to be completed.</i>
4.2.8	Investigate opportunities to create an intermodal hub, transport depot or truck parking and change over	Medium	<i>Work yet to commence</i>

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.....General Manager
.....Mayor

	area near the Sturt Highway and Kidman Way Intersection		
4.3.2	Investigate options to relocate the football and sports ground to the Darlington Point Club to create a 'sports precinct'. Such an option should only be considered once a cost benefit analysis has been undertaken	Short  No further action	<i>Letter received and Darlington Point Club is against the relocation of the facilities to their land. No further action required.</i>
4.3.3	Council further investigate and commission more detailed designs for the construction of a new boat ramp on the western side of the Murrumbidgee River	Short  Actioned	<i>Tenders have closed. Development application not lodged and required studies yet to be commenced.</i>
4.3.5	Investigate opportunities to extend and connect a number of existing footpaths and trails, particularly from residential areas of town to the river. These could adjoin the swimming pool, the new boat ramp and Fig Tree Park.	Short	Action referred to PAMPs program.
4.3.7	Investigate options to extend the "Goanna Walking Track" along the river on consultation with local Aboriginal groups and landowners. This should include: <ul style="list-style-type: none"> <li>• Extension of Walking and shared path;</li> <li>• Environmental restoration /regeneration works;</li> <li>• Construction of benches , tables and seating;</li> <li>• Installation of public art, information and directional signage;</li> <li>• Improvement of river access points</li> </ul>	Short	Grant application lodged.
4.3.8	Investigate and encourage the establishment of a child care and aged care facility	Short  Actioned	<i>Report to be prepared for October meeting of Council</i>
4.4.1, 4.6.1	Continue construction of the flood levee bank around Darlington Point following the preparation of the relevant flood studies	Short  Actioned	<i>Work is continuing on flood levee system and the Darlington Point Flood study. Ongoing Report to August meeting of Council regarding the flood study.</i>

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..... General Manager

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4.4.4	Further investigate the preparation of an Aboriginal Cultural Heritage Study for Darlington Point and its surrounds in consultation with local Aboriginal Groups. This report should include a further assessment of the State-listed Warangesda Aboriginal Mission and the identification of Scar Trees.	Long	Waiting on grants for studies to be opened by NSW Heritage Office.
4.4.5, 4.4.6	Further investigate the preparation of a Heritage Strategy to further investigate and identify any additional buildings or places that could be appropriate for inclusion with schedule 5 – Environmental Heritage of Council's Local Environmental Plan. Any heritage strategy should also investigate opportunities for a 'heritage walk' within the town.	Long	No action
4.5.1	Investigate potential heavy vehicles bypass route of the township in association with the NSW Roads and Maritime Service.	Long	No action
4.5.2	Upgrade the southern gateways into town at the intersection of Hay Road and Kidman Way with the Sturt Highway. Such improvements could include installation of: <ul style="list-style-type: none"> <li>• Signage</li> <li>• Landscaping</li> <li>• Public Art</li> <li>• Lighting</li> </ul>	Short	No action
4.5.3	Investigate a new gateway intersection at the intersection of Narrand Road and Uri street	Long	No action
4.5.4	Install formal tree/landscape plantings (medium or roadside) along the main northern and southern entries into the town to provide a defined Gateway to the town and improve the visual appearance	Medium	No action
4.5.5	Create a continuous boulevard along Bridge Street and Carrington Street south of the bridge and north	Medium	No action

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.....General Manager .....Mayor

	of Demamiel Street to improve the visual appearance of the town centre		
4.5.6	Investigate options to reconfigure the town centre to slow heavy vehicle traffic, provide more formalised parking and improve intersection safety and access concerns currently present.	Medium	No action
4.5.7	Investigate option to extend and link a number of existing roads such as Young Street to Britts Road and Ross Street through to King Street so as to improve permeability and overall traffic flow	Short	No action
4.5.8	Investigate opportunities to create a designated tourist and visitor parking areas within the centre of town	Medium	No action
4.5.9	Investigate opportunities to provide turning lanes along Carrington Street and Bridge Street to allow vehicles to safely enter low order side roads	Medium – long	No action
4.5.10	Investigate opportunities to create a loop road at the northern extent of the town centre, comprising Bridge Street, Macleay Street and Carrington Street.	Long	No action
4.6.4	Utilise the Section 94A Developer Contributions Plan to help identify and fund key infrastructure works	Short Actioned	<i>Plan reviewed. Report to August meeting of Council.</i>
4.7.1	Undertake streetscape improvements and beautification works to improve the overall appearance of the main commercial centre of Darlington Point. This could include: <ul style="list-style-type: none"> <li>• Replace artificial grass with median landscape plantings</li> <li>• Installation of street trees</li> <li>• Public art installations</li> <li>• Repainting of buildings</li> <li>• Consistent pavement material</li> <li>• Designated pedestrian crossings</li> </ul>	Short	No action
4.7.2	Investigate grant funding opportunities and public / private partnerships between individual business owners and Council to	Short	<i>Not included in the 2018/2019 budget</i>

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	encourage local business to improve the appearance of their building. This could be via a one off grant or via a dollar for dollar scenario		
4.7.5	Investigate intersection improvement upgrades to the intersection of Bridge Road and Carrington Street to improve the vehicular safety of this intersection and improve the visual appearance of this area.	Medium	No action
4.7.6	Investigate opportunities to improve signage within the town centre, including entrance, directional, information and business identification signage	Medium	No action
4.7.7	Further investigate opportunities to improve car parking and access within the main town centre for use by residents and tourists/visitors, including designed areas for recreational vehicles	Medium	No action

## RECOMMENDATION

That the information contained in the Progress Report on Darlington Point Structure Plan April to June 2018 be noted.

