



REVISED CORPORATE UNIFORM POLICY

	Name	Position	Signature	Date
Responsible Officer	Sarah Gurciullo	People & Culture Officer		
Authorised By	John Scarce	General Manager		

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1. Purpose/Objectives

A corporate uniform projects and enhances a professional and corporate image of Council and encourages and promotes unity within the organisation. Additionally, Council's dress code provides employees with guidelines on acceptable and appropriate standards of dress.

2. Policy

- The General Manager will, in consultation with employees, determine the clothing range of the corporate wardrobe.
- A nominated Finance Officer will coordinate uniform orders.
- Council's Corporate Uniform is compulsory for permanent indoor employees (full and part time) and must be worn when undertaking Council activities.
- Any temporary or casual indoor employees who maintain significant face to face public contact during normal working hours will be issued with, and expected to wear, the approved compulsory corporate wardrobe.
- The *Workwear Group* is Council's preferred supplier of the *NNT Local Government Corporate Collection* (lgcollection.com.au). Uniforms can be from any style/range from NNT; in white, silver, cobalt blue, emerald green, poppy red (tops) and black, navy (bottoms and outerwear).
- Council will provide a uniform allowance valued up to \$900 upon employee commencement or completion of appointment probationary period (pro rata for part time employees)
- An annual uniform allowance of up to \$300 will be available to permanent full time (pro rata for part time) employees wishing to update or replace their uniform.
- One corporate branded polo shirt (navy blue, light blue or white) will be provided to every employee upon commencement for community or council events, casual dress days and training/workshops. The polo shirt is not part of the corporate uniform.
- All employees issued with uniforms are to wear shoes appropriate to the uniform and work health and safety considerations.
- Additional items may be ordered at the employee's expense.
- Payroll deductions will be made available to employees to reimburse the cost of additional corporate uniforms, over a period of not more than six (6) months
- Employees leaving Council's employ will be required to finalise any amounts outstanding to Council in respect of clothing prior to ceasing employment.

Employees will be responsible for:

- Any alterations to the uniform, and cost of these alterations.
- Laundry and/or dry cleaning costs.
- Providing accurate information regarding sizes, styles and individual measurements.
- Returning or exchanging clothing.
- Ascertaining their individual taxation position in respect of uniform costs.
- Personal Protective Equipment is in addition to and not part of the corporate uniform and dress code contribution.

- It is essential that all employees comply with all work health and safety standards in relation to wearing of Personal Protective Equipment and in particular when visiting a construction site, including the depots.

3. Dress Code

- All Council issued clothing shall be readily identifiable as a Council uniform by the attachment of the Murrumbidgee Council logo or by the initials M.C in a location on the item of clothing which is easily viewed under normal circumstances.
- Where an employee fails to comply with the dress standard as determined by the appropriate supervisor, the employee may be asked to return home in his/her own time and return to work appropriately dressed. Continued breaches of the dress standard may result in disciplinary action in accordance with the Local Government State Award disciplinary procedures.

4. Identification

Council will provide employees with a name badge and, for delegated staff, identity cards to be worn during normal working hours and when representing Council.

Any person employed by Council who enters private property as part of their duties must carry an identification card issued by Council.

5. Exemptions

Where genuine personal religious beliefs or medical reasons dictate a different standard or dress, a specific exemption may be sought through the General Manager. Casual wear, including the Murrumbidgee Council polo shirt, may be worn on approved days by the General Manager on the basis that they are neat, tidy and appropriate.

6. Ordering Corporate Wardrobe

All corporate wardrobe orders submitted by employees should be on the appropriate order form and lodged with nominated Finance Officer who will provide a Council order.

The supplier may provide employees with a sample of clothing. The responsibility for determining and marking the correct garment style, colour, size and any special requirements on the order form shall rest with the employee.

After the Council closing date for the order has passed, the order will be binding on the employee. Employees shall not be eligible to cancel and/or obtain a refund for orders or part orders after the closing date has passed.

Employees are advised to retain a copy of the order form for their records.

Amendments to this policy can be made by the General Manager if and when required and is subject to any Australian Taxation Office guidelines relating to Fringe Benefits Tax (FBT) and PAYE taxable deductions.

7. Legislation

Anti-Discrimination Act (NSW) 1977

Local Government Act 1993

Privacy and Personal Information Protection Act 1998 (NSW) (PPIP Act)

8. Related Documents

Code of Conduct

PPE Policy

9. Review

This Policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).



Revised Alcohol and Other Drugs Policy

	Name	Position	Signature	Date
Responsible Officer	Sarah Gurciullo	People & Culture Officer		
Authorised By	John Scarce	General Manager		

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1. How This Policy Was Developed

This policy has been adopted from the model policy prepared by the former Local Government and Shires Associations of New South Wales (LGSA); the New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Union (USU); the Local Government Engineers Association (LGEA); and the Development and Environmental Professionals' Association (DEPA) in 2012, updated where appropriate and changed to include Murrumbidgee Council's expectations in terms of risk management.

2. Policy Scope

Murrumbidgee Council recognise that the inappropriate use of alcohol and/or other drugs is a significant problem that can affect a worker's performance and jeopardise their health, safety and welfare, as well as that of their co-workers and other people in the workplace.

The scope of this policy is to establish clear and consistent approaches for addressing risks to health and safety in the workplace associated with the inappropriate use of alcohol and/or other drugs. It is intended that the policy and procedural framework is supportive and educational for employees, whilst enabling Council to manage risks in the workplace arising from inappropriate use of alcohol and other drugs. It also provides for appropriate disciplinary action where and when appropriate.

3. Definitions

Alcohol	Legal or illegal substances specifically containing alcohol. Alcohol is a depressant drug, which slows brain activity and responses in the central nervous system, which means it slows messages going between the brain and the body. Alcohol can cause loss of balance and coordination and reduces the ability to judge speed and distance. It can also impair a person's ability to process and respond to situations, make decisions and take actions. Alcohol also increases confidence and aggression in some people.
BAC	Blood Alcohol Concentration
Council	Murrumbidgee Council
Employees	Paid workers, volunteer workers, contractors, sub-contractors and others assigned to work with or under the supervision of Council staff
D & A Testing	Drug and Alcohol Testing
Drugs	Legal (prescribed by a medical practitioner and over-the-counter) and illicit substances (drugs deemed to be illegal pursuant to current State Legislation, such as cocaine, cannabis, methamphetamines etc.). There are a range of drugs and medications that can produce unsafe work performance,

e.g. confusion and/or impaired motor coordination. Some of these may include pain relievers, sleeping pills, tranquilisers, and anti-histamines.

Duty of Care: Persons Conducting a Business or Undertaking (PCBU) are to ensure the health, safety and welfare of their workers and other people at the workplace. Every worker must take reasonable care in relation to the health and safety of people at the workplace and must cooperate with all reasonable requests made by the PCBU under the WHS Act and Regulations 2011.

Intoxication: In general, intoxication is the temporary loss of control, due to alcohol or drug abuse, over mental and physical powers. Absolute standards set by the Government exist for particular activities such as driving motor vehicles. Referral for testing, diagnosis and treatment should be based on work performance and related issues.

Reportable Incident: Is defined as any accident or event that occurs in the course of work which results in personal injury, vehicle damage, property damage and/or any incident that has the potential for significant risk of harm or injury to a person or equipment.

Plant: means large and small plant items, trucks and motor vehicles operated on Council worksites or on behalf of Council.

Prescribed Concentration Levels:

Alcohol Alcohol – 0.02 or greater for heavy plant operators (> 13 tonne) or truck drivers (> 4.5 tonne) or mobile plant operators. This will apply for personnel who are undertaking these specific duties at the time of any testing. 0.05 or more for all other staff to be in accordance with relevant state legislation. Where the person has a provisional licence (P plates) then the current BAC limits for P plates must be followed if they drive vehicles and/or trucks

Other Drugs: All employees must be below the cut off levels contained in AS4760:2019 – Procedures for specimen collection and the detection and quantitation of drugs in oral fluid.

Prescription Drugs: Are those drugs which are prescribed by a medical practitioner. Prescribed medications will be subject to a risk assessment and certification by the medical practitioner that they do not adversely affect the employees work performance or ability to operate plant and equipment in a safe manner.

Tester: Means a person authorised by Council and trained to conduct breath analysis, urine or oral swab testing in accordance with Australian Standard (AS) AS 3547:2019 (Breath alcohol testing devices for personal use), AS4760:2019 (Procedure of specimen

collection and detection and quantification of drugs in oral fluid). and AS4308:2008 (Procedure of specimen collection and detection and quantification of drugs of abuse in urine)

Initial Test: Is defined as a valid method used to exclude the presence of alcohol and/or other drug or a class of drugs as provided by AS 3547:2019 (Breath alcohol testing devices for personal use), AS4308:2008 Procedure of specimen collection and detection and quantification of drugs of abuse in urine) and AS4760:2019 (Procedure of specimen collection and the detection and quantitation of drugs in oral fluid).

Certified Laboratory: A laboratory that meets the minimum Australian performance standards set, an accredited agency being the National Australians Testing Authority (NATA).

4. Policy Objective

4.1 Safety in the workplace and fitness for work

Employers have a duty to ensure the health, safety and welfare of their employees and other people in the workplace (s19, Work Health and Safety Act 2011 (NSW)). Employees have a duty to take reasonable care for their own health and safety, as well as for the health and safety of other people in the workplace and to co-operate with their employer in providing a safe working environment (s28, Work Health and Safety Act 2011 (NSW)).

Employees are obliged to present themselves for work in a fit state so that, in carrying out their work activities, they do not expose themselves, their co-workers or other people in the workplace to unnecessary risks to health and safety.

The welfare of the individual and the health and safety of other people in the workplace needs to be considered.

There are penalties, under legislation for employers and the Award for workers who fail to take their occupational health and safety responsibilities seriously.

The primary objective of an Alcohol and Other Drugs Policy is to ensure WHS obligations are met, and to educate workers on the effects of the misuse of alcohol and/or other drugs within the workplace.

4.2 Establishing a supportive culture

Alcohol and other drugs procedures promotes a supportive culture in which workers are able to seek the assistance of their employer in a non-threatening environment.

Murrumbidgee Council fosters a supportive culture that encourages employees to accept individual responsibility for workplace health and safety and participation in disclosing to management the identity of employees who may be regarded as a risk to others.

A supportive culture encourages a co-operative approach between management and workers, and builds on the shared interest in workplace health and safety.

A supportive culture may be achieved by:

- recognising that the inappropriate use of alcohol and/or other drugs can be due to illness (e.g. dependency) or symptomatic of an illness (e.g. depression);
- providing non-threatening assistance to workers who recognise that they have alcohol and/or other drug related problems (e.g. reminding workers of the availability of an Employee Assistance Program);
- ensuring that clear and consistent processes are in place for addressing risks to health and safety in the workplace; and
- respecting the privacy of workers by ensuring that appropriate systems are in place to maintain confidentiality.

4.3 General conduct obligations

Employees are obliged to present themselves for work in a fit state so that when carrying out their work activities they do not expose themselves, their co-workers or other people in the workplace to unnecessary risks to health and safety.

The *Murrumbidgee Council Code of Conduct for Council Staff* establishes the minimum requirements of conduct for Council officials (including all employees) in carrying out their functions.

It is a requirement of the *Murrumbidgee Council Codes of Conduct for Council Staff* that Council officials must not conduct themselves, when carrying out their functions, in a manner that is likely to bring the Council or holders of civic office into disrepute Part 3 (clause 3.1 of the Code). Council officials are expected to maintain high standards of professional conduct and service to the community and must act honestly and exercise a reasonable degree of care and diligence when carrying out their functions.

By way of example, an employee may be in breach of their general conduct obligations under the Code if they:

- attend work whilst under the influence of alcohol and/or other drugs; or
- conduct themselves in an inappropriate and/or unprofessional manner whilst at work or at a work related function (which may be due to the effects of inappropriate alcohol and/or other drugs use).

4.4 When is disciplinary action appropriate?

Murrumbidgee Council is supportive and rehabilitative, but there will be occasions when disciplinary action is appropriate.

Procedures for managing workplace risks associated with the use of alcohol and/or other drugs should balance:

- the employer's obligation to ensure the health, safety and welfare of workers and other people in the workplace, and
- promoting a supportive culture in which workers feel able to seek the assistance of their employer in a non-threatening environment.

Although disciplinary action may be necessary, it should be viewed as a measure of last resort that is reserved for serious breaches of the Council's Codes of Conduct or where a worker has repeatedly failed to respond to warnings about their work performance or work conduct. Where appropriate, disciplinary action should be complimented by offers of support to the worker, through Council's Employee Assistance Program or other external agencies, such as specialist units at public hospitals.

5. Policy Statement - Alcohol and Other Drugs Testing

Workplace alcohol and other drugs testing (D&A testing) is a complex issue.

• System Concentrations

- Alcohol – 0.02 or greater for heavy plant operators (> 13 tonne) or truck drivers (> 4.5 tonne) or mobile plant operators. This will apply for personnel who are undertaking these specific duties at the time of any testing.

0.05 or more for all other staff to be in accordance with relevant state legislation.

Where the person has a provisional licence (P plates) then the current Blood Alcohol Concentration (BAC) limits for P plates must be followed if they drive vehicles and/or trucks

- Other drugs – all employees must be below the cut off levels contained in AS4760:2019 - Procedures for specimen collection and the detection and quantitation of drugs in oral fluid.

• When to Test – Council will test employees for Alcohol and Other Drugs;

- **Upon reasonable suspicion that a person may be impaired (reasonable suspicion testing)** - If a worker suspects another employee of being under the influence or affected by either drugs or alcohol, they should report their concerns to their immediate supervisor who will monitor the suspected workers behaviour. The supervisor will complete a Fitness for Work - Observation Form (Appendix 1) and submit this to Council's accredited Drug and Alcohol Testers for further investigation and action. If the employee is not deemed fit for work following an assessment, the employee will be requested to undergo a drug and/or alcohol test.
- **Following a workplace health and safety incident (post incident testing)** - Where there is reasonable cause to believe that an employee covered by the scope of Council's Drug and Alcohol Policy has been involved in an accident or incident as defined, drug and alcohol screening

will be compulsory. Such screening will occur as soon as possible after the incident and not later than four (4) hours post incident where possible. An injured employee who requires immediate medical attention will be screened when it is deemed appropriate to do so. This will be determined in consultation with appropriate medical personnel and may be performed by the medical practitioner at the request of Council or by the Police at their own discretion.

- **Randomly (random testing all employees or selected employees)** - Council reserves the right to conduct random drug/alcohol testing as regular screening, with Management reserving the right to select groups of employees for random testing, and the frequency of random drug/alcohol testing.

The People and Culture Officer will monitor the preparation and implementation of the process to ensure that workers are not being targeted or victimised. Results are recorded and kept confidential between the employee, drug and alcohol tester, People and Culture Officer, and the General Manager.

- **Voluntary testing (where an employee requests testing)** - Council employee will have the opportunity to self-test for alcohol and/or drugs and will be required to voluntarily withdraw from duties up to and including 15 minutes after presentation at work. Council will make reasonably available breath analysis disposable alcohol breath screen and drug testing equipment where a worker wishes to self-test following contact with their Manager or Overseer.
- Where an employee presents for more than three self-tests for alcohol and/or drugs within a 12 month period, Council will reserve the right to initiate further discussions and fitness for work assessment and/or ongoing testing with that worker. Workers who present and disclose to the People and Culture Officer, Overseer or Manager that they have an alcohol and/or drug issue, will be managed on a case by case basis.
- **Types of tests** – For managing workplace risks associated with the use of alcohol and/or other drugs, Council will:
 - where practicable, only use D&A testing methods that detect ‘recent use’, as this is likely to be more reliable in detecting whether a worker is unfit for work, and
 - avoid using D&A testing methods that unreasonably intrude upon the private/personal affairs of workers,
 - use breath analysis for alcohol testing.
- Testing will be conducted by breath analysis using a device which complies with AS 3547:2019 (breath alcohol testing devices for personal use) that the prescribed concentration levels for alcohol for all employees of Council is 0.02 or greater for heavy plant operators (> 13 tonne) or truck drivers (> 4.5 tonne) or mobile plant

operators. This will apply for personnel who are undertaking these specific duties at the time of any testing.

0.05 or more for all other staff to be in accordance with relevant state legislation.

Where the person has a provisional licence (P plates) than the current Blood Alcohol Concentration (BAC) limits for P plates must be followed if they drive vehicles and/or trucks.

Where an employee returns a blood alcohol concentration (BAC) of the prescribed concentration levels for alcohol, the test will be deemed as negative and no further action will apply.

Where an employee returns a breath alcohol reading greater than prescribed concentration levels for alcohol, the following procedure will apply.

- **Initial reading greater than prescribed or certified:**

- The employee is required to sit for a period of 20 – 30 minutes prior to being re-tested.
- If an employee is found to have a breath alcohol level greater than the acceptable rate, after having rested for the required time, the employee shall then be placed on leave without pay or any accrued leave, and appropriate transportation will be arranged to return them to their normal place of residence.
- The employee may wish to participate in a confirmatory analysis (blood test) at a pathology laboratory within 24 hours. The costs associated with this confirmatory test are to be paid by the employee.
- If the confirmation blood test is negative, the worker will be reimbursed leave taken and resume work with no follow-up actions.
- If the confirmation breath alcohol test is greater than the employee's prescribed acceptable level, the employee will remain on leave without pay or utilise any accrued leave until they can submit an acceptable Blood Alcohol Concentration (BAC) level. A positive test will be deemed as a second positive (as per below)
- The employee will be offered counselling and an initial warning will be issued as per Clause 36 of the Local Government (State) Award 2020 and performance monitoring, along with a rehabilitation program, will continue over a three month period.

- **Second reading greater than prescribed or certified:**

- Council may initiate disciplinary actions in accordance with Clause 36 of the Local Government (State) Award 2020 if the worker returns a second or third positive test within a two year period. The worker will be required to

participate in performance monitoring, along with a rehabilitation program, which will continue over a further six month period.

- Use saliva testing for other drugs - An initial drug test will be conducted using an oral swab (saliva) as per AS4760:201 (Procedures for specimen collection and the detection and quantitation of drugs in oral fluid).
- However, if deemed necessary following consultation, a urine collection as per AS4308:2008 (Procedure of specimen collection and detection and quantification of drugs in oral fluid) may also be conducted. The test will be administered by a suitably qualified tester.

Drugs to be tested:

Drug	Common Names
Cannabis Jane, Dope	Marijuana, Pot, Weed, Grass, Joint, Reefer, Mary
Oxycodone	Oxy
Opioids	Codeine, Morphine, Heroin,
Amphetamines	Ecstasy, Speed, Meth, Chalk, Glass, Ice
Cocaine	Crack, Coke, Blow
Benzodiazepines Mogadon, Serepax	Sedatives such as Valium, Librium, Ativan, (not tested for in saliva)

Where a worker returns a drug test reading that is deemed negative, no further action will apply.

Where a worker returns a non-negative result to drugs, the following procedure will apply:

Initial drug test identified as non-negative:

If an employee records a non-negative test result for the first time for drugs, then the following will apply:

- If the presence of drugs is detected, the employee will be placed on leave without pay or any accrued leave can be accessed, and appropriate transportation will be arranged to return them to their normal place of residence. The employee can request the sample to be sent for further confirmatory laboratory analysis. The costs associated with this confirmatory test are to be paid by the employee. If the confirmatory Laboratory test is negative, the employee will be reimbursed leave taken and resume work with no follow-up actions.
- If confirmation Laboratory test is positive, the employee will remain on leave without pay or any accrued leave until they can submit a negative test for drugs. A positive test will be deemed as a second positive (as per below)

- The employee will be offered counselling and an initial warning will be issued as per Clause 36 of the Local Government (State) Award 2020, and performance monitoring, along with a rehabilitation program, will continue over a three month period.

Second drug test identified as positive:

A second drug test confirmed as positive following laboratory confirmation will result in disciplinary procedures as per Clause 37 of the Local Government (State) Award 2020. The employee will be required to participate in performance monitoring, along with a rehabilitation program, which will continue over a further six month period.

As a general rule, Council will not use urine testing unless it is to confirm a test result (i.e. a confirmatory test) or unless the employee requests that a urine test be undertaken.

Prescribed Medication (by a Medical Practitioner)

It is recognised that certain prescription medication may return positive results during testing, and it is the responsibility for any employee, in accordance with Council's Work Health & Safety Policy and Procedures, to inform their Supervisor if they are taking any prescription medication that may cause a non-negative result.

Any employee required to undertake drug testing can choose to declare any medication taken immediately prior to the test being conducted or can declare any medication following the initial test if an initial non-negative result is obtained. Such information is to be kept confidential and only to be used in determining if such medication may have contributed to or caused a false non-negative result.

Council may request further information such as a medical review and certificate from the worker's medical practitioner. Further ongoing testing may be required and fitness for work assessments, depending on the medical practitioner's advice and the worker's individual work role.

- **Employee's privacy** – Some D&A testing methods may be considered more intrusive than others. Inappropriate alcohol and/or other drugs use may have been in response to an underlying illness or personal concern (e.g. depression, family pressures, etc). Council will put in place requirements to protect confidential information and a worker's privacy, within its control.
- **Who to test** – Council is adopting and implementing Alcohol and Other Drug Testing based upon WH&S risk assessment(s) and organisational risks. Where random testing is undertaken, all workers are eligible to be tested (all workers may be tested or selected workers may be tested).

6. Legislative requirements

General employer/worker obligations in relation to Workplace Occupational Health and Safety Laws exist under the:

- Work Health and Safety Act 2011 (NSW), and
- Work Health and Safety Regulations 2017 (NSW)

Employees who drive motor vehicles for work (including when travelling to or from work) must obey applicable road safety laws, including those relating to prescribed concentration levels for alcohol and other drugs. For further information in relation to prescribed concentration levels refer to the:

- Road Transport (Safety and Traffic Management) Act 1999 (NSW), and
- Road Transport (Safety and Traffic Management Regulation 1999 (NSW)

7. References

- Murrumbidgee Council - Our Vision, Purpose & Values
- Murrumbidgee Council - Codes of Conduct
- Local Government Act 1993
- Local Government (State) Award 2020
- Murrumbidgee Council WH&S Policy and Procedures
- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulations 2017 (NSW)
- Road Transport (Safety and Traffic Management) Act 1999 (NSW)
- Road Transport (Safety and Traffic Management Regulation 1999 (NSW)

Australian Standards

- Standards Australia 2019 - AS3547:2019 – Breath alcohol testing devices for personal use.
- Standards Australia 2019 - AS4760:2019 – Procedures for specimen collection and the detection and quantitation of drugs in oral fluid.
- Standards Australia 2008. AS4308:2008 – Procedure of specimen collection and detection and quantification of drugs of abuse in urine

8. Policy Review

This Policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).

APPENDIX 1



FITNESS FOR WORK ASSESSMENT

Observable Indicators of Impairment

Assessment of a person is to be made in accordance with this list of observable indicators in the context of changes to a person's behavior. At least 2 responsible persons must participate in the assessment.

At least one (1) of the physical indicators must be satisfied and agreed between the responsible persons for reasonable suspicion to be established.

Emotional effects (the second part of the table) should not be used as indicators of reasonable suspicion but may be recorded as additional information.

Name of person being assessed:		Name of Responsible Persons:	
Name of attending representative (if requested):		Date/Time:	

Assessment Triggers

Behaviour/actions/observations reported prior to this assessment:

Physical Indicator	Observed
Strong smell of alcohol on breath	
Slurred, incoherent or disjointed speech (losing track)	
Unsteadiness on the feet	
Poor coordination / muscle control	
Drowsiness or sleeping on the job or during work breaks	
Inability to follow simple instructions	
Nausea/vomiting	
Reddened or bloodshot eyes	

Jaw clenching	
Sweating/hot and cold flushes	

Emotional Effect (Not a basis for reasonable suspicion)	
Loss of inhibitions	
Aggressive or argumentative behavior	
Irrational	
Intense moods (sad, happy, angry)	
Quiet and reflective	
Talkative	
Increased confidence	
Appearance or behavior is 'out of character'	

Observation Checklist – Physical Indicators

Breath	Smell of intoxicating liquor on breath: Nil ☐ Slight ☐ Strong ☐
Skin	Sweating/hot and cold flushes ☐
Eyes	Reddened or bloodshot ☐
Speech	Normal ☐ Disjointed ☐ Slurred ☐ Confused ☐ Fast ☐ Slow ☐
Balance	Unsteady ☐ Swaying ☐ Slumping ☐ Falling ☐
Movements	Poor coordination/muscle control ☐
Awareness	Drowsiness or sleeping on the job or during work breaks ☐ Inability to follow simple instructions ☐
Other physical signs	Nausea/vomiting ☐ Jaw clenching ☐

Questions:	Response:
Can you give any reason for your appearance and behaviour as noted above?	
Could you be under the influence of drugs and/or alcohol?	
Have you consumed drugs and/or alcohol since the commencement of the shift?	

Assessment Result

No testing required (alternate action if applicable – note in comments section) ☐

Testing required – at least one (1) physical indicator in evidence ☐

Both Responsible Persons agree: Yes / No

Comments (including mitigating factors noted or explained by the person, emotional factors identified (refer to Appendix 1 - Observable Indicators of Impairment), further actions to be taken etc.):

DAF

Name of person being assessed _____ Please print

Signature

Date

Name of responsible persons _____ Please print

Signature

Date

Signature

Date

Name of attending representative _____ (if present)
Please print

Signature

Date



Revised Motor Vehicle Policy

	Name	Position	Signature	Date
Responsible Officer	Sarah Gurciullo	People & Culture Officer		
Authorised By	John Scarce	General Manager		

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1. INTRODUCTION

The policy is intended to establish Council policy and guidelines for the provision of motor vehicles to employees. The Council constantly assesses the cost-benefit implications in maintaining a motor vehicle fleet including the payment of goods & services and fringe benefit taxes. The ongoing provision of motor vehicles may therefore change depending upon the circumstances prevailing at the time and the overall cost-benefit to the Council.

2. POLICY OBJECTIVE

Through this policy, Council aims to achieve the following outcomes:

- a) Manage the fleet in an equitable and cost effective manner, providing best value for money.
- b) Provide employee benefits to assist in the task of attracting and retaining talent.

3. SCOPE

This policy applies to staff of Council (excluding the General Manager) who qualify for the use of a Council private or commuter use motor vehicle.

This Policy does not repeal any other policies relating to motor vehicle usage, and will work in parallel with any existing policies until the existing policies are no longer relevant.

4. DEFINITIONS

CFO	Chief Financial Officer
Per Annum or Annually	Means the Fringe Benefits Tax year 1 April to 31 March
Partner	A person who is formally nominated as the 'partner' of an employee who has access to a Council private use vehicle.

5. POLICY STATEMENT

It is Council's intention to provide motor vehicles in an equitable and cost effective manner, providing best value for money to Council, the community and with consideration for the impact on the environment.

6. ENVIRONMENTAL SUSTAINABILITY

Council is committed to minimising the environmental impact of the motor vehicle fleet. The vehicle procurement process will include an assessment of all vehicles using the Federal Government's 'Green Vehicle Guide'. Wherever practicable, Council will aim to purchase vehicle models with superior emissions standards and fuel consumption ratings.

7. ENTITLEMENT

7.1 Pool Use

Council vehicles which are provided to employees with a private use element under this policy are not available as pool vehicles.

7.2 Allocation Criteria

Staff positions will be allocated motor vehicles in accordance with the following criteria:

Group 1, Group 2, & Group 3

Motor vehicles may be provided to employees on a private use basis within these groups in accordance with the agreed terms included in this policy.

Group 4 (staff requiring a vehicle to perform function)

Motor vehicles may be allocated to staff positions on a commuter basis only, where it can be substantially and materially demonstrated that:

- (a) The occupant of the position requires the continual daily use of a vehicle during working hours as an integral part of the position. That is, the position cannot be effectively and efficiently performed without the permanent assignment of a vehicle.

Furthermore, in all cases, it must be demonstrated that:

1. Demand for a vehicle cannot be substantially met from within the motor vehicle pool, and
2. Non-allocation will compromise the efficiency of the position.

The above will be determined and approved by the General Manager only, with input from the relevant immediate Supervisor, Manager or Director or Chief Financial Officer if required.

Staff residing outside of Murrumbidgee Council Area are not eligible for commuter use.

Group 5 (Vehicle for on call)

Where an employee is on call, a vehicle can be taken home, so as to respond promptly to call outs, with the same criteria as commuter use.

All Groups

On the resignation, retirement, redeployment, transfer or other separation of existing employees from positions which currently have a motor vehicle allocated, it will be necessary for the relevant Manager to undertake a reassessment of vehicle allocation to the position in accordance with the above criteria and to make a determination on whether to reapply for allocation of a vehicle to the vacated position.

Any employee affected by redeployment will have their entitlement to a vehicle reassessed in accordance with the above criteria, and the terms and conditions of their existing employment.

Employees disqualified from holding a driver's licence for any reason, will be removed from this scheme and will not be permitted to drive any Council vehicle during the period of disqualification.

Employees applying for internal vacancies should note that their current position's entitlement to a vehicle is not transferable to another position. This is in accordance with the Local Government (State) Award.

7.3 Assessment and Submission

For positions below Group 3, the relevant Manager or Director or Chief Financial Officer will:

- a) Document an assessment of the requirement for a vehicle to be allocated to the position, consistent with the preceding 7.2 criteria.
- b) Further to Clause (a) above, an Application for the Allocation of a Motor Vehicle form (as included in this policy) must be completed, along with an employee requisition for all new employees.
- c) Forward the application to the General Manager for determination. This determination will take into account not only the nominated criteria but also the availability of resources to acquire, maintain and operate the vehicle.

No employee will be eligible for the allocation of more than one motor vehicle at a time.

7.4 Variation

The General Manager may apply to vary this policy in respect of the entitlement and allocation of vehicles to any employee.

8. MAKES AND MODELS OF VEHICLES

The overriding requirement is to ensure that the vehicle purchased meets the needs of the position, while minimising the total cost of the vehicle to Council. Except for specialised work purposes, Council vehicles will be automatic, four door passenger sedans, wagons or SUVs. Standard inclusions will be air conditioning, tow bar, bull bar, parking sensors, seat covers, floor mats, boot liners, mud flaps, first aid kit, fire extinguisher and cruise control. The available selection of vehicle will be from the list in Table 1 of this policy.

Table 1 stipulates the type of vehicle that is available for the employee level. It must be noted that the precise makes and models within each vehicle type/category will be determined by the General Manager or their delegate on a case-by-case basis dependent on availability, market conditions, servicing centre proximity, vehicle running costs and depreciation considerations.

Table 1:

Level	Car Group Standard	Employee Benefit (GST Inclusive)
Group 1 (Full Private Use)	Vehicle to a maximum value of \$80,000 (inclusive of stamp duty, Luxury Tax and dealer delivery costs, exclusive of GST and registration)	Up to 20,000 km private Use per annum Reportable FBT up to \$32,000

Level	Car Group Standard	Employee Benefit (GST Inclusive)
Group 2 (Full Private Use)	Vehicle to a maximum value of \$57,000 (inclusive of stamp duty, Luxury Tax and dealer delivery costs, exclusive of GST and registration)	Up to 15,000 km private use per annum Reportable FBT up to \$22,500
Group 3 (Full Private Use)	Type of vehicle determined by the General Manager or their delegate where primary consideration is work/duty suitability – such as a utility.	Up to 10,000 km private use per annum Reportable FBT up to \$17,000
Group 4 (Commuter Use)	Type of vehicle determined by the General Manager or their delegate where primary consideration is work/duty suitability – such as a utility.	Up to 2,000 km commuter use per annum Reportable FBT - Nil (Provided total employee reportable FBT is below \$2,000)
Group 5 (On Call, Limited Commuter Use)	Type of vehicle determined by the General Manager or their delegate where primary consideration is work/duty suitability – such as a utility.	Up To 1,000 km commuter use per annum Reportable FBT - Nil (Provided total employee reportable FBT is below \$2,000)

Log books must be kept, accurately recording the work and private use for the private use and commuter use vehicles.

Calculation of private use and payments for amounts above the employee benefit

Formula:

$\$km = \text{total operating cost} / \text{total km's}$

$\text{Total km} - \text{Work km} = \text{Private km}$

$\text{Private km} - \text{Private km of Benefit} = \text{Residual Private km to be paid at } \$km \text{ (Negative answer)}$

Example:

Total Operating Cost = Fuel, Oil, Repair, Registration and Insurance Costs + purchase price of vehicle X 25% (Deemed Depreciation) + purchase price of vehicle X 5.37% (imputed interest)

Fuel \$8,000, Oil \$200, Repairs \$700, Registration \$1,200, Insurance, \$950, cost of vehicle \$50,000. Total 55,000 km, Private km Driven 16,000 km Employee Benefit 15,000 km

$\$0.48 \text{ km} = \$26,235 / 55,000 \text{ km} (\$ \text{km})$

$16,000 - 15,000 = 1,000 \text{ km (Residual km Private Use)}$

$1,000 \times \$0.48 = \$480 \text{ (Amount to be paid for excess private use)}$

On the 30 June, 30 September, 31 December of each year the employee of a private use vehicle will supply to the nominated officer from Council's Finance Department the total km for within that quarter which were used privately. At the end of the FBT year, 31 March, the employee log book will be handed to the Finance Department for private use calculations.

The calculation will be undertaken quarterly within the FBT financial year by extrapolating each month to equal 12 months. Example end of third month - total km and work and private km to this date will be multiplied by 4, to equal 12 months. With each month adjustments made to excess charges paid, so at the end of the year there is only a small amount to pay or be refunded. All payments are in after tax dollars.

Example:

End of third month

Total operating costs (3 months) = \$7,000, (12 months) = \$28,000

Km driven (3 months) = 14,000 km, (12 months) = 56,000 km

Private km (3 months) = 3,000 km, (12 months) = 12,000 km

Note: The first quarter of a new employee eligibility receive private use while prorated.

9. FRINGE BENEFITS TAX (FBT)

FBT Calculation

There are two methods of calculating Council's FBT liability with regards to car fringe benefits. Council will, at its discretion, calculate the most appropriate method.

All vehicles which fall under groups (1 - 5) must maintain a log book identifying all work related use as well as all person use (including commuter use).

Where applicable according to FBT regulations, an amount may be placed upon your statement of earnings. This amount may not directly relate to the private use benefit received under this policy.

10. OPTIMUM REPLACEMENT PERIODS

Changing motor vehicle market conditions necessitate a constant review of whole of life costs and optimum replacement criteria. In view of changing trends in the new and used vehicle markets, the replacement period for vehicles will be recommended by the Plant Committee to the General Manager. Please note that there is no set time or number of kilometres when Council must replace vehicles. Vehicle change-over cycles are being constantly monitored and the appropriate vehicle replacement cycle will be determined depending on the following:

- General market conditions
- Local market conditions
- Model release dates
- Pending price increases from dealers
- Warranty conditions
- Capital and whole of life costs
- Government contract requirements (if any and if applicable)
- Special deals available at the time

11. REPLACEMENT MOTOR VEHICLES AND DISPOSAL OF MOTOR VEHICLES

Disposal of motor vehicles will be conducted via one of the following methods: tender/trade-in/auction, with the method chosen to be at the discretion of the General Manager or their delegate.

12. PRIVATE USE OF COUNCIL VEHICLE

All Council vehicles (other than Group 1, Group 2 and novated lease vehicles) are to be available for official Council business use whilst employees are on duty i.e. the Council vehicle must be at work whilst the employee is at work.

For all Groups (1 - 5), Council is responsible for all costs - registration, insurance, maintenance, fuel or any other expenditure approved by Council.

For Groups 1 - 3 - employees are entitled to grant permission to other persons to drive the Council vehicle whilst on private use and without the employee being present, provided such person(s) are fully licensed and are related to the employee (immediate family i.e. parents, partner, children and siblings). When the employee is present in the vehicle any competent, fully licensed driver may drive the vehicle.

For Groups 1 - 3 - employees with private use are able to take the vehicle to any State or Territory within the Commonwealth of Australia.

For Groups 4 - 5 - the vehicle is not able to be taken outside the Murrumbidgee Council LGA, for commuter or on call use.

Under no circumstances are Council vehicles to be driven by "L" plate drivers. Council vehicles are not permitted to compete in any car rally or competitions. In the case of four wheel drive (4WD) vehicles, whilst the recreational use of the vehicle for "four wheel driving" is allowed, please be aware of the fair wear and tear conditions as included in this policy.

Where an employee is leaving the employment of Council, the vehicle must be returned on or prior to the last day in attendance at the workplace, in a clean and tidy state.

13. COMMUTER OR ON CALL USE OF MOTOR VEHICLES

Vehicles which are provided under a commuter or on call use arrangement are to only be used for the employee to travel from work (home town depot or job site) to home (usual residential address within Murrumbidgee Council LGA) and back to work (home town depot or job site), again using the most direct route. Plus responding to call outs or call backs.

There is no ability to stop at a shop, even if the shop is on the direct route home.

There is no ability to stop to drop off another employee of Council, unless they are being picked up and taken directly to a job site or taken home directly from a job site.

There is no ability for anyone other than an employee of Council to be a passenger or driver of the vehicle.

14. EMPLOYEE CONTRIBUTIONS

All employees who have private use of a Council motor vehicle will be required to sign the declaration found at the end of this policy. The amount required to pay for excess km will be calculated quarterly as per the formula indicated in section 8 of this policy. The amount (if any) will be at a post-tax rate from the employee's fortnightly earnings. It will be directly debited under the authorisation given by the employee by the declaration form. For amounts of \$300 or less, it will be deducted from the first pay after the calculation, amounts greater than \$300 will be deducted at the amount of \$300 per fortnight until fully paid. Employees can elect to have an identified amount taken from their pay fortnightly in advance to be applied to any private use at the end of the FBT financial year. Should there be a positive balance the employee can request that it be paid out, or carried forward to the next FBT financial year.

It should be noted that the Australian Taxation Office has determined that driving a Council vehicle only between work and the employee's home is considered private use unless the vehicle is a panel van or utility designed to carry more than one (1) tonne and is required for work purposes.

The private use calculations is not dependent on the vehicle being a vehicle which is or is not eligible for FBT. Excess private use will be charged, the only difference is that the employee will not have an FBT grossed up figure on their PAYG summary which relates to motor vehicles.

15. MAINTENANCE OF MOTOR VEHICLE

Vehicles are to be maintained in a condition that portrays Council in a positive manner i.e. clean, tidy and well maintained. It is the responsibility of each employee allocated a vehicle to ensure that it is serviced and cleaned regularly and checked for unreasonable wear and tear.

Regular inspection of vehicles will be undertaken, and where a request to clean a vehicle is not acted upon within three (3) working days, Council may have the vehicle cleaned and detailed, with the cost being charged to the employee. Unreasonable wear and tear which cannot be claimed on insurance may be charged at cost to the employee. Refer to attachment 1 for definition of acceptable wear and tear.

In the event that an employee who is allocated a vehicle is leaving Council, the People & Culture Officer will notify the relevant manager of the employee's final day when known, and

during the employee's final week an inspection of the vehicle will be undertaken. Any unreasonable wear and tear will be identified and dealt with before the staff member leaves Council (refer attachment 1) and, if appropriate, arrangements made for payment to Council by the relevant employee.

You are required to notify the General Manager or their delegate of defects in the operation of the vehicle within three (3) days of the incident or damage to the vehicle, however minor. This may entail the completion of a damage report.

In the case of staff using pool vehicles, all such staff will be required to acknowledge that they have read and understood the fair wear and tear conditions that form part of this policy.

Employees may only obtain an emergency replacement hire vehicle with the approval of the General Manager or their delegate. The hiring of a vehicle will occur in extreme cases only, and is intended to cover damage or mechanical failure of Council vehicles and not to cover normal servicing and maintenance. Hiring of vehicles may not replace other arrangements which would otherwise suffice, and employees need to first consult the General Manager or their delegate for availability of other vehicles prior to requesting to hire a vehicle.

If approval is gained from the General Manager or their delegate to hire a vehicle, the vehicle hired will be the most economical option available, given the particular circumstances of the individual at the time and may not necessarily match that provided by the Council.

16. PROCEDURES TO BE FOLLOWED

Motor vehicles are to be provided in accordance with the procedures contained in this Motor Vehicle Policy.

All employees who are given approval for the use of any Council vehicle are to sign the declaration at the end of this policy that states that they have read and understood the contents of this policy, and how it relates to them. This declaration will be distributed for re-signing on an annual basis.

17. SMOKING IN COUNCIL VEHICLES AND ANIMALS IN COUNCIL VEHICLES

At no time and under no circumstance is smoking permitted in Council vehicles. This also applies to passengers. Non-compliance of this will lead to a breach of Council's Motor Vehicle Policy agreement, which can ultimately lead to the termination of the agreement.

The transport of animals in Council cars, whilst not encouraged, should be kept to a minimum (other than Ranger's vehicles) and all efforts must be made to protect the vehicle upholstery and carpet. The wear and tear provisions included in this policy will also apply to damage caused by animals travelling in Council cars.

18. INSURANCE

An excess of up to \$1,000 will be payable by the employee for second and subsequent at fault or deemed at fault insurance claims occurring outside working hours in any twelve (12) month period.

NOTE: Should Council insurers decline responsibility for any accident involving the motor vehicle while on private use or commuter use, the employee will be liable for all costs resulting from the accident associated with the claim.

19. USE OF FUEL CARD

Vehicles may be refueled at Council depots or by the use of fuel cards.

Council will supply all vehicles with a fuel credit card.

The fuel credit card shall be used at all times when fueling Council's vehicles at service stations that accept the issued fuel card.

Employees are requested to fuel their vehicles to a full tank each time the card is used. The speedometer reading is to be given to the service station operator at the time of fueling. This practice is compulsory as it assists in vehicle management. Consistent failure of not recording speedometer readings will be deemed as a breach of conditions and may result in disciplinary action.

Other Purchases

The fuel card shall only be used for the purchase of fuel for Council vehicles, as well as oil and other transmission fluids if required. No other purchases are permitted on the fuel card.

The use of this card for obtaining bonus points (eg Fly Buys Points) is prohibited, as Council will be liable for Fringe Benefits Tax.

Card Cancellation

Fuel cards must be surrendered to the General Manager or their delegate upon termination of employment. Lost cards must be reported immediately to the General Manager or their delegate who will facilitate the cancellation of the card.

Misuse of a fuel card, in any way, will result in disciplinary action. This will be deemed as a breach of the Motor Vehicle Policy agreement.

20. REPORTABLE FRINGE BENEFITS

Reportable fringe benefits were introduced by the ATO on 1 April 1999. It requires employers to record the grossed up taxable value of a fringe benefit on an employee's Payment Summary where the total taxable value of the fringe benefit exceeds \$2,000.

Employees should be aware of the implications of any fringe benefit prior to the acceptance of a Council vehicle. Employees are advised to obtain their own advice regarding this issue from a financial planner or tax agent prior to the acceptance of a Council vehicle. Therefore, it is required that employees sign the declaration attached to this policy, which states that they understand and accept the implications of having a reportable fringe benefit.

This policy indicates (table 1) that the up-to benefit as it relates to reportable FBT for each Group is based on the statutory method, which will be the maximum. The operating cost may yield a lower reportable FBT assigned to an individual's Payment Summary.

21. NOVATED LEASES

A Novated Lease is a three-way agreement between the employee, the employer and a lease company. For further information please refer to the separate Novated Lease Policy.

22. GENERAL CONDITIONS

- a) Accessories other than standard vehicle inclusions may be considered, however the employee will need to demonstrate the need for such an accessory to their Manager prior to requesting approval for the accessory. If it is deemed that Council will benefit from the addition of the accessory, the Council will fund same. If the addition of the accessory is found not to benefit the Council, it will be funded by the employee, provided it can be removed without damaging the vehicle or causing it to lose value. The accessory will be removed upon disposal and installed at Council cost to the new vehicle. If it cannot be removed and the employee requests the accessory on the replacement vehicle, the employee shall pay for the item and its installation. No accessory is to be fitted to any private use vehicle without the express prior permission of the General Manager or their delegate.
- b) Wherever possible, vehicles are to be garaged off-street at the employee's expense.
- c) In the event of an employees' driver's licence being cancelled, suspended or not renewed, the private and commuter use vehicle will be withdrawn. The employee must advise Council of any licence cancellation, suspension or non-renewal immediately.
- d) Employees are required to obey all traffic and parking laws, with any infringements being the employee's responsibility. Employees are not able to seek legal protection or reimbursement from Council for any penalty incurred.

23. IMPLEMENTATION

Roles and Responsibilities

Whilst the General Manager, Directors, Chief Financial Officer and Managers are directly responsible for the implementation of this policy, all staff are to ensure that this policy is adhered to.

Support and Advice

The main contact for advice regarding this policy is the General Manager.

Communication

All amendments to this policy will be reported to the General Manager for approval. Prior to a report going to the General Manager, appropriate internal consultation will be undertaken.

Procedures and Forms

The necessary applications and forms required for participation in Council's vehicle scheme form part of policy.

24. REVIEW

This Policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).

DECLARATION

I have read and understand the above Motor Vehicle Policy and hereby agree to these conditions. I accept and understand the fair wear and tear definition. I understand and accept the implications of having a motor vehicle and the implications regarding Reportable Fringe Benefits. I also agree with the private use calculation and to having said amount deducted from my pay as and when it arises:

Calculation of private use and payments for amounts above the employee benefit.

Formula:

$\text{\$/km} = \text{total operating cost} / \text{total kms}$

$\text{Total km} - \text{Work km} = \text{Private km}$

$\text{Private km} - \text{Km of benefit} = \text{Residual km to be paid at \$/km (negative answer = 0)}$

Position of Employee

Group allocation

Name of Employee

Signature of Employee

Date

A copy of this form is to be forwarded to Council's People and Culture Officer.

General Manager or delegate to complete

Vehicle Description	
Registration	
Date Received	
Starting Odometer Reading:	
Driver's Name	
Department	

ATTACHMENT 1

WEAR & TEAR DEFINITIONS

Acceptable condition means good appearance and sound mechanical order throughout with regard to distance travelled and the age of the vehicle. Council may bill the restoration charges on an actual cost basis to compensate for any loss in resale value due to unreasonable damage.

The following damage is deemed to be reasonable wear and tear

- Superficial scratches to paintwork.
- Stone chipping to front and lower sides of the vehicle.
- Stone chippings to headlight glass and indicator lenses, unless either is broken.
- Stone chippings to windscreen.
- Superficial scratches and scuffs to the interior, bumpers and plastic door strips.
- Minor paint blemishes.

The following are examples of unreasonable wear and tear

- **Bodywork** - dents and impact damage.
- **Interior** - significant tears, rips, cuts, cigarette burns and irremovable stains.
- **Equipment** - disfiguring marks resulting from the removal of accessories not sanctioned by Council.
- **Mechanical** - mechanical damage which is due to driver neglect or abuse.
- **Missing items** - items such as spare wheel, which are not on the vehicle at the return, will be charged at cost.

Where a vehicle is returned in an unsatisfactory condition, the General Manager or their delegate will obtain a quotation for restoration. If it is determined that the employee is responsible for the damage, the vehicle will be repaired and charged to the employee.

In the case of a dispute, an independent assessor will be engaged, the cost of which may be shared equally by Council and the employee. In general terms, the independent assessor's recommendation will be final.

If an employee is taking control of a vehicle that has been previously utilised by another staff member, then it is that employee's responsibility to inform the General Manager or their delegate of any unreasonable wear and tear applicable to the vehicle prior to taking possession.

ATTACHMENT 2

APPLICATION FOR THE ALLOCATION OF A MOTOR VEHICLE

POSITION: _____
(for which a motor vehicle is sought)

DIVISION: _____ SECTION: _____

SALARY GRADE: _____ BUDGETED COST: ☐ Yes ☐ No

POLICY GROUP (1 – 5): _____

CRITERIA:

(Demonstrate how the position requires the use of a vehicle during working hours as an integral part of the position, i.e. the position cannot be effectively and efficiently performed without the permanent assignment of a vehicle)

MOTOR VEHICLE POOL:

(Indicate how demand for a vehicle has not been, or cannot be, substantially met from within the motor vehicle pool as per stated policies and procedures)

POSITION INTEGRITY & EFFICIENCY:

Indicate how the non-allocation will compromise the integrity and efficiency of the position:

MARKET FORCES (where applicable):

Please demonstrate why the allocation of a motor vehicle is necessary to attract suitably qualified people to this position:

Submission by: _____
Manager Date

DETERMINATION BY THE GENERAL MANAGER:

Manager: _____

Your application for the allocation of a motor vehicle to the position of:

_____ has been/not been
approved.

Reasons why your application has been unsuccessful include:

General Manager

Date

Copy to be forwarded to People and Culture Officer

Schedule 1 - List of Positions and Group Assigned

Group 1

- Director of Infrastructure
- Director of Planning, Community & Development
- Chief Financial Officer

Group 2

- Infrastructure Manager
- Asset Manager
- Finance Manager
- Manager Corporate & Community
- Economic & Tourism Development Manager

Group 3

- Ward Overseer
- Design Engineer
- Senior Planner
- Environmental Health Officer
- Plant & Workshop Manager

Group 4

Staff requiring vehicle to perform a function

Group 5

On Call vehicle

Schedule as amended by the General Manager as and when changes are implemented

Effective: 18 October 2022



Revised Personal Protective Equipment (PPE) Policy

	Name	Position	Signature	Date
Responsible Officer	Janelle Dickson	WHS Risk Advisor		
Authorised By	John Scarce	General Manager		

Document Revision History	
Date adopted by Council:	21 September 2017
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October 2022

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1. Purpose

The purpose of this policy is:

- To establish the standards and guidelines for the wearing and use of Personal Protective Equipment at Murrumbidgee Council.
- Clearly identify the role that Personal Protective Equipment plays in the overall risk management process.
- To provide a framework to minimise the risk of injury or harm to employees and other persons by the correct and appropriate management and use of Personal Protective Equipment.

2. Scope

This policy and procedure is applicable to all employees, contractors and visitors to Murrumbidgee Council construction sites or as per signage at Depots and buildings.

Legal Compliance & References

Legislation / Recognised Standards	Work Health and Safety Act 2011 No 10 Work Health and Safety Regulation 2017
Australian / International Standards	AS/NZS 4602:1999 High Visibility Safety Garments AS/NZS 4399 Sun Protective Clothing AS/NZS 4804 Occupational Health and Management System
Other References	Hi Visibility Clothing – Operational Specification Working in Heat Guidelines Sun Protection Policy

3. Definitions

Term	Definition
Personal Protective Equipment (PPE)	Includes any item of clothing, equipment or a device designed to protect a person from risks of injury or illness eg. gloves, hearing protection, respirators, protective eyewear, safety helmets, sunscreen and sun hats. It includes seat belts, fall arresting devices and buoyancy devices.
Hazard	Is a situation that has the potential for harm to life, health, property or the environment. This includes any existing or potential condition in the workplace that can result in injury, damage or other losses.
Worker	An employee, contractor or employee of a contractor, volunteer.
PCBU	Person Conducting Business or Undertaking

4. Procedural Requirements

4.1 Planning

Murrumbidgee Council recognises that a process of risk management involving the hierarchy of control is the most appropriate method of determining what hazard control measures should be introduced in response to workplace risk.

The hierarchy of control is listed below:

- Elimination of the hazard - removal of the hazard at the source.
- Substitution of a hazardous process, chemical or activity with a less hazardous one.
- Engineering - changing the process or method of how the job is performed, enclosure of hazardous chemicals or activities so that employees are separated from the hazardous activity.
- Administrative controls – Signage, training, written policies and work procedures.
- Personal Protective Equipment use

The use of Personal Protective Equipment should only be contemplated as a viable control measure when consideration of all other methods of hazard control have occurred. However, it is recognised that there are many occasions where there is either no alternative other than to use Personal Protective Equipment or where Personal Protective Equipment may be used in conjunction with one or more of those listed above.

Murrumbidgee Council will adopt the following principles:

- Hazard analysis and risk assessment measures will be employed to determine the best means of hazard control.
- The requirements of relevant Work Health and Safety Legislation, Australian Standards and Codes of Practice will be used as a minimum to set the standards for the use and issue of Personal Protective Equipment.
- Specific procedures, guidelines and instructions will be developed for the requirements and methods of use of Personal Protective Equipment.
- An adequate and comprehensive range of Personal Protective Equipment will be available on site at all times.
- Ongoing review and assessment of Personal Protective Equipment will occur to ensure that the equipment on hand is in keeping with contemporary developments.

4.2 Execution

Procedures & Guidelines

Procedures and guidelines will be developed which give support to this Policy. These will include, but will not necessarily be limited to, the following issues:

- Overall management and control of Personal Protective Equipment.
- Head protection.

- Eye and face protection, including reference to special requirements of those who wear prescription glasses.
- Fall protection.
- Respiratory protection.
- Foot and lower leg protection.
- Hearing protection.
- Personal protective clothing.
- Other specific items of Personal Protective Equipment.
- It is the responsibility of all employees, contractors and visitors to Murrumbidgee Council to use Personal Protective Equipment in designated areas, or tasks, as defined in this Policy.
- All persons are to ensure that they have appropriate protective equipment and wear it in accordance with this Policy.
- Care of the protective safety equipment issued to employees, contractors or visitors is the responsibility of those persons to whom it is issued.
- Any person who wishes to avail themselves of protective equipment not under normal store issue should enquire through their immediate Supervisor and/or Manager if this will be approved. Any contractor or visitor to Murrumbidgee Council must also comply with these protective equipment rules, and address any concerns with their supervisor.
- Contractors will be responsible for the provision of Personal Protective Equipment for their employees and will meet or exceed Murrumbidgee Council rules and standards as they apply to Personal Protective Equipment.
- Correct disposal of Personal Protective Equipment as per site requirements is the responsibility of the individual.

Continual failure to wear appropriate safety and protective equipment may lead to an employee's ongoing employment being jeopardised.

4.3 Procurement and Issue of Personal Protective Equipment

Only protective safety equipment that complies with Australian Standards shall be issued and/or used at Murrumbidgee Council (refer Appendix 1).

Purchasing of protective safety equipment shall only be authorised by the General Manager/Acting General Manager /Director of Infrastructure/Infrastructure Manager or the WHSRA.

Personal Protective Equipment shall be freely accessible to all workers at Murrumbidgee Council and shall be issued from the store office and supervisors offices.

Persons requiring Personal Protective Equipment to suit individual needs can discuss those needs with the Supervisor or WHSRA.

All reasonable efforts shall be made to meet individual requirements.

4.4 Designated Areas

Safety glasses and safety helmets are not required to be worn in administrative areas, including designated car park areas accessing administration buildings. Enclosed footwear and suitable clothing must be worn.

4.5 The Office Environment

Appropriate footwear in the office environment that will still provide foot support must be worn.

4.6 Using Personal Protective Equipment

Personal Protective Equipment shall be worn or used in accordance with the manufacturer's instructions.

4.7 Safety Signs

The purpose of safety signs is to draw attention to objects and situations affecting health and safety. AS1319 - Safety signs for the occupational environment - sets out the requirements for the design and use of safety signs intended for use in the workplace for the purpose of:

- (a) Prevention of accidents;
- (b) Identification of hazards;
- (c) Indicating location of things provided in the interest of safety; and
- (d) Giving direction and instruction from the person responsible for health and safety in the workplace.

Use of this sign convention will be adopted at Murrumbidgee Council. The Director of Infrastructure/Infrastructure Manager and Storeperson/s are to ensure that all new and replacement signage complies with this requirement.

Safety signs are classified as **Regulatory, Cautionary or Emergency Related.**

- (a) Regulatory signs are of two types, a prohibition sign to denote an order forbidding an action, and a mandatory sign to denote an order of obligatory action.
- (b) Mandatory signs are circular in shape with a blue background and a white symbol. The blue must cover at least 50 % of the area of the sign.

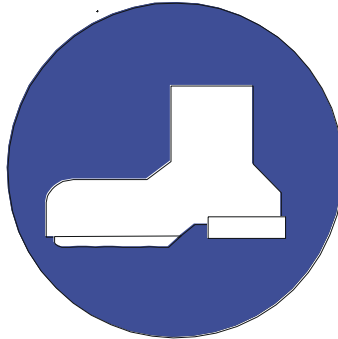
These signs are normally used to indicate that certain protective equipment is required to be worn.

4.8 Mandatory Signs

Signs shall be posted in conspicuous locations on-site where it is mandatory to wear Personal Protective Equipment. These are round blue signs with icons of the Personal Protective Equipment in white. Examples follow:



EYE PROTECTION



SAFETY BOOTS



SAFETY HELMETS

4.9 Storage and Maintenance of Personal Protective Equipment

Personal Protective Equipment shall be stored in a clean and fully operational condition. Equipment shall be stored in a readily accessible location.

Personal Protective Equipment shall be inspected before use to ensure the equipment is in a serviceable condition.

Damaged or defective Personal Protective Equipment shall be tagged out-of-service and repaired or discarded. This must always be documented by the Storeperson/s.

4.10 Head Protection

All persons shall wear approved safety helmet protection on quarry sites within Murrumbidgee Council, and generally where overhead lifting is occurring, and within 3 metres of an extended arm of a backhoe, excavator or the like when in use. In all other areas persons must wear approved wide brim hats. This is a legislative requirement. Areas or instances of exemption are:

- The administration offices and lunch room areas;
- The car parks and entrances to the depot office areas;
- Inside the workshop and depot offices.

Appropriate head protection must be worn where any work is performed in these nominally exempted areas that present a risk of head injury.

- Safety helmets must be worn when anyone is working below another employee and/or where there is a risk of any objects being dislodged or dropped, such that it could injure the person below.
- Beanies may be worn under safety helmets and wide brim hats at any time.

4.11 Hearing Protection

High levels of noise accelerates hearing loss and produces other side effects - increased blood pressure, pulse and breathing rate - all leading to unacceptable levels of stress.

Hearing protection must be worn when exposed to excessive noise levels. An indication of the necessity to wear hearing protection is if there is a need to raise your voice above normal speaking volumes to be heard by another person who is approximately one metre away.

Where noise exceeds the limits prescribed by this rule, the affected areas are designated as HEARING PROTECTION AREAS and the wearing of hearing protection devices becomes mandatory.

Wherever such a sign is displayed, all persons are required to wear either:

- (a) Earplugs (disposable or reusable); or
- (b) Ear muffs.

Hearing protection must be worn in the following areas:

- Near all compressors and whilst using compressed air equipment.
- While operating, being transported in or standing near diesel equipment as determined by the level of discomfort or as determined by the regular monitoring results
- As directed by Supervisors
- Where signage indicates that hearing protection is mandatory
- When noise levels are uncomfortable.

4.12 Eye Protection

Eye protection must be worn **in operational areas**.

Exempt areas are as follows:

- Inside offices and lunch rooms
- Designated lunch room/rest areas – outside the actual lunch room

Suitable protection will be used for any work performed in exempt areas where the task at hand could endanger the person.

Specific eye protective equipment is designed to provide protection against hazards such as:

- Flying particles
- Dust
- Splashing materials

- UV reflection
- Harmful gases
- Vapours and aerosols
- High intensity radiation generated during welding operations
- Will be worn where specified either by appropriate signs, or by the Safe Operating Procedure
- Where a Material Safety Data Sheet (MSDS) indicates the need.

The hazards associated with a particular task or area should be evaluated and the most appropriate type of eye protection selected.

In selecting eye protection, the following should be considered:

- (a) The nature of the risk to the eyes
- (b) The condition under which the operator is working
- (c) The visual requirements of the task
- (d) The personal preference of the wearer. Comfort, lightness, ventilation and unrestricted vision are important considerations
- (e) The condition of the operator's eyesight.

A full range of eye protection and cleaning materials are available from the store. Protection for visitors on a temporary basis is available at the store; these items are expected to be returned by the user before departure.

4.13 Corrective Lenses

Where it is determined by optometrists or other specialists that an employee needs to wear prescription glasses, Murrumbidgee Council will:

- Provide clip on protective glasses to protect prescription lenses.
- Shall pay the first \$300 of the safety prescription lenses and frames in a 12 month period when glasses are purchased from an Australian Eyeglass Retailer.

Where damage is sustained to an employee's prescription safety glasses as a consequence of work activities, an incident report should be completed and registered with the supervisor.

The WHSRA will authorise the cost of replacement of the prescription glasses. Replacement will be on a one for one basis.

Employees who currently have prescription eye wear that does not meet Australian Standards shall make an appointment with their optometrist for supply of appropriate eyewear.

4.14 Protective Clothing

All employees will be issued with a supply of work clothing. The nature of the clothing issue is to be consistent with the employee's employment category and the hazards which may be reasonably expected to be encountered during the course of that employee's duties.

All employees are to wear the personal protective clothing supplied.

Protective clothing – shirts - will be made from cotton/natural fibre, high visibility, and two tones as defined in MC STD – Hi Visibility Clothing. The company logo shall be placed on the front left hand chest panel.

Pants/trousers/knee-length shorts shall be made of cotton/natural fibre as the predominant material.

These types of protective clothing shall be worn at all times whilst working in operational areas.

The wearing of long sleeved UV protective shirts buttoned at the wrist and pants/trousers/knee-length shorts for outdoor staff is mandatory.

Safety - high visibility, fire resistant vest shall be worn by all visitors and contractors who do not have a shirt that meets the requirement.

Personnel are not permitted to wear jackets or other substantive items of clothing made of fusible material in operational areas. Where this is unavoidable, appropriate protective overalls shall be worn.

For indoor staff, the wearing of long sleeved UV protective shirts buttoned at the wrist whilst attending to any outdoor jobsites or inspection areas, where you are outside for a period of more than 30 minutes, is mandatory.

Personnel working outdoors are exposed to UV radiation and should take additional precautions. These include:

- The application of sunscreen cream which has a minimum 30+ protection rating. Sunscreen should be kept in a cool place. Do not keep in the glove box of vehicles. If sunscreen is to be kept in a vehicle, place in a suitable place i.e. esky or lunchbox (plastic zip lock bags will be supplied to prevent leakage). Sunscreen will be available at all work sites and must be used for ALL staff. Notation of sunscreen application can be made on start-up sheet, diary or separate toolbox sheet for each gang. This applies to indoor staff also.
- The wearing of a broad brim and neck flap attachment on safety helmets.
- A broad brimmed hat measuring no less than 7.5cm in width, as recommended by the NSW Cancer Council, will be worn at all times. A hat with a wide brim reduces the amount of UV radiation reaching the face by 50%. Hats worn by employees whilst working in an environment exposed to UV radiation shall be light enough to wear in hot conditions and made of a fabric that is of a close

weave and does not allow the penetration of sunlight. Hats that have a gauze section are not suitable as UV rays will penetrate these.

- Biennial skin checks will be undertaken for all employees of Murrumbidgee Council.

Suitable Clothing for Hot Work

Personnel engaged in welding, cutting, heating and gouging will adhere to the requirements of AS1558 – Protective Clothing for Welders.

4.15 Respiratory Protection

Respirators of the approved type, selected in compliance with the relevant Australian Standards, must be worn whenever dusts, fumes, gases, or other harmful atmospheres are present.

These areas must be thoroughly ventilated. When in doubt, do not enter that space, if the air quality deteriorates, evacuate to known fresh air immediately.

The rules for respiratory protection are as follows:

- Check with a supervisor to obtain the approved type of respirator before entering poorly ventilated areas.
- Respiratory protection must be correctly fitted and inspected for damage before use. The respirator should be inspected for air leaks around the face seal, damage, unclean or inadequate filters and damage to airlines.
- Dust respirators for spray painting and light concentration of toxic fumes.
- Canister respirators for smoke or toxic fumes/gases.
- Approved respirators are mandatory in designated areas.
- Any spray painting operations in accordance with SOP E 3.83 Spray Painting or Spraying Harmful Substances.
- Grinding of metal surfaces.
- Airborne dust must be reduced to an absolute minimum by the use of effective water spray systems and watering down dusty areas as required.
- For spraying chemicals used for killing weeds and insects. As directed by chemical data sheets or as directed by a Supervisor.

4.16 Protection of Hands/Fingers and Feet

Where there is risk of damage to the hands, gloves, in accordance with the relevant Australian Standard, are to be provided and worn. Some rules for the wearing of gloves are as follows:

- (a) Work gloves should be used while handling rough materials.
- (b) Rubber nitrile gloves must be worn when working with caustics, acids, solvents, lime, concrete, or cement. Only gloves with close fitting wristbands shall be used when handling hot materials.
- (c) Oxy, electric welding and cutting/heating operations use leather gloves

- (d)  DO NOT wear gloves near rotating equipment, for example rotating drill steels and pedestal grinders.
- (e) All persons on site in operational areas shall wear safety boots/footwear – boots/footwear shall be in accordance with the relevant Australian Standard and shall be provided at annual issue and as required by fair wear and tear.
- (f) All boots shall have soles with non-slip rubber tread configuration (as per Australian Standards).

4.17 After Work Call Outs

All employees, contractors and visitors engaged in after work callouts are to wear PPE as outline in this policy.

Table 1 Designated PPE requirements

TYPE	COMPULSORY/ RECOMMENDED	FOR WHOM	WHERE
Safety Footwear	Compulsory	All workers, contractors and visitors	All construction and quarry sites All depot areas not marked as walking paths
Reflective Clothing	Compulsory	All workers, contractors and visitors	Any night work
Enclosed Footwear	Compulsory	All workers, contractors and visitors	Marked walking areas within depots, and designated areas
Hard Hats	Compulsory	All workers, contractors and visitors	In all designated areas/sign posted areas and as required when doing overhead work.
Safety Glasses	Compulsory	All workers, contractors and visitors	In all designated areas/sign posted areas and as required.
Protective Gloves	Compulsory to carry them and have them available for use	All workers	Handling materials or using tools that could cause injury to the hand.
High Visibility Protective Clothing	Compulsory	All workers, contractors and visitors	All areas of operation excluding office buildings and car park.
Hearing Protection	Compulsory	All workers, contractors and visitors	In all designated areas/sign posted areas and as required.
Full Face Shield	Recommended	All workers	Job specific when cutting/grinding, welding, Oxy-Acetylene/LPG cutting etc. (A hard hat may not be appropriate when wearing this PPE).

5. Resources Required

As defined by document

6. Training

All workers shall complete training in the content of this procedure.

7. Accountabilities

General Manager	General Manager shall ensure that all of the provisions of this Policy are implemented and that compliance is achieved by: • Ensuring the process is designed and maintained to meet the desired outcome. • Providing adequate resources – personnel, equipment and access to training to achieve the outcomes desired. • Reviewing actual incident outcomes for improvement opportunities.
Managers/Supervisors and WHSRA	Will ensure all employees, contractors and visitors in their departments are thoroughly acquainted with all Personal Protective Equipment Policies and Procedures and use appropriate protection as required.
WHSRA/People & Culture Officer	• Advise management of suitable Personal Protective Equipment standards. • Continually monitor all incidents and injuries to assess the effectiveness of the use of Personal Protective Equipment across all sites. • Inspect work areas and activities regularly to review the appropriateness of Personal Protective Equipment being used.
All Workers	• All employees will support this procedure by attending medicals, participating in surveys and reporting incidents in their workplace to their Supervisor. • Will wear Personal Protective Equipment in accordance with this Policy.
Document Owner	Review this procedure in line with the requirements of the Document Control and Records Management Standard.

8. Policy Review

This Policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).

Appendix 1

List of Australian Standards for Personal Protective Equipment

Whole Body Protection	
AS1499	Personal Flotation Devices – Type 2
AS2375	Guide to the Selection, Care and Use of Clothing for Protection against Heat and Fire
AS 2626	Industrial safety belts and harnesses – Selection, use and maintenance
AS 2919	Industrial clothing
AS 3765	Clothing for protection against hazardous chemicals
NFPA 70E PPE	Clothing for protection against arc flash hazards
AS 4626	Industrial fall-arrest devices – Selection use and maintenance
AS/NZS1906	Retro reflective materials and devices for road traffic control purposes - Part 4: High visibility materials for safety garments and devices
AS/NZS 1891	Industrial fall arrest systems and devices - 1 - Fall-arrest devices
AS/NZS 4399	Sun protective clothing – Evaluation and classification
AN/NZS 4453	Protective clothing for users of hand-held chainsaws
AS/NZS 4488	Industrial rope access systems
AS/NZS 4501	Occupational protective clothing
AS/NZS 4503	Protective Clothing – Protection against Liquid Chemicals

Head Protection	
AS1800	The Selection, Care and Use of Industrial Safety Helmets
AS1801	Occupational Protective Helmets
AS4067	Firefighter's Helmets –Specification
BS4033	Specification for Industrial Scalp Protectors (light duty)

Eye Protection	
AS1336	Recommended Practices for Eye Protection in the Industrial Environment
AS3957	Light-transmitting Screens and Curtains for Welding Operations (NZS 5852)
AS/NZS 1337	Eye Protectors for Industrial Applications
AS/NZS1338.1	Filters for Protection against Radiation in Welding and Allied Processes

Hearing Protection	
AS1269	Acoustics – Hearing Conservation



Revised Work Health and Safety Policy

	Name	Position	Signature	Date
Responsible Officer	Janelle Dickson	Work Health & Safety/Risk Advisor		
Authorised By	John Scarce	General Manager		

Document Revision History	
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Minute Number:	198/08/19
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Review Date:	July/October 2022
Date adopted by Council:	
Minute Number:	
Next Review:	See item 7 of this Policy
Revision Number:	
Review Date:	
Date adopted by Council:	
Minute Number:	

October 2022

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1. Policy Scope

This policy applies to all Council activities.

2. Policy Objective

- Manage work health and safety to a standard that meets legislative and regulatory requirements
- Ensure that all staff have an awareness of, and commitment to, safe work practices in carrying out the activities and functions of the Council
- Foster a culture and commitment to ensure the safety of people in the workplace, as well as others external to the organisation that may be impacted by Council activities
- Provide guidelines, systems and processes to ensure Council, in carrying out its operational and regulatory functions, meet best practice legislative requirements in respect to work health and safety
- Provide for consultation, cooperation and coordination between Persons Conducting a Business or Undertaking (PCBUs) and others at the workplace
- Ensure that any workplace under Council management or control is, as far as is reasonably practicable, without risk to the health and safety of any person.

3. Policy Statement

The Murrumbidgee Council, as a Person Conducting a Business or Undertaking (PCBU), has a goal of achieving the highest level of work health and safety (WHS) for all workers and visitors. At Murrumbidgee Council work health and safety performance is a core value, and is integral to the management of our business.

Murrumbidgee Council is committed to safe operations. If any activity carries an unacceptable level or risk, the activity does not proceed until the risk is reduced to an acceptable level.

Council recognises that it has a legal obligation to ensure the health and safety of workers and other persons affected by Council activities. In meeting this obligation, Council shall comply, so far as it is reasonably practicable, with all work health and safety laws including (but not limited to) the Work Health and Safety Act 2011 and the Work Health and Safety Regulation 2017.

4. Responsibility

Responsibilities of the Council, Officers and Workers are as described below:

- 4.1 Council shall demonstrate continued commitment in meeting its moral and legal obligation by ensuring that adequate human and financial resources are made available so that the objectives of this policy are met.
- 4.2 Councillors (Elected Members), while conducting business for Council, have a responsibility to ensure that reasonable care is taken for their own safety and that their general interaction with Council workers and others does not adversely affect the health, safety or wellbeing of these people. They must

comply with reasonable instructions to assist Council in complying with the WHS legislation.

- 4.3 The General Manager (and/or delegate) is responsible and accountable to the Council for ensuring that the objectives of this policy are met. The General Manager is responsible for ensuring that a Work Health and Safety Management System (WHSMS), including return to work provisions, is developed, implemented, reviewed and maintained.

The General Manager shall:

- consult, coordinate and cooperate with other PCBUS working for or on behalf of Council
- approve all work health and safety policies
- regularly review and document organisational WHS performance
- actively support the integration of WHS as part of normal management practices
- consult with workers when making decisions on issues, which may affect their health, safety and wellbeing

- 4.4 Managers are responsible for ensuring that the requirements of the WHSMS are communicated to employees and are implemented at all workplaces within areas of their responsibility.

Managers shall:

- actively support the integration of WHS as part of normal management and regularly report to the General Manager on WHS initiatives implemented and the WHS performance of their department
- consult with workers when making decisions on issues which may affect worker health, safety and well being
- actively maintain current WHS knowledge as applicable to area of responsibility

- 4.5 Workers have a responsibility to take reasonably practicable care for their own safety and that of other people at the workplace who may be affected by the work being done.

Workers shall:

- co-operate with other workers and management to ensure that legal WHS requirements are met
- actively participate in WHS consultation
- immediately report all accidents, injuries, incidents, hazards, dangerous occurrences, unsafe conditions and near misses to management
- carry out their work activities in accordance with all policies, procedures and approved work methods
- comply with any lawful WHS directive

5. Definitions

Council	Murrumbidgee Council
Staff	All person employed by Council
Council Official	Councillors, Council staff, volunteers or delegated persons as defined in the Local Government Act 1993.

6. Related Documents and Legislation

Council's Codes of Conduct

Local Government Act 1993

Work Health and Safety Act 2011

Work Health and Safety Regulation 2017

WHS Codes of Practice (Safe Work Australia) AS/NZS 45001:2018 OHSMS

7. Review

This Policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).



NSW Public Spaces Legacy Program Luke Park Masterplan Jerilderie NSW

7 October 2022



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LUKE PARK FEATURES A NUMBER OF VISITOR ATTRACTIONS AND IS A KEY FOCAL POINT ON THE LAKE JERILDERIE FORESHORE



EXISTING MATURE TREES ARE A HIGHLY VALUABLE ASSET ALONG THE SOUTHERN FORESHORES OF THE LAKE



EXISTING WIDE STREET ADJACENT TO THE COUNCIL OFFICES OFFERS SIGNIFICANT POTENTIAL FOR UPGRADE AS A SHARED SPACE



EROSION CONTROL MEASURES ALONG MUCH OF THE LAKE FORESHORE OFFER LITTLE VISUAL APPEAL



EXISTING PARKLAND AREAS REQUIRE ENHANCEMENT TO FULLY REALISE THE POTENTIAL OF THEIR SETTINGS



EXISTING VEHICLE ACCESS ASSOCIATED WITH THE BOAT RAMP IS INTENSIVELY USED AND REQUIRES FORMALISING

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PROJECT NSW Public Spaces Legacy Program Luke Park Masterplan Jerilderie NSW			
DRAWING TITLE EXISTING SITE CONDITIONS			
CLIENT Murrumbidgee Council			
SCALE	DRAWN	GAM	
DATE	7/10/22	CHECKED	GAM
		JOB NO	RB 21178
DRAWING NO		REVISION	
L3			
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KEY

- ① NEW OFF-LEASH DOG EXERCISE PARK
- ② REVEGETATED AREAS OF EXISTING UNNECESSARY MOWN GRASS
- ③ UPGRADED PARKLAND AREA WITH ADDITIONAL LARGE SHADE TREES AND PARK FURNITURE
- ④ PATHS DEFINE EXTENT OF MOWN GRASS
- ⑤ REALIGNED SHARED PATH TO IMPROVE STREET CONNECTION
- ⑥ FORESHORE VIEWING DECK AND SEATING
- ⑦ EXISTING SHORELINE ENHANCED WITH NATIVE RIPARIAN VEGETATION, FISH HABITAT AND ADDITIONAL EROSION CONTROL MEASURES WHERE NECESSARY

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Jerilderie NSW

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CONCEPT PLAN
NORTHERN LAKE

CLIENT
Murrumbidgee Council

SCALE	NTS	DRAWN	GAM
DATE	7/10/22	CHECKED	GAM
		JOB NO	RB 21178

DRAWING NO
L4

REVISION



KEY

- 1 FORMALISE AND PAVE EXISTING BOAT RAMP ACCESS AND CAR/TRAILER PARKING
- 2 INFORMAL CAR/TRAILER PARKING ON REINFORCED GRASS
- 3 POSSIBLE NEW STREET CONNECTION TO IMPROVE VEHICLE ACCESS
- 4 ADDITIONAL SHARED PATH TO PROVIDE A CONTINUOUS LAKESIDE ROUTE
- 5 UPGRADED PARKLAND AREA WITH ADDITIONAL LARGE SHADE TREES, SCREEN PLANTING AND PARK FURNITURE
- 6 NEW PATH CONNECTIONS
- 7 EXISTING SHORELINE ENHANCED WITH NATIVE RIPARIAN VEGETATION, FISH HABITAT AND ADDITIONAL EROSION CONTROL MEASURES WHERE NECESSARY
- 8 PATHS DEFINE EXTENT OF MOWN GRASS
- 9 UPGRADE AND REPLACE EXISTING FOOTBRIDGE
- 10 UPGRADE HORGANS WALKING TRAIL WITH NEW PARK FURNITURE AND INTERPRETIVE SIGNAGE
- 11 FORESHORE VIEWING DECK AND SEATING

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CLIENT	Murrumbidgee Council		
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L5			
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- 1 NEW RAISED TRAFFICABLE PLAZA WITH TEXTURED / PATTERNED PAVING TO BE CLOSED FOR SPECIAL EVENTS
- 2 CAR / TRAILER PARKING RETAINED AROUND PLAZA PERIPHERY

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TOWN PLAZA AS A DAY TIME MARKET SPACE



TOWN PLAZA AND PARK AS AN INTEGRATED SPECIAL EVENTS SPACE



TOWN PLAZA AS EVENING MARKET SPACE



TOWN PLAZA INCORPORATING PATTERNED AND TEXTURED PAVING



LAKESIDE ALFRESCO DINING SPACE



FORMALISED LAKE EDGE FOR EASY PUBLIC WATER ACCESS

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CLIENT	Murrumbidgee Council
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	JOB NO RB 21178
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L7	
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POSSIBLE NEW BOARDWALK ACCESS ALONG BILLABONG CREEK FORESHORE



NEW PICNIC AND BARBEQUE SHELTERS



NEW SEATING NODES ALONG FORESHORE TRAIL



NEW WAYFINDING AND INTERPRETIVE SIGNAGE

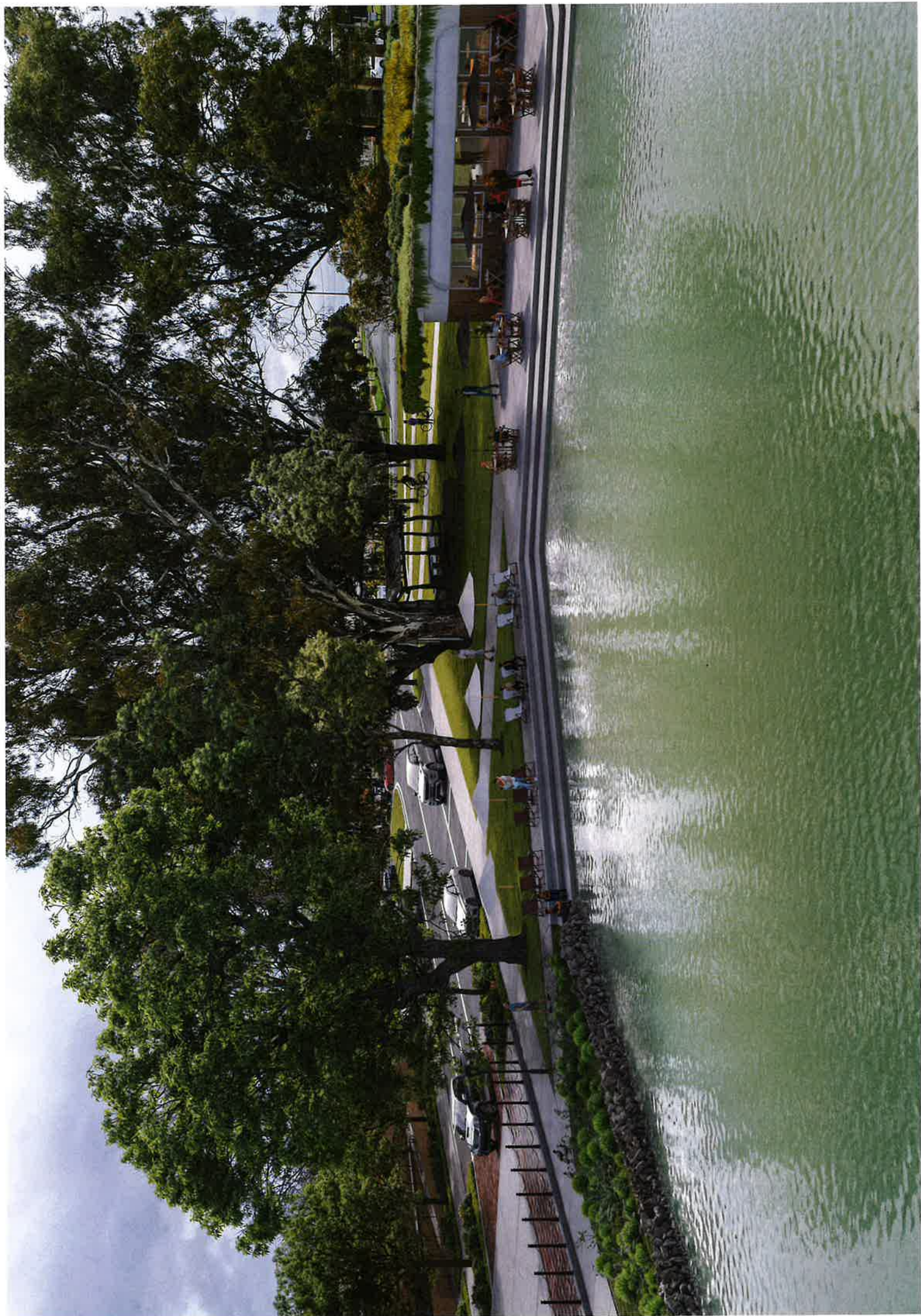


NEW / UPGRADED STABILISED FORESHORE INCORPORATING RIPARIAN VEGETATION AND FISH HABITAT



ENHANCED RIPARIAN VEGETATION ALONG LAKESIDE TRAIL

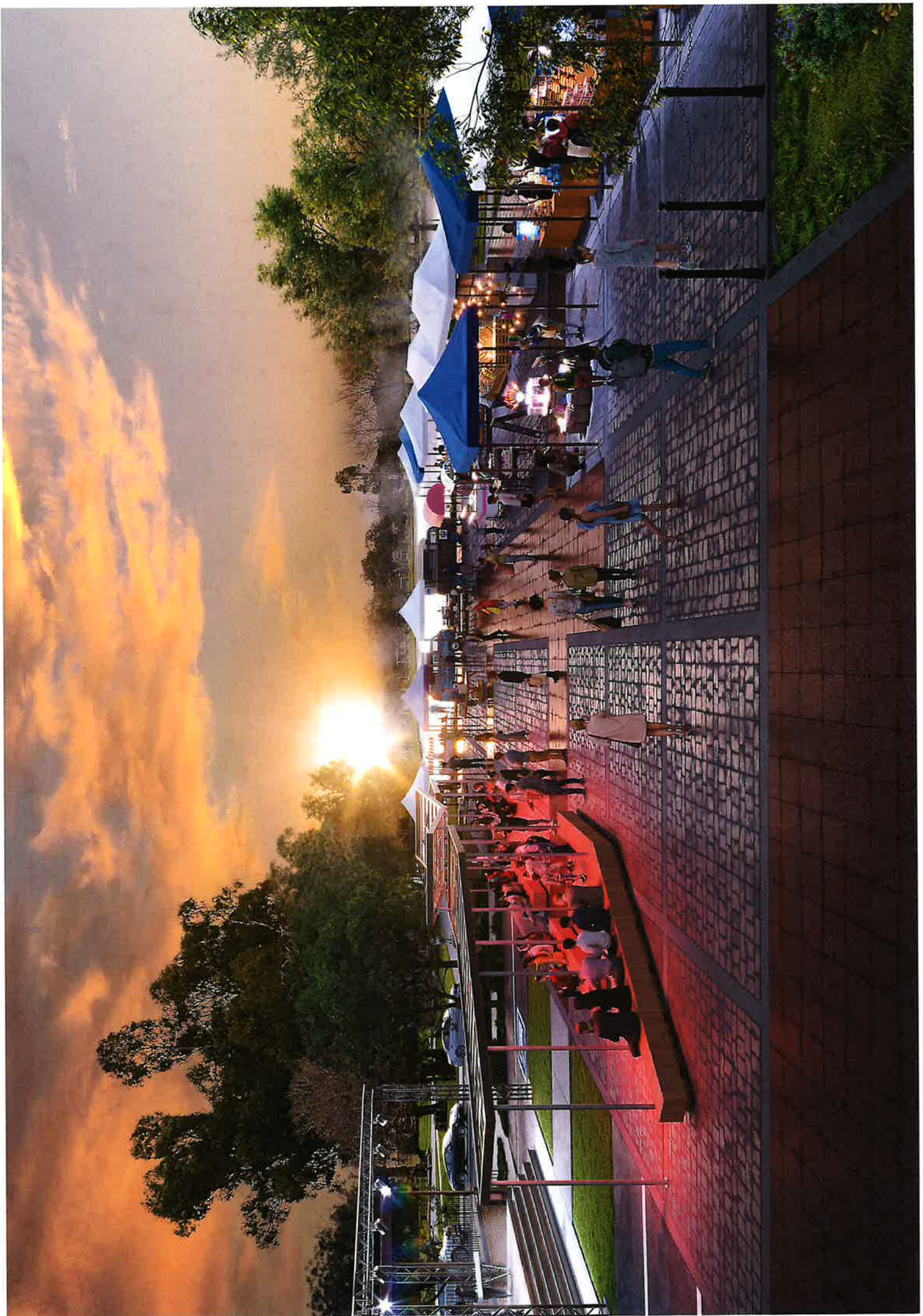
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PROJECT		NSW Public Spaces Legacy Program Luke Park Masterplan Jerilderie NSW
DRAWING TITLE		CONCEPT INDICATIVE IMAGERY
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Senior Staff Employment

Discussion Paper
September 2022

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Introduction

In March 2021, ICAC published its report on an investigation into the conduct of councillors of the former Canterbury City Council (Operation Dasha). The report identified a potential corruption risk with the “no reason” termination provision in the standard contracts approved by the “departmental chief executive” of the Office of Local Government (OLG) under section 338 of the *Local Government Act 1993* (the Act) and recommended a review. Arising from this, the parties to the *Local Government (State) Award* (the Award), Local Government NSW (LGNSW) and the three local government unions, the United Services Union (USU), the Local Government Engineers Association (LGEA) and the Development and Environmental Professionals' Association (depa) have requested the Government to amend the Act to remove the ability for councils to determine positions in their organisation structure to be “senior staff positions”.

Under the current provisions of the Act, the holders of positions determined by councils to be “senior staff positions” must be employed using standard contracts of between 1–5 years duration. A council can only determine a position to be a senior staff position if the responsibilities, skills and accountabilities of the position are generally equivalent to those applicable to the Executive Band of the Award (executive level employees) and the total remuneration package is equal to or greater than the minimum remuneration package payable with respect to senior executives whose positions are graded Band 1 under the *Government Sector Employment Act 2013*.

Under the model proposed by the parties to the Award, only the general manager would be employed under a standard contract and all other employees, including senior executives, would be employed under the Award.

The purpose of this paper is to seek the views of the broader local government sector on the changes requested by the parties to the Award.

This feedback will be used to inform the Government's position on this issue.

The paper sets out the arguments that have been put by the parties to the Award in support of the proposed changes and arguments that have been put by others who don't support the changes. It also sets out information on how the provisions of the Award currently apply to executive level employees employed under the Award, what legislative changes would be required to give effect to the outcomes sought by the parties to the Award and the transitional arrangements that may apply were the Act to be amended as suggested.

Councils are invited to make submissions indicating whether they would support the making of the legislative amendments requested by the parties to the Award set out in this paper. Information on how to make a submission is set out at the end of this paper.

What are the current arrangements for the employment of council senior staff?

Currently, the default position is that all council staff other than the general manager are employed under the Award unless the governing body of the council has determined their position to be a "senior staff position" under section 332 of the Act.

Councils may only determine a position to be a "senior staff position" if:

- the responsibilities, skills and accountabilities of the position are generally equivalent to those applicable to the Executive Band of the Award, and
- the total remuneration package payable with respect to the position is equal to or greater than the minimum remuneration package payable with respect to senior executives whose positions are graded Band 1 under the *Government Sector Employment Act 2013* (currently \$201,350).

The holders of identified senior staff positions are employed under a fixed term contract of 1-5 years based on the standard contract of employment for senior staff approved by the "departmental chief executive" of OLG.

What are the arguments for removing the ability for councils to determine positions to be "senior staff positions"?

The parties to the Award argue that removing the ability for councils to determine positions to be senior staff positions will offer the following benefits:

- It will provide all council employees (other than the general manager) the security of being covered by the Award and subject to the jurisdiction of the Industrial Relations Commission of New South Wales (IRC) in the regulation of their employment.
- It will remove the insecurity in the employment of senior staff (other than the general manager) that makes them susceptible to improper pressure from councillors and others by providing them access to the 'unfair dismissal' jurisdiction of the IRC. As demonstrated by ICAC's report arising from Operation Dasha, this is particularly an issue for executive level employees who exercise planning and other regulatory functions. Future dismissals of executive level employees (other than the general manager) would need to be procedurally and substantively fair and for a 'valid reason'.
- It will ensure that all council employees (other than the general manager) have the same minimum terms and conditions of employment.
- It will assist with attracting and retaining executive level employees (other than the general manager) by giving councils flexibility to offer terms and conditions of employment that are not available under the

statutory contracts. Provided the award minimums are met, councils would be able to agree on terms and conditions of employment that they consider appropriate for the position.

- It will more readily promote the development of talented council staff to take on leadership roles. The lack of security of employment of senior staff operates as a significant disincentive for talented employees, particularly in regional areas, to take on more senior roles in councils.

What are the arguments against removing the ability for councils to determine positions to be “senior staff positions”?

The following arguments have been put against the changes proposed by the parties to the Award:

- It will remove the current flexibility councils have to determine whether executive level employees are employed under the Award or a statutory contract.
- It will diminish accountability by senior staff for their performance (rather than dismissing poor performing executive level employees for “no reason” or by not renewing their contract, councils would be expected to performance manage the employees, afford them procedural and substantive fairness, and have a ‘valid reason’ for their dismissal).
- It will reduce the current flexibility that allows general managers to “build” senior management teams.
- It will limit the ability of councils to attract talented executive level employees by offering attractive and competitive remuneration packages (though this could be addressed by offering remuneration and other benefits that are above the award minimums).

How does the Award currently apply to executive level employees?

It should be noted that many councils have chosen not to determine the positions held by their executive level employees to be senior staff positions under section 332 and the holders of those positions are employed under the Award and not on statutory contracts.

Councils that operate under these arrangements have indicated that they do not impede their flexibility or limit their ability to ensure that executive level employees are accountable for their performance.

Common misconceptions about the Award include the following:

The Award diminishes the accountability of executive level employees for their performance and the delivery of outcomes

Clause 10 of the Award expressly recognises that it is the intention of the parties to the Award to create a flexible award in which employers can increase the overall efficiency and effectiveness of local government services.

The Award encourages councils to consider developing enterprise key performance indicators which are specific to local needs and to use these to develop performance targets for teams or individual employees.

Councils can have performance agreements with Award employees setting out agreed performance criteria. Such performance agreements may be implemented as contractual conditions when offering employment to new employees, or may be implemented with existing employees in response to specific circumstances (e.g. performance improvement plans may be implemented as a form of disciplinary action). Even if there is no performance agreement, at common law, employees have a duty to obey their employer's lawful and reasonable directions and to exercise reasonable care and skill in performing their duties.

Councils cannot reward high performance under the Award

The Award is a minimum rates award (except for trainees) which sets the minimum terms and conditions of employment at the *industry level*. The Award requires councils to have a 'salary system' with a structure that complements the entry level rates of pay and skill descriptors in the Award by identifying grades. A council's salary system therefore represents the minimum Award rates at the *workplace level*.

Salary system rates of pay are only one component of the 'total reward' that councils provide to employees for their labour. Other components of the 'total reward' include, for example, allowances, statutory benefits (e.g. superannuation), and above-award payments and benefits (e.g. higher salary, performance bonuses, additional leave, etc). Provided the Award minimums and relevant statutory requirements are met, councils have flexibility to offer above-Award payments and other benefits to reward high performance.

Councils cannot restructure senior management teams under the Award

Councils are free to restructure their operations under the Award subject to complying with minimum notification and consultation requirements.

Subject to complying with the workplace change provisions of the Award, where the restructuring of the council's operations results in staff becoming redundant, councils may terminate their employment with appropriate notice (or payment in lieu of notice) and a severance payment. The entitlement under the Award for a redundant employee with 10 years or more service is 39 weeks comprising of 5 weeks' notice (or payment in lieu of notice) and 34 weeks' severance. This is one week more than the maximum termination payment available under the current approved standard contract of employment for senior staff.

The Award diminishes councils' ability to take disciplinary action against executive level employees

The Award allows councils to undertake disciplinary action where an employee's work performance or conduct is considered unsatisfactory (including summary dismissal in the case of serious misconduct). Penalties for unsatisfactory work performance or conduct include (but are not limited to):

- demotion to a lower paid position or a lower salary point/step
- suspension without pay
- termination of employment.

Councils may be exposed to an increased risk of unfair dismissal proceedings

While it is correct that executive level employees covered by the Award can access the IRC for relief from alleged unfair dismissal, it should also be noted that:

- Only 5% of unfair dismissal proceedings before the IRC result in reinstatement.
- The maximum monetary compensation that can be awarded by the IRC for unfair dismissal is 26 weeks (compared to 38 weeks under the current approved standard contract of employment for senior staff).
- The IRC is a cost-effective and efficient mechanism for the resolution of disputes involving the termination of employment of executive level employees compared to other available mechanisms:
 - All employees (including senior staff and Award employees) have access to remedies for unlawful termination of employment - see for example section 772 of the *Fair Work Act 2009* (Cth), sections 241 and 248 of the *Workers Compensation Act 1987* (NSW) and NSW and federal anti-discrimination legislation. These

legislative remedies have a reverse onus of proof, meaning the employer must disprove the employee's alleged reason for dismissal (usually by proving that the employer had a valid and lawful reason for the dismissal).

- All employees (including senior staff and Award employees) have access to remedies for breach of contract. Claims for breach of contract usually go before the Supreme Court of New South Wales and the Court has broad discretion to award damages to remedy a breach.
- The IRC's power to award costs against a party in unfair dismissal proceedings is confined to where, in the opinion of the IRC, a party unreasonably failed to agree to a settlement of the claim or where the applicant's claim is frivolous or vexatious. This can be contrast with proceedings for unlawful termination of employment and breach of contract where legal costs usually follow the event and are payable by the unsuccessful party.

What legislative changes are required to give effect to the outcomes sought by the parties to the Award?

Legislative amendments are required to give effect to the outcomes sought by the parties to the Award. The required amendments are quite complex and wide ranging and are set out in detail below so that councils can have full visibility of their likely impact.

Some of these amendments may need to be subject to transitional arrangements to reflect the fact that some council staff may continue to be employed under existing senior staff contracts after the relevant provisions have been repealed.

Section 332 - Determination of the organisation structure

Section 332 requires the governing bodies of councils, after consulting with the general manager, to determine the senior staff positions within the organisation structure of the council, the roles and reporting lines (for other senior staff) of holders of senior staff positions, and the resources to be allocated towards the employment of staff. It also sets the criteria for identifying a position to be a "senior staff position".

Section 332 would need to be substantially amended to remove the option of determining senior staff positions and to remove subsections (2) and (3) which set out the criteria for identifying a position to be a senior staff position.

One option may be to amend section 332 so that it simply provides as follows:

- The council must, after consulting the general manager, determine the resources to be allocated towards the employment of staff.
- The general manager must, after consulting the council, determine the

positions within the organisation structure of the council.

- The positions within the organisation structure of the council are to be determined so as to give effect to the priorities set out in the strategic plans (including the community strategic plan) and delivery program of the council.

Section 223(1)(j) – Role of the governing body in determining senior staff positions

Section 223(1)(j) provides that it is the role of the governing body to determine the senior staff positions within the organisation structure of the council. This provision will become redundant if councils no longer have the option of determining senior staff positions under section 332 and would need to be repealed. The governing body would still be responsible for determining the resources to be allocated towards the employment of staff.

Section 337 – Consultation with councillors on the appointment and termination of senior staff

Section 337 provides that the general manager may appoint or dismiss senior staff only after consultation with the council. The removal of the ability for councils to determine senior staff positions will make this provision redundant, and it will need to be repealed.

Section 338 - Nature of contracts for senior staff

Section 338 requires general managers and the holders of senior staff positions to be employed under fixed term contracts of between 1–5 years based on the standard contracts approved by the "departmental chief executive" of OLG.

Section 338 would need to be amended to omit any references to "senior staff" so that it applied only to general managers' contracts of employment.

Section 340 –NSW Industrial Relations Commission’s jurisdiction in relation to senior staff

Section 340 of the Act provides that the employment of the general manager or another senior staff member, or any matter, question or dispute relating to any such employment, is not an “industrial matter” for the purposes of the *Industrial Relations Act 1996* and therefore cannot be considered by the IRC.

Section 340 would need to be amended to exclude references to “senior staff” and to limit its operation to general managers. This would, in effect extend the jurisdiction of the IRC to the employment of all council staff other than general managers.

Employment protection provisions

Amendments would be required to the provisions of the Act that protect the employment of staff affected by amalgamations to remove the current exclusions for senior staff. General managers would continue to be excluded from the application of the relevant provisions. In practical terms, this would extend the employment protections under the Act to all staff other than general managers.

The following provisions will need to be amended to remove references to “senior staff”:

- Section 218CA – Maintenance of staff numbers in rural centres (This currently excludes senior staff from the definition of “regular staff” for the purpose of calculating the number of staff employed at a “rural centre” prior to an amalgamation for the purposes of that section)
- Section 354C – No forced redundancy of affected staff members during proposal period
- Section 354D – Preservation of entitlements of staff members

- Section 354F – No forced redundancy of non-senior staff members for 3 years after transfer
- Section 354G – Lateral transfer of non-senior staff members
- Section 354H – External advertising not required in certain circumstances
- Section 354I – Limitations on transfer of work base of non-senior staff

The following provisions of the *Local Government (General) Regulation 2021* (the Regulation) would also need to be repealed:

- Section 406C - Entitlements of senior staff on transfer following amalgamation or boundary alteration
- Section 406D - Entitlements of senior staff not transferred on boundary alterations.

Section 354A - Ministerial approval for termination payments

Section 354A requires ministerial approval to be given for termination payments to be made to general managers and senior staff unless exempted by the Regulation. Section 405 of the Regulation in turn exempts from the requirement for ministerial approval, termination payments that do not exceed the value of the general manager’s or senior staff member’s total remuneration package over the 12 months preceding the termination of their employment.

Amendments would be required to both section 354A of the Act and section 405 of the Regulation to remove references to “senior staff,” limiting their application to general managers.

Section 405 of the Regulation would also need to be amended to incorporate the current provisions of section 332(3)(a)–(d) of the Act. These set out what comprises the total remuneration package. Because section 332(b) of the Act will need to be repealed (see above), its provisions will need to be incorporated into section 405 for the purposes of calculating the

value of a termination payment under that section.

**Section 217(1)(c) of the Regulation –
Annual reporting of senior staff
remuneration**

Section 217(1)(c) of the Regulation would need to be repealed.

This currently requires councils to publish a statement in their annual reports of the total remuneration comprised in the remuneration packages of all senior staff members (other than the general manager) employed during the year, expressed as the total remuneration of all the senior staff members concerned (not of the individual senior staff members) and including totals of each of the following:

- the total of the values of the salary components of their packages
- the total amount of any bonus payments, performance payments or other payments made to them that do not form part of the salary components of their packages
- the total amount payable by the council by way of the employer's contribution or salary sacrifice to any superannuation scheme to which any of them may be a contributor
- the total value of any non-cash benefits for which any of them may elect under the package
- the total amount payable by the council by way of fringe benefits tax for any such non-cash benefits.

**Section 217(1)(d) of the Regulation –
Annual reporting of labour statistics**

Councils are required to publish labour statistics in their annual reports including in relation to the number of persons employed by the council as senior staff members. The requirement for councils to report on the number of persons employed as senior staff members would need to be repealed.

Other consequential repeals

The following provisions of the Act would also need to be repealed:

- The Dictionary definition of "senior staff".
- Section 334(2) – This provides that the position of general manager is a "senior staff position".

Senior executive remuneration under the Award

The minimum annual salary under the Award for executive level employees ranges from \$100,480 (Band 4 / Level 1) to \$187,569 (Band 4 / Level 4). The Band 4 / Level 4 rate is less than the current minimum permissible remuneration for holders of senior staff positions which is \$201,350.

It should be noted that the minimum remuneration for holders of senior staff positions is inclusive of salary, compulsory employer superannuation contributions and other benefits including any fringe benefits tax payable on such benefits. Also, senior staff do not receive some of the benefits that Award-covered employees may be entitled to (e.g. allowances, overtime, portability of sick leave, protection from unfair dismissal, etc).

The Award requires councils to have a 'salary system' with a structure that complements the entry level rates of pay and skill descriptors in the Award by identifying grades. If the Act were to be amended to remove the option for councils to determine positions to be senior staff positions, some councils may need to review their salary system structures to ensure that they have appropriate minimum rates at the workplace level to attract and retain executive level employees.

Attraction and retention issues could also be addressed by offering additional remuneration (e.g. market allowances) and other above-Award benefits as part of the 'total reward' that councils provide to employees for their labour.

Transitional arrangements

If the Act were to be amended to remove the option for councils to determine positions to be senior staff positions, it would be necessary to put in place transitional arrangements for the current holders of senior staff positions employed under the standard contracts.

Possible transitional arrangements may include giving current occupants of senior staff positions who are employed under the standard contracts the option to either:

- transition immediately to the Award, or
- remain employed under their current employment contract until it expires.

Submissions

Have your say

We now want to hear from you.

Key questions to consider:

- Do you agree that all council staff other than the general manager should be employed under an award such as the *Local Government (State) Award*?
- Would you support amendments being made to the *Local Government Act 1993* to remove the option for councils to determine “senior staff positions” and to employ the holders of those positions under statutory contracts?
- Do you have any comments on the amendments to give effect to this outcome that are set out in this paper?
- If the Act were to be amended as has been suggested, what transitional arrangements should apply to current holders of senior staff positions?

How to make a submission

Submissions may be made in writing to the following addresses:

By email: olg@olg.nsw.gov.au

By post: Locked Bag 3015
NOWRA NSW 2541

Submissions should be labelled “senior staff employment” and marked to the attention of OLG’s Council Governance Team.

Closing date

Close of business, 15 November 2022.

Privacy Notice

When you give us your feedback, OLG will be collecting some personal information about you, in particular:

- your name
- your email address
- the name of your organisation (if provided)

All feedback received through this consultation process may be made **publicly available**. Please do not include any personal information in your feedback that you do not want published.

As part of the consultation process, we may need to share your information with people outside OLG, including other public authorities and government agencies. We may also use your email contact details to send you notifications about further feedback opportunities or the outcome of the consultation.

You should also be aware there may be circumstances when OLG is required by law to release information (for example, in accordance with the requirements of the *Government Information (Public*

Access) Act 2009. There is also a privacy policy located on OLG's website that explains how some data is automatically collected (such as your internet protocol (IP) address) whenever you visit OLG's website. The link to that policy is <http://www.olg.nsw.gov.au/privacy>

Further information

For more information, please contact OLG's Council Governance Team on (02) 4428 4100 or via email at olg@olg.nsw.gov.au.





General Purpose Financial Statements

For the year ended 30 June 2022



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Overview

Murrumbidgee Council is constituted under the Local Government Act 1993 (NSW) and has its principal place of business at:

35 Jerilderie Street
Jerilderie NSW 2716

Council's guiding principles are detailed in Chapter 3 of the LGA and include:

- principles applying to the exercise of functions generally by council,
- principles to be applied when making decisions,
- principles of community participation,
- principles of sound financial management, and
- principles for strategic planning relating to the development of an integrated planning and reporting framework.

A description of the nature of Council's operations and its principal activities are provided in Note B1-2.

Through the use of the internet, we have ensured that our reporting is timely, complete and available at minimum cost. All press releases, financial statements and other information are publicly available on our website: www.murrumbidgee.nsw.gov.au.

Murrumbidgee Council

General Purpose Financial Statements

for the year ended 30 June 2022

Statement by Councillors and Management made pursuant to Section 413 (2c) of the *Local Government Act 1993* (NSW)

The attached general purpose financial statements have been prepared in accordance with:

- the *Local Government Act 1993* and the regulations made thereunder,
- the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
- the Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these statements:

- present fairly the Council's operating result and financial position for the year
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 18 October 2022.

Cr. Ruth McRae
Mayor
18 October 2022

Cr. Robert Black
Councillor
18 October 2022

John Scarce
General Manager
18 October 2022

Kaitlin Salzke
Responsible Accounting Officer
18 October 2022

Murrumbidgee Council

Income Statement

for the year ended 30 June 2022

Original unaudited budget 2022	\$ '000	Notes	Actual 2022	Actual 2021
	Income from continuing operations			
6,197	Rates and annual charges	B2-1	6,044	5,897
2,680	User charges and fees	B2-2	2,400	2,465
278	Other revenues	B2-3	269	278
7,821	Grants and contributions provided for operating purposes	B2-4	9,813	9,256
7,112	Grants and contributions provided for capital purposes	B2-4	6,106	4,714
209	Interest and investment income	B2-5	116	161
185	Other income	B2-6	205	170
–	Net gain from the disposal of assets	B4-1	418	–
24,482	Total income from continuing operations		25,371	22,941
	Expenses from continuing operations			
7,686	Employee benefits and on-costs	B3-1	6,458	7,380
4,918	Materials and services	B3-2	5,248	6,203
–	Borrowing costs	B3-3	–	2
6,433	Depreciation, amortisation and impairment of non-financial assets	B3-4	6,314	5,973
376	Other expenses	B3-5	520	648
–	Net loss from the disposal of assets	B4-1	–	113
19,413	Total expenses from continuing operations		18,540	20,319
5,069	Operating result from continuing operations		6,831	2,622
5,069	Net operating result for the year attributable to Council		6,831	2,622
(2,043)	Net operating result for the year before grants and contributions provided for capital purposes		725	(2,092)

The above Income Statement should be read in conjunction with the accompanying notes.

Murrumbidgee Council

Statement of Comprehensive Income

for the year ended 30 June 2022

\$ '000	Notes	2022	2021
Net operating result for the year – from Income Statement		6,831	2,622
Other comprehensive income:			
Amounts which will not be reclassified subsequently to the operating result			
Gain on revaluation of IPP&E	C1-7	26,448	162
Gain on revaluation of intangible assets	C1-8	533	–
Total items which will not be reclassified subsequently to the operating result		26,981	162
Total other comprehensive income for the period		26,981	162
Total comprehensive income for the year attributable to Council		33,812	2,784

The above Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

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Murrumbidgee Council

Statement of Financial Position

as at 30 June 2022

\$ '000	Notes	2022	2021
ASSETS			
Current assets			
Cash and cash equivalents	C1-1	13,380	6,555
Investments	C1-2	16,700	20,834
Receivables	C1-4	2,326	1,894
Inventories	C1-5	1,655	1,340
Contract assets and contract cost assets	C1-6	1,554	516
Other		45	43
Total current assets		35,660	31,182
Non-current assets			
Inventories	C1-5	791	1,161
Infrastructure, property, plant and equipment (IPPE)	C1-7	293,908	264,272
Intangible assets	C1-8	2,274	1,741
Total non-current assets		296,973	267,174
Total assets		332,633	298,356
LIABILITIES			
Current liabilities			
Payables	C3-1	1,534	1,506
Contract liabilities	C3-2	9,873	9,125
Employee benefit provisions	C3-4	3,001	3,304
Total current liabilities		14,408	13,935
Non-current liabilities			
Employee benefit provisions	C3-4	65	73
Total non-current liabilities		65	73
Total liabilities		14,473	14,008
Net assets		318,160	284,348
EQUITY			
Accumulated surplus	C4-1	284,851	278,020
IPPE revaluation reserve	C4-1	33,309	6,328
Council equity interest		318,160	284,348
Total equity		318,160	284,348

The above Statement of Financial Position should be read in conjunction with the accompanying notes.