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.....General Manager

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ITEM NO. 30 - WORKS IN PROGRESS 14/7/2018 to 19/8/2018

FILE: 03.16.04

FROM: ASSISTANT GENERAL MANAGER, INFRASTRUCTURE AND ENVIRONMENT

<b>Regional Roads</b> RR552 – Conargo Road RR564 – Berrigan Road RR323 – Oaklands Road RR59 – Urana Road RR596 – Morundah Road RR356 – Berrigan/Oaklands Road RR183 – Whitton Road Carrathool Road	Bitumen patching, table drain maintenance Bitumen patching Bitumen patching  Bitumen patching Bitumen patching  Bitumen patching
<b>MR321 – Kidman Way</b>	Bitumen patching various segments. Stormwater drainage cleaning at Coleambally.
<b>H17 – Newell Highway</b>	Bitumen patching, rubbish collection.
<b>Local Road Maintenance</b>	<i>Grader Maintenance</i> Greens Road, Lawtons Lane, Anthony Lane, Daenke Lane, Hams Lane, Riversdale Road, Algudgerie Road, Telephone Gate Road, Walkers Lane, Leary's Lane, Kelmscott Lane, Willows Road, Kelmscott Lane, Raithby Lane, Rolfe Road, Duncan Road, Hornemans Lane, Sherwood Lane, Masons Lane, Booroobanilly Lane, McLennons Bore Road, Wilson Road, McKellars Lane, Kerrs Lane, Innes Bridge Road, O'Neills Lane, Myall Plains Road, Gain Road, Cully Road, Hamilton Lane, Darlington Point Tip Road, Bull Road, Egan Road, Citrus Lane, Cocky's Lane, Wallan Road, O'Neill Road.  <i>Bitumen Patching</i> South Coree Road, Harris Lane, Gilbert Road, Cadell Road, Broughshane Lane, Willows Road, Nyora Road  <i>Guide Post Maintenance</i> Old Urana Road, Channel 9 Road, Main Canal Road

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<b>Roads to Recovery</b>	Materials carted to McDonald Road Materials carted to Eulo Road
<b>Town Streets</b>	<i>Jerilderie</i> Bitumen Patching, gutters resealing <i>Darlington Point</i> Streets cleaned with street sweeper Footpath in front of Council Hall repaired Bus shelters installed Waste collection receptacles installed
<b>Staff Training</b>	Mines Manager training for relevant staff.
<b>Darlington Point Office</b>	Tender documentation currently being prepared Drawings at tender issue.
<b>Parks and Gardens</b>	All parks and gardens maintained within three towns
<b>Private Works</b>	Grader and loader hire. Gravel and sand deliveries.
<b>Water &amp; Sewerage</b>	Water main flushing in Darlington Point. Maintenance works conducted on the 2 <sup>nd</sup> Water Supply Bore Bore No 1 is scheduled to be repaired in November 2018
<b>Darlington Point Boat Ramp</b>	There have been two tender submissions for this project.

## RECOMMENDATION

The information contained in the Works In Progress Report be noted.

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## CONFIDENTIAL ITEMS

ITEM NO. 31 - DARLINGTON POINT BOAT RAMP TENDER

FILE: 03.09.35

FROM: ASSISTANT GENERAL MANAGER, INFRASTRUCTURE & ENVIRONMENT

### RECOMMENDATION

This item be referred to the **CONFIDENTIAL** section of the Council Meeting which is closed to the public. This item is classified as confidential in accordance with Section 10A (2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:-

- c) *information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

ITEM NO. 32 - MURRUMBIDGEE COUNCIL SALARY SYSTEM

FILE: 05.28

FROM: GENERAL MANAGER

### RECOMMENDATION

This item be referred to the **CONFIDENTIAL** section of the Ordinary Council Meeting which is closed to the public. This item is classified as Confidential in accordance with Section 10A (2) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:-

- (a) *personnel matters concerning particular individuals (other than Councillors).*

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.....General Manager

.....Mayor

**ITEM NO. 33 - SOLAR POWER PROPOSAL-COUNCIL FACILITIES**  
**FILE: 01.13**  
**FROM: GENERAL MANAGER**

**RECOMMENDATION**

This item be referred to the **CONFIDENTIAL** section of the Council Meeting which is closed to the public. This item is classified as confidential in accordance with Section 10A (2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:-

- c) *information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

**ITEM NO. 34 - IMPROPER DISPOSAL OF ASBESTOS**  
**FILE: 04.39.02**  
**FROM: ASSISTANT GENERAL MANAGER, INFRASTRUCTURE & ENVIRONMENT**

**RECOMMENDATION**

This item be referred to the **CONFIDENTIAL** section of the Council Meeting which is closed to the public. This item is classified as confidential in accordance with Section 10A (2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:-

- (a) *personnel matters concerning particular individuals (other than Councillors).*

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.....General Manager

.....Mayor