Murrumbidgee Council

Statement of Changes in Equity

for the year ended 30 June 2022

	2022			2021		
	Accumulated surplus	IPPE revaluation reserve	Total equity	Accumulated surplus	IPPE revaluation reserve	Total equity
\$ '000						
Opening balance at 1 July	278,020	6,328	284,348	275,398	6,166	281,564
Opening balance	278,020	6,328	284,348	275,398	6,166	281,564
Net operating result for the year	6,831	–	6,831	2,622	–	2,622
Net operating result for the period	6,831	–	6,831	2,622	–	2,622
Other comprehensive income						
Gain on revaluation of IPP&E	–	26,448	26,448	–	162	162
Gain on revaluation of intangible assets	–	533	533	–	–	–
Other comprehensive income	–	26,981	26,981	–	162	162
Total comprehensive income	6,831	26,981	33,812	2,622	162	2,784
Closing balance at 30 June	284,851	33,309	318,160	278,020	6,328	284,348

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

Murrumbidgee Council

Statement of Cash Flows

for the year ended 30 June 2022

Original unaudited budget 2022	\$ '000	Notes	Actual 2022	Actual 2021
Cash flows from operating activities				
Receipts:				
6,197	Rates and annual charges		5,953	5,920
2,680	User charges and fees		2,759	2,849
209	Interest received		83	217
14,934	Grants and contributions		14,942	13,302
–	Bonds, deposits and retentions received		2	–
462	Other		1,843	2,540
Payments:				
(7,685)	Payments to employees		(6,649)	(7,209)
(4,918)	Payments for materials and services		(5,432)	(7,765)
–	Borrowing costs		–	(2)
–	Bonds, deposits and retentions refunded		–	(3)
(376)	Other		(1,767)	(672)
11,503	Net cash flows from operating activities	G1-1	11,734	9,177
Cash flows from investing activities				
Receipts:				
–	Sale of investments		20,834	15,756
100	Sale of real estate assets		243	81
370	Proceeds from sale of IPPE		578	50
–	Deferred debtors receipts		2	3
Payments:				
–	Purchase of investments		(20,834)	(20,834)
–	Acquisition of term deposits		4,134	–
(16,753)	Payments for IPPE		(9,823)	(8,922)
–	Purchase of real estate assets		(43)	(38)
(16,283)	Net cash flows from investing activities		(4,909)	(13,904)
Cash flows from financing activities				
Receipts:				
4,375	Proceeds from borrowings		–	–
Payments:				
(25)	Repayment of borrowings		–	(41)
4,350	Net cash flows from financing activities		–	(41)
(430)	Net change in cash and cash equivalents		6,825	(4,768)
16,061	Cash and cash equivalents at beginning of year		6,555	11,323
15,631	Cash and cash equivalents at end of year	C1-1	13,380	6,555
–	plus: Investments on hand at end of year	C1-2	16,700	20,834
15,631	Total cash, cash equivalents and investments		30,080	27,389

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

Murrumbidgee Council

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Murrumbidgee Council

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A About Council and these financial statements

A1-1 Basis of preparation

These financial statements were authorised for issue by Council on dd MMMM yyyy. Council has the power to amend and reissue these financial statements in cases where critical information is received from public submissions or where the OLG directs Council to amend the financial statements.

The principal accounting policies adopted in the preparation of these consolidated financial statements are set out below.

These policies have been consistently applied to all the years presented, unless otherwise stated.

These general purpose financial statements have been prepared in accordance with Australian Accounting Standards and Australian Accounting Interpretations, the *Local Government Act 1993 (Act)* and *Local Government (General) Regulation 2005 (Regulation)*, and the Local Government Code of Accounting Practice and Financial Reporting.

Council is a not for-profit entity.

The financial statements are presented in Australian dollars and are rounded to the nearest thousand dollars.

Historical cost convention

These financial statements have been prepared under the historical cost convention, as modified by the revaluation of certain financial assets and liabilities and certain classes of infrastructure, property, plant and equipment and intangible assets.

Significant accounting estimates and judgements

The preparation of financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the Council's accounting policies.

Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that may have a financial impact on the Council and that are believed to be reasonable under the circumstances.

Critical accounting estimates and assumptions

Council makes estimates and assumptions concerning the future.

The resulting accounting estimates will, by definition, seldom equal the related actual results.

The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year include:

- (i) estimated fair values of infrastructure, property, plant and equipment – refer Note C1-7
- (ii) estimated fair values of intangible assets - refer Note C1-8
- (iii) employee benefit provisions – refer Note C3-4.

Significant judgements in applying the Council's accounting policies

- i. Impairment of receivables – refer Note C1-4.
- ii. Determination of whether performance obligations are sufficiently specific and whether the contract is within the scope of AASB 15 *Revenue from Contracts with Customers* and / or AASB 1058 *Income of Not-for-Profit Entities* – refer to Notes B2-2 – B2-4.

Monies and other assets received by Council

The Consolidated Fund

In accordance with the provisions of Section 409(1) of the *Local Government Act 1993 (NSW)*, all money and property received by Council is held in the Council's Consolidated Fund unless it is required to be held in the Council's Trust Fund.

Cash and other assets of the following entities have been included as part of the Consolidated Fund:

- General purpose operations
- Coleambally Town Improvement
- Darlington Point Town Improvement
- Coleambally Water Supply Fund
- Darlington Point Water Supply Fund
- Jerilderie Water Supply Fund

A1-1 Basis of preparation (continued)

- Coleambally Sewerage Fund
- Darlington Point Sewerage Fund
- Jerilderie Sewerage Fund

Due to their immaterial value and nature, the following committees, entities and operations have been excluded from consolidation:

- Balmeringa Management Committee
- Central Coree Sports Complex Management Committee
- Yamma Recreation Reserve Management Committee
- Jerilderie Tidy Town Committee
- Coleambally Townlife Committee
- Darlington Point Townlife/Australia Day Committee
- Coleambally Australia Day Committee
- Jerilderie Australia Day Committee
- Heritage Darlington Point
- Murrumbidgee Economic & Tourism Advisory Group

The Trust Fund

In accordance with the provisions of Section 411 of the *Local Government Act 1993 (NSW)* (as amended), a separate and distinct Trust Fund is maintained to account for all money and property received by the Council in trust which must be applied only for the purposes of, or in accordance with, the trusts relating to those monies.

Trust monies and property subject to Council's control have been included in these reports.

The following Trust monies and properties are held by Council but not considered to be under the control of Council and therefore are excluded from these financial statements:

- Wallis Estate
- Sundry Trust Deposits

A separate statement of monies held in the Trust Fund is available for inspection at the council office by any person free of charge.

Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of associated GST, unless the GST incurred is not recoverable from the taxation authority. In this case it is recognised as part of the cost of acquisition of the asset or as part of the expense.

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the taxation authority is included with other receivables or payables in the Statement of Financial Position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities that are recoverable from, or payable to, the taxation authority, are presented as operating cash flows.

Volunteer services

Council does not make material use of volunteer services.

New accounting standards and interpretations issued but not yet effective

Certain new accounting standards and interpretations (ie. pronouncements) have been published by the Australian Accounting Standards Board that are not mandatory for the 30 June 2022 reporting period.

Council has elected not to apply any of these pronouncements in these financial statements before their operative dates.

As at the date of authorisation of these financial statements Council does not consider that any of these new (and still to be applied) standards and interpretations are likely to have a material impact on the Council's future financial statements, financial position, financial performance or cash flows.

New accounting standards adopted during the year

During the year Council adopted all accounting standards and interpretations (as issued by the Australian Accounting Standards Board) which were mandatorily effective from the first time at 30 June 2022.

A1-1 Basis of preparation (continued)

Those newly adopted standards have had no impact on Council's reported financial position, financial performance and/or associated financial statement disclosures.

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B Financial Performance

B1 Functions or activities

B1-1 Functions or activities – income, expenses and assets

Income, expenses and assets have been directly attributed to the following functions or activities. Details of those functions or activities are provided in Note B1-2.

\$ '000	Income		Expenses		Operating result		Grants and contributions		Carrying amount of assets	
	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021
Functions or activities										
Governance and Administration	12,122	11,526	6,552	6,606	5,570	4,920	7,155	7,784	42,160	36,588
Public Order and Safety	339	359	540	720	(201)	(361)	334	354	2,144	1,924
Health	9	8	48	46	(39)	(38)	–	–	992	852
Environmental Protection	587	470	872	1,140	(285)	(670)	228	209	14,773	16,541
Community Services and Education	1,574	518	323	510	1,251	8	1,554	272	2,570	1,144
Housing and Community Amenities	471	581	702	700	(231)	(119)	205	107	5,125	4,533
Recreation and Cultural	2,243	2,894	2,034	2,031	209	863	1,842	2,319	24,446	20,512
Mining, Manufacturing and Construction	40	25	29	53	11	(28)	–	–	226	226
Transport and Communications	4,480	2,924	4,590	4,728	(110)	(1,804)	4,480	2,834	208,768	185,810
Economic Affairs	1,685	1,709	1,111	1,841	574	(132)	53	18	3,247	3,307
Water Supply	1,193	1,278	1,087	1,157	106	121	68	73	13,304	12,527
Sewerage Services	628	649	652	787	(24)	(138)	–	–	14,878	14,392
Total functions and activities	25,371	22,941	18,540	20,319	6,831	2,622	15,919	13,970	332,633	298,356

B1-2 Components of functions or activities

Details relating to the Council's functions or activities as reported in B1-1 are as follows:

Governance and Administration

Governance and administration functions of Council, Council depot and general purpose revenue.

Public Order and Safety

Animal control, fire and emergency services.

Health

Health, food control and medical services.

Environmental Protection

Noxious plants, environmental protection, solid waste management, street cleaning, drainage and stormwater management.

Community Services and Education

Community services administration, aged and disabled services and children's services.

Housing and Community Amenities

Public cemeteries, public conveniences, street lighting, town planning and other community amenities.

Recreation and Cultural

Public libraries, museum, community centres and halls, other cultural activities, sports grounds and venues, swimming pools, parks and gardens, other sport and recreation.

Mining, Manufacturing and Construction

Building control, quarries and gravel pits.

Transport and Communications

Roads, bridges, footpaths, car parks, aerodrome, tree maintenance and radio communications.

Economic Affairs

Caravan parks, industrial development and promotion, real estate development, saleyards, tourism and area promotion, share farming, private works including State Road maintenance contracts and other business activities.

Water Supply

Provision of water supply to towns.

Sewerage Services

Provision of sewerage services to towns.

B2 Sources of income

B2-1 Rates and annual charges

\$ '000	Timing	2022	2021
Ordinary rates			
Residential	2	418	340
Farmland	2	3,826	3,848
Business	2	230	156
Less: pensioner rebates (mandatory)	2	(34)	(32)
Rates levied to ratepayers		4,440	4,312
Pensioner rate subsidies received	2	19	17
Total ordinary rates		4,459	4,329
Special rates			
Town improvement	2	–	56
Less: pensioner rebates (mandatory)	2	–	(3)
Rates levied to ratepayers		–	53
Pensioner rate subsidies received:			
– Other	2	–	2
Total special rates		–	55
Annual charges			
(pursuant to s.496, s.496A, s.496B, s.501 & s.611)			
Domestic waste management services	2	216	210
Stormwater management services	2	–	10
Water supply services	2	678	636
Waste management services (non-domestic)	2	108	104
Sewerage services	2	613	584
Less: pensioner rebates (mandatory)	2	(66)	(70)
Annual charges levied		1,549	1,474
Pensioner subsidies received:			
– Water	2	11	12
– Sewerage	2	11	12
– Domestic waste management	2	14	15
Total annual charges		1,585	1,513
Total rates and annual charges		6,044	5,897
Timing of revenue recognition for rates and annual charges			
Rates and annual charges recognised at a point in time (2)		6,044	5,897
Total rates and annual charges		6,044	5,897

The timing column notation (above) identifies the revenue recognition pattern for material items of Council's revenue:

- (1) indicates income recognised under AASB 15 or AASB 1058 "over time",
- (2) indicates income recognised under AASB 15 or AASB 1058 "at a point in time".

Council has used 2019 year valuations provided by the NSW Valuer General in calculating its rates.

Accounting policy

Rates and annual charges are recognised as revenue at the beginning of the rating period to which they relate. Prepaid rates are recognised as a financial liability until the beginning of the rating period.

Pensioner rebates relate to reductions in rates and certain annual charges for eligible pensioners' place of residence in the local government council area that are not subsidised by the NSW Government.

Pensioner rate subsidies are received from the NSW Government to provide a contribution towards the pensioner rebates and are recognised within the underlying revenue item based on their substance.

B2-2 User charges and fees

\$ '000	Timing	2022	2021
Specific user charges			
(per s.502 - specific 'actual use' charges)			
Water supply services	2	429	475
Sewerage services	2	2	7
Waste management services (non-domestic)	2	31	29
Total specific user charges		462	511
Other user charges and fees			
(i) Fees and charges – statutory and regulatory functions (per s.608)			
Building regulation	2	39	23
Building services – other	2	4	5
Planning and building regulation	2	95	49
Private works – section 67	2	399	491
Regulatory/statutory fees	2	3	2
Registration fees	2	–	3
Section 10.7 certificates (EP&A Act)	2	23	18
Section 603 certificates	2	12	12
Total fees and charges – statutory/regulatory		575	603
(ii) Fees and charges – other (incl. general user charges (per s.608))			
Community centres	2	5	4
Leaseback fees – Council vehicles	2	26	43
Library	2	1	1
Park rents	2	1	3
Transport for NSW works (state roads not controlled by Council)	2	1,200	1,102
Saleyards	2	15	11
Waste disposal tipping fees	2	3	7
Cemetery	2	59	78
Community care services	2	20	87
Other	2	33	15
Total fees and charges – other		1,363	1,351
Total other user charges and fees		1,938	1,954
Total user charges and fees		2,400	2,465
Timing of revenue recognition for user charges and fees			
User charges and fees recognised at a point in time (2)		2,400	2,465
Total user charges and fees		2,400	2,465

Accounting policy

Revenue arising from user charges and fees is recognised when or as the performance obligation is completed and the customer receives the benefit of the goods / services being provided.

The performance obligation relates to the specific services which are provided to the customers and generally the payment terms are within 30 days of the provision of the service or in some cases such as caravan parks, the customer is required to pay on arrival. There is no material obligation for Council in relation to refunds or returns.

Licences granted by Council are all either short-term or low value and all revenue from licences is recognised at the time that the licence is granted rather than the term of the licence.

B2-3 Other revenues

\$ '000	Timing	2022	2021
Commissions and agency fees	2	94	88
Diesel rebate	2	52	76
Recycling income (non-domestic)	2	7	26
Insurance rebates	2	35	22
Miscellaneous sales	2	3	15
Other	2	62	9
Contributions to long service leave	2	16	42
Total other revenue		269	278

Timing of revenue recognition for other revenue

Other revenue recognised at a point in time (2)	269	278
Total other revenue	269	278

Accounting policy for other revenue

Where the revenue is earned for the provision of specified goods / services under an enforceable contract, revenue is recognised when or as the obligations are satisfied.

Statutory fees and fines are recognised as revenue when the service has been provided or the payment is received, whichever occurs first.

Other revenue is recorded when the payment is due, the value of the payment is notified, or the payment is received, whichever occurs first.

Fines are recognised when the penalty has been paid.

B2-4 Grants and contributions

\$ '000	Timing	Operating 2022	Operating 2021	Capital 2022	Capital 2021
General purpose grants and non-developer contributions (untied)					
General purpose (untied)					
Current year allocation					
Financial assistance	2	2,574	2,305	—	—
Payment in advance - future year allocation					
Financial assistance	2	3,959	2,469	—	—
Other					
Other grants	2	32	—	—	—
Amount recognised as income during current year		6,565	4,774	—	—
Special purpose grants and non-developer contributions (tied)					
Cash contributions					
Child care	2	—	—	—	12
Water supplies	2	68	73	—	—
Economic development	2	—	2	—	—
Employment and training programs	2	4	26	—	—
Environmental programs	1	171	132	—	—
Heritage and cultural	2	103	10	—	—
Library	2	73	73	—	—
Noxious weeds	2	57	77	—	—
NSW Rural Fire Service	2	329	352	5	1
Recreation and culture	1	—	6	—	489
Stronger Communities Fund	1	57	—	1,738	916
Community services	1	190	190	—	—
Stronger Country Communities	1	—	93	1,653	2,698
Street lighting	2	46	46	—	—
Drought Communities	1	201	944	—	—
Transport (Roads to Recovery)	2	1,008	1,512	—	—
Transport (other roads and bridges funding)	1	—	—	1,249	225
Local Roads and Community Infrastructure	1	—	—	1,343	175
Planning Portal	2	37	9	—	—
Other specific grants	2	24	37	34	5
Solar farm contribution	2	—	20	—	—
Recreation and culture	2	—	—	5	9
Transport for NSW contributions (regional roads, block grant)	2	880	880	—	123
Total special purpose grants and non-developer contributions – cash		3,248	4,482	6,027	4,653
Total special purpose grants and non-developer contributions (tied)		3,248	4,482	6,027	4,653
Total grants and non-developer contributions		9,813	9,256	6,027	4,653
Comprising:					
– Commonwealth funding		7,936	7,256	1,942	95
– State funding		1,874	1,949	4,057	4,543
– Other funding		3	51	28	15
		9,813	9,256	6,027	4,653

B2-4 Grants and contributions (continued)

Developer contributions

\$ '000	Timing	Operating 2022	Operating 2021	Capital 2022	Capital 2021
Developer contributions: (s7.4 & s7.11 - EP&A Act, s64 of the LGA):					
Cash contributions					
S 7.11 – contributions towards amenities/services	2	–	–	79	61
Total developer contributions – cash		–	–	79	61
Total developer contributions		–	–	79	61
Total contributions		–	–	79	61
Total grants and contributions		9,813	9,256	6,106	4,714
Timing of revenue recognition for grants and contributions					
Grants and contributions recognised over time (1)		619	1,175	5,983	4,503
Grants and contributions recognised at a point in time (2)		9,194	8,081	123	211
Total grants and contributions		9,813	9,256	6,106	4,714

Unspent grants and contributions

Certain grants and contributions are obtained by Council on the condition they be spent in a specified manner or in a future period but which are not yet spent in accordance with those conditions are as follows:

\$ '000	Operating 2022	Operating 2021	Capital 2022	Capital 2021
Unspent grants and contributions				
Unspent funds at 1 July	249	604	9,125	10,005
Add: operating grants recognised as income in the current period but not yet spent	16	5	–	–
Add: funds received and not recognised as revenue in the current year	–	–	4,233	1,385
Less: capital grants recognised in a previous reporting period now spent	(140)	(360)	(3,485)	(2,265)
Unspent funds at 30 June	125	249	9,873	9,125
Contributions				
Unspent funds at 1 July	224	18	407	441
Add: contributions recognised as revenue in the reporting year but not yet spent in accordance with the conditions	873	224	79	61
Less: contributions recognised as revenue in previous years that have been spent during the reporting year	(224)	(18)	–	(95)
Unspent contributions at 30 June	873	224	486	407

B2-4 Grants and contributions (continued)

Accounting policy

Grants and contributions – enforceable agreement with sufficiently specific performance obligations

Grant and contribution revenue from an agreement which is enforceable and contains sufficiently specific performance obligations is recognised as or when control of each performance obligations is transferred.

The performance obligations vary according to the agreement but include milestones within AASB 15 grants. Payment terms vary depending on the terms of the grant: cash is received upfront for some grants and on the achievement of certain payment milestones for others.

Performance obligations may be satisfied either at a point in time or over time and this is reflected in the revenue recognition pattern. Point in time recognition occurs when the beneficiary obtains control of the goods / services at a single time (e.g. completion of the project when a report / outcome is provided), whereas over time recognition is where the control of the services is ongoing throughout the project (e.g. provision of community health services through the year).

Where control is transferred over time, generally the input methods (being either costs or time) incurred are deemed to be the most appropriate methods to reflect the transfer of benefit.

Capital grants

Capital grants received by Council under an enforceable contract for the acquisition or construction of infrastructure, property, plant and equipment to identified specifications which will be under Council's control on completion are recognised as revenue as and when the obligation to construct or purchase is completed.

For construction projects, this is generally as the construction progresses in accordance with costs incurred since this is deemed to be the most appropriate measure of the completeness of the construction project.

For acquisitions of assets, the revenue is recognised when the asset is acquired and controlled by the Council.

Developer contributions

Council has obligations to provide facilities from contribution revenues levied on developers under the provisions of sections 7.4, 7.11 and 7.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

While Council generally incorporates these amounts as part of a Development Consents Order, such developer contributions are only recognised as income upon receipt by Council, due to the possibility that individual development consents may not be acted upon by the applicant and, accordingly, would not be payable to Council.

Developer contributions may only be expended for the purposes for which the contributions were required, but Council may apply contributions according to the priorities established in work schedules for the contribution plan.

Other grants and contributions

Assets, including cash, received from other grants and contributions are recognised at fair value when the asset is received. Council considers whether there are any related liability or equity items associated with the asset which are recognised in accordance with the relevant accounting standard.

Once the assets and liabilities have been recognised then income is recognised for any remaining asset value at the time that the asset is received.

B2-5 Interest and investment income

\$ '000	2022	2021
Interest on financial assets measured at amortised cost		
– Overdue rates and annual charges (incl. special purpose rates)	34	31
– Cash and investments	82	130
Total interest and investment income (losses)	116	161

Interest and investment income is attributable to:

Unrestricted investments/financial assets:

Overdue rates and annual charges (general fund)	15	14
General Council cash and investments	58	99

Restricted investments/funds – external:

Water fund operations	22	22
Sewerage fund operations	21	26

Total interest and investment income	116	161
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Accounting policy

Interest income is recognised using the effective interest rate at the date that interest is earned.

B2-6 Other income

\$ '000	Notes	2022	2021
Rental income			
Property rental		47	48
Housing rental		158	122
Total rental income	C2-2	205	170
Total other income		205	170

B3 Costs of providing services

B3-1 Employee benefits and on-costs

\$ '000	2022	2021
Salaries and wages	6,014	5,814
Employee leave entitlements (ELE)	672	1,287
Superannuation	715	703
Workers' compensation insurance	140	326
Fringe benefits tax (FBT)	59	36
Other	55	9
Total employee costs	7,655	8,175
Less: capitalised costs	(1,197)	(795)
Total employee costs expensed	6,458	7,380
Number of 'full-time equivalent' employees (FTE) at year end	87	83
Number of 'full-time equivalent' employees (FTE) at year end (incl. vacancies)	92	91

Accounting policy

Employee benefit expenses are recorded when the service has been provided by the employee.

All employees of the Council are entitled to benefits on retirement, disability or death. Council contributes to various defined benefit plans and defined contribution plans on behalf of its employees.

Contributions to defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

Council participates in a defined benefit plan under the Local Government Superannuation Scheme, however, sufficient information to account for the plan as a defined benefit is not available and therefore Council accounts for its obligations to defined benefit plans on the same basis as its obligations to defined contribution plans, i.e. as an expense when it becomes payable – refer to Note E3-1 for more information.

B3-2 Materials and services

\$ '000	Notes	2022	2021
Raw materials and consumables		12,654	10,764
Contractor and consultancy costs:			
– Waste collection		116	113
– Other		1,329	1,569
Audit fees	F2-1	77	72
Other expenses:			
– Advertising		37	57
– Bank charges		14	14
– Councillor and mayoral fees and associated expenses	F1-2	211	181
– Electricity and heating		299	353
– Fire control expenses		58	78
– Insurance		509	443
– Street lighting		40	93
– Subscriptions – shires association		–	22
– Subscriptions and publications – other		105	109
– Telephone and communications		86	89
– Training costs (other than salaries and wages)		48	80
– Travel expenses		89	3
– Valuation fees		–	21
– Other		2	1
Legal expenses:			
– Planning and development		3	1
– Other		7	6
Expenses from leases of low value assets		–	3
Total materials and services		15,684	14,072
Less: capitalised costs		(10,436)	(7,869)
Total materials and services		5,248	6,203

Accounting policy

Expenses are recorded on an accruals basis as the Council receives the goods or services.

B3-3 Borrowing costs

\$ '000	2022	2021
(i) Interest bearing liability costs		
Interest on loans	–	2
Total interest bearing liability costs	–	2
Total interest bearing liability costs expensed	–	2
Total borrowing costs expensed	–	2

Accounting policy

Borrowing costs incurred for the construction of any qualifying asset are capitalised during the period of time that is required to complete and prepare the asset for its intended use or sale. Other borrowing costs are expensed as incurred.

B3-4 Depreciation, amortisation and impairment of non-financial assets

\$ '000	Notes	2022	2021
Depreciation and amortisation			
Plant and equipment		1,254	1,203
Office equipment		56	81
Furniture and fittings		13	10
Land improvements (depreciable)		406	339
Infrastructure:	C1-7		
– Buildings – non-specialised		177	175
– Buildings – specialised		576	552
– Other structures		61	39
– Roads		3,176	2,998
– Bridges		91	80
– Footpaths		79	69
– Other road assets		233	45
– Stormwater drainage		83	145
– Water supply network		291	305
– Sewerage network		279	290
– Swimming pools		41	38
– Other open space/recreational assets		54	46
Other assets:			
– Library books		15	11
Total gross depreciation and amortisation costs		6,885	6,426
Less: capitalised costs		(571)	(453)
Total depreciation and amortisation costs		6,314	5,973
Total depreciation, amortisation and impairment for non-financial assets		6,314	5,973

Accounting policy

Depreciation and amortisation

Depreciation and amortisation are calculated using the straight line method to allocate their cost, net of their residual values, over their estimated useful lives.

Impairment of non-financial assets

Council assets held at fair value that are not held primarily for their ability to generate net cash flow, and that are deemed to be specialised, are not tested for impairment since these assets are assessed on an annual basis to ensure that the carrying amount is not materially different from fair value and therefore an impairment loss would be captured during this assessment.

Intangible assets not yet available for use, are tested annually for impairment, or more frequently if events or changes in circumstances indicate that they might be impaired.

Other non-financial assets that do not meet the criteria above are tested for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use.

For the purposes of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash inflows that are largely independent of the cash inflows from other assets or groups of assets (cash-generating units).

Impairment losses for revalued assets are firstly offset against the amount in the revaluation surplus for the class of asset, with only the excess to be recognised in the Income Statement.

B3-5 Other expenses

\$ '000	2022	2021
Contributions/levies to other levels of government		
– NSW – SES	6	8
– NSW Fire Brigade levy	21	23
– NSW Rural Fire Service levy	341	467
– Mobile book library contribution	104	102
Donations, contributions and assistance to other organisations (Section 356)	48	48
Total other expenses	520	648

Accounting policy

Other expenses are recorded on an accruals basis when Council has an obligation for the expenses.

Impairment expenses are recognised when identified.

B4 Gains or losses

B4-1 Gain or loss from the disposal, replacement and de-recognition of assets

\$ '000	Notes	2022	2021
Gain (or loss) on disposal of plant and equipment	C1-7		
Proceeds from disposal – plant and equipment		507	50
Less: carrying amount of plant and equipment assets sold/written off		(197)	–
Gain (or loss) on disposal		310	50
Gain (or loss) on disposal of infrastructure	C1-7		
Proceeds from disposal – infrastructure		71	–
Less: carrying amount of infrastructure assets sold/written off		(124)	(197)
Gain (or loss) on disposal		(53)	(197)
Gain (or loss) on disposal of real estate assets held for sale	C1-5		
Proceeds from disposal – real estate assets		243	81
Less: carrying amount of real estate assets sold/written off		(82)	(47)
Gain (or loss) on disposal		161	34
Gain (or loss) on disposal of investments	C1-2		
Proceeds from disposal/redemptions/maturities – investments		20,834	15,756
Less: carrying amount of investments sold/redeemed/matured		(20,834)	(15,756)
Gain (or loss) on disposal		–	–
Net gain (or loss) from disposal of assets		418	(113)

Accounting policy

Gains and losses on disposals are determined by comparing proceeds with carrying amount. The gain or loss on sale of an asset is determined when control of the asset has irrevocably passed to the buyer and the asset is de-recognised.

B5 Performance against budget

B5-1 Material budget variations

Council's original budget was adopted by the Council on 29/06/2021 and is not required to be audited. The original projections on which the budget was based have been affected by a number of factors. These include state and federal government decisions, including new grant programs, changing economic activity, environmental factors, and by decisions made by Council.

While these General Purpose Financial Statements include the original budget adopted by Council, the Act requires Council to review its financial budget on a quarterly basis, so it is able to manage the variation between actuals and budget that invariably occur during the year.

Material variations of more than 10% between original budget and actual results or where the variance is considered material by nature are explained below.

Variation Key: **F** = Favourable budget variation, **U** = Unfavourable budget variation.

\$ '000	2022 Budget	2022 Actual	2022 ----- Variance -----	
Revenues				
User charges and fees	2,680	2,400	(280)	(10)% U
Council's user fees & charges were reduced due to decreased TfNSW works undertaken, together with reduced water usage charges.				
Operating grants and contributions	7,821	9,813	1,992	25% F
Council received an additional amount of approximately \$1.5m prepaid Financial Assistance Grant over the previous year. A number of other grant opportunities arose during the year together with the utilisation of funding previously held as liabilities.				
Capital grants and contributions	7,112	6,106	(1,006)	(14)% U
Council included proposed grants for water supply works and other various small grants within the original budget estimates. The water supply works have been deferred and some smaller grants were not forthcoming. Subsequent additional grant funds for Stronger Country Communities and Local Roads and Community Infrastructure works have been sourced, together with utilisation of other grants previously held as liabilities.				
Interest and investment revenue	209	116	(93)	(44)% U
Interest on investments is reduced due to continuing low interest rates.				
Expenses				
Materials and services	4,918	5,248	(330)	(7)% U
Variations in costs of materials and services are primarily varied due to additional works undertaken for grant-funded programs.				
Statement of cash flows				
Cash flows from financing activities	4,350	–	(4,350)	(100)% U
Council did not take up the proposed borrowings due to dererral of works for caravan park upgrades and real estate development.				

C Financial position

C1 Assets we manage

C1-1 Cash and cash equivalents

\$ '000	2022	2021
Cash assets		
Cash on hand and at bank	1,328	2,352
Cash equivalent assets		
– Short-term deposits	12,052	4,203
Total cash and cash equivalents	13,380	6,555

Accounting policy

For Statement of Cash Flow presentation purposes, cash and cash equivalents include: cash on hand; deposits held at call with financial institutions; other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value; and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities on the Statement of Financial Position.

C1-2 Financial investments

\$ '000	2022 Current	2022 Non-current	2021 Current	2021 Non-current
Debt securities at amortised cost				
Long-term deposits	16,700	–	20,834	–
Total	16,700	–	20,834	–
Total financial investments	16,700	–	20,834	–
Total cash assets, cash equivalents and investments	30,080	–	27,389	–

Accounting policy

Financial instruments are recognised initially on the date that the Council becomes party to the contractual provisions of the instrument.

On initial recognition, all financial instruments are measured at fair value plus transaction costs (except for instruments measured at fair value through profit or loss where transaction costs are expensed as incurred).

Financial assets

All recognised financial assets are subsequently measured in their entirety at either amortised cost or fair value, depending on the classification of the financial assets.

Classification

On initial recognition, Council classifies its financial assets into the following categories – those measured at:

- amortised cost
- fair value through profit and loss (FVTPL)
- fair value through other comprehensive income – equity instrument (FVOCI-equity)

Financial assets are not reclassified subsequent to their initial recognition.

Amortised cost

Council's financial assets measured at amortised cost comprise trade and other receivables, term deposits and cash and cash equivalents in the Statement of Financial Position. Term deposits with an initial term of more than 3 months are classified as investments rather than cash and cash equivalents.

Subsequent to initial recognition, these assets are carried at amortised cost using the effective interest rate method less provision for impairment.

C1-2 Financial investments (continued)

Interest income, impairment and gains or loss on de-recognition are recognised in profit or loss.

C1-3 Restricted and allocated cash, cash equivalents and investments

\$ '000	2022	2021
(a) Externally restricted cash, cash equivalents and investments		
Total cash, cash equivalents and investments	30,080	27,389
Less: Externally restricted cash, cash equivalents and investments	(19,094)	(17,304)
Cash, cash equivalents and investments not subject to external restrictions	10,986	10,085
External restrictions		
External restrictions – included in liabilities		
External restrictions included in cash, cash equivalents and investments above comprise:		
Specific purpose unexpended grants – general fund	9,998	9,125
External restrictions – included in liabilities	9,998	9,125
External restrictions – other		
External restrictions included in cash, cash equivalents and investments above comprise:		
Developer contributions – general	486	407
Transport for NSW contributions	873	224
Specific purpose unexpended grants (recognised as revenue) – general fund	–	249
Water fund	2,880	2,596
Sewer fund	4,351	4,197
Other special levies	432	432
Domestic waste management	74	74
External restrictions – other	9,096	8,179
Total external restrictions	19,094	17,304

Cash, cash equivalents and investments subject to external restrictions are those which are only available for specific use by Council due to a restriction placed by legislation or third-party contractual agreement.

\$ '000	2022	2021
(b) Internal allocations		
Cash, cash equivalents and investments not subject to external restrictions	10,986	10,085
Less: Internally restricted cash, cash equivalents and investments	(9,626)	(8,150)
Unrestricted and unallocated cash, cash equivalents and investments	1,360	1,935
Internal allocations		
At 30 June, Council has internally allocated funds to the following:		
Infrastructure replacement	2,704	2,704
Employees leave entitlement	1,096	1,071
Carry over works	468	193
Deposits, retentions and bonds	26	24
Plant and vehicle replacement	1,118	1,654
State Emergency Service	15	15
Local Environmental Plan	20	20
Financial Assistance Grant advance payment	3,959	2,469

C1-3 Restricted and allocated cash, cash equivalents and investments (continued)

\$ '000	2022	2021
Real estate development	150	–
Caravan park	70	–
Total internal allocations	9,626	8,150

Cash, cash equivalents and investments not subject to external restrictions may be internally allocated by resolution or policy of the elected Council.

\$ '000	2022	2021
(c) Unrestricted and unallocated		
Unrestricted and unallocated cash, cash equivalents and investments	1,360	1,935

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C1-4 Receivables

\$ '000	2022 Current	2022 Non-current	2021 Current	2021 Non-current
Rates and annual charges	533	–	430	–
Interest and extra charges	48	–	39	–
User charges and fees	519	–	846	–
Accrued revenues				
– Interest on investments	35	–	11	–
Deferred debtors	–	–	2	–
Government grants and subsidies	1,140	–	453	–
Net GST receivable	52	–	123	–
Other debtors	29	–	20	–
Total	2,356	–	1,924	–
Less: provision for impairment				
User charges and fees	(30)	–	(30)	–
Total provision for impairment – receivables	(30)	–	(30)	–
Total net receivables	2,326	–	1,894	–

Accounting policy

Receivables are recognised initially at fair value and subsequently measured at amortised cost using the effective interest method, less provision for impairment. Receivables are generally due for settlement within 30 days.

Impairment

Impairment of financial assets measured at amortised cost is recognised on an expected credit loss (ECL) basis.

When estimating ECL, Council considers reasonable and supportable information that is relevant and available without undue cost or effort. This includes both quantitative and qualitative information and analysis based on Council's historical experience and informed credit assessment, and including forward-looking information.

Council uses the simplified approach for trade receivables where the expected lifetime credit losses are recognised on day 1.

When considering the ECL for rates and annual charges debtors, Council takes into account that unpaid rates represent a charge against the rateable property that will be recovered when the property is next sold.

Credit losses are measured at the present value of the difference between the cash flows due to the entity in accordance with the contract, and the cash flows expected to be received. This is applied using a probability weighted approach.

Council writes off a receivable when there is information indicating that the debtor is in severe financial difficulty and there is no realistic prospect of recovery, e.g. when the debtor has been placed under liquidation or has entered into bankruptcy proceedings.

None of the receivables that have been written off are subject to enforcement activity.

Where Council renegotiates the terms of receivables due from certain customers, the new expected cash flows are discounted at the original effective interest rate and any resulting difference to the carrying value is recognised in profit or loss.

COVID-19

Council's rate and user charges collections have not been significantly impacted by the Covid 19 pandemic and are comparable to prior years, therefore no adjustment has been made to the impairment provision.

C1-5 Inventories

\$ '000	2022 Current	2022 Non-current	2021 Current	2021 Non-current
(i) Inventories at cost				
Real estate for resale (refer below)	792	791	461	1,161
Stores and materials	863	–	879	–
Total inventories at cost	1,655	791	1,340	1,161
Total inventories	1,655	791	1,340	1,161

(ii) Other disclosures

\$ '000	2022 Current	2022 Non-current	2021 Current	2021 Non-current
(a) Details for real estate development				
Residential	792	791	370	926
Industrial/commercial	–	–	91	235
Total real estate for resale	792	791	461	1,161

(b) Current inventories not anticipated to be settled within the next 12 months

\$ '000	2022	2021
Real estate for resale	699	431
	699	431

Accounting policy

Raw materials and stores, work in progress and finished goods

Raw materials and stores, work in progress and finished goods are stated at the lower of cost and net realisable value. Costs are assigned to individual items of inventory on the basis of weighted average costs. Costs of purchased inventory are determined after deducting rebates and discounts. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land held for resale

Land held for resale is stated at the lower of cost and net realisable value. Cost is assigned by specific identification and includes the cost of acquisition, and development and borrowing costs during development. When development is completed, borrowing costs and other holding charges are expensed as incurred.

Borrowing costs included in the cost of land held for resale are those costs that would have been avoided if the expenditure on the acquisition and development of the land had not been made. Borrowing costs incurred while active development is interrupted for extended periods are recognised as expenses.

C1-6 Contract assets and Contract cost assets

\$ '000	2022 Current	2022 Non-current	2021 Current	2021 Non-current
Contract assets	1,554	—	516	—
Total contract assets and contract cost assets	1,554	—	516	—

Contract assets

Other	1,554	—	516	—
Total contract assets	1,554	—	516	—

Significant changes in contract assets

Contract assets have increased significantly at year end due to the completion or milestones of contracts being reached including SCCF and various road grants for which invoices have been raised but not yet received.

Accounting policy

Contract assets

Contract assets represent Council's right to payment in exchange for goods or services the Council has transferred to a customer when that right is conditional on something other than the passage of time.

Contract assets arise when the amounts billed to customers are based on the achievement of various milestones established in the contract and therefore the amounts recognised as revenue in a given period do not necessarily coincide with the amounts billed to or certified by the customer. Once an invoice or payment claim is raised or the relevant milestone is reached, Council recognises a receivable.

Impairment of contract assets is assessed using the simplified expected credit loss model where lifetime credit losses are recognised on initial recognition.

C1-7 Infrastructure, property, plant and equipment

By aggregated asset class	At 1 July 2021					Asset movements during the reporting period					At 30 June 2022		
	Gross carrying amount	Accumulated depreciation and impairment	Net carrying amount	Additions renewals ¹	Additions new assets	Carrying value of disposals	Depreciation expense	WIP transfers	Adjustments and transfers	Revaluation increments to equity (ARR)	Gross carrying amount	Accumulated depreciation and impairment	Net carrying amount
\$ '000													
Capital work in progress	1,409	–	1,409	4,059	792	–	–	–	–	–	6,108	–	6,108
Plant and equipment	14,006	(7,942)	6,064	1,861	–	(194)	(1,254)	–	–	–	15,230	(8,753)	6,477
Office equipment	926	(798)	128	28	–	(3)	(56)	–	–	–	949	(852)	97
Furniture and fittings	433	(302)	131	7	–	–	(13)	–	–	–	440	(315)	125
Land:													
– Operational land	3,316	–	3,316	–	–	–	–	–	–	–	3,316	–	3,316
– Community land	1,902	–	1,902	–	–	–	–	–	–	–	1,902	–	1,902
Land improvements – depreciable	13,316	(2,247)	11,069	–	942	–	(406)	14	204	1,626	16,707	(3,258)	13,449
Infrastructure:													
– Buildings – non-specialised	8,458	(3,068)	5,390	14	124	(97)	(177)	–	–	889	9,773	(3,630)	6,143
– Buildings – specialised	31,439	(12,709)	18,730	37	1,320	–	(576)	138	–	2,969	37,917	(15,299)	22,618
– Other structures	2,359	(124)	2,235	–	27	–	(61)	–	–	249	2,649	(199)	2,450
– Roads	167,924	(54,905)	113,019	967	–	–	(3,176)	–	–	10,379	199,284	(78,095)	121,189
– Bridges	6,649	(4,234)	2,415	–	–	–	(91)	–	–	505	8,041	(5,212)	2,829
– Footpaths	4,332	(1,040)	3,292	9	–	(5)	(79)	–	–	(206)	4,608	(1,597)	3,011
– Other road assets (including bulk earthworks)	2,150	(1,041)	1,109	104	–	(22)	(233)	–	3,375	4,384	14,835	(6,118)	8,717
– Bulk earthworks (non-depreciable)	64,258	–	64,258	–	–	–	–	–	–	3,476	67,734	–	67,734
– Stormwater drainage	13,310	(4,755)	8,555	–	–	–	(83)	–	(3,497)	811	9,559	(3,773)	5,786
– Water supply network	18,091	(10,000)	8,091	–	11	–	(291)	–	–	447	19,139	(10,881)	8,258
– Sewerage network	20,686	(10,864)	9,822	–	40	–	(279)	–	–	547	21,911	(11,781)	10,130
– Swimming pools	2,115	(110)	2,005	–	–	–	(41)	–	–	201	2,326	(161)	2,165
– Other open space/recreational assets	1,699	(400)	1,299	–	33	–	(54)	–	(82)	171	1,835	(468)	1,367
Other assets:													
– Library books	55	(22)	33	19	–	–	(15)	–	–	–	68	(31)	37
Total infrastructure, property, plant and equipment	378,833	(114,561)	264,272	7,105	3,289	(321)	(6,885)	–	–	26,448	444,331	(150,423)	293,908

(1) Renewals are defined as the replacement of existing assets (as opposed to the acquisition of new assets).

C1-7 Infrastructure, property, plant and equipment (continued)

By aggregated asset class	At 1 July 2020					Asset movements during the reporting period					At 30 June 2021		
	\$ '000	Gross carrying amount	Accumulated depreciation and impairment	Net carrying amount	Additions renewals ¹	Carrying value of disposals	Depreciation expense	WIP transfers	TfIs from/(to) real estate assets (Note C1-5)	Revaluation increments to equity (ARR)	Gross carrying amount	Accumulated depreciation and impairment	Net carrying amount
Capital work in progress	1,529		–	1,529	371	–	–	(754)	–	–	1,409	–	1,409
Plant and equipment	13,428		(6,969)	6,459	–	–	(1,203)	–	–	–	14,006	(7,942)	6,064
Office equipment	897		(726)	171	–	–	(81)	–	–	–	926	(798)	128
Furniture and fittings	369		(293)	76	–	–	(10)	–	–	–	433	(302)	131
Land:													
– Operational land	3,296		–	3,296	–	–	–	–	20	–	3,316	–	3,316
– Community land	1,902		–	1,902	–	–	–	–	–	–	1,902	–	1,902
Land improvements – depreciable	12,690		(1,967)	10,723	61	–	(339)	6	–	–	13,316	(2,247)	11,069
Infrastructure:													
– Buildings – non-specialised	8,221		(3,016)	5,205	–	–	(175)	116	–	–	8,458	(3,068)	5,390
– Buildings – specialised	30,132		(12,703)	17,429	735	(144)	(552)	2	–	–	31,439	(12,709)	18,730
– Other structures	828		(86)	742	–	–	(39)	627	–	–	2,359	(124)	2,235
– Roads	167,336		(54,250)	113,086	2,938	(7)	(2,998)	–	–	–	167,924	(54,905)	113,019
– Bridges	6,649		(4,154)	2,495	–	–	(80)	–	–	–	6,649	(4,234)	2,415
– Footpaths	4,129		(973)	3,156	24	–	(69)	–	–	–	4,332	(1,040)	3,292
– Other road assets (including bulk earthworks)	2,150		(996)	1,154	–	–	(45)	–	–	–	2,150	(1,041)	1,109
– Bulk earthworks (non-depreciable)	64,258		–	64,258	–	–	–	–	–	–	64,258	–	64,258
– Stormwater drainage	13,287		(4,626)	8,661	55	(19)	(145)	3	–	–	13,310	(4,755)	8,555
– Water supply network	17,922		(9,617)	8,305	18	(4)	(305)	–	–	73	18,091	(10,000)	8,091
– Sewerage network	20,480		(10,499)	9,981	65	(23)	(290)	–	–	89	20,686	(10,864)	9,822
– Swimming pools	1,738		(72)	1,666	–	–	(38)	–	–	–	2,115	(110)	2,005
– Other open space/recreational assets	1,378		(360)	1,018	8	–	(46)	–	–	–	1,699	(400)	1,299
Other assets:													
– Library books	43		(17)	26	–	–	(11)	–	–	–	55	(22)	33
Total infrastructure, property, plant and equipment	372,662		(111,324)	261,338	4,275	(197)	(6,426)	–	20	162	378,833	(114,561)	264,272

(1) Renewals are defined as the replacement of existing assets (as opposed to the acquisition of new assets).

C1-7 Infrastructure, property, plant and equipment (continued)

Accounting policy

Initial recognition of infrastructure, property, plant and equipment (IPPE)

IPPE is measured initially at cost. Cost includes the fair value of the consideration given to acquire the asset (net of discounts and rebates) and any directly attributable cost of bringing the asset to working condition for its intended use (inclusive of import duties and taxes).

When infrastructure, property, plant and equipment is acquired by Council at significantly below fair value, the assets are initially recognised at their fair value at acquisition date.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to Council and the cost of the item can be measured reliably. All other repairs and maintenance are charged to the Income Statement during the financial period in which they are incurred.

Useful lives of IPPE

Land is not depreciated. Depreciation on other assets is calculated using the straight-line method to allocate their cost, net of their residual values, over their estimated useful lives as follows:

Plant and equipment	Years	Other equipment	Years
Office equipment	3 to 10	Playground equipment	20 to 50
Office furniture	5 to 20	Benches, seats etc.	40 to 50
Computer equipment	5 to 10		
Vehicles	5 to 8	Buildings	
Heavy plant/road making equipment	5 to 20	Buildings: masonry	20 to 75
Other plant and equipment	5 to 20	Buildings: other	20 to 63
		Stormwater assets	
Water and sewer assets		Drains	80 to 120
Dams and reservoirs	100	Culverts	50 to 200
Bores	5 to 40	Flood control structures	80 to 100
Reticulation pipes: PVC	50 to 100		
Reticulation pipes: other	15 to 75		
Pumps and telemetry	15 to 20		
		Other infrastructure assets	
Transportation assets		Bulk earthworks	infinite
Sealed roads: surface	15 to 44	Swimming pools	25 to 60
Sealed roads: structure	60 to 240	Other open space/recreational assets	20
Unsealed roads	20 to 25		
Bridge: concrete	80 to 150		
Bridge: other	80 to 150		
Road pavements	60		
Kerb, gutter and footpaths	10 to 80		

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at each reporting date.

Revaluation model

Infrastructure, property, plant and equipment are held at fair value. Comprehensive valuations are performed at least every 5 years, however the carrying amount of assets is assessed by Council at each reporting date to confirm that it is not materially different from current fair value.

Water and sewerage network assets are indexed at each reporting period in accordance with the Rates Reference Manual issued by Department of Planning, Industry and Environment – Water.

Increases in the carrying amounts arising on revaluation are credited to the IPPE revaluation reserve. To the extent that the increase reverses a decrease previously recognising profit or loss relating to that asset class, the increase is first recognised as profit or loss. Decreases that reverse previous increases of assets in the same class are first charged against IPPE revaluation reserve to the extent of the remaining reserve attributable to the class; all other decreases are charged to the Income Statement.

C1-7 Infrastructure, property, plant and equipment (continued)

Land under roads

Land under roads is land under roadways and road reserves including land under footpaths, nature strips and median strips.

Council has elected not to recognise land under roads acquired before 1 July 2008. Land under roads acquired after 1 July 2008 is recognised in accordance with the IPPE accounting policy.

Crown reserves

Crown reserves under Council's care and control are recognised as assets of the Council. While ownership of the reserves remains with the Crown, Council retains operational control of the reserves and is responsible for their maintenance and use in accordance with the specific purposes to which the reserves are dedicated.

Improvements on Crown reserves are also recorded as assets, while maintenance costs incurred by Council and revenues relating to the reserves are recognised within Council's Income Statement.

Rural Fire Service assets

Council acknowledges that the position of NSW Treasury is that firefighting equipment used by the Rural Fire Service (RFS) and vested in Council is under Council's control. Many NSW Councils dispute this position, as does Murrumbidgee Council.

Based on listings provided to Council by the RFS, a stocktake of the red fleet assets was nevertheless attempted with the assistance of RFS officers.

The existence of 30 red fleet assets was verified. However, a significant number of assets included on the lists provided could not be located, including 19 tanker trailers and 1 community fire unit trailer unit included on the listing provided for the MIA District.

Based on the information supplied and the results of the stocktake, Council considers that it cannot reliably measure the value of these assets and hence, irrespective of the matter of control, that these assets are not eligible for recognition in Council's financial statements. It also expects that the fair value of these assets would be immaterial.

Consequently, Council has, as in prior reporting periods, recognised only Rural Fire Service buildings situated on land Council owns, manages, or leases.

Externally restricted infrastructure, property, plant and equipment

	as at 30/06/22			as at 30/06/21		
	Gross carrying amount	Accumulated depn. and impairment	Net carrying amount	Gross carrying amount	Accumulated depn. and impairment	Net carrying amount
\$ '000						
Water supply						
WIP	555	–	555	555	–	555
Plant and equipment	152	56	96	102	50	52
Land						
– Operational land	28	–	28	28	–	28
– Improvements – depreciable	37	32	5	33	28	5
Buildings	23	3	20	20	2	18
Infrastructure	19,138	10,880	8,258	18,091	10,000	8,091
Total water supply	19,933	10,971	8,962	18,829	10,080	8,749
Sewerage services						
Plant and equipment	133	53	80	90	47	43
Land						
– Operational land	136	–	136	136	–	136
– Improvements – depreciable	39	37	2	34	33	1
Infrastructure	21,911	11,782	10,129	20,686	10,864	9,822
Total sewerage services	22,219	11,872	10,347	20,946	10,944	10,002
Domestic waste management						
Plant and equipment	15	7	8	13	7	6
Land						
– Operational land	91	–	91	91	–	91
– Improvements – depreciable	511	179	332	451	146	305
Buildings	96	24	72	83	20	63

Externally restricted infrastructure, property, plant and equipment (continued)

\$ '000	as at 30/06/22			as at 30/06/21		
	Gross carrying amount	Accumulated depn. and impairment	Net carrying amount	Gross carrying amount	Accumulated depn. and impairment	Net carrying amount
Total domestic waste management	713	210	503	638	173	465
Total restricted infrastructure, property, plant and equipment	42,865	23,053	19,812	40,413	21,197	19,216

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C1-8 Intangible assets

Intangible assets are as follows:

\$ '000	2022	2021
Water Licenses		
Opening values at 1 July		
Gross book value	1,741	1,741
Net book value – opening balance	1,741	1,741
Movements for the year		
Revaluation	533	–
Closing values at 30 June		
Gross book value	2,274	1,741
Total water licenses – net book value	2,274	1,741
Total intangible assets – net book value	2,274	1,741

Accounting policy

Water Licences

Council holds a number of high and general security water licences, which it recognises as an intangible asset.

The water licences are individually tradeable on the open water licence sales market.

Water licences are individually separated from the land and can be sold on a permanent or temporary transfer basis.

At present, Council only trades the water entitlement associated with the water licences on a temporary basis, with income received from the sales of water entitlements disclosed as other revenue.

No amortisation costs are applicable as high and general security water licences have an indefinite life.

Water licences purchased are initially recorded at cost and are valued at least every 5 years based on market evidence. Water licencers are tested for impairment annually based on market sales evidence. If the recoverable amount is less than carrying amount, the carrying amount is reduced to recoverable amount and the reduction is recognised as impairment loss.

Licences have been revalued at 30/6/22 at the water exchange market cost.

C2 Leasing activities

C2-1 Council as a lessee

Council previously held leases over office equipment. This lease expired in 20/21 and no further leases have been entered into.

Office and IT equipment

Council previously had a lease for a plan printer which was a low value asset. The lease was for 5 years and expired in the 2020/21 financial year with no renewal option; the payments were fixed.

(a) Income Statement

The amounts recognised in the Income Statement relating to leases where Council is a lessee are shown below:

\$ '000	2022	2021
Expenses relating to low-value leases	–	3
	<u>–</u>	<u>3</u>

(b) Statement of Cash Flows

Total cash outflow for leases	–	3
	<u>–</u>	<u>3</u>

Accounting policy

At inception of a contract, Council assesses whether a lease exists – i.e. does the contract convey the right to control the use of an identified asset for a period of time in exchange for consideration?

Council has elected not to separate non-lease components from lease components for any class of asset and has accounted for payments as a single component.

Exceptions to lease accounting

Council has applied the exceptions to lease accounting for both short-term leases (i.e. leases with a term of less than or equal to 12 months) and leases of low-value assets. Council recognises the payments associated with these leases as an expense on a straight-line basis over the lease term.

C2-2 Council as a lessor

Operating leases

Council leases out a number of housing properties to staff and other properties to community groups; these leases have been classified as operating leases for financial reporting purposes and the assets are included in IPP&E (refer in this note below) in the Statement of Financial Position.

The amounts recognised in the Income Statement relating to operating leases where Council is a lessor are shown below:

\$ '000	2022	2021
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(ii) Assets held as property, plant and equipment

Council provides operating leases on Council houses and for community groups, the table below relates to operating leases on assets disclosed in C1-7.

Lease income (excluding variable lease payments not dependent on an index or rate)	205	170
Total income relating to operating leases for Council assets	205	170

Amount of IPPE leased out by Council under operating leases

Land	685	667
Buildings	4,720	3,856
Total amount of IPPE leased out by Council under operating leases	5,405	4,523

(iii) Maturity analysis of undiscounted lease payments to be received after reporting date for all operating leases:

Maturity analysis of future lease income receivable showing the undiscounted lease payments to be received after reporting date for operating leases:

< 1 year	143	130
1–2 years	127	125
2–3 years	116	109
3–4 years	116	102
4–5 years	105	102
> 5 years	96	93
Total undiscounted lease payments to be received	703	661

Accounting policy

When Council is a lessor, the lease is classified as either an operating or finance lease at inception date, based on whether substantially all of the risks and rewards incidental to ownership of the asset have been transferred to the lessee. If the risks and rewards have been transferred then the lease is classified as a finance lease, otherwise it is an operating lease.

When Council has a sub-lease over an asset and is the intermediate lessor then the head lease and sub-lease are accounted for separately. The classification of the sub-lease is based on the right-of-use asset which arises from the head lease rather than the useful life of the underlying asset.

If the lease contains lease and non-lease components, the non-lease components are accounted for in accordance with AASB 15 *Revenue from Contracts with Customers*.

The lease income is recognised on a straight-line basis over the lease term for an operating lease and as finance income using amortised cost basis for finance leases.

C3 Liabilities of Council

C3-1 Payables

\$ '000	2022 Current	2022 Non-current	2021 Current	2021 Non-current
Goods and services – operating expenditure	1,003	–	1,203	–
Accrued expenses:				
– Salaries and wages	300	–	180	–
Advances	44	–	12	–
Security bonds, deposits and retentions	26	–	24	–
Prepaid rates	101	–	89	–
Other	60	–	(2)	–
Total payables	1,534	–	1,506	–

Accounting policy

Council measures all financial liabilities initially at fair value less transaction costs, subsequently financial liabilities are measured at amortised cost using the effective interest rate method.

Payables

Payables represent liabilities for goods and services provided to Council prior to the end of financial year that are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

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C3-2 Contract Liabilities

\$ '000	Notes	2022 Current	2022 Non-current	2021 Current	2021 Non-current
Grants and contributions received in advance:					
Unexpended capital grants (to construct Council-controlled assets)	(i)	9,873	–	9,125	–
Total grants received in advance		9,873	–	9,125	–
Total contract liabilities		9,873	–	9,125	–

Notes

(i) Council has received funding to construct assets including sporting facilities and other infrastructure. The funds received are under an enforceable contract which require Council to construct an identified asset which will be under Council's control on completion. The revenue is recognised as Council constructs the asset and the contract liability reflects the funding received which cannot yet be recognised as revenue. The revenue is expected to be recognised in the next 12 months.

(ii) The contract liability relates to grants received prior to the revenue recognition criteria in AASB 15 being satisfied since the performance obligations are ongoing.

Revenue recognised that was included in the contract liability balance at the beginning of the period

\$ '000	2022	2021
Grants and contributions received in advance:		
Capital grants (to construct Council controlled assets)	3,485	2,265
Total revenue recognised that was included in the contract liability balance at the beginning of the period	3,485	2,265

Significant changes in contract liabilities

Council spent \$3,485,000 from previously held grants including \$824,000 for Local Roads & Community Infrastructure programs, \$607,000 from Stronger Country Communities programs, \$101,000 Drought Communities, \$108,000 Crown Lands funding and \$1,795,000 of Stronger Communities Fund programs.

An additional \$4,233,000 was transferred to contract liabilities for grants received but remaining unspent. This includes \$996,000 for Local Roads & Community Infrastructure programs, \$1,505,000 Fixing Local Roads programs, \$1,000,000 Public Spaces funding and an additional \$440,000 for SCCF4 funded programs.

Accounting policy

Contract liabilities are recorded when consideration is received from a customer / fund provider prior to Council transferring a good or service to the customer, Council presents the funds which exceed revenue recognised as a contract liability.

C3-3 Borrowings

Financing arrangements

\$ '000	2022	2021
Total facilities		
- Credit cards/purchase cards	18	18
Total financing arrangements	18	18
Undrawn facilities		
- Credit cards/purchase cards	9	9
Total undrawn financing arrangements	9	9

Accounting policy

Council measures all financial liabilities initially at fair value less transaction costs, subsequently financial liabilities are measured at amortised cost using the effective interest rate method.

Fees paid on the establishment of loan facilities are recognised as transaction costs of the loan to the extent that it is probable that some or all of the facility will be drawn down.

Borrowings are removed from the Statement of Financial Position when the obligation specified in the contract is discharged, cancelled or expired. The difference between the carrying amount of a financial liability that has been extinguished or transferred to another party and the consideration paid, including any non-cash assets transferred or liabilities assumed, is recognised in other income or borrowing costs.

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C3-4 Employee benefit provisions

\$ '000	2022 Current	2022 Non-current	2021 Current	2021 Non-current
Annual leave	885	–	904	–
Long service leave	2,022	63	2,251	70
ELE on-costs	94	2	149	3
Total employee benefit provisions	3,001	65	3,304	73

Current employee benefit provisions not anticipated to be settled within the next twelve months

\$ '000	2022	2021
The following provisions, even though classified as current, are not expected to be settled in the next 12 months.		
Provisions – employee benefits	2,307	2,674
	2,307	2,674

Accounting policy

Employee benefit provisions are presented as current liabilities in the Statement of Financial Position if Council does not have an unconditional right to defer settlement for at least 12 months after the reporting date, regardless of when the actual settlement is expected to occur and therefore all annual leave and vested long service leave (or that which vests within 12 months) is presented as current.

Short-term obligations

Liabilities for wages and salaries (including non-monetary benefits, annual leave and accumulating sick leave expected to be wholly settled within 12 months after the end of the period in which the employees render the related service) are recognised in respect of employees' services up to the end of the reporting period and are measured at the amounts expected to be paid when the liabilities are settled. The liability for annual leave and accumulating sick leave is recognised in the provision for employee benefits. All other short-term employee benefit obligations are presented as payables.

Other long-term employee benefit obligations

The liability for long-service leave and annual leave that is not expected to be wholly settled within 12 months after the end of the period in which the employees render the related service is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the end of the reporting period using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures, and periods of service. Expected future payments are discounted using market yields at the end of the reporting period on national government bonds with terms to maturity and currency that match, as closely as possible, the estimated future cash outflows.

On-costs

The employee benefit provisions include the aggregate on-cost liabilities that will arise when payment of current employee benefits is made in future periods.

These amounts include superannuation, payroll tax and workers compensation expenses which will be payable upon the future payment of certain leave liabilities which employees are entitled to at the reporting period.

C4 Reserves

C4-1 Nature and purpose of reserves

IPPE Revaluation reserve

The infrastructure, property, plant and equipment revaluation reserve is used to record increments / decrements of non-current asset values due to their revaluation, including intangible assets.

D Council structure

D1 Results by fund

General fund refers to all Council activities other than water and sewer. All amounts disclosed in this note are gross i.e. inclusive of internal charges and recoveries made between the funds. Assets and liabilities shown in the water and sewer columns are restricted for use for these activities.

D1-1 Income Statement by fund

\$ '000	General 2022	Water 2022	Sewer 2022
Income from continuing operations			
Rates and annual charges	4,954	447	643
User charges and fees	1,660	732	8
Interest and investment revenue	73	22	21
Other revenues	269	–	–
Grants and contributions provided for operating purposes	9,745	68	–
Grants and contributions provided for capital purposes	6,106	–	–
Net gains from disposal of assets	418	–	–
Other income	205	–	–
Total income from continuing operations	23,430	1,269	672
Expenses from continuing operations			
Employee benefits and on-costs	5,933	279	246
Materials and services	4,445	601	202
Depreciation, amortisation and impairment of non-financial assets	5,731	298	285
Other expenses	520	–	–
Total expenses from continuing operations	16,629	1,178	733
Operating result from continuing operations	6,801	91	(61)
Net operating result for the year	6,801	91	(61)
Net operating result for the year before grants and contributions provided for capital purposes	695	91	(61)

D1-2 Statement of Financial Position by fund

\$ '000	General 2022	Water 2022	Sewer 2022
ASSETS			
Current assets			
Cash and cash equivalents	7,782	2,383	3,215
Investments	15,067	497	1,136
Receivables	1,921	269	136
Inventories	1,628	27	—
Contract assets and contract cost assets	1,413	141	—
Other	45	—	25
Total current assets	27,856	3,317	4,512
Non-current assets			
Inventories	791	—	—
Infrastructure, property, plant and equipment	274,598	8,963	10,347
Intangible assets	1,250	1,024	—
Other	—	—	19
Total non-current assets	276,639	9,987	10,366
Total assets	304,495	13,304	14,878
LIABILITIES			
Current liabilities			
Payables	1,534	—	—
Contract liabilities	9,873	—	—
Borrowings	25	—	—
Employee benefit provision	3,001	—	—
Total current liabilities	14,433	—	—
Non-current liabilities			
Borrowings	19	—	—
Employee benefit provision	65	—	—
Total non-current liabilities	84	—	—
Total liabilities	14,517	—	—
Net assets	289,978	13,304	14,878
EQUITY			
Accumulated surplus	259,505	11,571	13,775
Revaluation reserves	30,473	1,733	1,103
Council equity interest	289,978	13,304	14,878
Total equity	289,978	13,304	14,878

D1-3 Details of internal loans

(in accordance with s410(3) of the *Local Government Act 1993*)

Details of individual internal loans		Council ID / Ref
Borrower (by purpose)		Real Estate Development
Lender (by purpose)		Sewer Fund
Date of Minister's approval		4/9/2013
Date raised		1/4/2014
Term years		10
Dates of maturity		1/4/24
Rate of interest (%)		variable
Amount originally raised (\$'000)		250,000

D2 Interests in other entities

Subsidiaries, joint arrangements and associates not recognised

The following subsidiaries, joint arrangements and associates have not been recognised in this financial report.

Name of entity/operation	Principal activity/type of entity	2022	2022
		(\$'000) Net profit	(\$'000) Net assets
Western Riverina Libraries	Provision of library services to member local government areas	—	—

Reasons for non-recognition

Council holds an 18% share of equity in the Western Riverina Libraries which it does not consider material and hence is not recognised in these statements.

E Risks and accounting uncertainties

E1-1 Risks relating to financial instruments held

Council's overall risk management program focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the financial performance of the Council.

Council's objective is to maximise its return on cash and investments whilst maintaining an adequate level of liquidity and preserving capital. The finance team manages the cash and investments portfolio. Council has an investment policy which complies with the s 625 of the Act and the Ministerial Investment Order. The policy is regularly reviewed by Council and a monthly investment report is provided to Council setting out the make-up performance of the portfolio as required by local government regulations.

Council does not engage in transactions expressed in foreign currencies and is therefore not subject to foreign currency risk.

Financial risk management is carried out by the finance team under policies approved by the Councillors.

The fair value of Council's financial assets and financial liabilities approximates their carrying amount.

The risks associated with the financial instruments held are:

- interest rate risk – the risk that movements in interest rates could affect returns
- liquidity risk – the risk that Council will not be able to pay its debts as and when they fall due.
- credit risk – the risk that a contracting entity will not complete its obligations under a financial instrument, resulting in a financial loss to the Council.

Council manages these risks by diversifying its portfolio and only purchasing investments with high credit ratings or capital guarantees.

(a) Market risk – interest rate and price risk

\$ '000	2022	2021
The impact on result for the year and equity of a reasonably possible movement in the price of investments held and interest rates is shown below. The reasonably possible movements were determined based on historical movements and economic conditions in place at the reporting date.		
Impact of a 1% movement in interest rates		
– Equity / Income Statement	301	274

E1-1 Risks relating to financial instruments held (continued)

(b) Credit risk

Council's major receivables comprise (i) rates and annual charges and (ii) user charges and fees.

Council manages the credit risk associated with these receivables by monitoring outstanding debt and employing stringent debt recovery procedures.

The credit risk for liquid funds and other short-term financial assets is considered negligible, since the counterparties are reputable banks with high quality external credit ratings.

There are no significant concentrations of credit risk other than Council having significant risk exposures in its local area given the nature of Council activities.

Council makes suitable provision for doubtful receivables as required.

There are no material receivables that have been subjected to a re-negotiation of repayment terms.

Credit risk profile

Receivables – rates and annual charges

Credit risk on rates and annual charges is minimised by the ability of Council to recover these debts as a secured charge over the land; that is, the land can be sold to recover the debt. Council is also able to charge interest on overdue rates and annual charges at higher than market rates which further encourages payment.

\$ '000	Not yet overdue	overdue rates and annual charges < 5 years	≥ 5 years	Total
2022				
Gross carrying amount	–	479	54	533
2021				
Gross carrying amount	–	388	42	430

Receivables - non-rates and annual charges and contract assets

Council applies the simplified approach for non-rates and annual charges debtors and contract assets to provide for expected credit losses, which permits the use of the lifetime expected loss provision at inception. To measure the expected credit losses, non-rates and annual charges debtors and contract assets have been grouped based on shared credit risk characteristics and the days past due.

The loss allowance provision is determined as follows. The expected credit losses incorporate forward-looking information.

\$ '000	Not yet overdue	0 - 30 days	Overdue debts 31 - 60 days	61 - 90 days	> 91 days	Total
2022						
Gross carrying amount	–	2,559	6	25	787	3,377
Expected loss rate (%)	0.00%	0.00%	0.00%	0.00%	3.82%	0.89%
ECL provision	–	–	–	–	30	30
2021						
Gross carrying amount	1,003	197	21	67	722	2,010
Expected loss rate (%)	0.00%	0.00%	0.00%	0.00%	4.16%	1.49%
ECL provision	–	–	–	–	30	30

E1-1 Risks relating to financial instruments held (continued)

(c) Liquidity risk

Payables, lease liabilities and borrowings are both subject to liquidity risk; that is, the risk that insufficient funds may be on hand to meet payment obligations as and when they fall due.

Council manages this risk by monitoring its cash flow requirements and liquidity levels, and by maintaining an adequate cash buffer. Payment terms can be extended, and overdraft facilities drawn upon in extenuating circumstances.

The timing of cash flows presented in the table below to settle financial liabilities reflects the earliest contractual settlement dates. The timing of expected outflows is not expected to be materially different from contracted cashflows.

The amounts disclosed in the table are the undiscounted contracted cash flows and therefore the balances in the table may not equal the balances in the Statement of Financial Position due to the effect of discounting.

\$ '000	Subject to no maturity	≤ 1 Year	payable in:		Total cash outflows	Actual carrying values
			1 - 5 Years	> 5 Years		
2022						
Payables	26	1,508	—	—	1,534	1,534
Total financial liabilities	26	1,508	—	—	1,534	1,534
2021						
Payables	24	1,393	—	—	1,417	1,506
Total financial liabilities	24	1,393	—	—	1,417	1,506

E2-1 Fair value measurement

The Council measures the following asset and liability classes at fair value on a recurring basis:

- Infrastructure, property, plant and equipment
- Intangible assets

The fair value of assets and liabilities must be estimated in accordance with various accounting standards for either recognition and measurement requirements or for disclosure purposes.

AASB 13 *Fair Value Measurement* requires all assets and liabilities measured at fair value to be assigned to a 'level' in the fair value hierarchy as follows:

Level 1: Unadjusted quoted prices in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2: Inputs other than quoted prices included within level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3: Inputs for the asset or liability that are not based on observable market data (unobservable inputs).

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E2-1 Fair value measurement (continued)

Transfers between level 1 and level 2 fair value hierarchies

\$ '000	Fair value hierarchy transfers			
	2022 Level 1 Quoted prices in active mkts	2022 Level 2 Significant observable inputs	2021 Level 1 Quoted prices in active mkts	2021 Level 2 Significant observable inputs
Infrastructure, property, plant and equipment				
Intangible Assets	2,274	(1,741)	(1,741)	1,741
Total Transfers between level 1 and level 2 fair value hierarchies	2,274	(1,741)	(1,741)	1,741

Council's policy for determining transfers between fair value hierarchies is:

– at the end of the reporting period.

Information relating to each level 1 and level 2 fair valuation hierarchy transfer is set out below:

Intangible assets (water licences) have previously been recognised at level 2, however have been revalued based upon prices recognised in the water trading market at 30/6/22 and therefore have been transferred to level 1 at the end of the reporting period.

Valuation techniques

Where Council is unable to derive fair valuations using quoted market prices of identical assets (ie. level 1 inputs) Council instead utilises a spread of both observable inputs (level 2 inputs) and unobservable inputs (level 3 inputs).

The fair valuation techniques Council has employed while utilising level 2 and level 3 inputs are as follows:

Infrastructure, property, plant and equipment (IPPE)

Plant and equipment, office equipment, furniture and fittings and library books

Council officers undertook a re-valuation for these assets as at 30 June 2017. Subsequently, these assets have been held at depreciated historical cost, which is expected to provide a reasonable approximation of fair value.

Examples of assets within these classes are as follows:

- Plant & Equipment – graders, trucks, rollers, tractors & motor vehicles
- Office Equipment – computers, photocopiers, phone systems etc.
- Furniture & Fittings – chairs, desks, cabinets etc.

Operational and community land

Land values are based on the values provided by the NSW Valuer General for rating purposes.

The latest valuations were applied as at 30 June 2020 following a revaluation by the Valuer General.

There has been no change to the valuation process during the year.

Land improvements

Land improvement values are based on cost price and valuations provided by JRA (a division of Technology One) as at 1 July 2017.

Valuation techniques remained the same for the reporting period.

To reflect increases to fair value as a result of higher input costs, indexation was applied to these assets to 30 June 2022. The index factor used was the ABS series 3109 PPI (other heavy and civil engineering construction Australia).

Buildings – non-specialised and specialised

E2-1 Fair value measurement (continued)

Building values (both specialised and non-specialised) are based on cost price and valuations provided by JRA (a division of Technology One) as at 1 July 2017.

Valuation techniques remained the same for the reporting period.

To reflect increases to fair value as a result of higher input costs, indexation was applied to these assets to 30 June 2022. The index factor used was the ABS series 3020 PPI (non-residential building construction NSW).

Other structures

Other structures comprises sundry equipment such as monopoles and communication towers and are based on cost price and valuations provided by JRA (a division of Technology One) as at 1 July 2017.

Valuation techniques remained the same for the reporting period.

There has been no change to the valuation process during the reporting period.

To reflect increases to fair value as a result of higher input costs, indexation was applied to these assets to 30 June 2022. The index factor used was the ABS series 3109 PPI (other heavy and civil engineering construction Australia).

Roads, bridges, and footpaths

Council's roads, footpaths and other road assets were inspected and valued by Tonkin Consulting Pty Ltd as at 1 July 2021. The consultants also carried out a desktop valuation for earthworks and bridges.

As there is no market for Council to use to determine the fair value of its road assets, all assets were valued as level 3 inputs using a cost approach. A componentisation methodology was developed as part of this valuation. The following information was considered by the consultant for each component:

- The economic useful life, based on construction year, asset replacement cost and condition
- The remaining service potential, based on physical condition data sampled.
- The replacement costs, developed from unit rates, quantities, sub-component factors and intangible factors.
- Condition assessment, based on factors such as age of the asset, overall condition, economic and functional obsolescence.

To reflect increases to fair value as a result of higher input costs subsequent to the valuation date, indexation was applied to these assets to 30 June 2022. The index factors used were the ABS series 3101 (road and bridge construction NSW) and ABS series 3109 PPI (other heavy and civil engineering construction Australia).

Drainage infrastructure

Council's drainage infrastructure was valued by JRA (a division of Technology One) as at 1 July 2017. The valuation was based on cost approach using Level 3 inputs to value this asset class.

Water supply network

Assets within this class comprise reservoirs, pumping station, treatment plants and reticulation and delivery mains.

The 'Cost Approach' estimated the replacement cost for each asset by componentising the assets into significant parts with different useful lives and taking into account a range of factors. While the unit rates based on linear metres of certain diameter pipes and prices per pit or similar may be supported from market evidence (Level 2) other inputs (such as estimates of pattern of consumption, residual value, asset condition and useful life) required extensive professional judgement and impacted significantly on their final determination of fair value. Additionally, due to limitations in the historical records of very long-lived assets, there is uncertainty regarding the actual design, specifications and dimensions of some assets.

These assets are indexed each year in line with the NSW Reference Rates Manual as published by the Office of Water.

Re-valuation was undertaken in-house by JRA (a division of Technology One) as at 30 June 2017.

There has been no change to the valuation process during the reporting period.

Sewerage network

Assets within this class comprise treatment plants, oxidation ponds, pumping stations and mains.

The 'Cost Approach' estimated the replacement cost for each asset by componentising the assets into significant parts with different useful lives and taking into account a range of factors. While the unit rates based on linear metres of certain diameter pipes and prices per pit or similar may be supported from market evidence (Level 2) other inputs (such as estimates of

E2-1 Fair value measurement (continued)

pattern of consumption, residual value, asset condition and useful life) required extensive professional judgement and impacted significantly on the final determination of fair value. Additionally, due to limitations in the historical records of very long-lived assets there is uncertainty regarding the actual design, specifications and dimensions of some assets.

These assets are indexed each year in line with the NSW Reference Rates Manual as published by the Office of Water.

Re-valuation was undertaken JRA (a division of Technology One) as at 30 June 2017.

There has been no change to the valuation process during the reporting period.

Swimming Pools

These assets are based on cost price and valuations provided by JRA (a division of Technology One) as at 1 July 2017.

There has been no change to the valuation process during the reporting period.

To reflect increases to fair value as a result of higher input costs, indexation was applied to these assets to 30 June 2022. The index factor used was the ABS series 3109 PPI (other heavy and civil engineering construction Australia).

Open space and recreational assets

These assets are based on cost price and valuations provided by JRA (a division of Technology One) as at 1 July 2017.

There has been no change to the valuation process during the reporting period.

To reflect increases to fair value as a result of higher input costs, indexation was applied to these assets to 30 June 2022. The index factor used was the ABS series 3109 PPI (other heavy and civil engineering construction Australia).

Intangible Assets

Water Access Licences

Council values water access licences based on quoted prices in an active market. These were revalued at 30 June 2022.

E2-1 Fair value measurement (continued)

Fair value measurements using significant unobservable inputs (level 3)

c. The valuation process for level 3 fair value measurements

The valuation processes used have been described above.

Management determines the valuation process and who will undertake the work.

Movements in valuations are reviewed by Council's asset and finance staff.

Operational and community land was valued using NSW Valuer General's Valuations; transport infrastructure was valued by Tonkin Consulting Pty Ltd; all other valuations were completed by Technology One (formerly JRA).

E2-1 Fair value measurement (continued)

b. Significant unobservable valuation inputs used (for level 3 asset classes) and their relationship to fair value.

The following table summarises the quantitative information relating to the significant unobservable inputs used in deriving the various level 3 asset class fair values.

	Valuation technique/s	Unobservable inputs
Infrastructure, property, plant and equipment		
Operational land	Land Values	NSW Valuer General's Valuations
Community Land	Land Values	NSW Valuer General's Valuations
Land Improvements	Depreciated Replacement Cost	Pattern of consumption, asset condition
Buildings Specialised	Depreciated Replacement Cost	Asset condition, consumption rate, useful life
Other Structures	Depreciated Replacement Cost	Asset condition, consumption rate, useful life
Roads	Depreciated Replacement Cost	Asset condition, consumption rate, useful life
Bridges	Depreciated Replacement Cost	Asset condition, consumption rate, useful life
Footpaths	Depreciated Replacement Cost	Asset condition, consumption rate, useful life
Other road assets	Depreciated Replacement Cost	Asset condition, consumption rate, useful life
Bulk Earthworks	Depreciated Replacement Cost	Asset condition, consumption rate, useful life
Stormwater Drainage	Depreciated Replacement Cost	Asset condition, consumption rate, useful life
Water Supply Network	Depreciated Replacement Cost	Asset condition, components, consumption rate, useful life
Sewerage Network	Depreciated Replacement Cost	Asset condition, components, consumption rate, useful life
Swimming Pools	Depreciated Replacement Cost	Asset condition, consumption rate, useful life
Other open space/recreational assets	Depreciated Replacement Cost	Asset condition, consumption rate, useful life

A reconciliation of the movements in recurring fair value measurements allocated to Level 3 of the hierarchy is provided below:

\$ '000	I,PP&E 2022	2021
Opening balance		
Total gains or losses for the period	251,117	247,872

continued on next page ...

E2-1 Fair value measurement (continued)

	I,PP&E	
\$ '000	2022	2021
Recognised in other comprehensive income – revaluation surplus	8,869	162
Other movements		
Transfers from/(to) real estate held for sale	(40)	20
Purchases (GBV)	3,628	8,205
Disposals (WDV)	(97)	(197)
Depreciation and impairment	(1,968)	(4,945)
Closing balance	261,509	251,117

E2-1 Fair value measurement (continued)

Highest and best use

All of Council's non-financial assets are considered as being utilised for their highest and best use.

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E3-1 Contingencies

The following assets and liabilities do not qualify for recognition in the Statement of Financial Position, but their knowledge and disclosure is considered relevant to the users of Council's financial report.

LIABILITIES NOT RECOGNISED

1. Guarantees

(i) Defined benefit superannuation contribution plans

Council is party to an Industry Defined Benefit Plan under the Local Government Superannuation Scheme, named The Local Government Superannuation Scheme – Pool B (the Scheme) which is a defined benefit plan that has been deemed to be a 'multi-employer fund' for purposes of AASB119 Employee Benefits for the following reasons:

- Assets are not segregated within the sub-group according to the employees of each sponsoring employer.
- The contribution rates have been the same for all sponsoring employers. That is, contribution rates have not varied for each sponsoring employer according to the experience relating to the employees of that sponsoring employer.
- Benefits for employees of all sponsoring employers are determined according to the same formulae and without regard to the sponsoring employer.
- The same actuarial assumptions are currently used in respect of the employees of each sponsoring employer.

Given the factors above, each sponsoring employer is exposed to the actuarial risks associated with current and former employees of other sponsoring employers, and hence shares in the associated gains and losses (to the extent that they are not borne by members).

Description of the funding arrangements.

Pooled Employers are required to pay future service employer contributions and past service employer contributions to the Fund.

The future service employer contributions were determined using the new entrant rate method under which a contribution rate sufficient to fund the total benefits over the working life-time of a typical new entrant is calculated. The current future service employer contribution rates are::

Division B	1.9 times member contributions for non-180 Point Members; Nil for 180 Point Members*
Division C	2.5% salaries
Division D	1.64 times member contributions

* For 180 Point Members, Employers are required to contribute 7.5% of salaries for the year ending 30 June 2022 (increasing to 8.0% in line with the increase in the Superannuation Guarantee) to these members' accumulation accounts, which are paid in addition to members' defined benefits.

The past service contribution for each Pooled Employer is a share of the total past service contributions of \$40.0 million for 1 July 2019 to 31 December 2021 and \$20.0 million per annum for 1 January to 31 December 2024, apportioned according to each employer's share of the accrued liabilities as at 30 June 2021. These past service contributions are used to maintain the adequacy of the funding position for the accrued liabilities.

The adequacy of contributions is assessed at each triennial actuarial investigation and monitored annually between triennials.

Description of the extent to which Council can be liable to the plan for other Council's obligations under the terms and conditions of the multi-employer plan

As stated above, each sponsoring employer (Council) is exposed to the actuarial risks associated with current and former employees of other sponsoring employers and hence shares in the associated gains and losses.

However, there is no relief under the Fund's trust deed for employers to walk away from their defined benefit obligations. Under limited circumstances, an employer may withdraw from the plan when there are no active members, on full payment of outstanding additional contributions. There is no provision for allocation of any surplus which may be present at the date of withdrawal of the Council.

There are no specific provisions under the Fund's trust deed dealing with deficits or surplus on wind-up.

There is no provision for allocation of any surplus which may be present at the date of withdrawal of an employer.

E3-1 Contingencies (continued)

The amount of Council employer contributions to the defined benefit section of the Local Government Superannuation Scheme and recognised as an expense for the year ending 30 June 2022 was \$126,898. The last valuation of the Scheme was performed by fund actuary, Richard Boyfield, FIAA as at 30 June 2021.

The amount of additional contributions included in the total employer contribution advised above is \$48,441. Council's expected contribution to the plan for the next annual reporting period is \$70,429.

The estimated employer reserves financial position for the Pooled Employers at 30 June 2022 is:

Employer reserves only *	\$millions	Asset Coverage
Assets	2,376.6	
Past Service Liabilities	2,380.7	99.8%
Vested Benefits	2,391.7	99.4%

* excluding member accounts and reserves in both assets and liabilities.

The share of any funding surplus or deficit that can be attributed to Council is .24%

Council's share of that deficiency cannot be accurately calculated as the Scheme is a mutual arrangement where assets and liabilities are pooled together for all member councils. For this reason, no liability for the deficiency has been recognised in Council's accounts. Council has a possible obligation that may arise should the Scheme require immediate payment to correct the deficiency.

The key economic long term assumptions used to calculate the present value of accrued benefits are:

Investment return	5.5% per annum
Salary inflation *	3.5% per annum
Increase in CPI	2.5% per annum

* Plus promotional increases

The contribution requirements may vary from the current rates if the overall sub-group experience is not in line with the actuarial assumptions in determining the funding program; however, any adjustment to the funding program would be the same for all sponsoring employers in the Pooled Employers group.

Please note that the estimated employer reserves financial position above is a preliminary calculation, and once all the relevant information has been received by the Funds Actuary, the final end of year review, which will be a triennial actuarial investigation will be completed by December 2022.

(ii) Statewide Limited

Council is a member of Statewide Mutual, a mutual pool scheme providing liability insurance to local government.

Membership includes the potential to share in either the net assets or liabilities of the fund depending on its past performance. Council's share of the net assets or liabilities reflects Council's contributions to the pool and the result of insurance claims within each of the fund years.

The future realisation and finalisation of claims incurred but not reported to 30 June this year may result in future liabilities or benefits as a result of past events that Council will be required to fund or share in respectively.

(iii) StateCover Limited

Council is a member of StateCover Mutual Limited and holds a partly paid share in the entity.

StateCover is a company providing workers compensation insurance cover to the NSW local government industry and specifically Council.

Council has a contingent liability to contribute further equity in the event of the erosion of the company's capital base as a result of the company's past performance and/or claims experience or as a result of any increased prudential requirements from APRA.

These future equity contributions would be required to maintain the company's minimum level of net assets in accordance with its licence requirements.

E3-1 Contingencies (continued)

(iv) Other guarantees

Council has provided no other guarantees other than those listed above.

2. Other liabilities

(i) Third party claims

The Council is involved from time to time in various claims incidental to the ordinary course of business including claims for damages relating to its services.

Council believes that it is appropriately covered for all claims through its insurance coverage and does not expect any material liabilities to eventuate.

(ii) Tips and quarries restoration

Council operates a number of tips and quarries which will require rehabilitation and restoration at some future date. As at 30 June 2022 Council is unable to reliably estimate the financial cost of such work.

ASSETS NOT RECOGNISED

(i) Land under roads

As permitted under AASB 1051, Council has elected not to bring to account land under roads that it owned or controlled up to and including 30 June 2008.

(ii) Infringement notices/fines

Fines and penalty income, the result of Council issuing infringement notices is followed up and collected by the Infringement Processing Bureau.

Council's revenue recognition policy for such income is to account for it as revenue on receipt.

Accordingly, at year end, there is a potential asset due to Council representing issued but unpaid infringement notices.

Due to the limited information available on the status, value and duration of outstanding notices, Council is unable to determine the value of outstanding income.

(iii) Western Riverina Libraries

Council is a member of the Western Riverina Libraries and has a 1/5th proportion of voting power of the organisation. Council's share in the assets, liabilities and outputs of the organisation is based on the proportional population share and is considered immaterial in amount. Refer note D2.

(iv) Rural Fire Service assets

Council acknowledges that the position of NSW Treasury is that firefighting equipment used by the Rural Fire Service (RFS) and vested in Council is under Council's control. Many NSW Councils dispute this position, as does Murrumbidgee Council.

Consequently, Council has, as in prior reporting periods, recognised only Rural Fire Service buildings situated on land Council owns, manages, or leases. Refer to note C1-7 for further discussion of this point.

F People and relationships

F1 Related party disclosures

F1-1 Key management personnel (KMP)

Key management personnel (KMP) of the council are those sixteen (16) persons having the authority and responsibility for planning, directing and controlling the activities of the council, directly or indirectly.

The aggregate amount of KMP compensation included in the Income Statement is:

\$ '000	2022	2021
Compensation:		
Short-term benefits	1,369	1,276
Post-employment benefits	127	103
Other long-term benefits	438	363
Termination benefits	48	–
Total	1,982	1,742

Other transactions with KMP and their related parties

Council has determined that transactions at arm's length between KMP and Council as part of Council delivering a public service objective (e.g. access to library or Council swimming pool by KMP) will not be disclosed.

Council also incurs a number of employee expenses in respect of close family members of KMP. These employees are recruited in the same manner, and their employment is subject to the same terms and conditions, as other employees performing similar roles.

Nature of the transaction	Transactions during the year	Outstanding balances including commitments	Terms and conditions	Impairment provision on outstanding balances	Impairment expense
\$ '000					
2022					
Related Parties, which are Suppliers of Council, supplying goods and services, such as plumbing works and veterinary services, procured utilising Council's procedures & plans for procurement.	156	–	– 30 days payment	–	–
2021					
Related Parties, which are Suppliers of Council, supplying goods and services, such as plumbing works and veterinary services, procured utilising Council's procedures & plans for procurement.	–	–	– 30 days payment	–	–

F1-2 Councillor and Mayoral fees and associated expenses

\$ '000	2022	2021
The aggregate amount of Councillor and Mayoral fees and associated expenses included in materials and services expenses in the Income Statement are:		
Mayoral fee	26	27
Councillors' fees	105	110
Other Councillors' expenses (including Mayor)	46	—
Associated expenses	34	44
Total	211	181

F2 Other relationships

F2-1 Audit fees

\$ '000	2022	2021
During the year, the following fees were incurred for services provided by the auditor of Council, related practices and non-related audit firms		
Auditors of the Council - NSW Auditor-General:		
(i) Audit and other assurance services		
Audit and review of financial statements	77	72
Remuneration for audit and other assurance services	77	72
Total Auditor-General remuneration	77	72
Total audit fees	77	72

G Other matters

G1-1 Statement of Cash Flows information

Reconciliation of net operating result to cash provided from operating activities

\$ '000	2022	2021
Net operating result from Income Statement	6,831	2,622
Add / (less) non-cash items:		
Depreciation and amortisation	6,314	5,973
(Gain) / loss on disposal of assets	(418)	113
Movements in operating assets and liabilities and other cash items:		
(Increase) / decrease of receivables	(434)	654
(Increase) / decrease of inventories	16	(387)
(Increase) / decrease of other current assets	(2)	(3)
(Increase) / decrease of contract asset	(1,038)	657
Increase / (decrease) in payables	(200)	232
Increase / (decrease) in other accrued expenses payable	120	(61)
Increase / (decrease) in other liabilities	108	(8)
Increase / (decrease) in contract liabilities	748	(880)
Increase / (decrease) in employee benefit provision	(311)	265
Net cash flows from operating activities	11,734	9,177

G2-1 Commitments

Capital commitments (exclusive of GST)

\$ '000	2022	2021
---------	------	------

Capital expenditure committed for at the reporting date but not recognised in the financial statements as liabilities:

Property, plant and equipment

Buildings	40	405
Plant and equipment	671	—
Buildings - day care centre	16	1,187
Buildings - gymnasium and amenities	10	504
Other	130	—
Total commitments	867	2,096

These expenditures are payable as follows:

Within the next year	867	2,096
Total payable	867	2,096

Sources for funding of capital commitments:

Unrestricted general funds	348	—
Future grants and contributions	197	2,096
Internally restricted reserves	322	—
Total sources of funding	867	2,096

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G3 Statement of developer contributions as at 30 June 2022

G3-1 Summary of developer contributions

\$ '000	Opening balance at 1 July 2021	Contributions received during the year		Interest and investment income earned	Amounts expended	Internal borrowings	Held as restricted asset at 30 June 2022	Cumulative balance of internal borrowings (to)/from
		Cash	Non-cash					
S7.12 levies – under a plan	96	79	-	-	-	-	175	-
Total S7.11 and S7.12 revenue under plans	96	79	-	-	-	-	175	-
S7.4 planning agreements	311	-	-	-	-	-	311	-
Total contributions	407	79	-	-	-	-	486	-

Under the Environmental Planning and Assessment Act 1979, Council has significant obligations to provide Section 7.11 (contributions towards provision or improvement of amenities or services) infrastructure in new release areas. It is possible that the funds contributed may be less than the cost of this infrastructure, requiring Council to borrow or use general revenue to fund the difference.

S7.12 Levies – under a plan

\$ '000	Opening balance at 1 July 2021	Contributions received during the year		Interest and investment income earned	Amounts expended	Internal borrowings	Held as restricted asset at 30 June 2022	Cumulative balance of internal borrowings (to)/from
		Cash	Non-cash					
MURRUMBIDGEE COUNCIL DEVELOPER CONTRIBUTION PLAN	96	79	-	-	-	-	175	-
Community facilities	96	79	-	-	-	-	175	-
Total								

G4 Statement of performance measures

G4-1 Statement of performance measures – consolidated results

\$ '000	Amounts 2022	Indicator 2022	Indicators 2021	Indicators 2020	Benchmark
1. Operating performance ratio					
Total continuing operating revenue excluding capital grants and contributions less operating expenses ^{1,2}	307	1.63%	(10.86)%	(9.13)%	> 0.00%
Total continuing operating revenue excluding capital grants and contributions ¹	18,847				
2. Own source operating revenue ratio *					
Total continuing operating revenue excluding all grants and contributions ¹	9,034	36.20%	39.10%	37.47%	> 60.00%
Total continuing operating revenue ¹	24,953				
3. Unrestricted current ratio					
Current assets less all external restrictions	15,269	7.26x	6.04x	6.59x	> 1.50x
Current liabilities less specific purpose liabilities	2,103				
4. Debt service cover ratio					
Operating result before capital excluding interest and depreciation/impairment/amortisation ¹	6,621	∞	92.93x	66.82x	> 2.00x
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)	–				
5. Rates, annual charges, interest and extra charges outstanding percentage *					
Rates and annual charges outstanding	581	8.87%	7.31%	7.75%	< 10.00%
Rates and annual charges collectable	6,547				
6. Cash expense cover ratio					
Current year's cash and cash equivalents plus all term deposits	30,080	26.07 mths	20.94 mths	21.89 mths	> 3.00 mths
Monthly payments from cash flow of operating and financing activities	1,154				

(1) Excludes fair value increments on investment properties, reversal of revaluation decrements, reversal of impairment losses on receivables, net gain on sale of assets and net share of interests in joint ventures and associates using the equity method and includes pensioner rate subsidies

(2) Excludes impairment/revaluation decrements of IPPE, fair value decrements on investment properties, net loss on disposal of assets and net loss on share of interests in joint ventures and associates using the equity method

G4-2 Statement of performance measures by fund

\$ '000	General Indicators ³		Water Indicators		Sewer Indicators		Benchmark
	2022	2021	2022	2021	2022	2021	
1. Operating performance ratio							
Total continuing operating revenue excluding capital grants and contributions less operating expenses ^{1,2}	1.64%	(12.20)%	7.17%	9.71%	(9.08)%	(17.57)%	> 0.00%
Total continuing operating revenue excluding capital grants and contributions ¹							
2. Own source operating revenue ratio *							
Total continuing operating revenue excluding capital grants and contributions ¹	31.12%	33.87%	94.64%	94.28%	100.00%	100.00%	> 60.00%
Total continuing operating revenue ¹							
3. Unrestricted current ratio							
Current assets less all external restrictions	7.26x	6.04x	∞	∞	∞	∞	> 1.50x
Current liabilities less specific purpose liabilities							
4. Debt service cover ratio							
Operating result before capital excluding interest and depreciation/impairment/amortisation ¹	∞	78.63x	∞	∞	∞	∞	> 2.00x
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)							
5. Rates, annual charges, interest and extra charges outstanding percentage *							
Rates and annual charges outstanding	10.65%	4.63%	0.00%	21.51%	0.00%	15.55%	< 10.00%
Rates and annual charges collectable							
6. Cash expense cover ratio							
Current year's cash and cash equivalents plus all term deposits	21.21	17.19	∞	36.95	∞	107.62	> 3.00
Monthly payments from cash flow of operating and financing activities	mths	mths		mths		mths	mths

(1) - (2) Refer to Notes at Note G4-1 above.

(3) General fund refers to all of Council's activities except for its water and sewer activities which are listed separately.

End of the audited financial statements

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Murrumbidgee Council

General Purpose Financial Statements

for the year ended 30 June 2022

Independent Auditor's Reports:

On the Financial Statements (Sect 417 [2])

Independent Auditor's Report

Please uplift Council's Audit Report PDF (opinion) for inclusion in the GPFS report (via the Home screen).

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Murrumbidgee Council

General Purpose Financial Statements

for the year ended 30 June 2022

Independent Auditor's Reports: (continued)

On the Financial Statements (Sect 417 [3])

Independent Auditor's Report

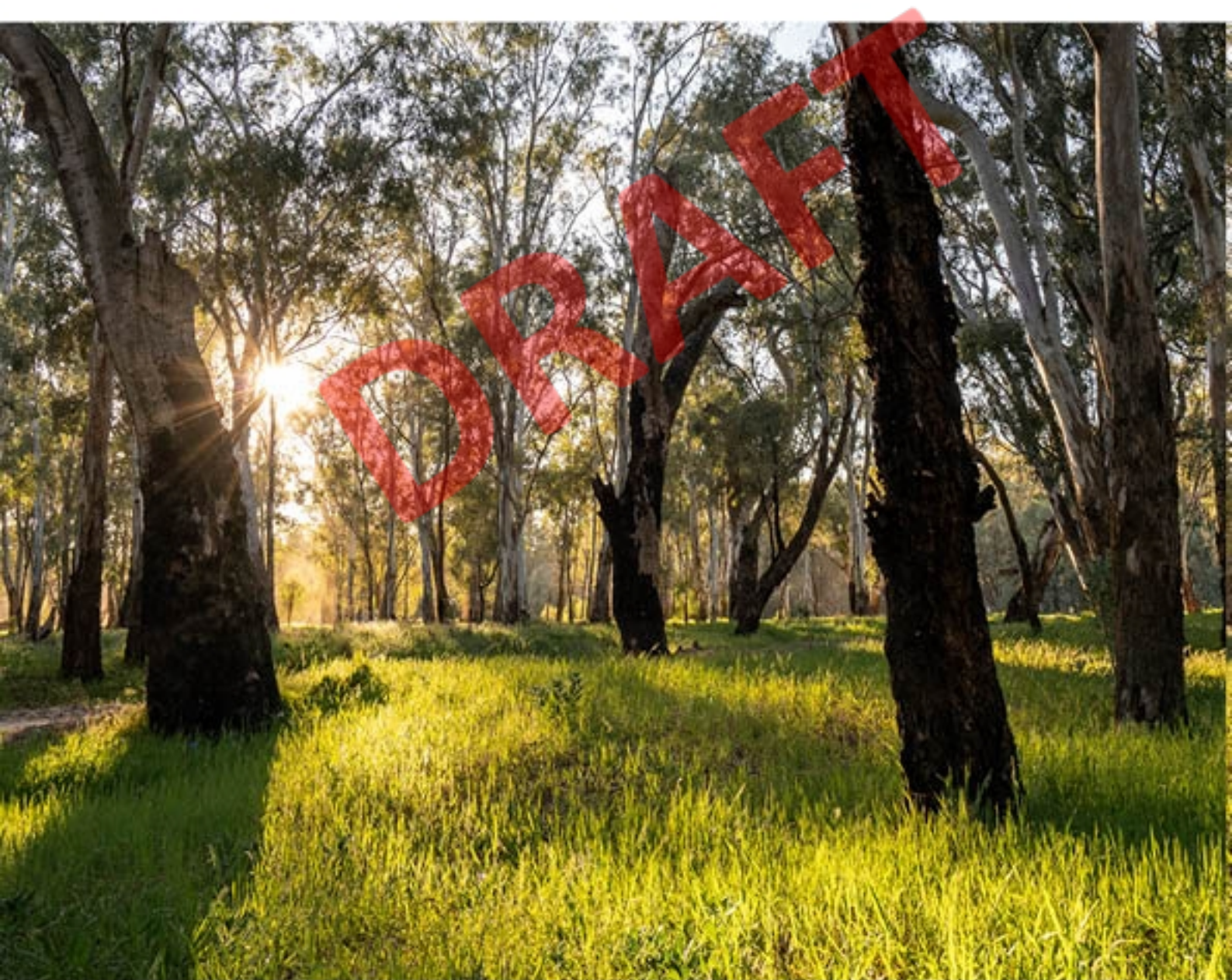
Please uplift Council's Audit Report PDF (commentary) for inclusion in the GPFS report (via the Home screen).

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Special Purpose Financial Statements

For the year ended 30 June 2022



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Background

- i. These Special Purpose Financial Statements have been prepared for the use by both Council and the Office of Local Government in fulfilling their requirements under National Competition Policy.
- ii. The principle of competitive neutrality is based on the concept of a 'level playing field' between persons/entities competing in a market place, particularly between private and public sector competitors.

Essentially, the principle is that government businesses, whether Commonwealth, state or local, should operate without net competitive advantages over other businesses as a result of their public ownership.

- iii. For Council, the principle of competitive neutrality and public reporting applies only to declared business activities.

These include (a) those activities classified by the Australian Bureau of Statistics as business activities being water supply, sewerage services and (b) those activities with a turnover of more than \$2 million that Council has formally declared as a business activity (defined as Category 1 activities).

- iv. In preparing these financial statements for Council's self-classified Category 1 businesses and ABS-defined activities, councils must (a) adopt a corporatisation model and (b) apply full cost attribution including tax-equivalent regime payments and debt guarantee fees (where the business benefits from Council's borrowing position by comparison with commercial rates).

Murrumbidgee Council

Special Purpose Financial Statements

for the year ended 30 June 2022

Statement by Councillors and Management made pursuant to the Local Government Code of Accounting Practice and Financial Reporting

The attached Special Purpose Financial Statements have been prepared in accordance with:

- the NSW Government Policy Statement '*Application of National Competition Policy to Local Government*',
- the Division of Local Government Guidelines '*Pricing and Costing for Council Businesses – A Guide to Competitive Neutrality*',
- the Local Government *Code of Accounting Practice and Financial Reporting*,
- the NSW Office of Water *Best-Practice Management of Water and Sewerage Guidelines*.

To the best of our knowledge and belief, these statements:

- present fairly the operating result and financial position for each of Council's declared business activities for the year, and
- accord with Council's accounting and other records.
- present overhead reallocation charges to the water and sewerage businesses as fair and reasonable.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Council made on 18 October 2022.

Cr. Ruth McRae
Mayor
18 October 2022

Cr. Robert Black
Councillor
18 October 2022

John Scarce
General Manager
18 October 2022

Kaitlin Salzke
Responsible Accounting Officer
18 October 2022

Murrumbidgee Council

Income Statement of water supply business activity

for the year ended 30 June 2022

\$ '000	2022	2021
Income from continuing operations		
Access charges	447	418
User charges	442	493
Fees	290	270
Interest and investment income	22	22
Grants and contributions provided for operating purposes	68	73
Other income	–	1
Total income from continuing operations	1,269	1,277
Expenses from continuing operations		
Employee benefits and on-costs	279	314
Materials and services	601	529
Depreciation, amortisation and impairment	298	310
Net loss from the disposal of assets	–	4
Total expenses from continuing operations	1,178	1,157
Surplus (deficit) from continuing operations before capital amounts	91	120
Surplus (deficit) from continuing operations after capital amounts	91	120
Surplus (deficit) from all operations before tax	91	120
Less: corporate taxation equivalent (25%) [based on result before capital]	(23)	(31)
Surplus (deficit) after tax	68	89
Plus accumulated surplus	11,480	11,360
Plus adjustments for amounts unpaid:		
– Corporate taxation equivalent	23	31
Less:		
Closing accumulated surplus	11,571	11,480
Return on capital %	1.0%	1.4%
Subsidy from Council	237	10
Calculation of dividend payable:		
Surplus (deficit) after tax	68	89
Surplus for dividend calculation purposes	68	89
Potential dividend calculated from surplus	34	45

Murrumbidgee Council

Income Statement of sewerage business activity

for the year ended 30 June 2022

\$ '000	2022	2021
Income from continuing operations		
Access charges	643	610
User charges	4	5
Liquid trade waste charges	4	8
Interest and investment income	21	26
Total income from continuing operations	672	649
Expenses from continuing operations		
Employee benefits and on-costs	246	255
Materials and services	202	213
Depreciation, amortisation and impairment	285	295
Net loss from the disposal of assets	–	23
Total expenses from continuing operations	733	786
Surplus (deficit) from continuing operations before capital amounts	(61)	(137)
Surplus (deficit) from continuing operations after capital amounts	(61)	(137)
Surplus (deficit) from all operations before tax	(61)	(137)
Surplus (deficit) after tax	(61)	(137)
Plus accumulated surplus	13,836	13,973
Plus adjustments for amounts unpaid:		
Less:		
Closing accumulated surplus	13,775	13,836
Return on capital %	(0.6)%	(1.4)%
Subsidy from Council	440	286
Calculation of dividend payable:		
Surplus (deficit) after tax	(61)	(137)
Surplus for dividend calculation purposes	–	–
Potential dividend calculated from surplus	–	–

Murrumbidgee Council

Statement of Financial Position of water supply business activity

as at 30 June 2022

\$ '000	2022	2021
ASSETS		
Current assets		
Cash and cash equivalents	2,383	2,099
Investments	497	497
Receivables	269	294
Contract assets and contract cost assets	141	73
Inventories	27	26
Total current assets	3,317	2,989
Non-current assets		
Infrastructure, property, plant and equipment	8,963	8,749
Intangible assets	1,024	789
Total non-current assets	9,987	9,538
Total assets	13,304	12,527
Net assets	13,304	12,527
EQUITY		
Accumulated surplus	11,571	11,480
Revaluation reserves	1,733	1,047
Total equity	13,304	12,527

Murrumbidgee Council

Statement of Financial Position of sewerage business activity

as at 30 June 2022

\$ '000	2022	2021
ASSETS		
Current assets		
Cash and cash equivalents	3,215	3,061
Investments	1,136	1,136
Receivables	136	124
Other	25	25
Total current assets	4,512	4,346
Non-current assets		
Infrastructure, property, plant and equipment	10,347	10,002
Other	19	44
Total non-current assets	10,366	10,046
Total assets	14,878	14,392
Net assets	14,878	14,392
EQUITY		
Accumulated surplus	13,775	13,836
Revaluation reserves	1,103	556
Total equity	14,878	14,392

Note – Significant Accounting Policies

A statement summarising the supplemental accounting policies adopted in the preparation of the special purpose financial statements (SPFS) for National Competition Policy (NCP) reporting purposes follows.

These financial statements are SPFS prepared for use by Council and the Office of Local Government. For the purposes of these statements, the Council is a non-reporting not-for-profit entity.

The figures presented in these special purpose financial statements have been prepared in accordance with the recognition and measurement criteria of relevant Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards Board (AASB) and Australian Accounting Interpretations.

The disclosures in these special purpose financial statements have been prepared in accordance with the *Local Government Act 1993* (Act), the *Local Government (General) Regulation 2005* (Regulation) and the Local Government Code of Accounting Practice and Financial Reporting.

The statements are prepared on an accruals basis. They are based on historic costs and do not take into account changing money values or, except where specifically stated, fair value of non-current assets. Certain taxes and other costs, appropriately described, have been imputed for the purposes of the National Competition Policy.

The Statement of Financial Position includes notional assets/liabilities receivable from/payable to Council's general fund. These balances reflect a notional intra-entity funding arrangement with the declared business activities.

National Competition Policy

Council has adopted the principle of 'competitive neutrality' in its business activities as part of the National Competition Policy which is being applied throughout Australia at all levels of government. The framework for its application is set out in the June 1996 NSW Government Policy statement titled 'Application of National Competition Policy to Local Government'. *The Pricing and Costing for Council Businesses – A Guide to Competitive Neutrality* issued by the Office of Local Government in July 1997 has also been adopted.

The pricing and costing guidelines outline the process for identifying and allocating costs to activities and provide a standard for disclosure requirements. These disclosures are reflected in Council's pricing and/or financial reporting systems and include taxation equivalents, Council subsidies, and returns on investments (rate of return and dividends paid).

Declared business activities

In accordance with Pricing and Costing for Council Businesses – A Guide to Competitive Neutrality, Council has declared that the following are to be considered as business activities:

Category 1

(where gross operating turnover is over \$2 million)

Nil

Category 2

(where gross operating turnover is less than \$2 million)

a. Murrumbidgee Council Water Funds

Comprising the whole of the water supply operations and net assets servicing the Council area.

b. Murrumbidgee Council Sewerage Funds

Comprising the whole of the sewerage reticulation and treatment operations and net assets servicing the Council area.

Taxation equivalent charges

Council is liable to pay various taxes and financial duties. Where this is the case, they are disclosed as a cost of operations just like all other costs. However, where Council does not pay some taxes, which are generally paid by private sector businesses, such as income tax, these equivalent tax payments have been applied to all Council-nominated business activities and are reflected in special purpose financial statements. For the purposes of disclosing comparative information relevant to the private sector equivalent, the following taxation equivalents have been applied to all Council-nominated business activities (this does not include Council's non-business activities):

Notional rate applied (%)

Corporate income tax rate – **25%** (20/21 26%)

Note – Significant Accounting Policies (continued)

Land tax – the first \$822,000 of combined land values attracts **0%**. For the combined land values in excess of \$822,000 up to \$5,026,000 the rate is **\$100 + 1.6%**. For the remaining combined land value that exceeds \$5,026,000 a premium marginal rate of **2.0%** applies.

Payroll tax – **4.85%** on the value of taxable salaries and wages in excess of \$1,200,000.

In accordance with the Department of Planning, Industry & Environment – Water guidelines, a payment for the amount calculated as the annual tax equivalent charges (excluding income tax) must be paid from water supply and sewerage business activities.

The payment of taxation equivalent charges, referred to in the Best Practice Management of Water Supply and Sewer Guidelines as a 'dividend for taxation equivalent', may be applied for any purpose allowed under the Act.

Achievement of substantial compliance to the DPIE – Water guidelines is not a prerequisite for the payment of the tax equivalent charges; however the payment must not exceed \$3 per assessment.

Income tax

An income tax equivalent has been applied on the profits of the business activities. Whilst income tax is not a specific cost for the purpose of pricing a good or service, it needs to be taken into account in terms of assessing the rate of return required on capital invested. Accordingly, the return on capital invested is set at a pre-tax level – gain/(loss) from ordinary activities before capital amounts, as would be applied by a private sector competitor. That is, it should include a provision equivalent to the relevant corporate income tax rate, currently 25% (20/21 26%).

Income tax is only applied where a gain from ordinary activities before capital amounts has been achieved. Since the taxation equivalent is notional – that is, it is payable to the 'Council' as the owner of business operations – it represents an internal payment and has no effect on the operations of the Council.

Accordingly, there is no need for disclosure of internal charges in the SPFS. The rate applied of 25% is the equivalent company tax rate prevalent at reporting date. No adjustments have been made for variations that have occurred during the year.

Local government rates and charges

A calculation of the equivalent rates and charges for all Category 1 businesses has been applied to all assets owned, or exclusively used by the business activity.

Loan and debt guarantee fees

The debt guarantee fee is designed to ensure that Council business activities face 'true' commercial borrowing costs in line with private sector competitors. In order to calculate a debt guarantee fee, Council has determined what the differential borrowing rate would have been between the commercial rate and Council's borrowing rate for its business activities.

(i) Subsidies

Government policy requires that subsidies provided to customers, and the funding of those subsidies, must be explicitly disclosed. Subsidies occur where Council provides services on a less than cost recovery basis. This option is exercised on a range of services in order for Council to meet its community service obligations. The overall effect of subsidies is contained within the Income Statements of business activities.

(ii) Return on investments (rate of return)

The NCP policy statement requires that councils with Category 1 businesses 'would be expected to generate a return on capital funds employed that is comparable to rates of return for private businesses operating in a similar field'.

Funds are subsequently available for meeting commitments or financing future investment strategies. The rate of return is disclosed for each of Council's business activities on the Income Statement.

The rate of return is calculated as follows:

Operating result before capital income + interest expense

Written down value of I,PP&E as at 30 June

As a minimum, business activities should generate a return equal to the Commonwealth 10 year bond rate which is 3.66% at 30/6/22.

Note – Significant Accounting Policies (continued)

(iii) Dividends

Council is not required to pay dividends to either itself (as owner of a range of businesses) or to any external entities.

Local government water supply and sewerage businesses are permitted to pay an annual dividend from its water supply or sewerage business surplus.

Each dividend must be calculated and approved in accordance with the Department of Industry – Water guidelines and must not exceed:

- 50% of this surplus in any one year, or
- the number of water supply or sewerage assessments at 30 June 2022 multiplied by \$30 (less the payment for tax equivalent charges, not exceeding \$3 per assessment).

In accordance with the Department of Industry – Water guidelines a Dividend Payment form, Statement of Compliance, Unqualified Independent Financial Audit Report and Compliance Audit Report are required to be submitted to the Department of Industry – Water.

DRAFT

Murrumbidgee Council

Special Purpose Financial Statements for the year ended 30 June 2022

DRAFT



Revised Councillor Expenses and Facilities Policy

	Name	Position	Signature	Date
Responsible Officer	Kaitlin Salzke	Chief Financial Officer		
Authorised By	John Scarce	General Manager		

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August 2022

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Policy Summary

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

It ensures accountability and transparency, and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2005* (the Regulation), and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Expense or facility	Maximum amount	Frequency
General, interstate, overseas and long distance intrastate travel expenses	\$2,500 per Councillor	Per year
Accommodation and meals	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually	Per meal/night
Professional development	\$3,000 total for all Councillors	Per year
Conferences and seminars	\$6,000 total for all Councillors	Per year
Carer expenses	\$2,000 per Councillor	Per year
Home office expenses	\$200 per Councillor	Per year
Corporate dress	\$800 per Councillor	Per term
ICT devices	Provided to all Councillors	Not relevant
Council vehicle and fuel card	Provided to the Mayor	Not relevant
Furnished office	Provided to the Mayor	Not relevant
Mobile telephone	Provided to the Mayor	Not relevant

Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

Part A – Introduction

1. Introduction

- 1.1. The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representatives of Murrumbidgee Council.
- 1.2. The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.3. The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4. Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy.
- 1.5. Expenses and facilities provided by this policy are in addition to fees paid to Councillors. The minimum and maximum fees a Council may pay each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.

2. Policy objectives

- 2.1. The objectives of this policy are to:
 - enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties
 - enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties
 - ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors
 - ensure facilities and expenses provided to Councillors meet community expectations
 - support a diversity of representation
 - fulfil the Council's statutory responsibilities.

3. Principles

- 3.1. Council commits to the following principles:
 - **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
 - **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor
 - **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor
 - **Equity:** there must be equitable access to expenses and facilities for all Councillors
 - **Appropriate use of resources:** providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations

- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

4. Private or political benefit

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2. Private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to Council.
- 4.4. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse the Council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
 - production of election material
 - use of Council resources and equipment for campaigning
 - use of official Council letterhead, publications, websites or services for political benefit
 - fundraising activities of political parties or individuals, including political fundraising events.

Part B – Expenses

5. General expenses

- 5.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

6. Specific expenses

General travel arrangements and expenses

- 6.1. All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2. Each Councillor and the Mayor may be reimbursed up to a total of \$2,500 per year, for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
 - for public transport fares
 - for the use of a private vehicle or hire car

- for parking costs for Council and other meetings
 - for tolls
 - by Cabcharge card or equivalent
 - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3. A suitable vehicle or vehicles may be provided by the Council for use on official duties connected with the office of Councillor.
- 6.4. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.
- 6.5. Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided if requested.
- 6.6. Travel in excess of the cap may be approved at the discretion of the General Manager.

Interstate, overseas and long distance intrastate travel expenses

- 6.7. For the purposes of this policy, general travel shall include travel to the Local Government Areas of Councils belonging to the Riverina and Murray Joint Organisation. Expenses for this travel will be governed by Clauses 6.1-6.4.
- 6.8. In accordance with Section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.
- 6.9. Total interstate, overseas and long distance intrastate travel expenses for all Councillors will be included in the cap at Clause 6.2.
- 6.10. Councillors seeking approval for any interstate and long distance intrastate travel must submit a case to, and obtain the approval of, the General Manager prior to travel.
- 6.11. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.
- 6.12. The case should include:
- objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties
 - who is to take part in the travel
 - duration and itinerary of travel
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.13. For interstate and long distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.

- 6.14. For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- 6.15. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.16. Bookings for approved air travel are to be made through the General Manager's office.
- 6.17. For air travel that is reimbursed as Council business, Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel expenses not paid by Council

- 6.18. Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

Expenses for accompanying persons

- 6.19. The Council shall meet the costs of registration and attendance at any official dinners for the Mayor's or Councillors' accompanying person, for the following conferences:
- Local Government NSW
 - Australian Local Government Association
 - National General Assembly of Local Government
 - Murray Darling Basin Association
- 6.20. All travel expenses, additional accommodation expenses, accompanying person tours and other sundry expenses incurred by the accompanying person shall be the personal responsibility of the individual Councillor.
- 6.21. The Council shall also meet the costs of attendance for an accompanying person of the Mayor (or Councillor on behalf of the Mayor) at official Council functions or other authorised events of a formal and ceremonial nature.

Accommodation and meals

- 6.22. In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the General Manager. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the meeting location.
- 6.23. Council will reimburse costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside the Murrumbidgee Local Government Area.
- 6.24. The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.
- 6.25. The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the General Manager, being mindful of Clause 6.19.
- 6.26. Councillors will not be reimbursed for alcoholic beverages.

Incidental expenses

- 6.27. Incidental expenses totalling less than \$25 per day may not require specific receipts, provided it can be demonstrated that the expenditure was incurred. The level of the supporting documentation should be commensurate with the nature of the expenditure: for example, parking, tolls, refreshments and similar expenses may only require a signed statement listing the payments made.

Refreshments for Council related meetings

- 6.28. Appropriate refreshments will be available for Council meetings, Council committee meetings, Councillor briefings, approved meetings and engagements, and official Council functions as approved by the General Manager.
- 6.29. As an indicative guide for the standard of refreshments to be provided at Council related meetings, the General Manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

Professional development

- 6.30. Council will set aside \$3,000 total for all Councillors annually in its budget to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies.
- 6.31. In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.32. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 6.33. Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
- details of the proposed professional development
 - relevance to Council priorities and business
 - relevance to the exercise of the Councillor's civic duties.
- 6.34. In assessing a Councillor request for a professional development activity, the General Manager must consider the factors set out in Clause 6.27, as well as the cost of the professional development in relation to the Councillor's remaining budget.

Conferences and seminars

- 6.35. Council is committed to ensuring its Councillors are up to date with contemporary issues facing Council and the community, and local government in NSW.
- 6.36. Council will set aside a total amount of \$6,000 annually in its budget to facilitate Councillor attendance at conferences and seminars. This allocation is for all Councillors. The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.37. Approval to attend a conference or seminar is subject to a written request to the General Manager. In assessing a Councillor request, the General Manager must consider factors including the:

- relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties
 - cost of the conference or seminar in relation to the total remaining budget.
- 6.38. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the General Manager. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.18-6.21.

Telecommunications expenses

- 6.39. Council will reimburse reasonable telephone calls (landline and mobile) and facsimile costs associated with the execution of Councillors' civic duties. Expense claims for reimbursement are to be accompanied by an itemised bill, with usage relating to Council business highlighted.

Special requirement and carer expenses

- 6.40. Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing impaired Councillors and those with other disabilities.
- 6.41. Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.
- 6.42. In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.
- 6.43. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of \$2,000 per annum for attendance at official business, plus reasonable travel from the principal place of residence.
- 6.44. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.45. In the event of caring for an adult person, Councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

Home office expenses

- 6.46. Each Councillor may be reimbursed up to \$200 per year for costs associated with the maintenance of a home office, such as minor items of consumable stationery and printer ink cartridges.

Corporate dress

- 6.47. The Workwear Group is Council's preferred supplier of the NNT Local Government Corporate Collection. Uniforms can be from any style/range from NNT; in white, silver, cobalt blue, emerald green, poppy red (tops) and black, navy (bottoms and outerwear)
- 6.48. Councillors may order corporate dress up to \$800 per Council term.
- 6.49. The Finance Manager will coordinate uniform orders.

7. Insurances

- 7.1. In accordance with Section 382 of the Local Government Act, Council is insured against public liability and professional indemnity claims.
- 7.2. Council also holds personal accident insurance, which provides for the payment of non-medical expenses and the loss of wages resulting from an accident whilst on official business for Council and a capital payment if the accident resulted in death. This cover extends to Councillors and their partners whilst on official business of Council.
- 7.3. Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.

8. Legal assistance

- 8.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
 - a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the Councillor
 - a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor
 - a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.
- 8.2. In the case of a code of conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.
- 8.3. Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- 8.4. Council will not meet the legal costs:
 - of legal proceedings initiated by a Councillor under any circumstances
 - of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
 - for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 8.5. Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

Part C – Facilities

9. General facilities for all Councillors

Facilities

- 9.1. Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
- access to the photocopier and facsimile machine in the Council offices (during normal office hours)
 - personal protective equipment for use during site visits
 - a name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor or deputy Mayor.
- 9.2. Councillors may book meeting rooms for official business in a specified Council building at no cost. Rooms may be booked through a specified officer in the Mayor's office or other specified staff member.
- 9.3. The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.

Stationery

- 9.4. Each Councillor will be provided with a reasonable amount of appropriate stationery to carry out their civic duties, including but not limited to:
- letterhead, envelopes and postage stamps
 - business cards
 - writing pads and pens
 - paper and consumables for printers and fax machines
 - Christmas or festive cards

Administrative support

- 9.5. Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by a member of Council's administrative staff as arranged by the General Manager or their delegate.
- 9.6. As per Section 4, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

Information and communications technology (ICT) devices

- 9.7. Councillors will be supplied with a tablet computer set up to enable internet access, emailing and processing of correspondence and access to Council business papers, minutes, policies and other Council records. All requisite software will be installed on that device.
- 9.8. Councillors will also be supplied with a printer upon request.

10. Additional facilities for the Mayor

- 10.1. Council will provide to the Mayor a maintained vehicle to a similar standard of other Council vehicles, with a fuel card. The vehicle will be supplied for use on business, professional development and attendance at the Mayor's office. Incidental private use may be permitted at the discretion of the General Manager.

- 10.2. Council will provide the Mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone and meeting space.
- 10.3. Council will provide the Mayor with an appropriate mobile telephone and/or communications device for use in relation to official functions and duties of the office of Mayor.
- 10.4. The Mayor will be provided with a corporate credit card for Council-related business pursuant to the provisions of this Policy to maximum monthly amount.
- 10.5. In performing his or her civic duties, the Mayor will be provided administrative and secretarial support, as determined by the General Manager.

Part D – Processes

11. Approval, payment and reimbursement arrangements

- 11.1. Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 11.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
 - local travel relating to the conduct of official business
 - carer costs
 - telecommunications expenses
- 11.4. Final approval for payments made under this policy will be granted by the General Manager or their delegate.

Direct payment

- 11.5. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the General Manager via their Executive Assistant for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

- 11.6. All claims relating to the use of a private vehicle must be made on the prescribed form (set out in Appendix III), and be submitted to the General Manager via their executive assistant.
- 11.7. All claims for reimbursement of expenses incurred must be made on the prescribed form (set out in Appendix IV), supported by appropriate receipts and/or tax invoices and be submitted to the General Manager via their Executive Assistant.

Advance payment

- 11.8. Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development.

- 11.9. Requests for advance payment must be submitted to the General Manager via their Executive Assistant for assessment against this policy using the prescribed form with sufficient information and time to allow for the claim to be assessed and processed.
- 11.10. Councillors must fully reconcile all expenses against the cost of the advance within one month of incurring the cost and/or returning home. This includes providing to Council:
- a full reconciliation of all expenses including appropriate receipts and/or tax invoices
 - reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

Notification

- 11.11. If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.
- 11.12. If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to Council

- 11.13. If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:
- Council will invoice the Councillor for the expense
 - the Councillor will reimburse Council for that expense within 14 days of the invoice date.
- 11.14. If the Councillor cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager may elect to deduct the amount from the Councillor's allowance.

Timeframe for reimbursement

- 11.15. Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

12. Disputes

- 12.1. If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the General Manager.
- 12.2. If the Councillor and the General Manager cannot resolve the dispute, the Councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.

13. Return or retention of facilities

- 13.1. All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.
- 13.2. Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment.

- 13.3. The prices for all equipment purchased by Councillors under Clause 13.2 will be recorded in Council's annual report.

14. Publication

- 14.1. This policy will be published on Council's website.

15. Reporting

- 15.1. Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations.

16. Auditing

- 16.1. The operation of this policy, including claims made under the policy, will be included in Council's audit program and an audit undertaken from time to time, as determined by the Audit, Risk and Improvement Committee.

17. Breaches

- 17.1. Suspected breaches of this policy are to be reported to the General Manager.
- 17.2. Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

18. Review

- 18.1. This policy is to be reviewed within the first year of the new Council term.
- 18.2. This policy may be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur.)

PART E – Appendices

Appendix I: Related legislation, guidance and policies

Relevant legislation and guidance:

- Local Government Act 1993, Sections 252 and 253
- Local Government (General) Regulation 2005, Clauses 217 and 403
- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009
- Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities
- Local Government Circular 05-08 legal assistance for Councillors and Council Employees.

Related Council Policies:

- Code of Conduct

Appendix II: Definitions

The following definitions apply throughout this Policy

Term	Definition
Accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
Appropriate refreshments	Means food and beverages, excluding alcohol, provided by Council to support Councillors undertaking official business
Act	Means the <i>Local Government Act 1993</i> (NSW)
Clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor
General Manager	Means the General Manager of Council and includes their delegate or authorised representative
Incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
Long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
Maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
NSW	New South Wales
Official business	Means functions that the Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: - meetings of Council and committees of the whole - meetings of committees facilitated by Council - civic receptions hosted or sponsored by Council - meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council
Professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
Regulation	Means the Local Government (General) Regulation 2005 (NSW)
Year	Means the financial year, that is the 12 month period commencing on 1 July each year

Murrumbidgee
COUNCIL

Councillor

SIGNATURE OF CLAIMANT

DATE _____

Appendix IV: Councillor Claim For Out of Pocket Expenses



COUNCILLOR CLAIM FORM - OUT OF POCKET EXPENSES

Councillor _____

Function Attended: _____

Date: _____

Expense Item	Amount

I hereby certify this claim to be complete and an accurate account of the expenses incurred by me on behalf of the Murrumbidgee Council

Signature: _____ Date: _____

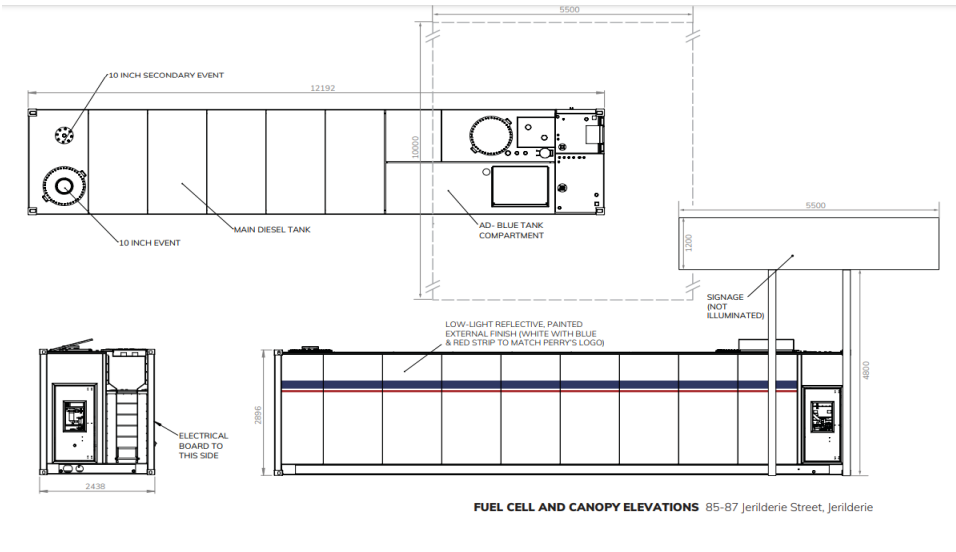
Authorised for payment by:

Name/Position Held: _____

Signature: _____ Date: _____

DA No.	DA27-2022
ESTIMATED COST OF DEVELOPMENT	\$150,000
APPLICANT	Philip Harnett (URPS) for LH Perry & Sons Freehold Properties Pty Ltd
OWNER	LH Perry & Sons Freehold Properties Pty Ltd
PROPERTY	Lots 11 & 12 DP 6664 85-87 Jerilderie Street, Jerilderie
PROPOSAL	The applicant in their Statement of Environmental Effects is seeking development consent for building works and use of the land as an unmanned service station, involving the following works: ▪ Provision of an above ground fuel cell (2.89m in height) with a capacity to hold 62,000 litres of fuel (diesel and AdBlue) and incorporating a built-in fuel bowser and payment console. ▪ Construction of a an awning (6m in height) over the fuel cell and refuelling area ▪ Installation of price-boards (2.4m in height) ▪ Removal of a street tree ▪ Civil works including the construction of new cross-overs to both Bolton Street and Jerilderie Street and paving of vehicle manoeuvring areas within the site. The premises will be unmanned and operate on a 24 hour basis

Figure 1: Plans and elevations¹



¹ GES/URPS (reference 21ADL-1068)

SITE

The site comprises two (2) lots, legally described as Lots 11 & 12 in DP 6664 and has the street address of 85-87 Jerilderie Street, Jerilderie. It has consolidated area of approximately 2022m² with a frontage of approximately 40.2 metres to Jerilderie Street, which is part of the Newell Highway, a classified road and approximately 50.1 metres to Bolton Street which is a sealed local road forming the western boundary of the site.

The land is flat, devoid of any significant information and is currently vacant of any structure.

Figure 2 – Subject site viewed from Jerilderie St²



The locality comprises a mix of commercial development, including a service station opposite, supermarket, hotel, mechanical workshop and residential development.

Figures 3A & 3B – Adjoining residential development



² Images in Figures 2, 3A, 3B, 4A and 4B © Steven Parisotto Photography 2022



Figure 4A & 4B – Adjoining commercial development



Figure 5 – Aerial Image/Locality³



Section 4.15 Assessment

In determining a development application, a consent authority is to take into consideration Section 4.15 of the Environmental Planning and Assessment Act 1979. The following matters as are of relevance to the development the subject of the development application.

³ Google Earth Pro

<i>Exempt or complying development</i>	The application is not categorised as complying development for the purposes of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
<i>Designated development</i>	The proposed development is not categorised designated development for the purposes of Section 4.10 of the Environmental Planning and Assessment Act, 1979 and Schedule 3 of the Environmental Planning and Assessment Regulations, 2000.
<i>Integrated development</i>	The proposed development is not categorised as integrated development for the purposes of Section 4.46 of the Environmental Planning and Assessment Act, 1979. The application was however required to be referred to the Transport for NSW (TfNSW) Authority for their concurrence on the basis it being a traffic generating development which has access to a classified road. In a letter dated, TfNSW have advised they are not prepared to support the application.
<i>State significant development</i>	The proposed development is not State significant development as set out in Division 4.7 of the Act, nor is it categorised as regionally significant development for the purposes of Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011.

4.15(1)(a)(i) - the provision of any environmental planning instrument

The following environmental planning instruments have been taken into consideration in the evaluation of the development.

<i>SEPP (Resilience and Hazards) 2021</i>	The provisions of SEPP aims to ensure that the consent authority, in considering any application to carry out potentially hazardous or offensive development, has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact. In determining whether the provisions of SEPP apply consideration has been given to the provisions of Hazardous and Offensive Development Application Guidelines: Applying SEPP 33. The proposed development and use of the land, and to which the development application relates involves works for a new service station. Appendix 3 of that publication identifies that a petrol station may fall within SEPP 33 as being potentially hazardous.
---	---

*SEPP
Infrastructure &
Transport*

In assisting Council, the applicant has undertaken a multi-level risk assessment for the proposed petrol station, however in their assessment failed to identify that a petrol station may be potentially hazardous (rather it focussed on the fact the development was not defined as an industry).

Diesel is not classified as a Class 3 flammable liquid for the purpose of AS1940.2017 but is a C1 combustible and is subject to safe storage requirements for the purpose of the standard. As it is not a flammable liquid it is not subject to the setback distances prescribed in the SEPP for the purposes of a PHA.

Notwithstanding, Council's assessment found that the required setback distances from the fuel bowsers to sensitive receivers are met, even if the tanks contained a class 3 flammable good.

On this basis the site and submitted design are deemed to not impose a significant level of risk to the community with the site being assessed as not being potentially hazardous.

In this regard the proposed development is deemed satisfactory with regards to SEPP 33

Council must consider the following provisions within this SEPP, and the relevance of the applicable clauses to this development, are as follows:

Development likely to affect an electricity transmission or distribution network

The provisions of clause 2.48 applies to a development application that involves any of the following—

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,*
- (b) development carried out—*

- (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or*
- (ii) immediately adjacent to an electricity substation, or*
- (iii) within 5m of an exposed overhead electricity power line*

The application was referred to Essential Energy and they have made the following comments to make as to potential safety risks arising from the proposed development on the basis that overhead power lines ran partway along the Jerilderie Street frontage. Essential Energy requested revised site plans, however it appears that they have misinformed themselves regarding the position of the existing overhead line.

The proposed signage, which is the closed structure to the overhead power is greater than 5 metres (being 9 metres) and therefore was exempt from requiring concurrence.

Development in or adjacent to road corridors and road reservations

The subject site fronts a classified road so therefore clause 2.119 (Development with frontage to classified road), and 2.122 and Schedule 3 (Traffic generating development) are to be considered.

Clause 2.119 states that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—

- a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and
- b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—
 - i. the design of the vehicular access to the land, or
 - ii. the emission of smoke or dust from the development, or
 - iii. the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
- c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

The proposed development has practicable and safe vehicular access to Bolton Street and to the rear lane, however the intended use of the site requires access to the classified road (being Jerilderie Street) due to the type of vehicles that will use the site.

With regard to Schedule 3 the proposed development is considered to be a service station with heavy vehicle refuelling services and referral to TfNSW is required for development of any size or capacity on any road.

In their response on 3 August 2022), TfNSW informed Council that they have reviewed the submitted information cannot support the proposed development for the following reasons:

- The submitted information does not address the conditions relating to the approved heavy vehicle routes utilising Bolton Street; and
- The submitted swept path diagrams do not indicate the necessary paths to demonstrate that the proposed heavy

	vehicles utilising both bowsters can safely egress from the site head in both directions along the Newell Highway. Council, with regard to clause 2.122(4)(b)(i) and consideration of the response from TfNSW is not satisfied that the proposed development can be undertaken on the land.
<i>SEPP 64 Advertising and signage</i>	As the proposed development involves the installation of signage, both free standing and on the building the provisions of SEPP 64 Advertising and Signage apply. In terms of the canopy signage and Council can be satisfied that these would be categorised as business identification signs representing Perry's Fuel Distributors and would be exempt from the controls set out in Division 2 of the SEPP. The proposed free standing price board is subject to the provisions of clause 17 of SEPP 64. Clause 17 applies to an advertisement— <i>(a) that has a display area greater than 20 square metres, or (b) that is higher than 8 metres above the ground.</i> The proposed sign has a height of 2400mm and is less than 3m² and further it is visible from a classified road. In accordance with clause 17(3) Council must not grant consent to an application to display an advertisement to which this clause applies unless it has advertised the development in accordance with s79A of the Act, which it has; notified TfNSW of the development, which it has; and <i>the applicant has provided the consent authority with an impact statement that addresses the assessment criteria in Schedule 1 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts,</i> Council is satisfied that the proposed unlikely to have a detrimental impact on the character of the area, amenity of nearby residential areas, streetscape, nor because of illumination have an adverse impact on traffic safety.
<i>Riverina Murray Regional Plan 2036</i>	The proposed development does not raise any matter that would be inconsistent with the goals set out in the <i>Riverina Murray Regional Plan 2036</i>.

<i>Jerilderie Local Environmental Plan 2012</i>	Murrumbidgee Council administers two local environmental plan covering the former local government areas of Murrumbidgee and Jerilderie. The subject site falls under the provisions of Jerilderie Local Environmental Plan 2012.
<i>Definition</i>	The proposed development is for a <i>service station</i> which is defined in the Dictionary of Jerilderie Local Environmental Plan 2012, as: <i>service station</i> means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following— (a) the ancillary sale by retail of spare parts and accessories for motor vehicles, (b) the cleaning of motor vehicles, (c) installation of accessories, (d) inspecting, repairing, and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration), (e) the ancillary retail selling or hiring of general merchandise or services or both.
<i>Permissibility</i>	The subject land is zoned RU5 Village under Part 2 Land Use Table of Jerilderie Local Environmental Plan 2012. This is an open zone, and a <i>service station</i> is an innominate land use and is identified as <i>any other development not specified in item 2</i> (permitted without consent] or 4 [prohibited]. It is therefore development that is permitted with consent.

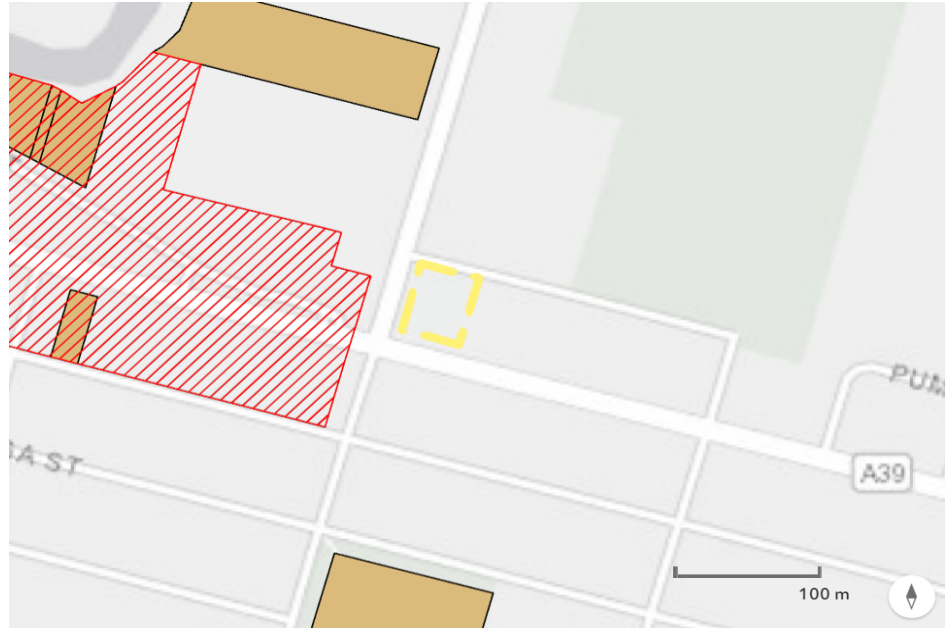
Figure 6 – Extract from Zoning Map⁴



⁴ NSW Department of Planning, Industry and Environment, Murrumbidgee LEP 2012 Zoning Map.

<i>Aims & Objectives</i>	The proposed development has been considered with regard to the aims of Jerilderie Local Environmental Plan 2012 as set down in Part 1, clause 1.2(2) which states: <i>(a) to maintain and enhance agricultural land through the proper management, development and conservation of natural and man-made resources,</i> <i>(b) to encourage a range of housing, employment, recreation and community facilities to meet the needs of existing and future residents of Jerilderie,</i> <i>(c) to promote the efficient and equitable provision of public services, infrastructure and amenities;</i> <i>(d) to conserve the environmental heritage of the land to which this Plan applies.</i> The objectives for the RU5 Village zone set down in the Land Use Table are as follows: <i>To provide for a range of land uses, services and facilities that are associated with a rural village.</i> The proposed development is consistent with the aims of Jerilderie Local Environmental Plan 2012 and the objectives of the zone.
<i>Development Standards</i>	Section 4 of the Environmental Planning and Assessment Act 1979 defines a <i>development standard</i> as being a provision of an environmental planning instrument in relation to the carrying out of a development, being provisions by or under which requirements are specified or standards are fixed in respect to any aspect of the development. Part 4 of Jerilderie Local Environmental Plan 2012 identifies the principal development standards that apply. In this instance there are no development standards applicable to the proposed development.
<i>Miscellaneous Provisions</i>	Part 5 of Jerilderie Local Environmental Plan 2012 addresses numerous miscellaneous provisions. The following matters are of relevance to the proposed development:
<i>5.10 Heritage conservation</i>	Clause 5.10 of Jerilderie Local Environmental Plan 2012 sets down objectives in respect to the conservation of environmental heritage within part of the Murrumbidgee Council local government area. This clause applies to the protection of heritage items and heritage conservation areas; development affecting places or sites of known or potential Aboriginal heritage significance; development affecting known or potential archaeological sites of relics of non-Aboriginal heritage significance; development in the vicinity of a heritage item; provision of conservation incentives; and development in heritage conservation areas.

Figure 7 – Extract from Heritage Conservation Map⁵

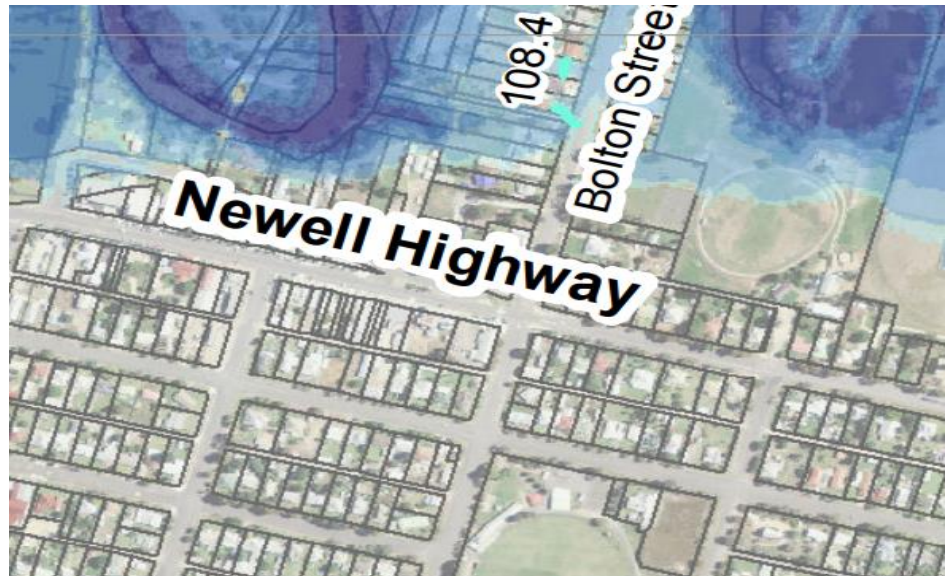


The subject site is not with a conservation area nor does it contain nor is it within the vicinity an item of environmental heritage

5.21 Flood planning

Clause 5.21 applies to land that is at or below the flood planning level, which means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.3 metre freeboard.

Figure 8 – Extract from Jerilderie Flood Study⁶



The objectives of clause 5.21 are:

- (a) *to minimise the flood risk to life and property associated with the use of land,*

⁵ NSW Department of Planning, Industry and Environment, Jerilderie LEP 2012 Heritage Map

⁶ Jerilderie Flood Study 2015, extract from 1:100 year ARI Map

	(b) <i>to allow development on land that is compatible with the land's flood hazard, considering projected changes as a result of climate change,</i> (c) <i>to avoid significant adverse impacts on flood behaviour and the environment.</i> The subject land is included within the Jerilderie Floodplain Risk Management Study and Plan however was not identified as being flood affected.
<i>Additional local provisions</i>	Part 6 of Jerilderie Local Environmental Plan 2012 identifies a number of additional local provisions that the consent authority must consider when evaluating a development application under section. 4.15(1)(a)(i) of the Environmental Planning & Assessment Act, 1979.
<i>6.1 Earthworks</i>	The objectives set out in clause 6.1(1) are as follows: (a) <i>to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,</i> (b) <i>to allow earthworks of a minor nature without separate development consent.</i> Earthworks are proposed as part of the development application in order to establish the development area on the site. As the site is generally flat and no basement of extensive foundation works are required, earthworks are expected to be minimal. The proposed works include excavation to create level driveways and manoeuvring areas. Council may be satisfied that the proposed earthworks are not likely to result in impacts to drainage patterns or soil stability in the locality; impact future use or redevelopment of the land; impact the quality of the soil to be excavated; impact development and likely amenity of adjoining properties; or disturb relics or negatively impact any waterway, drinking catchment area or environmentally sensitive area.
<i>Clause 6.3 Stormwater management</i>	The purpose of clause 6.3 is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters. It states: (3) <i>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—</i> (a) <i>is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and</i>

- (b) *includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater, or river water, and*
- (c) *avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises, and mitigates the impact.*

Given the extent of paving, the prevailing topographic and soil conditions, the disposal and treatment of stormwater requires an integrated approach which would require a combination of onsite detention and works with the proposed road to properly disperse stormwater from the site.

<i>Clause 6.4 Terrestrial biodiversity</i>	The objective of this clause is to maintain terrestrial biodiversity and applies to the land identified as “ <i>Biodiversity</i> ” on the Terrestrial Biodiversity Map . The subject site has not been mapped as being an area of biodiversity and therefore the provisions of this clause do not apply.
<i>Clause 6.5 Groundwater vulnerability</i>	The object of Clause 6.5 is to maintain the hydrological functions of key ground water systems and to protect vulnerable groundwater resources from contamination because of inappropriate development. The site has not been mapped as being groundwater vulnerable land on the Groundwater Vulnerability Map .
<i>Clause 6.6 Riparian land and watercourses</i>	The subject land has not been mapped as being within riparian corridor or within 40 metres of a watercourse as identified on the Watercourses Map . The provisions of clause 6.6 do not apply in this instance.
<i>Clause 6.7 Wetlands</i>	The subject land has not been mapped as being part of a wetland on the Wetlands Map . The provisions of clause 6.6 do not apply in this instance.
<i>Clause 6.8 Essential services</i>	The provisions of Part 6.8 of Jerilderie Local Environmental Plan 2012 states that the consent authority must be satisfied the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required: <i>(a) the supply of water,</i> <i>(b) the supply of electricity,</i> <i>(c) the disposal and management of sewage,</i> <i>(d) stormwater drainage or on-site conservation,</i> <i>(e) suitable vehicular access.</i> The subject site is connected to Council’s reticulated potable water network and is connected to Council’s sewage system. Any relocation or amplification of these services because of the development would be at the applicant’s expense.

The treatment and disposal of stormwater will need to be designed to ensure the post developed stormwater behaviour is consistent with the pre-developed stormwater patterns. This would include the provision of onsite detention, to control the flow of stormwater from the site entering Council's system, as well as providing off-site drainage systems (kerb and gutter) to ensure safety and minimise stormwater inundation on site and mitigate impacts on adjoining and public land.

The Essential Energy network supplies electricity to the property in the locality. As part of the development, it is understood that any amplification of electrical services will need to conform to the requirements of Essential Energy.

The applicant will be required to make an application under s138 of the Roads Act for all works within the road reserve. This will necessitate seeking approval from both TfNSW for works with the classified road. In light of TfNSW not supporting the proposed development, approval under s138 is unlikely to be given.

4.15(1)(a)(ii) - the provision of any draft environmental planning instrument

At the time of preparing this report there is no draft environmental planning instrument that applies to the development or to land within the Murrumbidgee Council local government area relevant to the proposed development.

4.15(1)(a)(iii) - Development control plan

The provisions of Section 4.15(1)(a)(iii) require the consent authority to take into consideration any relevant development control plan. Murrumbidgee Council has two (2) development control plans in force, with Jerilderie Development Control Plan being the relevant document.

2.1 Village development objectives

These objectives in Part 2.1 of the DCP have been prepared to provide specific guidance for the use and development of land and premises within Jerilderie for commercial uses. The objectives are:

- 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.

The proposed development is inconsistent with the provisions of clause 2.1 of the DCP inasmuch that the proposed development extends beyond the commercial precinct identified in the plan.

Figure 9 – Extract from DCP Precinct Map⁷



While the development extends one block further east of the defined boundary is, from the applicant's perspective logical, it would undermine the integrity of the plan. Figure 9 clearly defines the boundary, and the inclusion of the lots on the eastern side of Bolton Street reflected the existing commercial development (on the southern side of Jerilderie St).

Extension into this area would result in unnecessary creep into the residential precinct and could establish a precedent that would bind Council in the future.

3.2 Notification

The development application has been notified in accordance with clause 3.2.3 of the DCP. Following the completion of the notification period Council had received 44 submissions, including a petition with 46 signatures.

⁷ NSW Department of Planning, Industry and Environment, Jerilderie LEP 2012 Heritage Map

The submissions is detailed under a separate heading "Submissions".

7.3 Prescribed standards for commercial development

Control	Standard	Compliance
Front setback	In line with neighbouring developments or as required for vehicle access if the first development in the street	Satisfactory. The setback approximate 9 (canopy) to 12 metres (tank) from the classified road.
Side setbacks	3.0m	Complies
Rear setback	3.0m	Complies
Onsite carparking	Refer to onsite parking requirements, Schedule 1	Complies (Refer to Schedule 1)
Signage	Signage is limited to 3 external signs in total: • One sign on the parapet to be flush with the parapet • One sign on the side wall	Complies
Street furniture and trading	Please refer to schedule 2 for locations of outdoor seating, trading stands and tables. Please note that street furniture and trading on the footpath will require the owner of the furniture or trading stand to carry public liability insurance indemnifying council. To ensure compliance with AS 1428 – Disabled Access a clearway of a minimum of 2 metres for pedestrian traffic is to be maintained. Street furniture is to be of a standard suitable to Council.	Not applicable.

	Compliance with Building Code of Australia	All applications are required to comply with the requirements of the Building Code of Australia.	Compliance with the BCA is not a matter for assessment at DA stage. Prescribed conditions of consent have been included addressing legislative requirements for BCA/NCC compliance.
<i>Schedule 1 Onsite parking requirements</i>	The parking requirements for service stations and convenience stores are as follows: • 10 spaces per work bay • 5 spaces per 100m² of gross floor area (GFA) of convenience store • 1 space per 3 seats if a restaurant is included. No work bays, convenience store or restaurant facilities are proposed. On this basis no onsite parking is required. Council may be satisfied that the proposed development complies with Schedule 1.		

Notwithstanding the numerical compliance with the development controls set out in the DCP, the proposed development is deemed unsatisfactory in terms of Jerilderie DCP 2012 in that the development extends beyond the commercial precinct.

4.15(1)(a)(iia) - Planning agreement or draft planning agreement

The developer has not entered into any planning agreement under section 93F of the Act, nor has the developer offered to enter into any draft planning agreement under section 93F.

Relevant Section 94A contributions plan

The development is subject to the Murrumbidgee Council Section 94A contributions plans which applies to all development that is valued in excess of \$100,000. As the proposed development is valued more than \$200,000 a 1% levy applies.

4.15(1)(a)(iv)- Matters prescribed by the regulations

Section 4.15(1)(a)(iv) requires Council to take into consideration the provisions of Environmental Planning and Assessment Regulation 2021 and the Environmental

Planning and Assessment (Development Certification and Fire Safety) Regulation, 2021

<i>Clause 61 Additional matters for consideration</i>	Clause 61(1) of the Environmental Planning & Assessment Regulation 2021 requires the consent authority to consider the provisions of Australian Standard AS 2601-1991: The demolition of Structures. In this instance no structures are to be demolished. The application is not for the carrying out of development on land that is subject to a subdivision order made under Schedule 5 to the Act. The development is not located within the local government area of Coonamble, City of Dubbo, Gilgandra or Warrumbungle (to which the Dark Sky Planning Guideline applies).
<i>Clause 62 consideration of fire safety</i>	The development is not for a change of building use for an existing building.
<i>Clause 63 considerations for the erection of temporary structures</i>	The development is not for a temporary structure.
<i>Clause 64 consent authority may require upgrade of buildings</i>	The development does involve the rebuilding, alteration, enlargement or extension of an existing building.
<i>Protection of the Environment Operations (Clean Air) Regulation, 2010</i>	Part 4 Use of Storage Systems of the Protection of the Environment The proposed development is to comply with the necessary requirements prescribed under Division 5 – _Petrol Service Stations, Subdivision 3 - Stage two vapour recovery of the POEO (Clean Air) Regulation 2010 with stage 2 vapour recovery measures installed at the site.

4.15(1)(b) - The likely impacts of that development

<i>Context setting</i>	<i>and</i>	The proposed development is generally keeping with the nature of the surrounding land in terms of bulk, scale, and external appearance, with the exception of the fence required for noise attenuation measures.
<i>Access, transport traffic</i>	<i>and</i>	The subject site can currently be accessed from Bolton Street and from the rear laneway and presently does not benefit from any constructed accessway to Jerilderie Street.

	The proposed development proposes to reposition the existing access to the site from Bolton Street and upgrade it to cater for b-double type vehicles and provide a new driveway that connects to the classified road (Newell Highway) and will serve as egress from the site. While TfNSW did not raise any issue with a new access to the classified road it cited flaws in the submitted plans and the current restrictions of Bolton Street, which included limited heavy vehicle access) as be problematic. In this regard they are not willing to support the application. As the use of the site is predicated on it serving b-double vehicles, and that current limitations on Bolton Street prevent access to the site at all times, and that safe movement to and from the site has not been demonstrated in the plans, the proposed site is not considered suitable for the proposed development. The proposed development is a traffic generating development and the applicant has provided Council with a Traffic Impact Assessment (TIIA) that provides anticipated rates of traffic likely to be generated from the proposed development with regard to the 'Guide to Traffic Generating Development'.
<i>Public domain</i>	The development will not have an adverse impact on public recreation or the amount, location, design, use and management of public spaces.
<i>Utilities</i>	The site has access to power, telecommunications, water and sewer. Any amplification of services would be at the expense of the applicant and will have to be designed to meet the relevant authorities' requirements.
<i>Heritage</i>	The subject site has not been identified as a heritage item.
<i>Other land resources</i>	There is unlikely to be any impact on land resources such as mineral extractive resources or water supply catchments, is expected.
<i>Water</i>	Contaminated run-off from beneath the fuel canopy and fill points will be collected by bunded sump pits and conveyed to a proprietary device for treatment, prior to discharging to the stormwater system.
<i>Soils</i>	Subject to the imposition of conditions, it is considered that any impact upon local and off-site soil conditions can be satisfactorily mitigated through proper ongoing management of the site.
<i>Air and microclimate</i>	The applicant has indicated that they are aware that the proposed development will need comply with the necessary requirements prescribed under Division 5 of the POEO (Clean Air) Regulation 2010.

<i>Flora and fauna</i>	Council can be satisfied that the proposed development would not have an impact on local native ecological communities, flora or fauna and their habitats.
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<i>Waste</i>	Nil.
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<i>Energy</i>	Nil.
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<i>Noise and vibration</i>	The applicant has prepared an Environmental Noise Assessment to address the potential nuisance from the development on nearby residential receptors. In summary the report indicates that noise generated by the development during the day-time (7.00am to 6.00pm Monday to Saturday and 8.00am to 6.00pm Sundays) and evening (6.00pm to 10.00pm) would meet the NSW EPA Guidelines, however the accepted levels would be exceed during the night time period (from 10.00am to 7/8.00am).
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The report indicates that the installation of a 3.5 metre high solid barrier, would help mitigate the noise impact, and achieve internal noise levels of the residential receptors to between 52 and 59 dB(A) and that given the infrequency of night noise events would not cause awakening reactions of occupants of the nearby dwelling and would not significantly affect health or well-being.

The applicant has not provided any details of the fencing that responds to the noise report, nor considered the secondary impacts on neighbours in terms of visual impact and loss of solar access. The following figures are the assessment officer's impression of what a 3.5m high fence would look like.





A further complication is that the proposed fence would potentially reduce solar access to living rooms of the neighbouring property at 89 Jerilderie Street.

<i>Natural hazards</i>	The subject site is not prone to natural hazards such as tidal inundation, subsidence, slip, mass movement, flooding or bushfires.
<i>Technological risks</i>	There are no known technological risks to people, property or the natural environment from the activities.
<i>Safety, security and crime prevention</i>	Nil.
<i>Social & economic impact in the locality</i>	The establishment of an unmanned 24/7 refuelling is unlikely to have any positive economic impact on the local Jerilderie area and the broader community, as it does not provide any employment opportunities.
<i>Site design and internal design</i>	The proposed site and internal design are considered satisfactory.
<i>Construction</i>	Should the application be approved conditions of consent will be placed on the development to ensure that no nuisance, soil erosion and sedimentation transport occurs, and in relation to hours of construction.
<i>Cumulative impacts</i>	Nil.

4.15(1)(c) - The suitability of the site for the development

<i>Does the proposal fit in the locality?</i>	The proposed development is in keeping with the locality and there are no constraints posed by adjacent development that would restrict or otherwise prohibit the development from proceeding.
<i>Are the site attributes conducive to development?</i>	The site subject is not prone to natural hazards such as tidal inundation, subsidence, slip, mass movement, flooding or bushfires. The soil characteristics are appropriate for the development, and there are no critical habitats, or threatened species, populations, ecological communities or habitats on the site. The subject site is zoned RU5 Village and the permissibility of the development under Jerilderie Local Environmental Plan 2012 provides a broad indication that the site is suitable for the proposed development, however existing conditions, including the heavy vehicle restrictions placed on Bolton Street suggest the site is unsuitable. Based on the assessment under this and other sections within this report it is considered that the site is not suitable for the proposed development.

4.15(1)(d) - Any submissions made

The provisions of the Environmental Planning and Assessment Act 1979 the Environmental Planning and Assessment Regulation 2000 and Jerilderie Development Control Plan set down consultation, concurrence, and advertising requirements for specific types of development applications and taking into consideration any submissions received in response to the notification process.

Public Notification

The proposed development was notified in accordance with legislative requirements, which include letters to nearby property owners, advertisement, and publication of Council's website – 44 submissions, including a petition with 46 signatories, objecting to the development set out in Attachment G.

The concerns identified in the submissions may be summarised as follows:

- Traffic and pedestrian safety at intersection of Bolton St and Jerilderie Street, especially risk to younger pedestrians walking/riding to school.
- Inappropriate development in a residential zone
- Noise, air and light pollution and impact on neighbouring residential properties
- Traffic generated by the development and impact from queueing heavy vehicles and caravans
- Economic impacts – loss of property value, competition (already three heavy vehicle refueling stations) and loss of job opportunities
- Inconsistent with the DCP

Traffic– the applicant has provided Traffic Impact Assessment which indicates that the volume of traffic generated by the development is unlikely to result in significant safety issues. It however fails to address the heavy vehicle restrictions that limit traffic along Bolton Street.

Inappropriate development in the zone– neither zoning of the land nor the zoning objectives prohibit or openly discourage the development.

Noise – The applicant has provided an Environmental Noise Assessment which indicates that with mitigation works, including the installation of an acoustic barrier, the proposed development would have minimal impact on the amenity of neighbours in terms of noise. While Council is satisfied that barrier would mitigate nuisance from noise, its construction creates an unacceptable visual impact for the locality.

Economic impacts – while Council must consider economic impact on the locality as a matter under Section 4.15(1)(b) case law states that this does not extend to economic competition and the supply and availability of similar products nor necessarily to site proximity. Nor does it extend to the loss of property values.

Council however concurs with the concerns that the proposed development has no economic benefit for the community as it does not generate employment opportunities.

Service station density (economic competition) - from the comments in the submissions referring to service station density it appears as if the concerns relating to economic competition.

Statutory Submissions

The following statutory referrals were also undertaken as part of the assessment, and a summary provided in respect to the responses.

- Transport for NSW (TfNSW)

The application was referred to the TfNSW for comment on the proposed development in terms of traffic generation and the impact the traffic generated by the development may have on the arterial road network. They advised that based on the information submitted they are not prepared to support the development.

4.15(1)(e) - The public interest

The provisions of Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 provides an overarching requirement to consider the public interest. It is considered that the public interest is best served by the consistent application of the requirements of the relevant Commonwealth and State government legislation, environmental planning instruments, development control plan, Council policy, and by Council ensuring that any adverse effects on the surrounding area and the environment are avoided.

The number of submissions received in respect to this development application indicates there is strong community or public interest in the matter. In this instance the number of submissions, as a proportion of the total Jerilderie community, opposing the

development is a clear indication that the development should not be supported on the grounds that the development is not in the public interest.

While the number of objections provides a reason for refusal, it is only when it is combined with the fact the development does not provide any economic benefit to the community (in terms of job creation), that the site is not suitable for the development in terms of heavy vehicle access, that the development has the potential to cause a nuisance to neighbours and its inconsistent with Council's only development control plan that Council may consider that the proposed development is not in the public interest.

Conclusion

The development application has been evaluated with regard to the matters for consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979. On the basis of this assessment it is considered the proposal has merit and the development can be supported for the following reasons:

- The proposed development is permissible within the zone under Jerilderie Local Environmental Plan 2012 and is consistent with the objectives of the zone.
- The proposed development is considered unsatisfactory with regard to performance outcomes and acceptable solutions set down in Jerilderie Development Control Plan.
- The proposed development, is unsatisfactory in terms of the mitigating measures proposed to reduce the impact of the development in terms of noise.
- The proposed development is unsatisfactory in terms of traffic generation and access to the site and that it has not received support from TfNSW.
- That the number of submissions received is an indicator that the development is not in the public interest.
- The proposed development does not raise any matter contrary to the public interest.

Recommendation

(a) That the application be reported to a Council meeting for determination as objections have been received to the development and determination cannot be made under staff delegation.

(b) That Murrumbidgee Council as the consent authority pursuant to Section 4.16(1) of the Environmental Planning & Assessment Act 1979, **refuse consent** to Development Application No: DA 27/2022 for an unmanned *service station* at Lots 11 & 12 in DP 6664 being 85-87 Jerilderie Street, Jerilderie for the following reasons:

- (i) The proposed development is considered unsatisfactory in terms of Section 4.15(1)(a)(i) and (d) of the Environmental Planning & Assessment Act, 1979 in that Transport for NSW does not support the development with regard to the provisions of State Environmental Planning Policy (Infrastructure and Transport) 2021.
- (ii) The proposed development is considered unsatisfactory in terms of Section 4.15(1)(a)(iii) of the Environmental Planning & Assessment Act, 1979 in that

the proposed development extends beyond the boundaries of the commercial centre identified in the Jerilderie Development Control Plan.

- (iii) The proposed development is considered unsatisfactory in terms of Section 4.15(1)(b) of the Environmental Planning & Assessment Act, 1979 in that the proposed unmanned service station is likely to have an unreasonable impact on the amenity of neighbours.
- (iv) The proposed development is considered unsatisfactory in terms of Section 4.15(1)(c) of the Environmental Planning & Assessment Act, 1979 in that the site is unsuitable for the proposed development in terms of access by heavy vehicles from Bolton Street.
- (v) The proposed development is considered unsatisfactory in terms of Section 4.15(1)(e) of the Environmental Planning & Assessment Act, 1979 in that the proposed development is not in the public interest as indicated by the number of objections to the development from the local community.

ASSESSING OFFICER

Name:

Steven Parisotto, mpia
Senior Planner

Date

4 October 2022

Signature:

A handwritten signature in black ink that reads "Steven Parisotto". The signature is written in a cursive style with a large initial 'S' and a horizontal line at the end.

Ref: 21ADL-1068



22 February 2022

Murrumbidgee Shire
35 Jerilderie Street
JERILDERIE NSW 2716

By Email: mail@murrumbidgee.nsw.gov.au

Adelaide
12/154 Fullarton Rd
Rose Park, SA 5067
08 8333 7999

Melbourne
29-31 Rathdowne St
Carlton, VIC 3053
03 8593 9650
urps.com.au

Attention Planning Department

Statement of Environmental Effects – 85-87 Jerilderie Street, Jerilderie

Introduction

URPS has been engaged by Perry's Fuel Distributors to provide this letter in support of a proposed unstaffed service station (the proposed development).

Together with this supporting statement I enclose:

- Certificate of Title.
- Site Plan and Elevations by URPS.
- Vehicle Turn-Paths by CIRQA.

An appraisal of the subject land and the proposed development's performance against the relevant planning provisions of the Jerilderie Local Environmental Plan 2012 (JLEP 2012) and Jerilderie Shire Development Control Planning 2012 (JDCP 2012), is set out below.

Subject Land and Locality

The subject land is 85-87 Jerilderie Street, Jerilderie (Allotments 11 and 12 in Deposited Plan 6664), situated in the Murrumbidgee Council Area.

The allotments are rectangular in shape with an approximate combined area of 2,000 square metres.

When viewed together, the allotments are situated on the corner of Jerilderie Street and Bolton Street, with respective combined frontages of 40 and 50 metres.

The land is generally flat with only subtle gradients throughout and is currently vacant with no buildings.

The locality is characterised by the following features:

- Jerilderie Street which comprises two-way traffic and wide tree-lined verges.
- Predominantly single storey buildings.
- A mixture of land uses, including a service station, warehouse building, men's shed, shops and café, residential properties.

Refer to the enclosed Locality Plan for additional detail on the locality.

Proposed Development

The proposed development is for:

- A "service station".
- A "commercial premises".

The proposed "service station" and "commercial premises" land uses are defined below.

A "service station" which is defined in JLEP 2012 as:

Service station means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following—

- (a) the ancillary sale by retail of spare parts and accessories for motor vehicles,*
- (b) the cleaning of motor vehicles,*
- (c) installation of accessories,*
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),*
- (e) the ancillary retail selling or hiring of general merchandise or services or both.*

A "commercial premises" is defined in GHLEP 2012 as:

commercial premises means any of the following—

- (a) business premises,*
- (b) office premises,*
- (c) retail premises.*

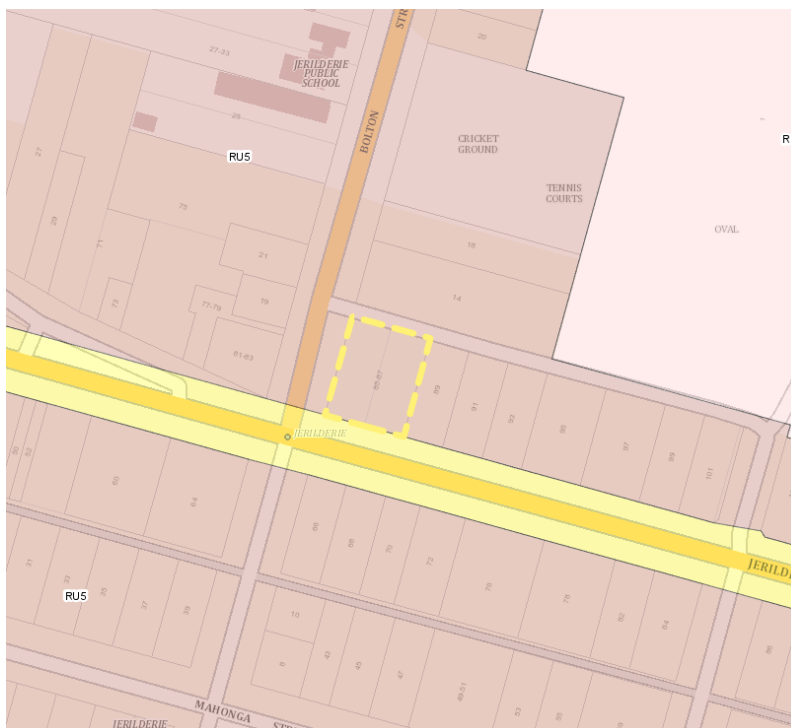
Specifically, the proposed development includes:

- An unstaffed “service station” land use. Introduction of “commercial premises” use to the site.
- Provision of an above ground fuel cell with built in fuel bowser and payment console. The fuel cell will have a total height of 2.89 metres. The fuel cell will have a total volume of 62,000 litres of fuel and offer Diesel and AdBlue.
- Provision of canopy over the proposed fuel cell and refuelling area. The canopy will have a total height of 6 metres.
- Provision of a price-boards to advertise the fuel available. The price-board will have a total height of 2.4 metres.
- Construction of new crossovers and vehicle manoeuvring areas.
- Removal/replacement of a street tree on Bolton Street.
- The proposed development will be available for use 24 hours per day, 7 days a week.

Procedural Matters

Assessment Pathway

The subject land is located within the RU5 Village Zone (the Zone) of JLEP 2012 and the JDCP 2012, as pictured below.



“Service stations”, “commercial premises” and “signage” are “permitted with consent” in the Zone as per the JLEP 2012 and JDCP 2012.

The land is also situated in the Residential Precinct and the Commercial Precinct as per the JDCP 2012, and as pictured below.



The Murrumbidgee Shire is the relevant authority in the assessment of the proposed development.

Development Assessment

Below is an assessment of the proposed development against the most pertinent provisions of JLEP 2012 and JDCP 2012.

Land Use

The objective of the Zone is to provide “a range of land uses, services and facilities that are associated with a rural village”.

The proposed land uses are permitted with consent in the Zone and are therefore anticipated subject to their suitability within the locality.

The proposed land uses will provide a refuelling service to the local and wider community, and motorists travelling through Jerilderie.

In particular, the proposal has been designed to accommodate large vehicles including trucks associated with agricultural land uses surrounding the rural village of Jerilderie.

The proposal will therefore enhance the range of services and facilities within the rural village, in accordance with the Zones objective.

Built Form

The built form components of the proposal are low-scale with the proposed fuel cell having a floor area of 29.6 square metres (i.e. 1.4 percent of the total site area) and the proposed canopy having a maximum height of 6 metres.

The proposed identification sign will also be low-scale with a total height of 2.4 metres, designed to be proportionate and subordinate to the primary buildings on the land.

The remainder of the land will be available for vehicle manoeuvring and landscaping, to ensure the appearance of the land contributes to the locality in an attractive manner.

No maximum building height or floor space ratio applies to the land under JLEP 2012 or JDCP 2012, yet the proposed built form components reinforce the low-scale character of the locality.

Signage

The JDCP 2012 provides prescribed standards that are applicable to commercial development.

With respect to signage, the standards guide that signage is limited to 3 external signs in total.

The proposal includes 1 external sign, being the proposed freestanding identification sign used to identify the proposed land uses and the fuel available.

The proposed sign has an orderly design, is of an appropriate scale and will not impose visual clutter upon the locality. In my view, the proposed sign will not detrimentally affect the character and amenity of the area.

Boundary Setbacks

The JDCP 2012 provides prescribed standards that are applicable to commercial development.

An assessment of the proposal against the applicable boundary setback standards is presented in the table below:

Parameter	Guideline	Proposed	Achieved?
Front Boundary Setbacks	In line with neighbouring developments.	11.5m to fuel cell 8.9m to edge of canopy	Yes
Side Boundary Setbacks	3m	9.3m and 23.3m	Yes
Rear Boundary Setbacks	3m	27.9m	Yes

The proposed boundary setbacks generally comply with the applicable standards.

It is acknowledged that portion of the proposed canopy may project marginally forward of the dwelling at 89 Jerilderie Street, yet the fuel cell below will be in line.

This is considered acceptable given the open side nature of the canopy (i.e. a street facing wall will not project forward of the neighbouring dwelling at 89 Jerilderie Street), coupled with the proposed landscaping areas which will provide a complementary streetscape appearance.

Car Parking

Schedule 1 of the JDCP 2012 provides the following car parking rates for a “service station” and “commercial premises”:

Service station: “10 spaces per work bay”.

Commercial premises / office / showroom: 1 space per 37m² of gross floor area.

It is important to acknowledge the following in considering appropriate car parking rates for the proposal:

- The proposal will be unstaffed. This means that no staff will be on-site for day-to-day activities and therefore dedicated car parking spaces for staff are not required. On occasion, a cleaner or service technician will visit the site.
- The proposal does not include provision of convenience goods. This means that the proposal will only offer a refuelling service and customers will not visit the site for other goods.
- Data has been provided by the applicant for a similar site situated on a major interstate highway. This revealed that the proposal is expected to service approximately 10 vehicles per day.

The proposal therefore only requires car parking spaces to accommodate those vehicles needing to refuel. On this basis, dedicated on-site car parking spaces are not proposed, other than those positioned either side of the proposed fuel cell.

That said, the proposal is provided with ample on-site driveway area for anticipated vehicles to park on-site in the unlikely event that multiple vehicles are refuelling at the same time.

Noting the types of fuel available and the anticipated frequency of vehicles visiting the site (up to 10 per day), queueing within the driveway will be very unlikely.

The scale of the proposal and its usage are not such that dedicated on-site car parking spaces are required and therefore the proposed on-site car parking arrangements are considered sufficient.

Interface between Land Uses

The locality comprises a mixture of land uses, including residential land uses neighbouring the subject land at 89 Jerilderie Street and 14 Bolton Street.

I note the following with respect to the proposals possible impact upon other land uses within the locality.

- The subject land has solid iron fencing along its northern and eastern boundaries which will benefit to contain any impacts from the proposal.
- The proposal is expected to service in the order of 10 vehicles per day.
- The proposed development will not produce smoke, dust, fumes or other air-quality impacts.
- The proposed development will not produce vibration or electrical interference.
- The proposal will not produce odour other than those occurring during refuelling.
- Anticipated noise levels will be limited to the slow movement of vehicles on the land, which is less than that produced by vehicles using Jerilderie or Bolton Street.

All vehicles using the facility must have their engines turned off during refuelling, meaning the only noise during refuelling is that produced by the bowser. The bowser will not make noise when not in use.

The proposed land uses are specifically permitted with consent in the Zone and therefore associated noise levels are also anticipated.

- All lighting will be designed to ensure no unreasonable light spill onto adjacent land. The applicant is happy to accept a condition to this effect.

For these reasons, the proposal and its scale, is sufficiently compatible with surrounding land uses such that it will not impose unreasonable interface impacts.

Other Matters

For information purposes, I also note the following:

- The fuel cell will have a total volume of 62,000 litres of fuel.
- The proposal will store the following types of fuel:
 - Diesel (55,000 litres).
 - AdBlue (7,000 litres).
- A fuel tanker will refill the above ground tank whilst parked beside it.
- The tank and any fuel lines will be double walled and self-contained to prevent the risk of fuel spills.
- The proposal will be equipped with a contaminate separator to ensure fuel is captured in the very unlikely event of a spill.
- The tank will be equipped with leak detection systems. High level audible tank alarms will be installed with alerts also sent to administration at Perry's Fuel Distributors in the very unlikely event of a spill.
- Perry's Fuel Distributors will attend the land in the event of an emergency. In addition, emergency services can be contacted if necessary.
- Any waste collected will be removed by drivers of Perry's Fuel Distributors (dangerous goods licenced vehicles and drivers) and disposed at a licensed waste depot.

Summary

In summary, the proposed development will:

- Provide a land use that supports the rural village of Jerilderie, surrounding agricultural activities and travellers as anticipated by the Zone.
- The proposed development will support the efficient movement of goods and materials throughout the wider locality and regional NSW more generally, by providing an essential refuelling service.
- The proposed development is of a scale that is reasonably compatible with surrounding land uses.

- The proposed development is not sensitive to other development anticipated in the Zone.
- The built form of the proposed development and the scale of the proposed land uses are suitable to the locality and anticipated within the Zone.

For these reasons, the proposed development satisfies the objective of the Zone.

The proposed development is sufficiently consistent with the pertinent policies of the JLEP 2012 and JDCP 2013 and warrants Planning Consent.

Please contact the undersigned on (08) 8333 7999 if you have any queries.

Yours sincerely



Phil Harnett
Senior Consultant

Legend

Subject Site

Cadastre



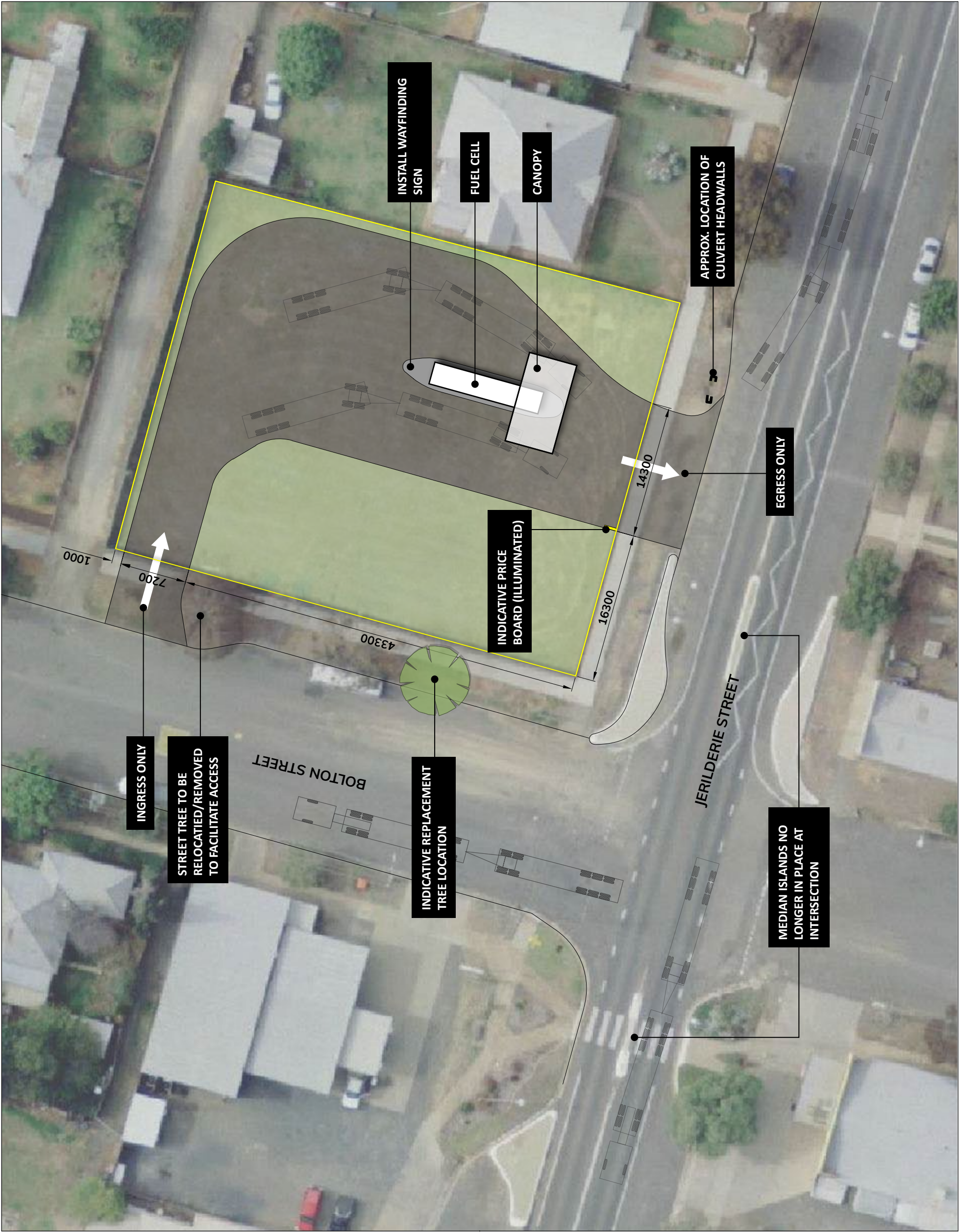
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LOCALITY PLAN

85-87 Jerilderie Street,
Jerilderie

JOB REF.	21ADL-1068
PREPARED BY.	MP
DATE	16.02.22
REVISION	1
DATA SOURCE.	ESRI Imagery





Legend
Subject Site

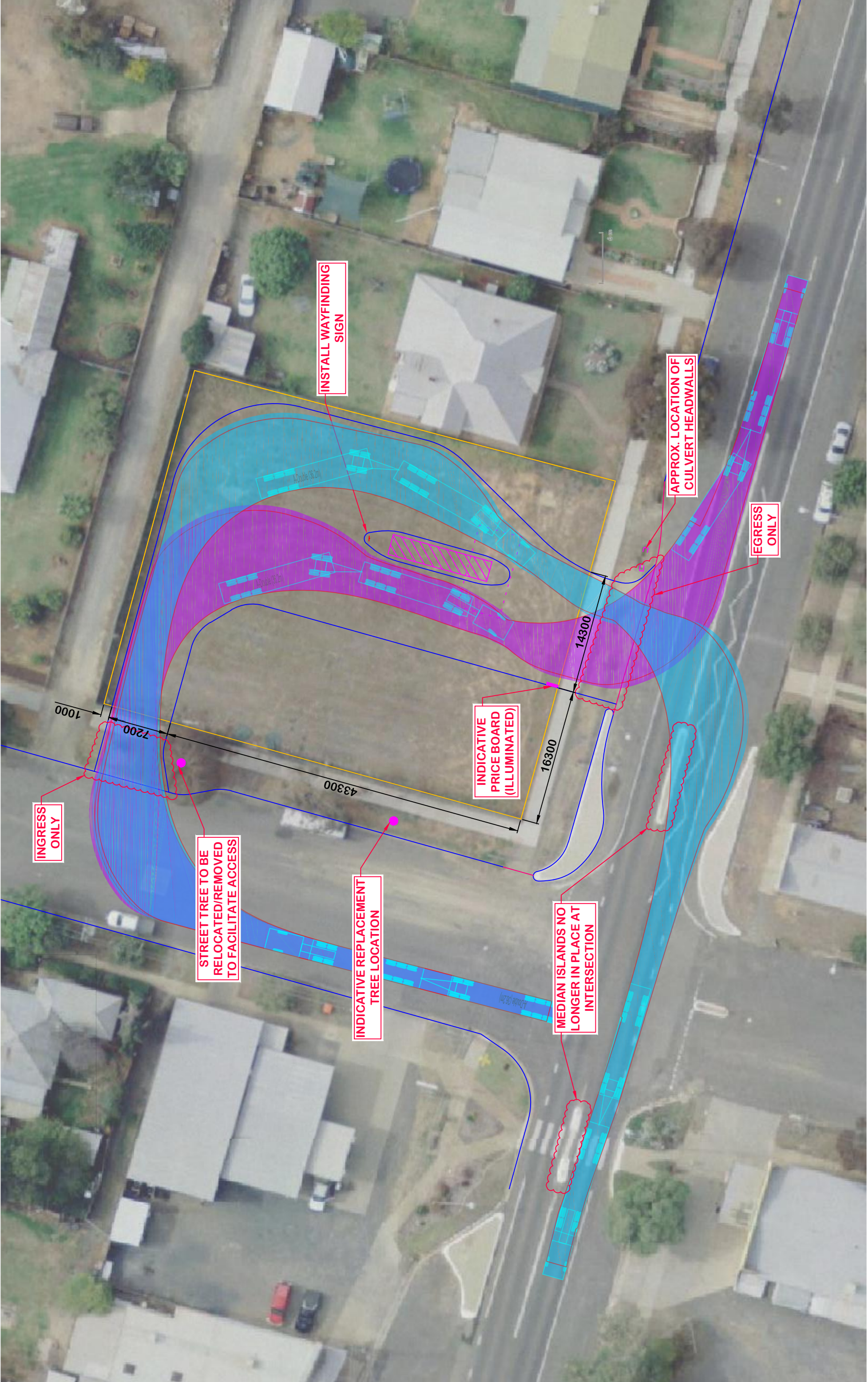


0 5 10 20m
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SITE PLAN

85-87 Jerilderie Street,
Jerilderie

JOB REF.	21ADL-1068
PREPARED BY	MP
DATE	08.02.22
REVISION	1
DATA SOURCE	CIRQA (04.02.2022)

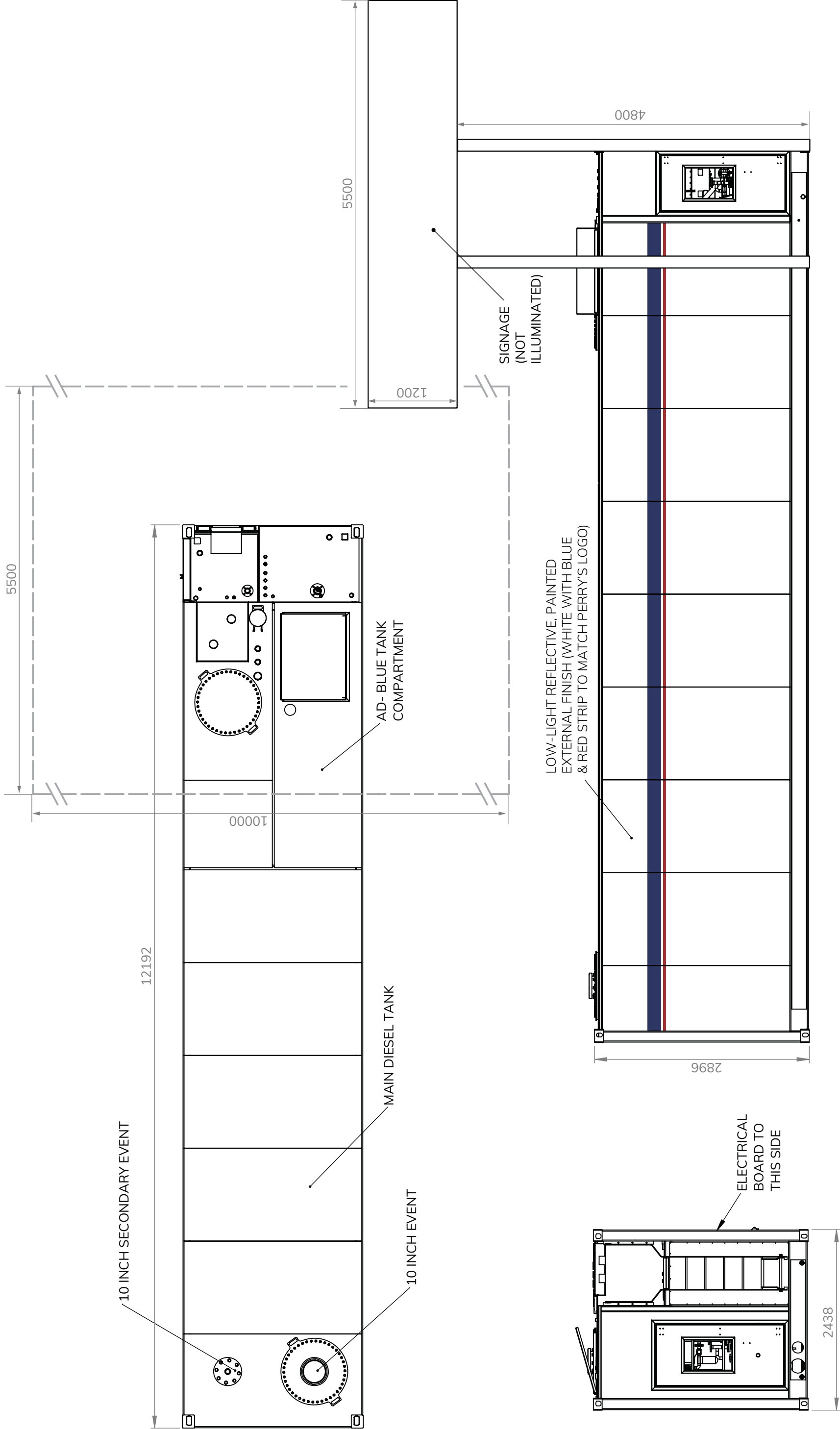


PERRY'S FUEL JERILDERIE
85-87 JERILDERIE STREET, JERILDERIE
DESIGN CONCEPT - OPTION 3 (36.5 m ROAD TRAIN)

 N
1:400
@ A3

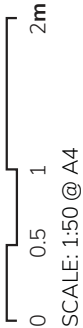
DRAWING AMENDMENTS			
VER	DATE	DESCRIPTION	CHK
A	15/12/2021	DESIGN CONCEPT	TAW
B	04/02/2022	DESIGN UPDATE	TAW
C	04/02/2022	MINOR ADJUSTMENT	TAW

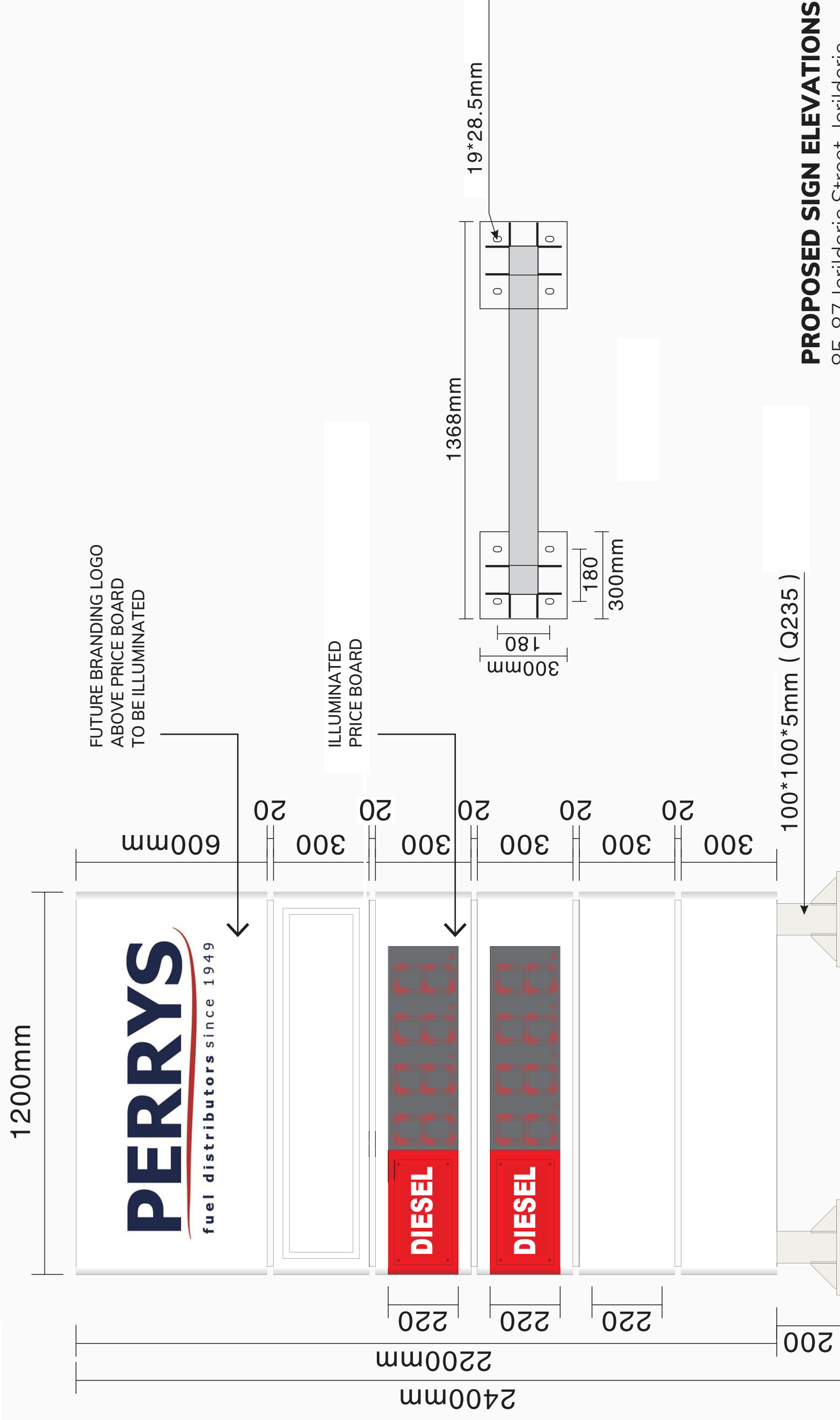
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FUEL CELL AND CANOPY ELEVATIONS 85-87 Jerilderie Street, Jerilderie

JOB REF.	21ADL-1068
PREPARED BY	MP
DATE	07.02.22
REVISION	1
SOURCE	Global Engineering Solutions TOS-40ft AD BLUE

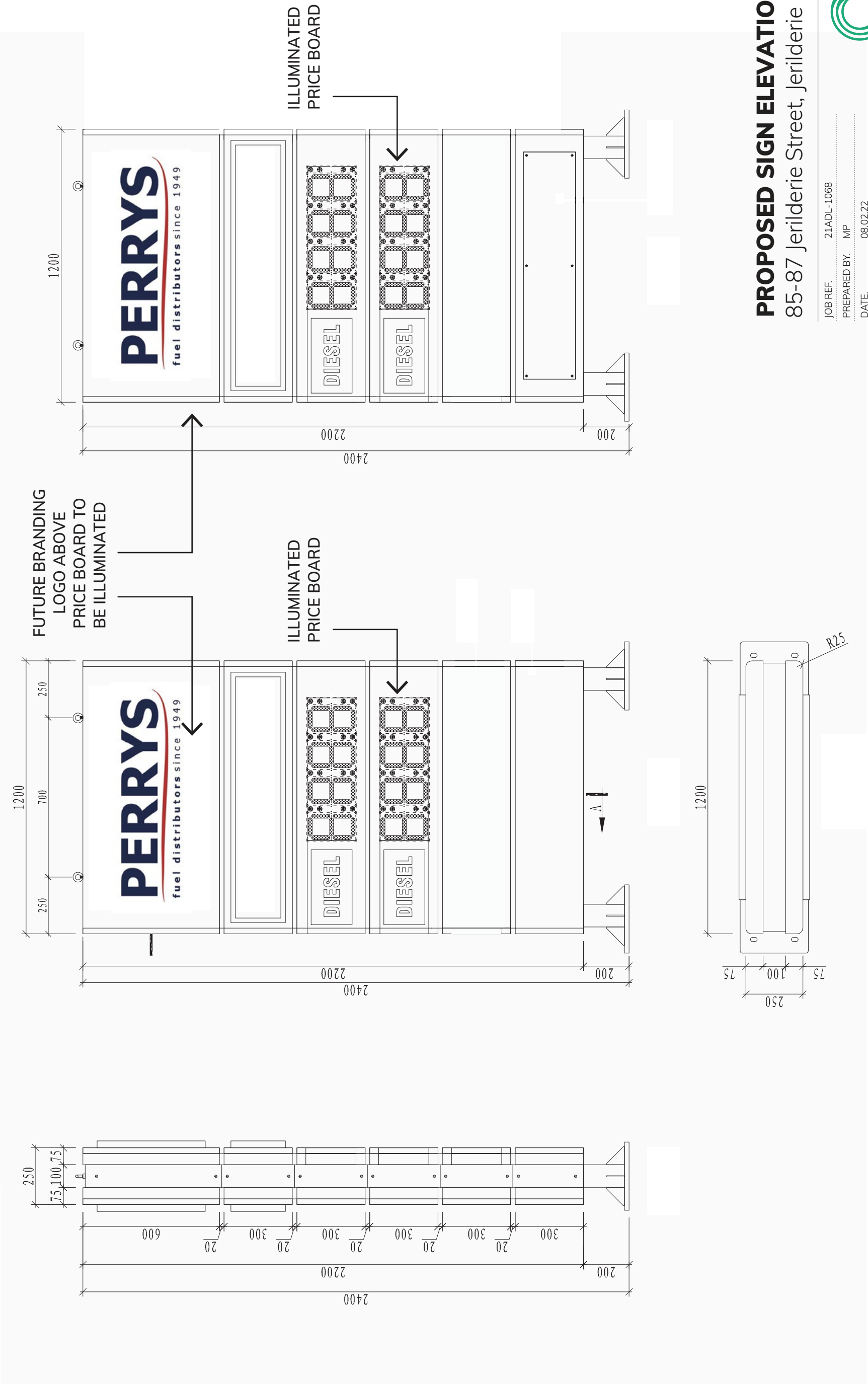




PROPOSED SIGN ELEVATIONS

85-87 Jerilderie Street, Jerilderie





PROPOSED SIGN ELEVATIONS

85-87 Jerilderie Street, Jerilderie

JOB REF.	21ADL-1068
PREPARED BY	MP
DATE	08.02.22
REVISION	1



URPS



Ref: 21509|TAW

27 May 2022

Mr Phil Harnett
URPS
12/154 Fullarton Road
ROSE PARK SA 5067

Dear Phil,

**PROPOSED UNMANNED RETAIL FUEL OUTLET
85-87 JERILDERIE STREET, JERILDERIE
TRAFFIC IMPACT ASSESSMENT**

I refer to the proposed unmanned retail fuel outlet at 85-87 Jerilderie Street, Jerilderie. As requested, I have prepared this Traffic Impact Assessment (TIA) in response to the Request for Additional Information received from the Murrumbidgee Council (dated 8 March 2022). The TIA has been based upon plans prepared by CIRQA which are attached to this letter.

BACKGROUND

The subject site is located on the north-eastern corner of the Jerilderie Street/Bolton Street intersection in Jerilderie. The site is bound by an unnamed laneway to the north, a dwelling to the east, Jerilderie Street to the south and Bolton Street to the west.

The site is currently vacant (undeveloped). Vehicle access to the site is however provided via an access on Jerilderie Street, Bolton Street and the rear laneway. All turning movements are legally permitted at each access.

Jerilderie Street forms the continuation of the Newell Highway through the township of Jerilderie. Adjacent the site, Jerilderie Street comprises an 8.8 m wide carriageway (approx.) with a single eastbound and single westbound traffic lane. Wide sealed shoulders (approx. 4.5 m in width) are provided on both sides of Jerilderie Street, facilitating on-street parallel parking. A 50 km/h speed limit applies on Jerilderie Street adjacent the site.

Traffic data obtained from Transport for NSW (TfNSW) identifies that Jerilderie Street has an Average Daily Traffic Count in the order of 1,950 vehicles, of which approximately 45%

are commercial vehicles. This data was obtained from a counter located approximately 2.8 km east of the subject site.

Bolton Street (adjacent the subject site) comprises a 19.5 m wide (approximate) carriageway, accommodating two-way vehicle movements. On-street parking is permitted on both sides of Bolton Street. A 50 km/h speed limit applies on Bolton Street, albeit reduces to 40 km/h north of the site (during School Zone enforcement periods).

Traffic data is unavailable for Bolton Street, albeit it is expected that traffic volumes on Bolton Street would be below 750 vehicles per day.

Jerilderie Street and Bolton Street intersect at a priority-controlled (Give Way) four-way intersection, at which vehicle movements on Jerilderie Street have priority. All turning movements are permitted at the intersection.

The National Heavy Vehicle Regulator (NHVR) identifies that both Jerilderie Street and Bolton Street are approved routes for Restricted Access Vehicles (RAVs) up to 36.5 m in length (such as Type 1 A-Double Road Trains). However, access by such vehicles is only permitted on Bolton Street from November to May (inclusive). At other times, the largest RAV permitted on Bolton Street is a 26.0 m B-Double.

PROPOSAL

The proposed development comprises the installation of a fuel cell on the subject site. It should be noted that only Diesel and AdBlue products will be able to be purchased (i.e. unleaded fuel, including any of its variants, and LPG will not be available). The site will be unmanned (i.e. no staff regularly employed at the site) with fuel sales managed by a self-serve payment terminal.

The site has been designed to accommodate commercial vehicles (RAVs) up to 36.5 m in length. Such a length is reflective of the largest vehicle permitted to use the adjacent road network.

Vehicle access is proposed to be formalised via an ingress only on Bolton Street and an egress only on Jerilderie Street. The location of the ingress on Bolton Street will require the removal of an existing street tree in order to facilitate appropriate turning movements within the site. It is understood that that the street tree will be replaced with another tree on Bolton Street.

Appropriate sight distances will be achieved to/from the site's access points, in line with the requirements of the Austroads' *"Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections"*. It should also be noted that a driver exiting the site will be able to establish appropriate sightlines to the adjacent Jerilderie Street/Bolton Street intersection, to determine if a vehicle is simultaneously waiting to enter Jerilderie Street

(from Bolton Street). In the event that such a scenario occurs, the Australian Road Rules dictate that the driver exiting from Bolton Street will have right of way over the driver exiting from the subject site. While any potential risk of conflict is considered negligible, it is considered that the Australian Road Rules will appropriately manage such a scenario.

Vehicles accessing the site will be required to enter the site via Bolton Street and exit directly onto Jerilderie Street. The site's one-way flow will be reinforced by 'No Entry' signage installed adjacent the Jerilderie Street egress. All vehicles will be able to be driven to and from the site in a forward direction.

Due to the location of an existing stormwater culvert adjacent the site on Jerilderie Street (eastern side of the site's frontage), turning movements will be limited at the site's egress dependant on which side of the fuel cell the vehicle is driven. Specifically, if a vehicle is driven to the eastern side of the fuel cell, the driver will only be permitted to undertake a right turn movement from the subject site (and vice versa for the western side). In order to forewarn drivers, wayfinding signage will be installed on approach to the fuel cell in order to advise of the turning restrictions. Such an arrangement is considered appropriate noting the site's low peak hour traffic generation (further assessment is provided below).

During development of the site's design, consideration was given to Austroads' "*Guide to Traffic Management – Part 6: Intersections, Intersections, Interchanges and Crossings Management*" with regard to turning treatments for entry into the site. While the assessment tool is technically applicable to intersections only, assessment of the site access (against Figure 3.25 (c)) identified that separated turning treatments are not warranted at the site's ingress.

PARKING ASSESSMENT

The Murrumbidgee Council's "*Jerilderie Shire Development Control Plan*" identifies the following parking requirements applicable to the proposed unmanned retail fuel outlet:

- **Service Station and Convenience Stores** – 10 parking spaces per work bay, plus 5 spaces per 100 m² of convenience store, plus 1 space per 3 seats (if a restaurant is included).

As the proposed unmanned retail fuel outlet comprises neither a work bay or a convenience store, nor a restaurant, the proposed development does not have a parking requirement.

Noting that the site is unmanned (with only Diesel and AdBlue sold), it is not considered that on-site parking will be required. While it is acknowledged that occasional maintenance staff may be required to access the site, such vehicles would be infrequent. Furthermore, maintenance staff would be able to temporarily store their vehicle on-site within the circulation area (with associated temporary traffic cones and warning lights)

while undertaking relevant maintenance work, without obstructing traffic flows through the site.

Notwithstanding, should additional longer-term parking be required, ample on-street parking is provided on Jerilderie Street and/or Bolton Street within the vicinity of the site to accommodate any additional demands.

TRAFFIC ASSESSMENT

The proposed unmanned retail fuel outlet will generate traffic significantly less traffic than that of a typical (manned) service station and, as such, it is not considered appropriate to forecast vehicle movements based upon typical traffic generation rates. This is due to the proposed retail fuel outlet being unmanned, only offering Diesel and AdBlue products, and not providing an on-site convenience store.

In order to forecast traffic movements anticipated to be associated with the site, an empirical assessment has therefore been undertaken. As noted above, Jerilderie Street (within the vicinity of the site) has an average daily traffic volume in the order of 1,950 vehicles per day, of which approximately 45% are commercial vehicles. Assuming that all commercial vehicles are Diesel fuelled, up to 880 potential commercial customers would drive past the site each day.

Furthermore, information obtained from the Bureau of Infrastructure, Transport and Regional Economics (BITRE) indicates that Diesel vehicles comprise approximately 11% of the Australian passenger vehicle fleet (as recorded in the 2016 Australian Census). Based upon a light (passenger) vehicle volume of 1,070 vpd, it is forecast that up to 120 would be Diesel fuelled. In total, it is forecast that up to 1,000 Diesel vehicles (potential customers) would travel past the site on a daily basis.

However, it should be noted that not all vehicles passing the subject site will access the unmanned fuel station. Based upon available traffic generation data (survey and customer data) obtained from a number of retail fuel outlets, it has been identified that fuel stations typically experience daily traffic volumes less than 12% of the site's road frontage volume. Table 1 illustrates the percentage of a site's road frontage volume which access the respective fuel station.

Table 1 – Traffic generation relative to frontage road volumes at fuel stations.

Site	Daily Site Vehicle Movements	Daily Frontage Road Volume	Percentage of Frontage Rd Vol.
Perrys, Ceduna (SA Regional)	≈ 60	1,800	3.3%
Perrys, Bordertown (SA Regional)	≈ 30	3,200	1.0%
OTR, Fullarton (SA Metro)	≈ 2,260	26,600	8.4%
OTR, Surrey Downs (SA Metro)	≈ 1,950	16,700	11.6%
OTR, Thorngate (SA Metro)	≈ 1,550	52,300	2.9%

Source: Perrys and GTA Consultants' "OTR Service Station Generic Parking and traffic Management Report".

It should be noted that all of the site's above (with the exception of Bordertown) currently offer Unleaded, Premium Unleaded and Diesel fuels (i.e. fuels for the vast majority of customers/vehicles passing the site). In addition, each of the On The Run (OTR) stores referenced above have convenience retail stores (offering food and beverage sales), while both Perrys sites are unmanned fuel stations.

Noting that the subject site will only sell Diesel fuel (and AdBlue additive), it is considered appropriate to only consider the relative volume as potential customers (i.e. 1,000 vehicles passing the site each day). Furthermore, the site is anticipated to operate most similarly to that of the Ceduna and Bordertown sites (being an unmanned fuel station in a rural location) and, therefore, the customer percentage derived from the Ceduna site has been adopted (for conservatism).

Based upon 3.3% of the Jerilderie Street Diesel vehicle fleet accessing the subject site, it is forecast that in the order of 33 vehicles would access the site on a daily basis (33 ingress and 33 egress). Taking into consideration typical peak hour percentages (10% of the daily traffic volume), in the order of four (4) peak hour vehicles are conservatively forecast access the site during a peak hour (four (4) ingress and four (4) egress). Such volumes are very low and would be readily accommodated at the site's access points and on the adjacent road network with minimal impact.

It should be reiterated that the vast majority of vehicle movements associated with the site will 'passing trade' (i.e. vehicles already travelling through Jerilderie via the Newell Highway and past the site on Jerilderie Street. This is particularly relevant to commercial vehicle movements travelling interstate and between regions in NSW (intrastate). As such, the traffic volumes forecast to be associated with the site are not considered to be 'new' vehicle movements.

SUMMARY

The proposal comprises the installation of an unmanned fuel cell at 85-57 Jerilderie Street, Jerilderie. The fuel cell will have only Diesel and AdBlue products for sale (with no convenience store offerings) thereby significantly reducing the volume of traffic access the site in comparison to a regular service station.

Vehicle access to the site is proposed via an ingress only on Bolton Street and an egress only on Jerilderie Street. The location of the site's ingress will require that a street tree is removed on Bolton Street, however it is understood that the tree will be replaced.

The site has been designed to accommodate RAVs up to 36.5 m in length. All vehicles will be able to be driven to and from the site in a forward direction. Appropriate sight distances (in line with the requirements of the Austroads Guidelines) will be able to be established at the site's egress.

No designated on-site parking is proposed as part of the development, however based upon the Murrumbidgee Council's *"Jerilderie Shire Development Control Plan"*, no on-site parking is required. Notwithstanding, in the event that a parking demand was realised (associated with maintenance staff), vehicles would be able to be temporarily stored on-site without obstructing traffic flows. Additional on-street parking is also available (albeit is not relied upon) directly adjacent the site.

Based upon data obtained from other unmanned fuel cell sites (also operated by the Client), it is expected that in the order of 33 fuel transactions will occur per day. This equates to a peak hour traffic generation in the order of four (4) ingress and four (4) egress vehicle movements. Such a generation is very low and would be readily accommodated at the site's access points and on the adjacent road network with minimal impact.

Please feel free to contact me on (08) 7078 1801 should you require any additional information.

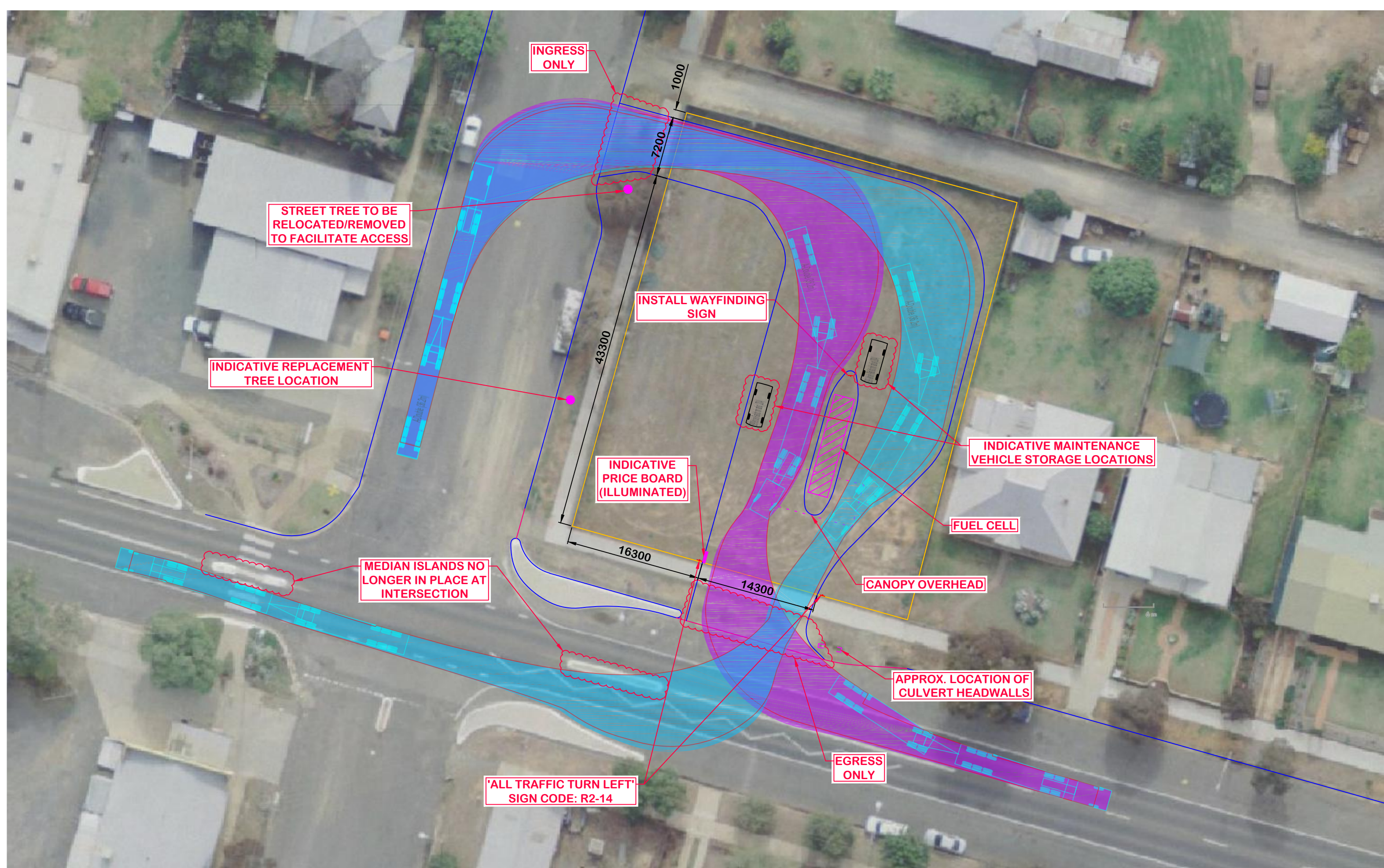
Yours sincerely,



THOMAS WILSON

Associate | CIRQA Pty Ltd

Encl. - Site plans prepared by CIRQA (C21509_01D-SH03, dated 27 May 2022)



DRAWING AMENDMENTS					
VER	DATE	DESCRIPTION	DWN	CHK	
A	15/12/2021	DESIGN CONCEPT	ABH	TAW	
B	04/02/2022	DESIGN UPDATE	ABH	TAW	
C	04/02/2022	MINOR ADJUSTMENT	TAW	TAW	
D	27/05/2022	FOR SUBMISSION	TAW	TAW	



85-87 Jerilderie Street, Jerilderie

Environmental Noise Assessment

S220244RP1 Revision A

Monday, 16 May 2022

Document Information

Project	85-87 Jerilderie Street, Jerilderie
Client	URPS
Report title	Environmental Noise Assessment
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0	5 May 2022	Draft - first issue	Raymond Sim	Sam Johnson
A	16 May 2022	Final	Raymond Sim	Sam Johnson

Glossary

A-weighting	A spectrum adaption that is applied to measured noise levels to represent human hearing. A-weighted levels are used as human hearing does not respond equally at all frequencies.
Ambient noise	The total noise in a given situation, inclusive of all noise source contributions in the near and far field.
Characteristic	Associated with a noise source, means a tonal, impulsive, low frequency or modulating characteristic of the noise that is determined in accordance with the NSW EPA's <i>Noise Policy for Industry</i> to be fundamental to the nature and impact of the noise.
Compliance	The process of checking that source noise levels meet with the noise limits in a statutory context.
Day	Between 7 am and 6 pm as defined in the NPI
dB	Decibel—a unit of measurement used to express sound level. It is based on a logarithmic scale which means a sound that is 3 dB higher has twice as much energy. We typically perceive a 10 dB increase in sound as a doubling of loudness.
dB(A)	dB(A) denotes a single number sound pressure level that includes a frequency weighting ("A-weighting") to reflect the subjective loudness of the sound level. The frequency of a sound affects its perceived loudness. Human hearing is less sensitive at low and very high frequencies, and so the A-weighting is used to account for this effect. An A-weighted decibel level is written as dB(A).
Evening	Between 6 pm and 10 pm as defined in the NPI
Frequency (Hz)	The number of times a vibrating object oscillates (moves back and forth) in one second. Fast movements produce high frequency sound (high pitch/tone), but slow movements mean the frequency (pitch/tone) is low. 1 Hz is equal to 1 cycle per second.
L ₁₀	Noise level exceeded for 10 % of the measurement time. The L ₁₀ level represents the typical upper noise level and is often used to represent traffic or music noise.
L ₉₀	Noise level exceeded for 90 % of the measurement time. The L ₉₀ level is commonly referred to as the background noise level.
L _{eq}	Equivalent Noise Level—Energy averaged noise level over the measurement time.
L _{max}	The maximum instantaneous noise level.
Night	Between 10 pm on one day and 7 am on the following day as defined in the NPI
Noise criteria	The general set of non-mandatory noise levels for protecting against intrusive noise (for example, background noise plus 5 dB) and loss of amenity (e.g. noise levels for various land use).
Noise source	Premises or a place at which an activity is undertaken, or a machine or device is operated, resulting in the emission of noise
NPI	NSW EPA's <i>Noise Policy for Industry</i> .

Rating Background Level (RBL)	The RBL is the overall single figure background level representing each assessment period (day, evening and night) over the whole monitoring period (as opposed to over each 24-hour period used for the ABL). This is the level used for assessment purposes. It is the median value of: • All the day assessment background levels over the monitoring period for the day; • All the evening assessment background levels over the monitoring period for the evening; or All the night assessment background levels over the monitoring period for the night.
RNP	NSW EPA's <i>Road Noise Policy</i>
Sleep disturbance	Awakenings and disturbance of sleep stages.
Sound Power Level (SWL)	The sound power level of a noise source is the sound energy emitted by the source. Notated as SWL, sound power levels are typically presented in <i>dB(A)</i> .
Sound Pressure Level (SPL)	The level of noise, usually expressed as SPL in <i>dB(A)</i> , as measured by a standard sound level meter with a pressure microphone. The sound pressure level in <i>dB(A)</i> gives a close indication of the subjective loudness of the noise.

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1 Introduction

Resonate Consultants (Resonate) has been engaged by URPS on behalf of Perry's Fuel Distributors to prepare a Development Application (DA) Acoustic Report for the proposed unstaffed service station at 85-87 Jerilderie Street, Jerilderie, NSW. This assessment forms part of the DA supporting documentation to be submitted to Murrumbidgee Council for the proposal.

The purpose of this report is to determine operational noise impacts from proposed service station on nearby residential receivers and if necessary, provide acoustic control recommendations so that the proposal may operate in an acoustically compliant manner in accordance with Murrumbidgee Council's requirements.

This report presents Resonate's assessment methodology, noise criteria, and recommended management and mitigation measures in relation to the operational noise emissions from the proposed unstaffed service station.

Specific acoustic terminology is used in this report. An explanation of common acoustic terms is provided in the Glossary.

2 The Proposal

2.1 Proposal description

The proposal is to construct an unstaffed service station at 85-87 Jerilderie Street, Jerilderie, NSW. The proposal would include:

- An unstaffed “service station” land use. Introduction of “commercial premises” use to the site.
- Provision of an above ground fuel cell with built in fuel bowser and payment console. The fuel cell will have a total height of 2.89 metres. The fuel cell will have a total volume of 62,000 litres of fuel and offer Diesel and AdBlue.
- Provision of canopy over the proposed fuel cell and refuelling area. The canopy will have a total height of 6 metres.
- Provision of a price-boards to advertise the fuel available. The price-board will have a total height of 2.4 metres.
- Construction of new crossovers and vehicle manoeuvring areas.
- Removal/replacement of a street tree on Bolton Street.
- The proposed development will be available for use 24 hours per day, 7 days a week.

The site plan of the proposal is presented in Figure 1.

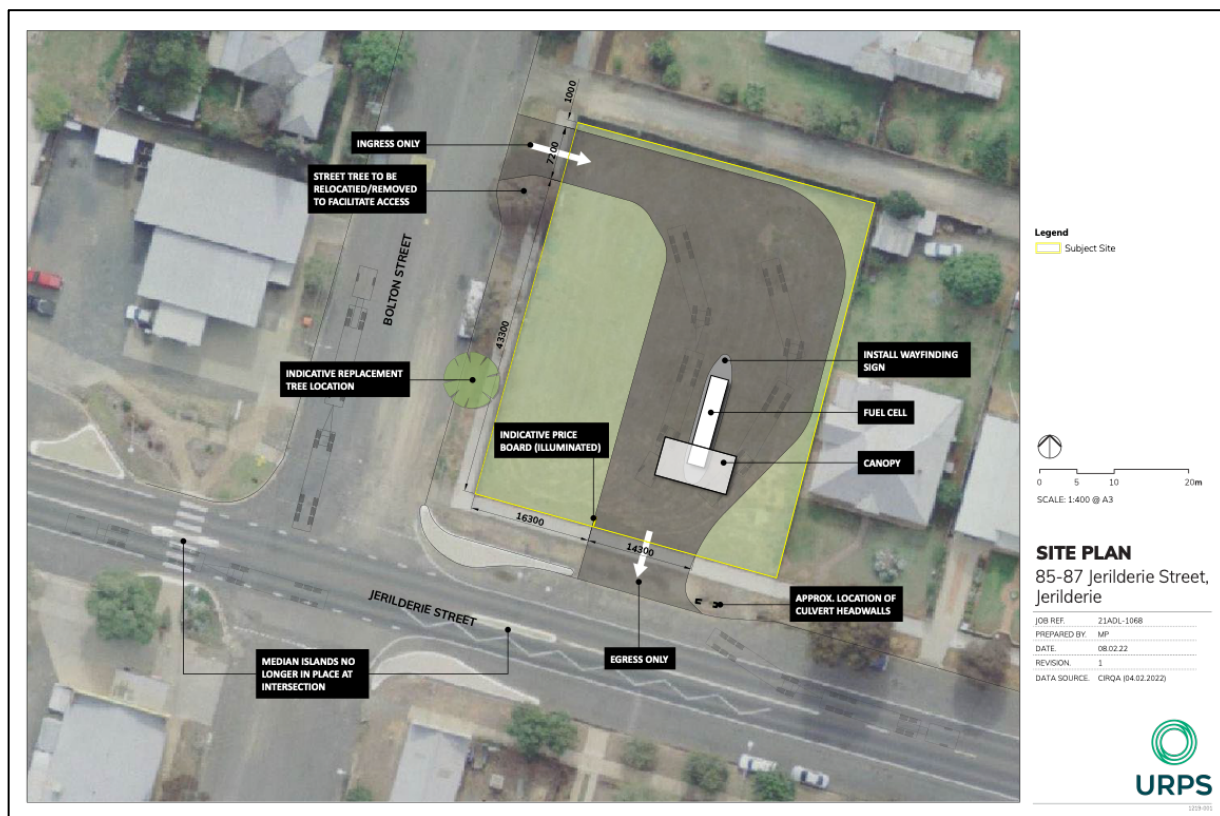


Figure 1: Proposal site plan

2.2 Site description

The proposal is to be located at 85-87 Jerilderie Street, Jerilderie (Allotments 11 and 12 in Deposited Plan 6664), situated in the Murrumbidgee Council Area.

The proposal site is bounded by residential premises to the north and east, Jerilderie Street to the south and Bolton Street to the west. The site location is presented in Figure 1.

The nearest and potentially most affected residences are the adjoining residences to the north (14 Bolton Street) and the east (89 Jerilderie Street), residences to the south across Jerilderie Street (69 and 70 Jerilderie Street) and residences to the west across Bolton Street (19 and 21 Bolton Street). These residential properties have been considered in this assessment and are presented in Figure 2.



Figure 2: Proposal site and nearest residences

3 Noise Criteria

3.1 Murrumbidgee Council's Jerilderie DCP

There is no guidance on noise impact from service stations on noise sensitive land uses in the Murrumbidgee Council's Jerilderie DCP. In the absence of guidance from the DCP, the NSW EPA's *Noise Policy for Industry* (NPI) is considered to be the most appropriate for assessing the proposal.

3.2 Protection of the Environment Operations Act 1997

The main acoustic requirement of Protection of the Environment Operations Act 1997 (POEO Act) is to ensure that "noise is not offensive". The definition for an offensive noise is included below.

offensive noise is:

- d) *that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:*
 - i. *is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or*
 - ii. *interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or*
- e) *that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.*

To determine if a noise source is offensive, a primary consideration is to determine whether the noise source is intrusive. The EPA provides guidelines for external noise emissions from developments in its NPI. The NPI recommends a method which can be used to ascertain the intrusiveness of noise emissions.

3.3 Noise Guide for Local Government

The *Noise Guide for Local Government* (NGLG) prescribes that the offensive noise test be applied to the proposal. The offensive noise test is a subjective assessment of a noise source which aims to evaluate the following matters:

- The loudness of the noise, especially compared with other noise in the area;
- The character of the noise;
- The time and duration of the noise;
- Whether the noise is typical for the area;
- How often the noise occurs; and
- The number of people affected by the noise.

This assessment therefore aims to identify if noise from the proposed service station can be controlled to a level this is not considered offensive.

3.4 Noise Policy for Industry

Responsibility for the control of noise emissions in NSW is typically vested in Local Government and the NSW EPA. The NPI and relevant application notes provide a framework and methodology for deriving limit conditions for project consent and environment protection licence conditions.

The NPI is designed for large and complex industrial sources and outlines processes designed to strike a feasible and reasonable balance between the operations of industrial activities and the protection of the community from noise levels that are intrusive or unpleasant. However, in the absence of existing guidelines or policies for deriving noise criteria for assessing the proposal, the NPI is considered to be the most appropriate for assessing the proposal.

The assessment procedure in terms of the NPI has two components:

- Controlling intrusive noise impacts in the short-term for residences; and
- Maintaining noise level amenity for residences and other land uses.

The NPI measurement and evaluation methodology to quantify existing ambient and background noise levels has been adopted for this assessment.

3.4.1 NPI minimum RBLs

In lieu of noise survey data, the NPI minimum recommended RBLs have been adopted for the purpose of this assessment and are presented in Table 1 below. The RBLs are considered representative of typical rural environments with few surrounding noise sources.

Table 1 Minimum RBLs in accordance with the NPI

Minimum Rating Background Noise Level – dB(A)		
Daytime (0700 am – 1800 pm)	Evening (1800 pm – 2200 pm)	Night-time (2200 pm – 0700 am)
35	30	30

3.4.2 Trigger levels

The NPI describes ‘trigger levels’ which indicate the noise level at which feasible and reasonable noise management measures should be considered. Two forms of noise criteria are provided – one to account for ‘intrusive’ noise impacts and one to protect the ‘amenity’ of particular land uses.

- The intrusiveness of an industrial noise source is generally considered acceptable if the L_{Aeq} noise level of the source, measured over a period of 15 minutes, does not exceed the background noise level by more than 5 dB. Intrusive noise levels are only applied to residential receivers. For other receiver types, only the amenity levels apply.
- To limit continual increases in noise levels from the use of the intrusiveness level alone, the ambient noise level within an area from all industrial sources should remain below the recommended amenity levels specified in the NPI for that particular land use.

In accordance with the NPI, noise impact should be assessed against the project noise trigger level which is the lower value of the project intrusiveness noise level and project amenity noise level.

3.4.3 Intrusiveness noise criteria

According to the NPI, the intrusiveness of a noise source may generally be considered acceptable if the equivalent continuous (energy-average) A-weighted level of noise from the source (represented by the $L_{Aeq,15min}$ descriptor) does not exceed the background noise level measured in the absence of the source by more than 5 dB(A). The project intrusiveness noise level, which is only applicable to residential receivers, is determined as follows:

$$L_{Aeq,15minute} \text{ Intrusiveness noise level} = \text{Rating Background Level ('RBL')} \text{ plus } 5\text{dB(A)}$$

Based on the NPI minimum background noise levels (see Table 1) and the proposed operating hours of the proposal, the intrusiveness noise levels for the nearest affected residential receivers are reproduced in Table 2.

Table 2: Intrusiveness noise level, dB(A)

Receiver	Intrusiveness noise level, $L_{Aeq,15min}$, dB		
	Day ⁽¹⁾	Evening ⁽²⁾	Night ⁽³⁾
Residences	(35 + 5 =) 40	(30 + 5 =) 35	(30 + 5 =) 35

(1) Day: 07:00-18:00 Monday to Saturday and 08:00-18:00 Sundays & Public Holidays

(2) Evening: 18:00-22:00 Monday to Sunday & Public Holidays

(3) Night: 22:00-07:00 Monday to Saturday and 22:00-08:00 Sundays & Public Holidays

3.4.4 Amenity noise criteria

The project amenity noise levels for different time periods of the day are determined in accordance with Section 2.4 of the NPI. The NPI recommends amenity noise levels ($L_{Aeq,period}$) for various receivers including residential, commercial and industrial receivers and sensitive receivers such as schools, hotels, hospitals, churches and parks. These “recommended amenity noise levels” represent the objective for total industrial noise experienced at a receiver location. However, when assessing a single industrial development and its impact on an area, “project amenity noise levels” apply.

The recommended amenity noise levels applicable for the study areas are reproduced in Table 3 below, based on a ‘residential - suburban’ noise amenity area.

Table 3: Project amenity noise levels, dB(A)

Type of receiver	Noise amenity area	Time of day	Recommended amenity noise level $L_{eq,period}^{(1)}$	Project specific amenity noise level $L_{eq,15min}^{(5)}$
Residences R1 to R34	Suburban	Day ⁽²⁾	55	53
		Evening ⁽³⁾	45	43
		Night ⁽⁴⁾	40	38

(1) The project specific amenity noise level is the recommended Amenity Noise Level minus 5 dB and has been converted to a 15-minute level by applying a +3 dB correction

(2) Day: 7:00 to 18:00 Monday to Saturday and 8:00 to 18:00 Sundays & Public Holidays

(3) Evening: 18:00 to 22:00 Monday to Sunday & Public Holidays

(4) Night: 22:00 to 7:00 Monday to Saturday and 22:00 to 8:00 Sundays & Public Holidays

(5) The L_{Aeq} index corresponds to the level of noise equivalent to the energy average of noise levels occurring over a measurement period.

3.4.5 Project specific noise criteria

The project specific noise criteria for noise generated by the proposal in accordance with the NPI are determined by the lowest value of the intrusiveness or project amenity noise criteria for each period. The project specific noise criteria for assessing the proposal at surrounding residential receivers are presented below in Table 4.

Table 4: NPI noise criteria (suburban amenity area)

Receiver	Period	Noise level – dB(A)			
		Recommended amenity noise level L_{eq}	Assumed background noise level	Project noise trigger level $L_{eq(15\text{minute})}$	
				Intrusiveness	Amenity ⁽³⁾
Residential	Daytime	55	35 ⁽²⁾	40	53
	Evening	45	30 ⁽²⁾	35	43
	Night-time	40	30 ⁽²⁾	35	38

(1) RBL = Rating Background Level

(2) The minimum RBL as per the NPI has been adopted

(3) The project amenity noise level is the suburban amenity noise level minus 5 dB(A) to account for existing industrial sources and plus 3 dB(A) to convert from a period to a 15-minute level.

3.5 Sleep disturbance criteria

3.5.1 Noise Policy for Industry

As stated in the NPI the potential for sleep disturbance from maximum noise level events generated by premises during the night-time period needs to be considered. The term “sleep disturbance” is considered to be both awakenings and disturbance to sleep stages.

To evaluate potential sleep disturbance or awakening issues associated with the operation of the proposal the NPI screening method has been adopted as follows. There is limited potential for sleep disturbance or awakening issues to occur, where:

- The predicted project night-time noise level ($L_{eq, 15\text{ minute}}$ in dB(A)) at any residential receptor remains below 40 dB(A) (or the prevailing night-time background noise level plus 5 dB(A)), whichever is the greater.
- The predicted project night-time noise level (L_{max} in dB(A)) at any residential receptor remains below 52 dB(A) (or the prevailing night-time background noise level plus 15 dB(A)), whichever is the greater.

These screening method features have been adopted for likely maximum noise level events from the operation of the proposal.

In accordance with the NPI, the sleep disturbance noise criteria for assessing the proposal are presented in Table 5 below.

Table 5 Sleep disturbance noise criteria

Receiver Type	$L_{eq, 15\text{minute}}$ dB(A)	L_{max} dB(A)
Residential receivers	40	52

3.5.2 NSW Road Noise Policy

Section 5.4 of the EPA's *NSW Road Noise Policy* states:

“Further studies by the enHealth Council (2004) and the guidelines published by the World Health Organisation (1999) were reviewed and analysed in terms of the guidance on noise exposure and sleep disturbance. The enHealth report states that:

'as a rule, for planning for short-term or transient noise events, for good sleep over 8 hours the indoor sound pressure level measured as a maximum instantaneous value should not exceed approximately 45 dB(A) L Max more than 10 or 15 times per night'."

3.5.3 Environmental Criteria for Road Traffic Noise

Appendix B5 of the NSW EPA's *Environmental Criteria for Road Traffic Noise* (ECRTN) reviews the current level of knowledge and concludes that maximum internal noise levels below 50–55 dBA are unlikely to cause awakening reactions, and that one or two noise events per night with maximum internal noise levels of 65–70 dBA are not likely to affect health and wellbeing significantly.

4 Noise Assessment

Service station operational noise may generate adverse noise impacts at nearby residential receivers. This section details the assessment of the potential for noise impacts from the proposed service station operation. Noise impacts predicted at the identified nearest residential receivers have been assessed against the NPI project specific noise criteria.

4.1 Noise assessment methodology

Potential operational noise impacts from the proposal at surrounding receptors have been modelled using the ISO 9613-2 algorithm within SoundPLAN v8.2. This method is commonly used and accepted by regulatory agencies in NSW.

Terrain has been based on 1 metre LIDAR scans of the area sourced from NSW Spatial Services. Noise sources and receivers have been based on aerial imagery sourced from Google Maps. Building footprints and heights have been based on a combination of aerial imagery, street level photography and site inspections. The parameters adopted in the noise modelling are presented in Table 6 below.

Table 6: Operational noise modelling parameters

Parameter	Input data
Buildings	- Footprints taken from aerial photography - Typical building heights have been estimated from Google Street-view and site inspections as follows: per floor 3 m. - Number of floors observed from site inspections and desktop survey.
Terrain	1 metre ground contours from NSW Spatial Services.
Ground surface / absorption	The proposal site has been modelled with a ground cover factor of 0.6 representative of 'mixed' ground.
Receivers	6 nearest and potentially most affected residential receivers have been modelled as point receivers. Receivers are set at a height of 1.5 metres above ground.
Sources	Noise emission scenarios and sources associated with the operation of the proposal as detailed in Section 4.2.
Existing residential boundary fences	Existing fences along the north and eastern boundaries of residential properties have been set at a height of 1.8 metres above ground. Existing fences modelled have been based on desktop survey.
SoundPLAN module	ISO 9613-2:1996 industrial module for outdoor noise propagation.
Noise contours	The noise contours height has been set at 1.5 metres.
Meteorological condition	Due to the close proximity of the proposal site and surrounding residences, only neutral meteorological condition has been modelling. Neutral meteorological condition in accordance with the NPI has been applied to the noise model: - Evening: stability category D with wind speed of 0.5 m/s. - Wind direction – worst-case source to receiver direction. 70% relative humidity. 10°C temperature. 1013.3 mbar air pressure.

4.2 Operational scenarios and sound power levels

Noise emissions from operation of the proposal have been assessed for indicative worst case 15 minute periods for respective day and evening/night time operations outlined below. The operational scenarios below are based on the predicted number of additional trips generated by the proposal, that being a total of 10 additional car and truck through the site. On this basis, the peak daytime, evening and night-time operations below are indicative of worst case noise emission scenarios from the site for a given 15 minute period.

The daytime operational scenario includes:

- 2 truck movements through the petrol filling area per 15 minute period. It is expected that each truck will idle for 10 seconds per 15 minute period.
- 2 trucks releasing air brakes for 1 seconds per 15 minute period.
- 2 trucks accelerating for a couple of seconds in a 15 minute period.

The evening/night time operational scenario includes:

- 1 truck movements through the petrol filling area per 15 minute period. It is expected that each truck will idle for 10 seconds per 15 minute period.
- 1 truck releasing air brakes for 1 seconds per 15 minute period.
- 1 truck accelerating for a couple of seconds per 15 minute period.

The frequency of truck movements is based on pump data from a similar Perrys unmanned fuel cell in Bordertown. The Bordertown site is on a busier road and has less competition from other fuel outlets, and therefore serves as a conservative representation of the likely usage from the proposed site at Jerilderie. The data shows an average of 9 vehicles per day over the month of May 2021, with the majority of these being trucks, based on the quantity of fuel sold.

Although there would also be cars and motorcycles refuelling at the services station, truck noise emissions are higher and hence, have been modelled as it would provide the worst case scenarios for the assessment of the proposed service station operations.

Noise levels for the movement of trucks through the site were obtained from Resonate's database. Additional noise measurements and observations of truck filling activity were undertaken at the MOBIL Dublin / PERRYS retail fuel outlet at Lot 1 Port Wakefield Road, Dublin in South Australia, to inform the sound power levels used in this assessment. A summary of the source levels is provided in Table 7.

Table 7: Operational noise sources sound power levels

Operational source	Source duration	Individual Sound Power Level, dB(A)	
		L_{eq}	$L_{max}^{(1)}$
Truck moving at 10 km/hr ⁽²⁾	7.5 minutes	88	91
Truck accelerating	5 seconds	105	108
Truck idling	10 seconds	101	101
Truck air brake release ⁽²⁾	2 seconds	115	115
Truck door closing	1 second	98	98

(1) L_{max} sound power levels are used for predicting L_{max} noise impacts at residences to be assessed against sleep disturbance criteria.

(2) A +5 dB adjustment will be applied to the sound power level for night-time noise predictions as the noise characteristic of this plant has been deemed to be intermittent.

4.3 Predicted noise levels

This section presents an overview of predicted operational noise levels for the two scenarios.

4.3.1 Daytime operational scenario noise predictions

The predicted noise levels of the daytime operational scenario are presented in Table 8 and the noise contours are presented in Figure 3.

Table 8: Daytime scenario predicted noise levels

Receiver ID	Address	Predicted L_{Aeq} noise level - dB	Compliance with 40 dB(A) daytime criteria
R1	89 Jerilderie Street	40	✓
R2	70 Jerilderie Street	34	✓
R3	68 Jerilderie Street	36	✓
R4	19 Bolton Street	35	✓
R5	21 Bolton Street	33	✓
R6	14-16 Bolton Street	32	✓

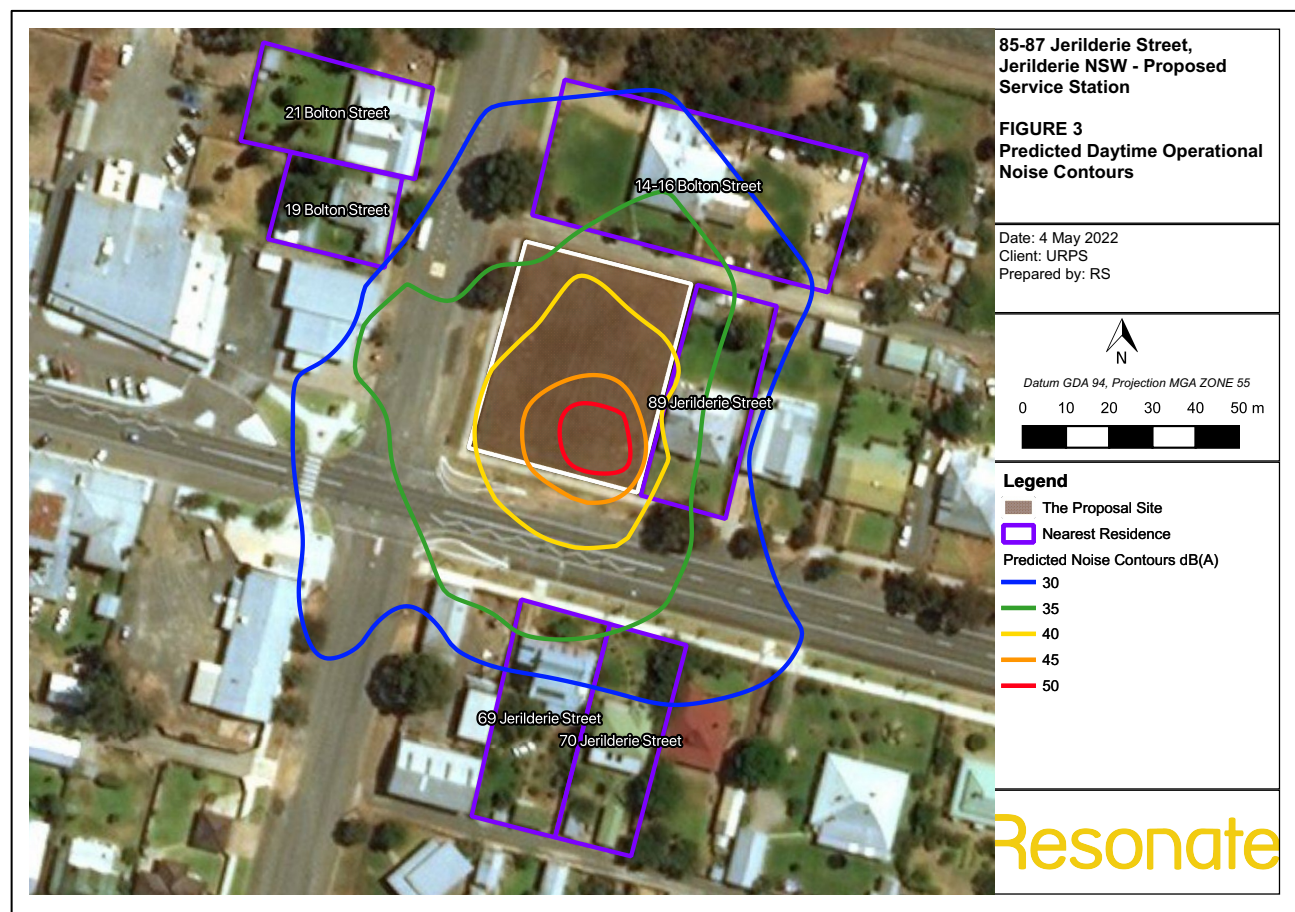


Figure 3: Daytime operational noise contours

Based on the results presented above, the daytime operation of the proposal is predicted to comply with the NPI daytime noise criteria.

4.3.2 Evening / night-time operational scenario noise predictions

The predicted noise levels of the daytime operational scenario are presented in Table 9 and the noise contours are presented in Figure 4.

Table 9: Evening / night-time scenario predicted noise levels

Receiver ID	Address	Predicted L_{Aeq} noise level - dB	Compliance with 35 dB(A) evening / night-time criteria
R1	89 Jerilderie Street	35	✓
R2	70 Jerilderie Street	31	✓
R3	68 Jerilderie Street	33	✓
R4	19 Bolton Street	32	✓
R5	21 Bolton Street	31	✓
R6	14-16 Bolton Street	29	✓



Figure 4: Evening / night-time operational noise contours

Based on the results presented above, the evening / night-time operation of the proposal is predicted to comply with the NPI evening and night-time noise criteria. The predicted night-time operational noise levels at the nearest residential receivers are also compliant with the sleep disturbance L_{eq} 40 dB(A) criteria.

4.3.3 L_{max} operational noise predictions

Based on the assumed operational noise sources outlined in Section 4.2, the L_{max} noise level is controlled by noise emissions from truck air brake release. The predicted L_1 noise levels at the nearest receivers are presented in Table 10.

Table 10: Predicted L_{max} noise levels

Receiver ID	Address	Predicted L_{max} noise level – dB(A)	Compliance with 52 dB(A) L_{max} noise criteria
R1	89 Jerilderie Street	70	X
R2	70 Jerilderie Street	67	X
R3	68 Jerilderie Street	69	X
R4	19 Bolton Street	69	X
R5	21 Bolton Street	67	X
R6	14-16 Bolton Street	64	X

Based on the above exceedances of the sleep disturbance L_{max} criteria at surrounding residences, the EPA recommends that a detailed maximum noise level event assessment should be undertaken.

It is recommended that a 3.5 metre high solid noise barrier be constructed along the northern and eastern boundaries of the proposal site.

A reduction of approximately 10 dB occurs from outside to inside with windows partially open. With this consideration in mind and taking into account the recommended 3.5 metre high barrier, the predicted internal level from truck air brake release is shown in Table 11.

Table 11: Predicted L_{max} internal noise levels

Receiver ID	Address	Predicted L_{max} internal noise level – dB(A)
R1	89 Jerilderie Street	52
R2	70 Jerilderie Street	57
R3	68 Jerilderie Street	59
R4	19 Bolton Street	59
R5	21 Bolton Street	57
R6	14-16 Bolton Street	52

The ECRTN concludes that maximum internal noise levels below 50 to 55 dB(A) are unlikely to cause awakening reactions, and that one or two noise events per night with maximum internal noise levels of 65 to 70 dB(A) are not likely to affect health and wellbeing significantly.

The enHealth Council (2004) report states that:

'as a rule, for planning for short-term or transient noise events, for good sleep over 8 hours the indoor sound pressure level measured as a maximum instantaneous value should not exceed approximately 45 dB(A) L_{max} more than 10 or 15 times per night'.

Although the predicted internal noise levels are above 45 dB(A), it is understood that there will not be more than 10 truck events in any one night. Adding to that, the predicted L_{max} internal noise levels are well below the 65 to 70 dB(A) maximum internal noise levels. Therefore, the operational night-time L_{max} noise levels are not likely to affect health and wellbeing significantly, provided the noise control recommendation presented in Section 4.4 is implemented.

4.4 Noise control recommendation

In order to reduce the maximum noise impact from the proposal to the nearest receivers, the following noise control measures is recommended:

- Construct 3.5 metre high boundary fence along the northern and eastern boundaries of the site.
- The fence should be constructed along the full length of the northern boundary.
- Due to streetscape requirements, the fence along the eastern boundary should be constructed from the north-east corner of the site up to where the existing fence end at Jerilderie Street.
- The fence should be solid with no gaps between panels or at the base, and maybe constructed of Colourbond steel, Prespex, glass or alternative material or a combination of the forementioned with minimum surface density of 10 kg/m².

The location and extent of the fence is shown in Figure 5.



Figure 5: Recommended 3.5m high noise fence

5 Conclusion

An environmental noise impact assessment has been undertaken for the proposed unstaffed service station to be located at 85-87 Jerilderie Street, Jerilderie.

This assessment has demonstrated that, with the noise mitigation treatments detailed in this report, the noise emissions from the operation of the proposed development will be able to comply with the relevant environmental noise criteria.

On this basis the proposed development will be able to operate within the relevant noise provisions in the NSW EPA's *Noise Policy for Industry* requirements.

Perry's Fuel Distributors
21ADL-1068
23 June 2022

Hazards Analysis

85-87 Jerilderie Street, Jerilderie

Hazards Analysis

23 June 2022

Lead consultant

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We acknowledge the Kaurna People as the Traditional Custodians of the land on which we work and pay respect to their Elders past, present and emerging.

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1.1 Introduction

In connection with Perry's Fuel Distributors, I hereby provide this Hazards Analysis as previously requested in relation to PAN-197711 for a service station at 85-87 Jerilderie Street, Jerilderie.

1.2 Purpose

You have stated:

"The provisions of SEPP (Resilience and Hazards) 2021 applies to the development, and you are directed to Part 2 & 3 of the policy in respect to hazardous or offensive development and potentially hazardous or offensive development. Council will require a revised SEE and a preliminary hazard analysis ("PHA") that addresses the current circulars and guidelines, published by the Department of Planning".

The purpose of this Hazards Analysis is to identify and assess the hazards and risks associated the proposal, as explained below.

1.3 Background and Proposal

The subject land is 85 to 87 Jerilderie Street, Jerilderie in which the Jerilderie Local Environmental Plan 2012 (JLEP 2012) applies to development.

We have previously explained that the proposed development is for:

- A "service station".
- A "commercial premises".

The proposed "service station" and "commercial premises" land uses are defined below by the JLEP 2012 as follows:

"Service station means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following—

- (a) the ancillary sale by retail of spare parts and accessories for motor vehicles,*
- (b) the cleaning of motor vehicles,*
- (c) installation of accessories,*
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),*
- (e) the ancillary retail selling or hiring of general merchandise or services or both".*

"Commercial premises means any of the following—

- (a) business premises,*
- (b) office premises,*
- (c) retail premises".*

1.4 General Development Assessment

We have previously explained that the subject land is located within the RU5 Village Zone (the Zone) of JLEP 2012 and the JDCP 2012.

The objective of the Zone is to provide “a range of land uses, services and facilities that are associated with a rural village”.

The proposed land uses are permitted with consent in the Zone and are therefore anticipated subject to their suitability within the locality.

The proposed land uses will provide a refuelling service to the local and wider community, and motorists travelling through Jerilderie.

In particular, the proposal has been designed to accommodate large vehicles including trucks associated with agricultural land uses surrounding the rural village of Jerilderie.

The proposal will therefore enhance the range of services and facilities within the rural village, in accordance with the Zones objective.

The proposal is an anticipated form of development in the Zone despite comprising the storage of fuel.

1.5 Definitions for the Purpose of Hazards Analysis

The proposal is not a form of “industry” or an “industrial activity” which are defined separately by the JLEP 2012 as follows:

“Industry means any of the following—

- (a) general industry,
- (b) heavy industry,
- (c) light industry,

but does not include—

- (d) rural industry, or
- (e) extractive industry, or
- (f) mining”.

“Industrial activity means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity”.

The proposal is not a type of “industrial activity” because it is simply for the holding and sale of fuel. The proposal does not include the manufacture (or the other words as per the definition) of any goods, substances, food, products, or articles.

“General”, “heavy” and “light industry” are also defined by the JLEP 2012 as follows:

“General industry means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity”.

“Heavy industry means a building or place used to carry out an industrial activity that requires separation from other development because of the nature of the processes involved, or the materials used, stored or produced, and includes—

- (a) hazardous industry, or
- (b) offensive industry.

It may also involve the use of a hazardous storage establishment or offensive storage establishment”.

“Light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following—

- (a) high technology industry,
- (b) home industry,
- (c) artisan food and drink industry,
- (d) creative industry”.

The proposal is not a general, heavy or light industry as it does not include an “industrial activity”.

Chapter 3, Part 3.1 of the State Environmental Planning Policy (Resilience and Hazards) 2021 further define “potentially hazardous industry” and “potentially offensive industry” as follows:

“Potentially hazardous industry” means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality--

(a) to human health, life or property, or

(b) to the biophysical environment,

and includes a hazardous industry and a hazardous storage establishment.

“potentially offensive industry” means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.

The proposal does not qualify as either a potentially hazardous or offensive industry as it is not for the purposes of any “industry”.

Chapter 3, Part 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021 explains that a “hazardous industry” or “offensive industry” is to be taken to be a reference to development for the purposes of an industry. Once again, the proposal does not achieve these as it is not a form of “industry”.

Chapter 3, Part 3.1 of the State Environmental Planning Policy (Resilience and Hazards) 2021 further defines “hazardous industry”, “hazardous storage establishment”, “offensive industry” and “offensive storage establishment” as follows:

“Hazardous industry means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality—

(a) to human health, life or property, or

(b) to the biophysical environment”.

“Hazardous storage establishment means any establishment where goods, materials or products are stored which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the establishment from existing or likely future development on the other land in the locality), would pose a significant risk in relation to the locality—

(a) to human health, life or property, or

(b) to the biophysical environment”.

“Offensive industry means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality”.

“Offensive storage establishment means any establishment where goods, materials or products are stored which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the establishment from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality”.

Once again, the proposal does not comprise a form of industry.

Likewise, the intent of the proposal is not intended for the storage of hazardous materials, but rather for the holding and retail sale of fuel. Therefore, it is arguable whether the proposal forms a “hazardous storage establishment”.

Notwithstanding this, the measures explained below will be implemented to ensure all hazards are appropriately managed.

1.6 Hazards Identification and Measures

The following hazards have been identified in liaison with Perry's Fuel Distributors, who have been distributing and operating service stations since 1949:

- General considerations (vehicle movements, movement of proposed buildings, smoke, dust, fumes, air-quality, electrical interference, odour).
- Fuel storage and transfer.
- Fuel spills.
- Fire.
- Noise.

Each of these matters are addressed under their respective headings below.

1.6.1 General Considerations

The locality comprises a mixture of land uses, including residential land uses neighbouring the subject land at 89 Jerilderie Street and 14 Bolton Street.

I note the following with respect to the proposals possible hazard upon other land uses within the locality.

- The proposal is expected to service approximately 10 vehicles per day. This number is based on similar type facilities throughout Australia and is considered a very low volume of traffic.
- Vehicles will be speed limited given the nature of the site (i.e. required turning manoeuvres) however also through identification signs designed to inform motorists of the speed limit within the land.
- The proposed development will be fixed to the ground in accordance with the Building Code of Australia to ensure it cannot move.
- The proposed development will not produce smoke, dust, fumes or other air-quality impacts.
- The proposed development will not produce vibration or electrical interference.
- The proposal will not produce odour other than those occurring during refuelling.

1.6.2 Fuel Storage and Transfer

Please note the following in relation to fuel storage and spills:

- The fuel cell will have a total volume of 62,000 litres of fuel.
- The proposal will store the following types of fuel:
 - Diesel (55,000 litres).
 - AdBlue (7,000 litres).
- A fuel tanker will refill the above ground tank whilst parked beside it.
- Likewise, customers will refuel their own vehicles while parked beside the proposed storage tank.

The following measures will be applied to the proposal to ensure the safe storage and transfer of fuel:

- The tank and any fuel lines will be double walled and self-contained to prevent the risk of leaks or fuel spills. These features will satisfy all applicable Australian Standards.
- The tank will be equipped with leak detection systems. High level audible tank alarms will be installed with alerts also sent to administration at Perry's Fuel Distributors in the very unlikely event of a spill.
- Perry's Fuel Distributors will attend the land in the event of an emergency. In addition, emergency services can be contacted if necessary.
- A first response service provider who has the relevant experience will also be responsible for emergencies (ISS Solutions - ISS First Response (iss-solutions.com.au)). ISS Solutions serve numerous fuel distributors.

1.6.3 Fuel Spills

Perry's Fuel Distributors has been operating since 1949 and has not encountered fuel spills at their any of their sites.

Notwithstanding this, the following measures will be applied to the proposal to ensure fuel is suitably captured and managed in the event of a spill:

- The system used to fill vehicles will not allow the pump to start pumping fuel if the hoses are not properly connected. Magnets contained within the hoses must be physically connected to initiate operation of the pumps. Connection of these magnets confirms that the hoses are properly connected, and that a spill cannot occur.

Therefore, I understand it is almost impossible to spill fuel while transferring from the tank to vehicles and vice versa.

- All refuelling will occur over an impervious surface which is graded to sumps. This ensures that any fuel that falls in the refuelling area is captured with no risk of it leaving the land or soaking into the ground.
- The proposal will be equipped with a contaminate separator to ensure fuel is captured in the very unlikely event of a spill.

Any fuel that lands in the refuelling area will be drained to the sumps and onward to the contaminate separator which reduces oil content to less than 5 milligrams per litre.

- Any waste collected within the contaminate separator will be removed by drivers of Perry's Fuel Distributors (dangerous goods licenced vehicles and drivers) and disposed at a licensed waste depot.
- In the event of a spill, the leak detection system will alert management at Perry's Fuel Distributors who will attend the land in the event of an emergency. In addition, emergency services can be contacted if necessary.
- A first response service provider who has the relevant experience will also be responsible for emergencies (ISS Solutions - [ISS First Response \(iss-solutions.com.au\)](http://iss-solutions.com.au)). ISS Solutions serve numerous fuel distributors.

- All lighting will be designed to ensure no unreasonable light spill onto adjacent land. The applicant is happy to accept a condition to this effect.

1.6.4 Fire

The fuel stored cannot be accessed by the public without direct transfer to their vehicle, as explained above.

Further the tank and any fuel lines will be double walled to ensure they cannot be penetrated.

This means that the fuel cannot be touched or interacted with in a manner may set it on fire.

I further note the following:

- Vehicles will have their engines turned off during refuelling.
- The use of lighters, matches or cigarettes at a service station is illegal.
- Signs will be installed beside the bowsers to reinforce that mobile phones should not be used during refuelling.

1.6.5 Noise

The applicant has engaged Resonate Acoustic Engineers who have prepared the Environmental Noise Assessment dated 16 May 2022.

This Environmental Noise Assessment explains that a 3.5-metre-high boundary fence should be installed along the northern and eastern boundaries of the site to account for infrequent night-time vehicle noise on the land.

The applicant will comply with the recommendations of the Environmental Noise Assessment to ensure compliance with the relevant environmental noise criteria.

1.7 Summary

The proposal does not comprise a form of industry or industrial activity because it is simply for the holding and sale of fuel. The proposal does not include the manufacture of any goods, substances, food, products, or articles.

The proposal is not intended for the storage of hazardous materials, but rather for the holding and retail sale of fuel. Therefore, it is arguable whether the proposal forms a “hazardous storage establishment”.

Notwithstanding this, potential hazards have been identified and the proposal will be equipped with particular measures to minimise risk and ensure any hazards are appropriately managed.

I understand that this document adequately provides the information requested.

Please contact me on (08) 8333 7999 if you have any queries.

Yours sincerely



Phil Harnett
Principal Consultant

2.

Transport for NSW

Our Ref: STH22/00221
Your Ref: DA27-2022



3 August 2022

Murrumbidgee Council
By email: stevenp@murrumbidgee.nsw.gov.au

Attention: **Steven Parisotto**

**DA27-2022 (CNR-42040) – PROPOSED UNMANNED SERVICE STATION, LOTS 11 & 12
DP6664, 85-87 JERILDERIE STREET, JERILDERIE**

I refer to your correspondence regarding the subject Application which was referred to Transport for NSW (TfNSW), for assessment and comment.

From the information provided it is understood that the proposal is for an unmanned service station and commercial premises. The subject site has frontage and access to the Jerilderie Street and Bolton Street within a 50 kmh speed zone. Jerilderie Street (forms part of the Newell Highway) is a classified “state” road and Bolton Street is classed as a local road.

TfNSW has completed an assessment of the development, based on the information provided and focusing on the impact to the State road network. TfNSW notes the following:

- The proposal is supported by a Statement of Environmental Effects (SEE) prepared by URPS dated February 2022 and a Traffic Impact Assessment (TIA) prepared by CIRQA dated May 2022;
- Both Jerilderie Street and Bolton Street (north of Jerilderie Street) are approved Road Train routes, with Bolton Street being subject to conditions;
- The swept paths provided in the TIA indicate that ingress (access) for road-train heavy vehicles will be via Bolton Street with egress to Jerilderie Street. However these are not provided for all directions of flow from the site to the Highway from each of the bowsters.

TfNSW has reviewed the submitted information and cannot support the proposed development for the following concerns:

- The submitted information does not address the conditions relating to the approved heavy vehicle routes utilising Bolton Street; and
- the submitted swept path diagrams do not indicate the necessary paths to demonstrate that the proposed heavy vehicles utilising both bowsters can safely egress from the site head in both directions along the Newell Highway.

Any enquiries regarding this correspondence may be referred to the writer, TfNSW (South Region), phone (02) 6923 6582.

Yours faithfully

Cam O'Kane
Case Officer, Development Services South

OFFICIAL

Objection re: DA27-2022- personal

I strongly oppose the planned service station at 85-87 Jerilderie St, Jerilderie. We have a young child that attends the Jerilderie Public School & she rides, scooters or walks herself safely to & from school utilising the Public Crossing on Jerilderie St. I feel her safety would be negatively impacted by the proposed construction both during the construction phase itself & more so during the operational phase.

If this were to go ahead, I would no longer feel comfortable with her trying to cross at that crossing & intersection herself- the crossing is not manned by an adult so I rely on her interpreting the traffic and just because she has right of way does not necessarily mean she's been seen & is safe to cross. I see no way that this increased risk could be managed. The intersection is already a nightmare of confusion with caravanners trying to fuel up at the s'she'll service station (which has been at its current location for over 40th a). On the 18th of July we were witness to caravans queuing up from the Shell out onto Jerilderie St (Newell Highway) completely blocking the north bound lane for at least 5mins. During this time a large stock truck had to come to a complete stop and then after waiting for over a minute, manoeuvred around the van onto the south bound lane. While this was happening, we were completely block in on the access road from the supermarket until the traffic cleared through the servo. This is basically right in front of the Jerilderie St crossing. It is not an uncommon occurrence. If the planned proposal went ahead we would have the same behaviour on the north side of the crossing. With the increased traffic in general, there will be a lot more confusion of drivers trying to turn into & out of the Bolton St/ Jerilderie St intersection plus the traffic coming from the existing service station onto Bolton St. This in itself creates a higher risk of a traffic accident which a young child or group of children could be collateral damage of.

A service station in this location would also negatively impact the accessibility to Bolton St during in peak periods of school drop off & pickup.

There is also an issue during winter coming from North to South through town with the sun set basically right in the line of site making it difficult to see travelling this direction already without trying to negotiate more traffic from another intersection.

I find the proposed construction completely inappropriate for the proposed residential area. It will surely negatively affect all the residents housing in that area not just through constant noise, light & increase in pollution fumes but accessibility for their houses. Also the market value of those houses.

I question the benefit to the town in general of using prime real estate for an unmanned service station when we already have 3 manned service stations- in essence large ones at either end of town & a small one in town centre. I believe the land would be better put to use as off street parking so that travellers can easily find a spot to pull up and enjoy our beautiful town.

In such a rural area, surely there would be a more appropriate construction site than at one of the busiest intersection's with the lowest visibility in town that does not have a constant flow of small children every morning and afternoon trying to negotiate traffic that will in effect be turning into and out of both of the roads they need to cross.

DA Online (PAN-197711)

Exhibition (EXH-2885)



Online Public Submission

Reference number: SUB-2634

SUBMISSION-RECEIVED

[Actions](#)[Close and home](#)

Submission

Case details

Submission Type

I am making a personal submission

Suburb/ Town

Jerilderie

I have made a reportable political donation

No



I agree to the Privacy statement

submission

I object to the proposed unstaffed service station being developed at 85 - 87 Jerilderie Street Jerilderie NSW 2716

A continual line of heavy vehicles turning left into Bolton St, perhaps also having to queue, would disrupt free flowing traffic to and from Bolton St. This would also impinge on access to the Public School at drop off and pick up times.

Jerilderie St has continuous traffic flow in both north and south at most times during a 24 hour period.

The egress of heavy vehicles from the service station, which take time to fully clear the premises and gain appropriate speed, would cause back up of north bound traffic.

Another concern would be south bound vehicles turning right into Bolton St to access the service station.

The time the vehicles need to turn right into Bolton St, having to give way to oncoming and turning traffic, would add to the back up of other south bound traffic along Jerilderie St.

To be a viable proposition for the owner/s of this service station would require continuous use by heavy vehicles.

The residents of neighbouring homes would be greatly disadvantaged by the noise of trucks entering.

...the volume of merging traffic would be greatly disadvantaged by the noise of trucks entering, filling up and leaving the station.

The lights of the trucks and the lights of the service station cannot be screened out by a wall nor can the noise. This would inconvenience at least 15 residences in Bolton St and Jerilderie St.

The residents who have access to the lane behind Jerilderie St would have limited access and egress to this laneway. This laneway is also used by Council rubbish collection.

Vehicles exiting Powell St via supermarket, Vet Clinic and cafe would be impaired as would cars and caravans exiting the Shell service station.

Also of concern is the impact on the safety of the pedestrian crossing.

Added to this is the fact that we already have three service stations in Jerilderie that employ local people and purchase goods locally. Our established businesses need staff. To take away or reduce the businesses employment capacity will be detrimental to our community.

Although business is as business does is legal and justifiable in order to be profitable, could this lead to trucking firms moving their business to this venture which does not have to factor staff wages etc into its costs? This is acceptable and a necessary business operation but I believe that we need to think subjectively rather than objectively for the sake of our town, our residents, our businesses and our community.

I object to the proposed unstaffed service station being developed at 85 - 87 Jerilderie Street Jerilderie NSW 2716

A continual line of heavy vehicles turning left into Bolton St, perhaps also having to queue, would disrupt free flowing traffic to and from Bolton St. This would also impinge on access to the Public School at drop off and pick up times.

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Pro-forma letter received 18 times

RECEIVED 21 JUL 2022

Regarding DA27-2022.

I object to the proposed unstaffed service station being developed at 85 - 87 Jerilderie Street Jerilderie NSW 2716

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Although business as business does is legal and justifiable in order to be profitable, could this lead to trucking firms moving their business to this venture which does not have to factor staff wages etc into its costs? This is acceptable and a necessary business operation but I believe that we need to think subjectively rather than objectively for the sake of our town, our residents, our businesses and our community.

Dear Steven

I am writing to object to the proposal of an unmanned Service Station next to my residence. If this is to go ahead and is dealt with the same way the 15 min parking was passed I will consider legal action. I had no consultation and have had no reply to emails that have been sent. This email has been forwarded to RMS as I already have a case number for this address.

I already have noise issues from the 15 min parking with air brakes and trucks left idling. This would be a 24/7 issue.

The entry is right on the back lane which is my only access to my property.

The exit point would be a hazard as it will be right next to the busiest intersection in town. The view in the north direction is block at present if a truck is parked in the 15 min parking.

My property value would decrease.

I have safety concerns if there happen to be a spill.

DA Online (PAN-197711) Exhibition (EXH-2885)



Online Public Submission

Reference number: SUB-2619

SUBMISSION-RECEIVED

Actions

Close and home

Submission

Case details

Submission Type

I am making a personal submission

Title

Suburb/ Town

Jerilderie

I have made a reportable political donation

No



I agree to the Privacy statement

submission

The development proposal is totally wrong for this location for the following reasons.

1. It has adverse effects on the adjoining residences. With the noise and pollution from diesel trucks 24/7. This would devalue the houses.
2. It too close to a pedestrian crossing which would create danger to people using this crossing with b-doubles and road trains turning to access the development.
3. There is a School in the very near proximity causing danger to children and school buses that use this route.
4. It will cause danger to all road users as a b-double or road train will have to use all the roadway to either enter or exit.
5. Jerilderie now has 4 fuel stations and by adding a further unmanned site would jeopardise the profitability of these businesses and possibly reduce employment in the town.
6. The road structure on Bolton Street and Jerilderie Street would be greatly impacted by these heavy vehicles entering and exiting the site, which either Council or the RMS would have to cover the costs on an ongoing basis. The ratepayers inevitably would have to pay.

Jerilderie NSW 2716

Tuesday 12 July 2022

Attention: General Manager
Murrumbidgee Council
Po Box 96
Jerilderie NSW 2716

We are writing in response to the letter of unstaffed service station – DA27-2022.

We believe that our property will be detrimentally affected by the proposed development. Our land adjacent is a residential investment property. The increase in traffic and noise at variable hours of the night will affect our tenants sleep and our advantage of holding a desirable location in the rental economy as well as decreasing its property value.

The proposal on display notes that noise will be minimal with 1-2 disruptions per night. This equates in 730 minimum nightly disruptions per year effecting tenants sleep patterns, this is not providing quality of life.

Currently, there are three service stations in Jerilderie, one that is already 24 hours and all are manned providing employment and opportunity for the community. The installation of an unmanned service station will only detrimentally affect staff retention and opportunity.

While there are industrial land options for the proposed development in Jerilderie, which are located away from residential properties that would be adequate for the unstaffed service station if the project is to eventuate, we believe these should be explored before the disruption of multiple residential land owners.

DA Online (PAN-197711) Exhibition (EXH-2885)



Online Public Submission

Reference number: SUB-2605

SUBMISSION-RECEIVED

Actions

Close and home

Submission

Case details

Submission Type

I am making a personal submission

Title

Suburb/ Town

Jerilderie

I have made a reportable political donation

No



I agree to the Privacy statement

submission

My concerns are as follows

Suitability of road network for access and exit - the ensuing significant maintenance and repair that will be required due to the screwing that will occur at these tight entry and exit points
Location within a Residential Precinct- houses to the north, east, and south- with 24 hr access these families could be adversely affected with noise disturbance day and night
These Residents did not purchase their homes with the view of having a 24 hr fuel outlet right beside them - their amenity and liveability will be heavily impacted
The closeness to Jerilderie Public School is of grave concern
It would be as close as 20 metres from the proposed entry point
A busy intersection with a pedestrian crossing - school crossing - could cause increased safety issues for the pedestrian traffic lots of whom are Primary school aged children
We already have an existing Garage /Fuel outlet directly opposite (5 metres to the west)
This is our Small Rural Towns CBD - we recognise we live on a National Highway - the Newell Highway-
Our Town is well serviced by significant roadhouses at both the southern and northern entrances to town , one of which already provides 24 hr access to fuel provision-as previously stated a smaller service station primarily catering to a domestic market is located 5 metres from the proposed development
This business is a long established Mechanical Garage /Service Station- very different Service offer to the DA being proposed
We have a significant older demographic that are always considered when any increase to traffic movements are being proposed



DA Online (PAN-197711)

Exhibition (EXH-2885)



Online Public Submission

Reference number: SUB-2643

SUBMISSION-RECEIVED

[Actions](#)[Close and home](#)

Submission

Case details

Submission Type

I am making a personal submission

Suburb/ Town

Jerilderie nsw

I have made a reportable political donation

No



I agree to the Privacy statement

submission

We have enough petrol stations in the area. This is not bringing employment into the community.
Too close to the school, children could get hurt with cars and trucks going in and out,
We need a bigger supermarket, maybe build one there.
Not a good idea. for more petrol.

Thankyou

DA Online (PAN-197711)

Exhibition (EXH-2885)



Online Public Submission

Reference number: SUB-2629

SUBMISSION-RECEIVED

[Actions](#)[Close and home](#)

Submission

Case details

Submission Type

I am making a personal submission

Suburb/ Town

Jerilderie

I have made a reportable political donation

No



I agree to the Privacy statement

submission

I object to the proposed unstaffed service station being developed 85 - 87 Jerilderie Street.

A continual line of long vehicles turning into Bolton St, perhaps being in a queue, would disrupt free flowing traffic to and from Bolton St. This would also impinge on access to the Public School at drop off and pick up times.

Jerilderie St has continuous traffic flow in both directions at all times. The egress of heavy vehicles which take time to fully clear the premises and gain appropriate speed would cause back up of north bound traffic.

Another concern would be south bound vehicles turning right into Bolton St to access the service station.

The time the vehicles need to turn right into Bolton St, having to give way to oncoming and turning traffic, would add to the back up of other south bound traffic along Jerilderie St.

To be a viable proposition for the owner/s of this service station it would require continuous use by heavy vehicles.

The residents of neighbouring homes would be greatly disadvantaged by the noise of trucks entering, filling up and leaving the station.

...ing up and leaving the station...

The lights of the trucks and the lights of the service station cannot be screened out by a wall nor can the noise. This would inconvenience at least 15 residences in Bolton St and Jerilderie St.

The residents who have access to the lane behind Jerilderie St would have limited access and egress to this laneway. This laneway is also used by Council rubbish collection.

Vehicles exiting Powell St via supermarket, Vet Clinic and cafe would be impaired as would cars and caravans exiting the

Shell service station.

Added to this is the fact that we already have three service stations in Jerilderie that employ local people and purchase goods locally.

Although business is as business does is legal and justifiable in order to be profitable, could this lead to trucking firms moving their business to this venture which does not have to factor staff wages etc into its costs? This is an acceptable and necessary business operation but I believe that we need to think subjectively rather than objectively for the sake of our town, our residents, our businesses and our community.



I object to the proposed unstaffed service station being developed at 85 - 87 Jerilderie Street Jerilderie NSW 2716

A continual line of heavy vehicles turning left into Bolton St, perhaps also having to queue, would disrupt free flowing traffic to and from Bolton St. This would also impinge on access to the Public School at drop off and pick up times.

Jerilderie St has continuous traffic flow in both north and south at most times during a 24 hour period. The egress of heavy vehicles from the service station, which take time to fully clear the premises and gain appropriate speed, would cause back up of north bound traffic.

Another concern would be south bound vehicles turning right into Bolton St to access the service station.

The time the vehicles need to turn right into Bolton St, having to give way to oncoming and turning traffic, would add to the back up of other south bound traffic along Jerilderie St.

To be a viable proposition for the owner/s of this service station would require continuous use by heavy vehicles.

The residents of neighbouring homes would be greatly disadvantaged by the noise of trucks entering, filling up and leaving the station.

The lights of the trucks and the lights of the service station cannot be screened out by a wall nor can the noise. This would inconvenience at least 15 residences in Bolton St and Jerilderie St.

The residents who have access to the lane behind Jerilderie St would have limited access and egress to this laneway. This laneway is also used by Council rubbish collection.

Vehicles exiting Powell St via supermarket, Vet Clinic and cafe would be impaired as would cars and caravans exiting the Shell service station.

Added to this is the fact that we already have three service stations in Jerilderie that employ local people and purchase goods locally. Our established businesses need staff. To take away or reduce the businesses employment capacity will be detrimental to our community.

Although business as business does is legal and justifiable in order to be profitable, could this lead to trucking firms moving their business to this venture which does not have to factor staff wages etc into its costs? This is acceptable and a necessary business operation but I believe that we need to think subjectively rather than objectively for the sake of our town, our residents, our businesses and our community.

I am writing to make my objection known to the Development Proposal DA27-2022, 85-87 Jerilderie Street, unstaffed service station.

It's unnecessary, we have three service stations already and one unmanned just out of town. Plus another 24hr service station proposal next to the BP, I am unaware if that has been approved or not.

There is no need for another service station, BP is 24/7, Ampol has 24/7 fuel access and if the proposal for the service station next to BP goes ahead that will be a 3rd one with 24/7 fuel, plus the unmanned fuel stop (Riordan) just out of town. Enough to be competitive and not need another one.

It brings nothing of benefit to town and takes away from the manned service stations that employ locals.

The land would be better off used for something that would actually bring income to the town and employ locals.

Not to mention the traffic problems it could cause at an intersection that has school kids and other pedestrians moving in and around town. It is a dangerous place to have trucks turning and slowing down.

Potentially holding up traffic further down Main St and the exit from IGA.

There is significant risk of extra noise pollution, especially at night, for surrounding residents, destruction of an already average road surface and potential parking/access issues if there are trucks waiting to enter.

In short it would be a terrible decision for all involved and should not be approved.

**Jerilderie Public School
Parents and Citizens Association**

**Jerilderie Public School
31 Bolton Street
Jerilderie NSW 2716
ABN- 55543509014**

Objection re: DA27-2022

The Jerilderie Public School P & C strongly opposes the planned service station at 85-87 Jerilderie St, Jerilderie due to first & foremost the safety of the students of the Jerilderie Public School.

Many of our young students ride/ walk scooter to & from school, often without an adult and use crossings on both Jerilderie St & Bolton St. We feel that children easily can slip from the line of site, especially when it comes to large turning trucks. We see no way that this increased risk could be managed & and with the increased traffic in general, there will be a lot more confusion of drivers trying to turn into & out of the Bolton St/ Jerilderie St intersection plus the traffic coming from the existing service station onto Bolton St. This in itself creates a higher risk of a traffic accident which a young child or group of children could be collateral damage of.

A service station in this location would also negatively impact the accessibility to Bolton St during peak periods of school drop off & pickup. The proposed development has not assessed the impact on light vehicle movements or pedestrian movements of the proposed development. These are the main forms of transport to our school. The impact of street parking has also not been addressed for Bolton Street near our school.

The entrance to the proposed site on Bolton Street will be within the school zone 40km, with the signage under the tree noted on the plans to be removed. The impact on the operation of the school zone has not been addressed

We find the proposed construction completely inappropriate for the proposed area & in such a rural area surely there would be a more appropriate construction site than at one of the busiest intersection's with the lowest visibility in town that does not have a constant flow of small children every morning and afternoon trying to negotiate traffic that will in effect be turning into and out of both of the roads they need to cross.

Jerilderie P & C committee

General Manager
Murrumbidgee Council
35 Jerilderie Street
JERILDERIE 2716

Dear John

Objection to DA27/2022

I lodge my objection to DA 27/2022 85-87 Jerilderie Street Jerilderie, based on the following:

- Truck egress both ways onto Jerilderie Street is dangerous on such a busy highway. Egress should not be permitted to the east and west. Traffic should only be allowed to turn left off the site.
- Trucks accessing the site via Bolton Street will be in very close proximity to the Jerilderie Public School, and when exiting west onto Jerilderie Street trucks will be in very close proximity to a pedestrian crossing and Jerilderie/Bolton Street crossroad.
- As the site will be unmanned, it offers nothing to the town through employment opportunities.
- It will cause damage to our existing service station businesses. Currently we have 3 operational service stations, one is a 24 hour site. There is an approved DA for a 4th service station, so we don't need 5.
- The site is very close to residential properties - it is right against the fenceline of 89 Jerilderie Street. The noise created overnight will be a problem and will interfere with residents and their comfort. Disturbed sleep will be a problem.
- As the site will be illuminated overnight, this light spill has the potential to cause sleep disturbance.

I also ask:

- What are the conditions for road trains or B doubles on Bolton Street (I thought B doubles were only permitted during harvest times)?
- If traffic is parked near the service station and garage on the corner of Jerilderie and Bolton Streets, will that allow enough room for large trucks to access the site?

Thank you for considering my objection.

DA Online (PAN-197711) Exhibition (EXH-2885)



Online Public Submission

Reference number: SUB-2667

SUBMISSION-RECEIVED

Actions

Close and home

Submission

[Case details](#)**Submission Type**

I am making a personal submission

e published in the list of submitters on the department's

Jerilderie

I have made a reportable political donation

No



I agree to the Privacy statement

submission

The risk of Having a fuel outlet in the centre of town solely for the use of large commercial vehicles, requiring road trains and b doubles to block an intersection and a school crossing to access the site via Bolton Street this would have a serious effect on the flow on the traffic from the supermarket, Shell service station and the school in Bolton street

My residence is listed in the impact zone for noise and headlights as vehicles exiting east will aim directly at my house as this service is 24 hour trading the impact will be invasive causing sleep disruption

Overall the impact of large vehicles required to turn into a residential street then turn across traffic to access fuel in a school zone offers the opportunity for disaster on many levels as children travel to and from school and parents accessing the area in cars is of great concern

DA Online (PAN-197711) Exhibition (EXH-2885)



Online Public Submission

Reference number: SUB-2614

SUBMISSION-RECEIVED

Actions

Close and home

Submission

Case details

Submission Type

I have made a reportable political donation

No



I agree to the Privacy statement

submission

As a previous resident and a relative and friend of many current residents I do not believe there is any benefit to an unmanned facility in Jerilderie. There is a 24hr business in town already offering fuel as well as the opportunity to have a proper rest with food and restroom facilities. This business also provides jobs for locals which a Self Serve facility will not do. I also feel that having another service station at that intersection will create a traffic hazard interrupting traffic flow with too many entries and exits.

Dear Mr Parisotto,

I am writing this email to express my objection to the proposed development 27-2022 - Unstaffed Service Station (Subject Land: Lot 11 & 12 DP: 6664, 85-87 Jerilderie Street Jerilderie 2716).

My primary objection is on the grounds of student safety. This development will significantly increase the volume of traffic at the intersections of Jerilderie and Bolton Streets (the street Jerilderie Public School is located) and impact upon students and their parents during the daily commute to and from school, in particular those walking.

The development will also impinge on the designated School Speed Zone - a speed restriction area of 40km/hr is in place between the hours of 8:00 - 9:30am and 2:30 - 4:00pm on gazetted school days. Outside these hours it is a 50km/hr area. Traffic on Jerilderie and Bolton Streets is frequently travelling faster than the designated speeds permitted and each day I battle with vehicles and trucks not stopping for me when I am attempting to cross the road to display school crossing signs before and after school. I fear this issue will be exacerbated if the proposed service station were to be approved.

Please note, I am requesting my particulars not be made public.

Thank you.

20th July 2022

RECEIVED 21 JUL 2022

Mr John Scarce,
General Manager,
Murrumbidgee Council,
Jerilderie Council Office

Dear John

We wish to add our voice to the opposition to the proposed placement of an unstaffed petrol station at the corner of Bolton & Jerilderie Streets. We don't disagree with the idea of the station itself, although one would think that there are already plenty of service stations in Jerilderie, and BP seems to cater for the large trucks quite adequately; it is rather the very inappropriate area for such a facility which is in question.

Already outlined by other 'protesters', is the proximity to the Public School, residential area etc.

On the opposite corner is the Shell Service Station. Quite often, particularly in holiday seasons or when the grey nomads are travelling north, access to Shell, via the entry off Jerilderie Street near IGA, can be a bit tricky, with local shoppers who are driving onto the highway vying with left turning vehicles often with a caravan behind, which sometimes cannot get into the service station straight away, and have their trailer/caravan sticking out into the access for the highway.

There is also a pedestrian crossing in that area, which is used by people on foot and in mobility scooters, as well as school children coming to and from school. Heavy vehicles coming from the proposed venue would, as a worst case scenario, add to the confusion and general mayhem.

In short, such a facility as that proposed would be far better placed in an industrial area, rather than among residential and small business areas.

27 July 2022

General Manager
Murrumbidgee Council
mail@murrumbidgee.nsw.gov.au

Dear Sir

DA27-2022 – PROPOSED UNSTAFFED SERVICE STATION - 85-87 Jerilderie Street Jerilderie

Jerilderie United Chamber of Commerce object to the proposed development of an unstaffed services station at 85-87 Jerilderie Street, which is proposed to operated 24 hours a day 7 days a week to service vehicles up to 36.5 metres in length. Such large vehicles accessing the site will impact on the intersection of Jerilderie and Bolton Streets, which is the eastern intersection to the central business area of Jerilderie township.

The information exhibited with the application does not address all access and egress paths for vehicles and does not assess the impact on pedestrian movements, on street parking or the function of the school speed zone.

As an organisation we aim to promote and improve services and development within Jerilderie, however the application before Council will have an adverse impact on the community's ability to access services, such as the super market, bakery, banking, post office, news agency and chemist due to reduction in on street parking within the vicinity of the proposed development to permit the turning paths of trucks to access the site, and the increased risks to pedestrians required to use the intersection to gain access to services and the school.

We urge the Council to refuse the development proposed as we consider the site to be unsuitable and the development not to be in the best interest of the public.

DA Online (PAN-197711) Exhibition (EXH-2885)



Online Public Submission

Reference number: SUB-2668

SUBMISSION-RECEIVED

Actions

Close and home

Submission

Case details

Suburb/ Town

Jerilderie

I have made a reportable political donation

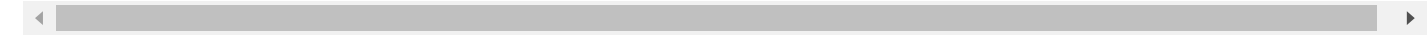
No



I agree to the Privacy statement

submission

The risk of locating an unmanned heavy vehicle fuel outlet on an intersection in the centre of a town requiring road trains and b double transports to perform a virtual u-turn in a school zone defies logic



RECEIVED 20 JUL 2022

20.7.2022

Murrumbidgee Council,

DA 27-2022 Proposed Unstaffed Service Station

85-87 Berildene Street Berildene N.S.W

I object to it.

Submission

Traffic congestion at intersection.

Proximity to pedestrian crossing.

Proximity to school and pupil foot traffic.

Possible effects on employment.

What damage will be done at entry and exit points with heavy vehicles turning in and out of station

eg: BP service station, previous problems with pavement

There would have to be more traffic going in and out of the site than what they stated for this

to be a feasible project. If this isn't the case,

the Servo site could become an eyesore in the middle of our town.

DA Online (PAN-197711) Exhibition (EXH-2885)



Online Public Submission

Reference number: SUB-2613

SUBMISSION-RECEIVED

Actions

Close and home

Submission

Case details

Submission Type

I am making a personal submission

Suburb/ Town

Jerilderie

I have made a reportable political donation

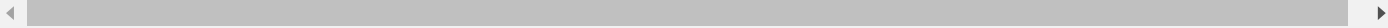
No



I agree to the Privacy statement

submission

This provides NO employment opportunities, and potentially threatens local jobs for those working at Ampol, Shell and BP.



RECEIVED 25 JUL 2022

► **Steven Parisotto (Senior Planner)**

Murrumbidgee COUNCIL
Jerilderie Office, 35 Jerilderie Street,
PO BOX 96, JERILDERIE NSW 2716
Phone: 03 5886 1200

Dear Sir,

I have received a notification letter for PROPOSED DEVELOPMENT 27-2022 – Unstaffed Service Station.
SUBJECT LAND: LOT 11 & 12 DP: 6664, 85-87 Jerilderie Street, Jerilderie 2716, which is adjacent on the left to my petrol station when facing the main road of Jerilderie NSW. This letter was dated 5th of July 2022.

I have reviewed the plans and documents provided via the NSW Planning Portal, via Councils website – Planning Building & Roads – Development Applications on Exhibition, and have put together the following concerns and the reasons for my objection to this proposed development:

- The proposed development results in a substantial impact to my fuel station which already provides fuel for the public. Including my station that provides the same service, there are two other fuel stations providing the same where one of them is a 24-hour service station. In fact, they provide the same service for trucks as well, therefore this proposed development will significantly impact our businesses. Although it's been a struggle for the past 5 years trying to breakeven even when providing the best fuel rate in Jerilderie and this proposed development will make it even more difficult as it will take what existing business, we have away from us.
 - The proposed development would significantly impact the access to my fuel station and Bolton St should there be a continuous line of heavy vehicles turning left into Bolton St and this would disrupt free flowing traffic to and from Bolton St and in and out of my fuel station. This would impinge on access during peak hours for my patrons and customers.
 - This proposed development will affect the continuous traffic flow in both north and south directions. The egress of heavy vehicles from this proposed self-service station, where it will take time to fully clear the premises and gain appropriate speed, would cause back up of north bound traffic, hence creates a blockage to my fuel station. Even worse is when if there is a payment issue or other technical problems as it is not manned, all traffic will be a stand still. This would be the same with south bound vehicles intending to use the self-service station. They would be holding up the traffic trying to turn into Bolton St, from Jerilderie St having to give way to oncoming traffic.
-

- I am one of the residents of Bolton St (4/2 Bolton St, Jerilderie NSW 2716). I am sure I am not the only voice here when it comes to opposing this proposed development when it comes to the noise/light pollution these trucks would be making when accessing this self-service station. Hence, this proposed development does not fit within the established character of the location, and it should be considered as out of context for the locality not only looking at the size and capacity of this proposed development but also being right in the middle of a residential area and being within 500 meters to the primary school on Bolton St itself.
- Last year, during a Council/RTA meeting held, I personally requested for truck access for Shell Jerilderie with the Council and RTA representative present during that meeting. I would like to expand in the way by renovation to include a couple of truck access so that I could join my business with my fellow mates of the other two fuel service stations that already is providing trucks with fuel.

In conclusion, with already three service stations in operation in Jerilderie NSW, which provides employment and services to the local people and community, there is no need for another service station introduced to the area as this would impede our income streams. Instead, my humble request for you to investigate my request for an expansion to the current fuel station that is already in place, adjacent to the proposed development location, which will assist further in providing more employment and services opportunity to our local community.

I am happy to meet you in person to discuss this further, should you require more information or clarification. Please also find attached to this letter a PFA list of individuals supporting our disagreement and saying 'NO' to the proposed development. I would be most grateful if I could be directed to the right person in relation to my request for expansion to my fuel station to accommodate a couple of truck fuel access.

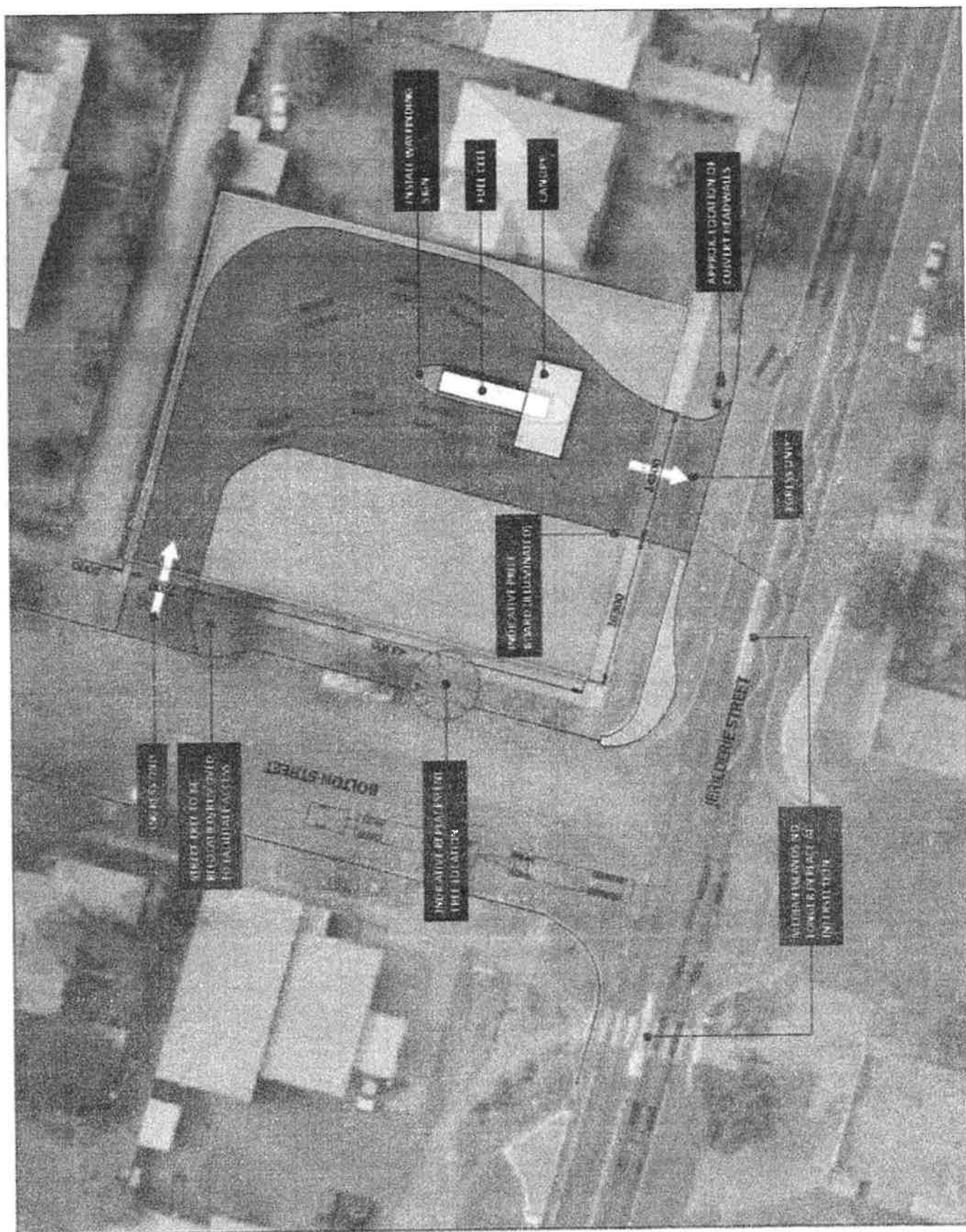
I look forward to hearing from you soon.

Dear Council,

I am writing to voice our strong objection to **“Proposed Development 27-2022 – Unstaffed Service Station Subject land: 11&12 DP: 6664,85-87 JerilDerie Street -2716”**. I strongly encourage you to vote against the proposed development as many of our neighbors share the same concern.

PFA list of individuals supporting our disagreement and saying “NO” to the proposed development of unstaffed Service Station.

Serial #	Name	Phone #	Address	Signature
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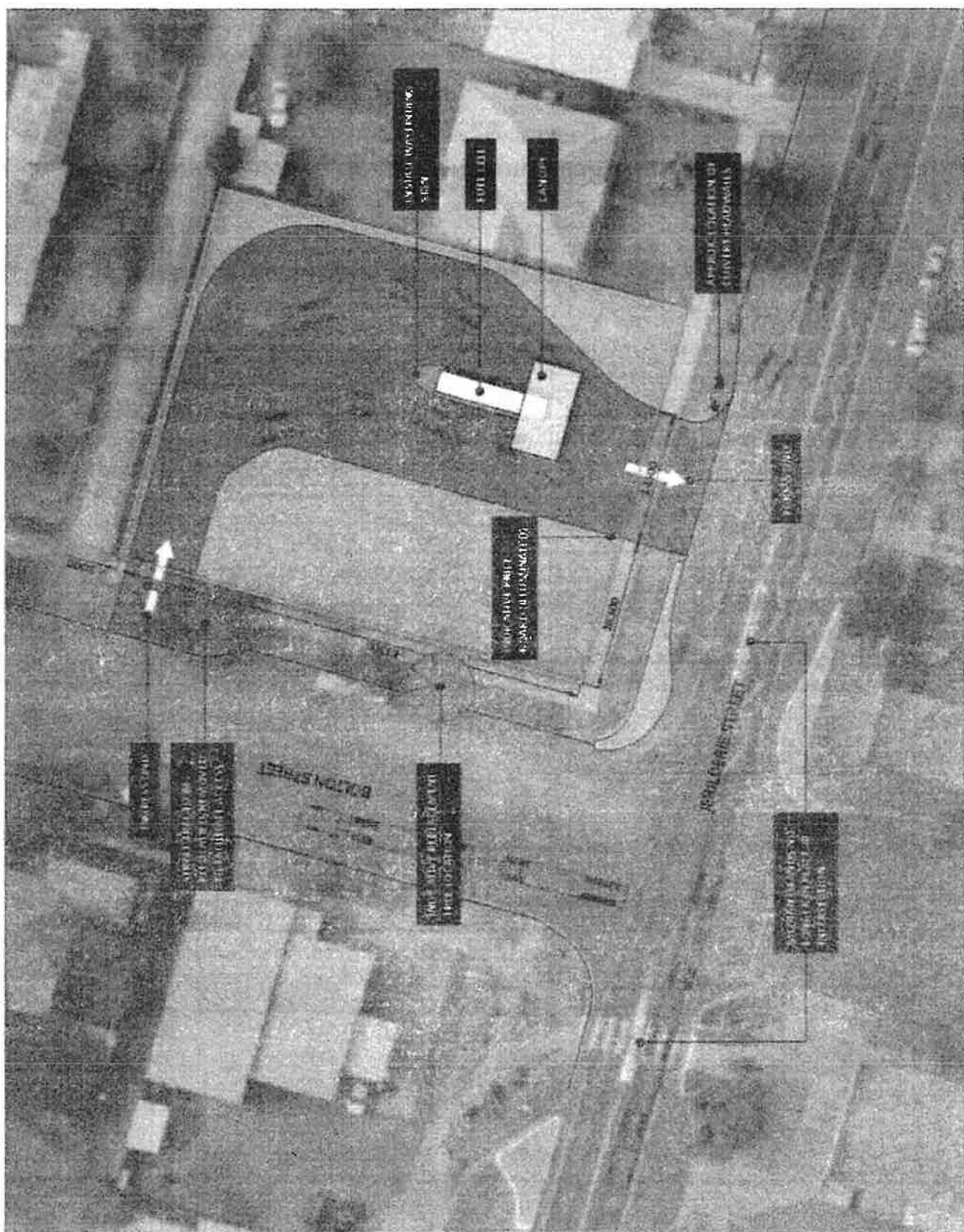


Dear Council,

I am writing to voice our strong objection to **“Proposed Development 27-2022 – Unstaffed Service Station Subject land: 11&12 DP: 6664,85-87 JerilDerie Street -2716”**. I strongly encourage you to vote against the proposed development as many of our neighbors share the same concern.

PFA list of individuals supporting our disagreement and saying “NO” to the proposed development of unstaffed Service Station.

Serial #	Name	Phone #	Address	Signature
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24 July 2022

General Manager
Murrumbidgee Council
mail@murrumbidgee.nsw.gov.au

Dear Sir

DA27-2022 – PROPOSED UNSTAFFED SERVICE STATION - 85-87 Jerilderie Street Jerilderie

I am writing to raise concerns I have regarding the unstaffed service station proposed for 85-87 Jerilderie Street, Jerilderie.

The applicant has provided Council as the consent authority and the community with inadequate information to allow for the assessment of the development to be undertaken in accordance with section 4.15 Evaluation of the Environmental Planning and Assessment Act 1979.

*(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

The Statement of Environmental Effects has not addressed - State Environmental Planning Policy (Industry and Employment) 2021 – with regard to the proposed signage.

(iii) any development control plan,

The objective of the Commercial precinct on the DCP follow:

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.

The proposed development does not meet with any of the above objectives.

The development will not add to the employment within the town, provide a new service or promote activity within the commercial centre of Jerilderie. The impact on the adjoining and adjacent residential precinct has not been adequately assessed with information missing regarding the noise attenuating wall, pedestrian access, all vehicle turning paths, impact on the school zone to name a few.

Being unmanned and operating 24 hours a day 7 days a week there is no detail on the employment level, other than for maintenance and emergencies that the development will generate nor the impact the development will have on the local economy.

The impact at street level to promote active level street frontages in the main street (Jerilderie Street) cannot be determined as no pedestrian impact assessment has been included in any of the documentation and being the eastern entrance to the business area of Jerilderie and the intersection of Jerilderie and Bolton Streets is the main intersection for pedestrian movements to and from Jerilderie Public School I would like to see the impact addressed as part of the Traffic Impact Assessment.

The interface between the development and the residential areas adjoining and adjacent I consider has been inadequately addressed. The Environmental Noise Assessment noise control recommendations is for the Construction 3.5 metre high boundary fence along northern and eastern boundaries of the site however no details on the proposed wall or its noise attenuation properties have been provided in any other documentation. A fence of this height is defined as a structure and will require approval. It has not been included in the built form details for the development and will be higher than the proposed signage for the site which is defined as 2.4 metres. This is just one example of the conflicting information provided across the 4 documents on exhibition.

(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,

I consider the impact on the built environment has been inadequately addressed. Impacts within the road reserve for vehicle movements have only partially been addressed, and pedestrian movements have not addressed at all.

In terms of assessing the various aspects of the proposal, direction can be taken from the planning principles adopted by the Land and Environment Court of NSW.

Davies v Penrith City Council [2013] NSWLEC 1141

In this case, Moore, SC revised the *criteria for assessing impact on neighbouring properties within this Planning Principle*.

The following questions are relevant to the assessment of impacts on neighbouring properties:

- *How does the impact change the amenity of the affected property? How much sunlight, view or privacy is lost as well as how much is retained?*

This currently cannot be fully assessed due to conflicting information within the application. i.e. recommended fencing for noise attenuation. The fence while potentially reducing the noise impacts (no acoustic details provided) will impact on the solar access to the dwelling at 89 Jerilderie Street and lines of sight for vehicles exiting onto Bolton Street from the rear access.

- *Is the proposal causing the impact?*

The proposed development will cause the impact to the area as the site is currently vacant. The impact will be increased as the proposal is for the development to operate 24 hours a day 7 days a week and will cause noise and potentially cause safety, and odour issues for adjoining landowners.

- *How vulnerable to the impact is the property receiving the impact? Would it require the loss of reasonable development potential to avoid the impact?*

The development potential for neighbouring properties for residential purposes is likely to be diminished due to increased noise from the proposed development and increased safety risks, i.e. emergencies within the proposed development site.

- *Does the impact arise out of poor design? Could the same amount of floor space and amenity be achieved for the proponent while reducing the impact on neighbours?*

With the site to be accessed by vehicles 36.5 metres in length a significant percentage of the site will have to be covered in hard surfaces to allow for vehicle maneuvering within the site, the areas required cannot be assessed at this time as all turning paths within the site have not been provided, which means that the impact on neighbouring property owners, notably residential property owners cannot be determined. In addition the offsite impacts to pedestrian movements, the school zone,

the Jerilderie Bolton Street intersection and the on street parking in the vicinity of the development have not been detailed by the applicant.

- *Does the proposal comply with the planning controls? If not, how much of the impact is due to the non-complying elements of the proposal?*

This cannot be assessed at the application is yet to address the requirements of State Environmental Planning Policy (Industry and Employment) 2021.

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

I do not consider the site to be suitable for an unmanned retail fuel outlet to service vehicles upto 36.5 metres in length as the turning paths required for vehicles to enter and exit the site will require the majority of the site for vehicle manoeuvring and has not fully considered the impacts on the development on the pedestrian movements in the vicinity of the development nor the impacts or requirements for the intersection of Bolton and Jerilderie Streets.

The traffic impact assessment plan –(By CIRQA Project # 21509, Sheet # 01_SH03) indicates two 36.5 metre long vehicles on site. It shows how the vehicle on the western side of the proposed fuel cell can exit the site in an easterly direction but not in a westerly direction. For the vehicles on the eastern side of the fuel cell it only indicates the exiting of the vehicle in a westerly direction and not an easterly direction.

Without these turning paths being provided the impacts on the intersection of Jerilderie and Bolton Streets cannot be assessed.

The plan also indicates the removal of a tree for the proposed access on Bolton Street. Under the canopy of the tree to be removed is a School Zone sign. The access to the proposed development will be located within the school speed zone. While it is touched on in the traffic impact assessment report that there is a school zone, no impact assessment has been provided, i.e. will the sign require relocation? Will the zone extended or reduced? These issues need to be determined prior to the application being determined as this may have impact on speed zones on the highway (Jerilderie Street).

The turning path from Bolton Street into the site is of concern. The plan provided and assessment undertaken does not address:

- the impact to on street parking.
- Vehicles accessing the site traveling south along Bolton Street and turning left onto the site.
- Stacking of vehicles within the road reserve waiting to access the site
- The impact of all these movements on the infrastructure
- The adjoining property accesses
- The operation of the school zone for Jerilderie Public School; and
- The likely site usage numbers by smaller and light vehicles

(e) the public interest.

The proposed development is not considered to be in the public interest for the following reasons:

1. Inconsistency in the information provided within the 4 documents - is the noise attenuation wall to be constructed?
2. The lack of information provided – vehicles exiting the site can only depicted turning from the site in one not both directions along Jerilderie Street

3. No off-site impacts have been included in the assessment for the school zone; pedestrian movements, Intersection compliance and on street park.
4. The amenity impact on the amenity of the adjoining and adjacent property owners cannot clearly be assessed; and

I urge Council to refuse the development application on the following grounds:

1. The application has not addressed all relevant environmental Planning instruments.
2. The proposed development does not meet with the objectives of Jerilderie Development Control Plan for the Commercial/Mixed Use development precinct.
3. The impacts on the built environment and the social and economic impacts of the development cannot be fully assessed due to lack of information provided.
4. The site is not suitable for heavy vehicle service station do to the turning paths required for safe access and agrees of 36.5 metre vehicles as proposed by the development application.
5. The proposed development is not in the community interest as the applicant has not provided Council with adequate information to assess the impacts of the overall development.

Dear Mr Scarce,

I am writing to lodge my objection to Development Application DA27-2022 for an unmanned service station at 85-87 Jerilderie Street, Jerilderie.

I strongly believe this development will have a negative impact on Jerilderie in a number of areas:

- Increased noise levels due to the slowing down and breaking of heavy vehicles in the main street. A 3.5m high fence on two sides, in addition to being an unattractive and unwelcome addition to that site, is likely to do little to mitigate the noise the trucks will make when slowing down to use the service station, particularly at night.
- Greatly increased traffic accident risk due to heavy vehicles slowing down and turning from Jerilderie Street into Bolton Street and then turning out onto Jerilderie Street upon exit. This is further exacerbated by the location of the pedestrian crossing at this intersection and the fact young children frequent the crossing due to the Public School's location. This intersection is already one of the busiest in town and difficult enough to manoeuvre due to the obstruction that the black fence in front of the IGA poses when turning out of that tee intersection and onto Jerilderie Street. It would be detrimental to the residents to add the further hazard of turning heavy vehicles into this equation.
- Potential increased cost burden to rate payers as Murrumbidgee Council will have to repair the degradation that will occur to the intersection and Bolton Street in particular from turning heavy vehicles. The condition of Bolton Street already requires attention without adding heavy traffic to a residential street.
- It will negatively impact a number of residential houses that have been in existence for years in terms of noise, reduced visual appeal and lower property values.

This proposal appears to offer the town absolutely no benefit - it will not create employment, it will not improve our local economy, it does not improve our facilities and it does not add to the visual appeal of our town. With the repercussions only being negative I would hope our Council would do its utmost to prevent this development.

I implore you to reject this application for the good of our community.

Thank you for your time.

To the General Manager,

I am submitting an objection to the Development Application for an Unmanned Service Station at 85-87 Jerilderie Street Jerilderie.

Being unmanned means this development will not bring employment to our town, nor will this business support many other local businesses.

This site proposed is also very close to our local public school, this will increase traffic along Bolton Street making it even more dangerous for children that walk or ride to school. Noise pollution from large trucks turning and pulling up in this area will also disrupt learning.

I do not wish for my particulars to be made public.

①

FOR

PLANNING / BUILDING / ROADS

MURRUMBIDGE COUNCIL

35 JERILDERIE ST JERILDERIE
NSW

THIS IS OUR SUBMISSION REGARDING
DA 27 - 2022. (PLANNING / BUILDING + ROADS)
FOR A PROPOSED UNSTAFFED SERVICE STATION
AT 85-87 JERILDERIE ST. JERILDERIE NSW 276
BEING DEVELOPED.

We object very, very strongly against this
proposal of an unstaffed service station
being developed at 85-87 Jerilderie st.

① This business proposal is an extremely
dangerous proposal to our community,
because of trucks etc. and vehicles
having to turn left off the newell highway
to go down Bolton st. where our Public
school children and parents frequent.

② Imagine a "B" Double truck having to
stop near or on the pedestrian crossing
Jev st then waiting across to exit Give way
signs / stop signs coming out of IGA
supermarket parking. to allow them (trucks)
to veer around to the entrance into
Bolton st. from Jev st and can you
imagine the poor parent + child sitting in
their car waiting at the give way sign
in Bolton st to enter the main intersection
(Big truck veering right towards you)

③ Also the B Double trucks would also have
to veer left towards the back of the
Shell service station to turn right into
the back of the block of the proposed
site to enter the ~~un~~ un-staffed service
station.

(2)

④ let alone once again to come out onto ~~the~~ the Jer st. highway to veer out towards other side of Jer st to turn to go up North.

⑤ No Brick wall will stop noise and light disturbances along side home whatever!

⑥ our no. 1 objection for us is that No financial benefit will the un staffed service station be to our town

(i) Unmanned = NO EMPLOYMENT.

(ii) All proceeds go out of town.

⑦ (i) We already have our B.P. 24 hour SERVICE STATION THAT DOES SUPPORT OUR TOWN WITH EMPLOYMENT OF LOCALS.

(ii) We already have Purtil's Ampol service station that support employment of our locals and can fuel up after hours there too.

(iii) We already have a SHELL Service station that employ staff also

(iv) And have ^{MURUMBidge Council} you forgotten you have already approved application for a new Pegasus (Mobile) service station to be built right beside B.P. on the old motel site. Apparently it is going to be just as big as B.P.

(v) So Ahh in Ahh WE ALREADY HAVE 4 SERVICE STATIONS IN JERILDERRIE

⑧ As a former employee of B.P. for approx 12 years - most trucks like to fuel up, have a meal + shower at the one stop, so don't think if they fuel up at the unmanned service station they will stop anywhere else in Jerilderrie = NO SUPPORT FOR OTHER 4 SERVICE STATIONS IN JERILDERRIE.

So in finishing my objecting submission to this proposal of an unstaffed service station at 85-87 Jev St. Jev.

I really do hope that Murrumbidgee Council will actually listen to your Rate Payers + Local Community for a chance. As the majority of these people I have spoken to strongly object to application of proposal No - DA 27 - 2022.

Thank you



Ref: 21509|TAW

6 October 2022

Mr Phil Harnett
URPS
Suite 12, 154 Fullarton Road
ROSE PARK SA 5067

Dear Phil,

**UNMANNED FUEL STATION
85-87 JERILDERIE STREET, JERILDERIE**

I refer to the unmanned fuel service station at 85-87 Jerilderie Street, Jerilderie. As requested, I have undertaken a review of the traffic matters raised by Transport for NSW (TfNSW) in their letter dated 03 August 2022. This letter summarises the matters raised (identified in italics), followed by my response.

"The submitted information does not address the conditions relating to the approved heavy vehicle routes utilising Bolton Street..."

As per the National Heavy Vehicle Regulator's (NHRV's) 'Route Planner Tool', Jerilderie Street (Newell Highway) forms part of the 36.5 m Road Train network. This route is subject to a restriction applicable to 'Type 1 A-Double Road Trains' fitted with a tri-axle dolly only (which must have a minimum extreme axle spacing of 26.5 m). No other restrictions are imposed on this route.

Similarly, Bolton Street also forms part of the 36.5 m Road Train network, however it is acknowledged that such vehicles are restricted between June and October inclusive. At all other times, such vehicles (36.5 m Road Trains) are permitted to access Bolton Street.

On the basis of the above, the largest vehicle which could (currently) legally access the subject site is a 36.5 m Road Train. The subject site has therefore been designed to accommodate the movement of the largest vehicles.

"the submitted swept path diagrams do not indicate the necessary paths to demonstrate that the proposed heavy vehicles utilising both bowsers can safely egress from the site head in both directions along the Newell Highway."

The proposal includes the installation of wayfinding signage on the northern (approach) side of the fuel cell. The intent of the signage is to provide guidance to drivers as to the side of the fuel cell they are required to access, relative to their ultimate direction of travel.

As an example (and subject to further discussion and/or agreement with TfNSW, the signage could portray:

- Left arrow – “Conargo/Deniliquin/Shepparton”, guiding drivers destined to these locations to the left side of the fuel cell in order to be able to undertake a right turn from the site; and
- Right arrow – “Narrandera/Wagga Wagga”, guiding drivers destined to these locations to the right side of the fuel cell in order to be able to undertake a left turn from the site).

While not shown on the concept plans (and not considered by CIRQA to be required), if desired by TfNSW, these restrictions could be further reinforced via the installation of an additional wayfinding sign on the southern side of the proposed fuel cell.

It should be noted that the physical design of the site’s crossover (and in particular, the location of the adjacent head wall), will assist in physically restricting turning movements in line with the above. The forewarning of the physical restrictions via the installation of wayfinding signage is considered appropriate.

Please feel free to contact me on (08) 7078 1801 should you require any additional information.

Yours sincerely,



THOMAS WILSON

Associate | CIRQA Pty Ltd

Legend

- Subject Site
- New Native Tree / Shrubs

Schedule of Native Trees



Neele (*Acacia rigens*)
2-3m high

Schedule of Native Shrubs



Oyster Plant (*Acanthus mollis*)
0.8-1m high



Catlin's Giant (*Ajuga reptans*)
0.1-0.2m high

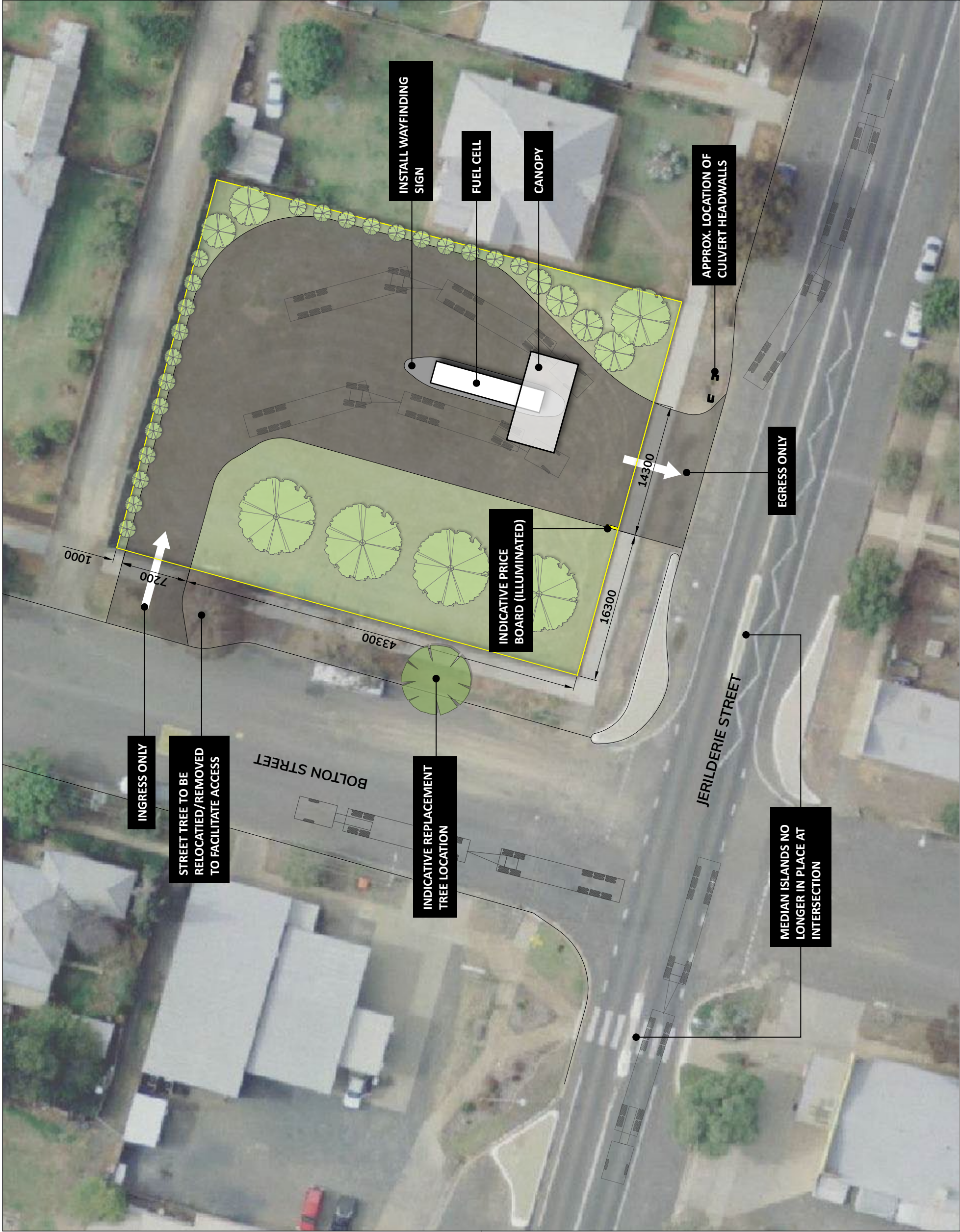


SCALE: 1:400 @ A3

LANDSCAPING

85-87 Jerilderie Street, Jerilderie

JOB REF:	21ADL-1068
PREPARED BY:	MP
DATE:	04.10.22
REVISION:	1
DATA SOURCE:	CIRQA (04.02.2022)



6 October 2022

Mr Steven Parisotto
Murrumbidgee Council

Adelaide
12/154 Fullarton Rd
Rose Park, SA 5067
08 8333 7999

Melbourne
29-31 Rathdowne St
Carlton, VIC 3053
03 8593 9650

urps.com.au

Dear Steven

DA27-2022 – 85-87 Jerilderie Street, Jerilderie

Response to Submissions

Thank you for providing the submissions in relation to DA27-2022 for 85-87 Jerilderie Street, Jerilderie.

Rather than address each submission individually I have collated the concerns and addressed them below under the respective headings.

Zone and Precinct

The subject land and adjacent properties are all within the RU5 Village Zone (the Zone) of the Jerilderie Local Environmental Plan 2012 (JLEP 2012) and the Jerilderie Shire Development Control Planning 2012 (JDCP 2012). A range of land uses, including service stations, are anticipated in the Zone.

The land is also partly within the Residential Precinct and the Commercial Precinct as per the JDCP 2012, as pictured below.



While partly situated within the Residential Precinct, I believe the proposal is acceptable for the following reasons:

- The subject allotments are currently vacant meaning that the proposal will not displace an existing residential land use (i.e. a residential land use will not be removed to accommodate a commercial use).
- The subject allotments will be developed together in an integrated manner and operated by a single business. This ensures an orderly development outcome.
- The proposal does not unreasonably modify the existing land use arrangement in that a commercial use could already occur at the interface with the Residential Precinct (i.e. the existing precinct arrangement anticipates one commercial use abutting a residential use and this will not change as a result of the proposal).
- The proposal achieves the objective of the Zone by enhancing the range of land uses, services and facilitates within the Zone.

Road Safety

Some of the representors have raised concern regarding the safety of the proposed vehicle movements and sight lines for motorists and pedestrians, particularly children attending the Jerilderie Public School.

The applicant engaged CIRQA to undertake a Traffic Impact Assessment. This forms part of the application documents and is dated 27 May 2022.

This assessment found:

- Both Jerilderie Street and Bolton Street are speed limited to 50km/h, albeit Bolton Street reduces to 40km/h during school zone enforcement periods.
- The Bolton Street vehicle crossover will be ingress only, with all egress being to Jerilderie Street.
- The proposal is expected to service in the order of 10 vehicles per day.
- Appropriate sight distances will be achieved to/from the site's access points, in line with the requirements of the Austroads "Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections".

It should also be noted that a driver exiting the site will be able to establish appropriate sightlines to the adjacent Jerilderie Street/Bolton Street intersection to determine if a vehicle is simultaneously waiting to enter Jerilderie Street from Bolton Street.

- All vehicles will be able to enter and exit the site in a forward direction.

- Traffic generation is very low and would be readily accommodated on the adjacent road network. This has been established using appropriate data.

On this basis, I understand that the proposal satisfies clauses 2.119 and 2.121 of the State Environmental Planning Policy (Transport and Infrastructure) 2021 in that:

- The proposal is not for a land use that will be susceptible to road noise or vibration.
- The accessibility of the site is safe and efficient.
- The movement of people and freight to and from the site is safe and convenient without impact upon the locality. The proposal has been suitably designed for all anticipated vehicles.
- The proposal will not introduce unsafe traffic conditions, road congestion or parking implications as explained by CIRQA.

I understand that the proposal is therefore acceptable from a traffic perspective.

Jerilderie Public School

Some of the submissions have raised concern about the proximity of the proposal to Jerilderie Public School.

In addition to the findings within the Traffic Impact Assessment, I note the following with respect to pedestrian safety:

- Both Jerilderie Street and Bolton Street have designated pedestrian footpaths either side. These are separated from the road by nature strips. As such, the pedestrian environment is clearly distinguished from vehicle movement areas.
- Both Jerilderie Street and Bolton Street are very wide ensuring safe separation between vehicles and pedestrians.
- The position of the entrance to the land does not require heavy vehicle to pass Jerilderie Public School in a northerly or southerly direction. Notably, most heavy vehicles will access Bolton Street from Jerilderie Street to then access the proposed development.
- Both Jerilderie Street and Bolton Street currently accommodate anticipated vehicles and the proposal will primarily service existing passing trade rather than generate additional vehicle movements to the area.

Laneway Congestion

Some of the submissions have raised concern for properties which currently have access to the lane behind Jerilderie Street, suggesting their existing access arrangements would be compromised.

Notably, the proposal does not include any alteration to the laneway and does not propose use of the laneway in any manner.

On this basis, any motorists or pedestrians currently using the vehicle access will not be affected with their existing access arrangements maintained.

On-Street Parking

Some of the submissions have raised concern about the loss of on-street car parking.

Notably, the driveway extending from Bolton Street will only be 7.2 metres wide along the total frontage of 51.5 metres. This means that on-street parking along Bolton Street will not be removed at all.

The driveway to Jerilderie Street will be 14.3 metres wide across its 40-metre frontage where no upright kerb is evident and no defined on-street car parking (image below).



Notwithstanding this, I note that Jerilderie Street has extensive car parking either side along its length and that this will continue to be available. The proposal will not unreasonably reduce the availability of on-street car parking throughout the locality.

On-Site Parking

Schedule 1 of the Jerilderie Development Control Plan 2012 provides the following car parking rates for a “service station” and “commercial premises”:

Service station: “10 spaces per work bay”.

Commercial premises / office / showroom: 1 space per 37m² of gross floor area.

It is important to acknowledge the following in considering appropriate car parking rates for the proposal:

- The proposal will be unstaffed. This means that no staff will be on-site for day-to-day activities and therefore dedicated car parking spaces for staff are not required. On occasion, a cleaner or service technician will visit the site.
- The proposal does not include provision of convenience goods. This means that the proposal will only offer a refuelling service and customers will not visit the site for other goods.
- Data has been provided by the applicant for a similar site situated on a major interstate highway. This revealed that the proposal is expected to service approximately 10 vehicles per day.

The proposal therefore only requires car parking spaces to accommodate those vehicles needing to refuel. On this basis, dedicated on-site car parking spaces are not proposed, other than those positioned either side of the proposed fuel cell.

That said, the proposal is provided with ample on-site driveway area for anticipated vehicles to park on-site in the unlikely event that multiple vehicles area refuelling at the same time.

Noting the types of fuel available and the anticipated frequency of vehicles visiting the site (up to 10 per day), queueing within the driveway will be very unlikely.

The scale of the proposal and its usage are not such that dedicated on-site car parking spaces are required and therefore the proposed on-site car parking arrangements are considered sufficient.

Landscaping

Some of the submissions have raised concern about the amount of pavement area proposed.

Unfortunately, these submissions fail to acknowledge the amount of the land that will also be provided as landscaping. To emphasise this, I now attach a formal landscaping plan that the applicant will implement should the development be permitted.

Noise

Some of the submissions raise concern about noise impact from the proposed land use.

In the context of the development, it is relevant to note that all vehicles using the facility must have their engines turned off during refuelling, meaning the only noise during refuelling is that produced by the bowser. The bowser will not make noise when not in use.

The applicant engaged Resonate to undertake an Environmental Noise Assessment of the proposal with the subsequent report submitted with the application documents.

This report explains that a 3.5-metre-high boundary fence should be installed along the northern and eastern boundaries of the site to account for infrequent night-time vehicle noise on the land.

The proposal will comply with the relevant environmental noise criteria with the inclusion of the proposed boundary walls.

The proposed wall along the northern boundary would abut an established lane meaning it would not impose an impact upon a neighbouring property.

It is accepted that the eastern boundary is shared with a dwelling at 89 Jerilderie Street. Notwithstanding this, the acoustic wall will:

- Not impede the ongoing use of the neighbouring land and its outdoor spaces.
- Be finished in a colour that is suitable to the owners and occupants of the neighbouring land. The fence is not considered to impose an unreasonable visual impact upon the private open space areas of 89 Jerilderie Street given the spacious size and nature of that land.
- Not impose unreasonable overshadowing, noting the northern path of the sun.
- Enhance privacy between the land and its neighbours.

Of note, it is likely that an acoustic wall would still be required along the northern and eastern boundaries if the proposed land use were limited to 85 Jerilderie Street only (i.e. the commercial/residential interface remains between the precincts).

Overshadowing

One of the submissions has raised concern about overshadowing upon 89 Jerilderie Street.

An aerial image of 89 Jerilderie Street is pictured below.



Notably, 89 Jerilderie Street has a large private open space area that is north facing meaning it has substantial access to sunlight.

The proposed fuel outlet, its canopy and price board are centrally located in the land and well setback from 89 Jerilderie Street such that they will not impose any overshadowing upon a neighbouring property.

The proposed 3.5-metre-high acoustic walls will be positioned on the western boundary of 89 Jerilderie Street. This height is typical of single storey buildings.

Given the position of the acoustic wall and the northern path of the sun, the acoustic wall will not impose any overshadowing upon 89 Jerilderie Street until late in the afternoon when the sun is low in the western sky.

On this basis, the proposal is not considered to impose unreasonable overshadowing upon a neighbouring property.

Lighting

Some of the submissions have raised concern about lighting of the land.

Proposed lighting includes:

- Down facing lights underneath the proposed canopy.
- The LED lighting within the proposed price board.

These lights will be centrally located in the site such that they are separated from adjacent landowners.

Lighting under the canopy will be inset into the roof structure and shaded/directed in a manner that prevents any light spill.

The LED lighting within the price board will be dimmed in a manner that prevents light spill and does not distract motorists.

We have previously explained that all lighting will be designed to ensure no unreasonable light spill onto adjacent land and that the applicant is happy to accept a condition to this effect.

Vehicle Headlights

Some of the submissions have raised concern about the impact of headlights from vehicles manoeuvring through the subject land.

As above, the land only directly abuts 89 Jerilderie Street with other properties being separated by public roads or the northern laneway.

In the context of lighting, it is relevant to note that both Jerilderie Street and Bolton Street feature regular streetlights affixed to electrical poles. As such, lighting in the area is not uncommon.

Furthermore, the proposal includes the provision of 3.5-metre-high acoustic walls on the northern and eastern boundaries which are required to be constructed with no gaps. This means that the proposed acoustic walls will act as a physical barrier that prevent the impact of vehicle headlights into neighbouring residential properties.

Other Service Stations

Some of the submissions have raised concern about the number of service stations in Jerilderie.

The presence of other petrol stations in the region is not a planning consideration that could be used to determine the proposal.

That said, the applicant has undertaken their due-diligence and determined a need for the proposal in the locality.

The applicant has seen a material increase in customers in the region and has concluded there is a need for the proposal, but also a lack of competition causing high fuel pricing.

As an independent family-owned fuel company, the applicant prices their sites aggressively and has brought material price savings to new areas over the last few years.

Employment

Some of the submissions have raised concern that the development will not generate employment.

While the proposal will not have permanent staff on-site, it does create wider employment and economic benefits as follows:

- Maintenance technicians will occasionally visit the proposal to ensure full functionality. The proposal will therefore contribute to the ongoing employment of experienced technicians.
- Cleaning staff and gardeners will visit the site to ensure it is kept in a neat manner.
- A refuelling vehicle will visit the site as needed. This means that a roaming truck driver is employed along with support staff at depots.
- The proposal, and many others already established throughout Australia, requires off-site administrative staff for its management. This means that staff are employed for office based administrative tasks (i.e. accounting and general management etc).
- The proposal will enhance efficiencies in the surrounding region by providing an refuelling service to other businesses, including transport distribution, agriculture and farming, along with general domestic commuters.
- These types of developments are common in rural areas throughout Australia and their operators see an economic benefit given the investment (i.e. buying land, installing, maintaining and refuelling the development). This means that people within the wider region are using these types of facilities and see a convenience benefit their business or day to day commute.
- The applicant is an independent family-owned business with operations in most states of Australia. Any profits made are generally retained in regional areas rather than being distributed overseas, as would occur if customers were to purchase the same product from any of the large multinational oil companies.

- This site adds to a network of similar sites operated by the applicant and enables customers to have greater savings by using proprietary fuel card offerings for all their on-road fuel. Given the current high prices of fuel (which is not related in any way to the applicants' operations) these services really are critical to ensure prices are as low as possible particularly in regional areas.

We therefore contend that the proposal will generate employment, but also contribute to the better function of surrounding employment generating land uses by providing an essential fuel service that is easily accessible.

Furthermore, the proposal will also assist to balance fuel prices within the region by introducing some competition as further explained below.

Pollution

Some of the submissions have raised concern regarding pollution from the proposal and fuel spills given it involves the storage of fuel.

In response, I can confirm the following:

- The proposal does not comprise a form of industry and will not generate smoke, soot or dust.
- The proposal does not include any excavation, fill or retaining walls noting that the area of the proposed development is already levelled.
- The proposal does not include any underground infrastructure.
- All refuelling will occur over an impervious surface which is graded to sumps. This ensures that any fuel that falls in the refuelling area is captured with no risk of it leaving the land or soaking into the ground.
- The proposal will be fitted with a separator system that will capture any spills and contaminated stormwater within the refueling area. This will satisfy all Australian Standards and Environment Protection requirements.
- All fuel lines between the fuel storage tank and dispensers will be double contained and fitted with a leak detection system. The leak detection system will achieve the requirements in Australian Standard 4897.
- All refuelling of the proposed tank will be undertaken in accordance with all safety requirements and using appropriate equipment to ensure minimum risk of spillage, leaks or damage.
- Any waste collected within any treatment or containment device will be removed by drivers of Perry's Fuel Distributors (dangerous goods licenced vehicles and drivers) and disposed at a licensed waste depot.

If necessary, the applicant is happy to accepted a condition or reserved matter that ensures compliance with applicable Australian Standards and Environmental Protection controls.

Property Value

The value of property is not a valid planning matter and cannot be considered in the decision-making process.

Regardless, I note that the representors have not provided any expert evidence to validate a reduced property value.

Conclusion

I would like to reiterate that the proposal will:

- Provide a land use that supports the rural village of Jerilderie, surrounding agricultural activities and travellers as anticipated by the Zone.
- The proposed development will support the efficient movement of goods and materials throughout the wider locality and regional NSW more generally, by providing an essential refuelling service.
- The built form of the proposed development and the scale of the proposed land uses are suitable to the locality and anticipated within the Zone.
- The proposal has been designed such that it does not impose unreasonable noise, privacy or overshadowing impacts.

For these reasons, the proposed development satisfies the objective of the Zone.

The proposed development is sufficiently consistent with the pertinent policies of the JLEP 2012 and JDCP 2013 and warrants Planning Consent.

Please feel free to contact me on (08) 8333 7999 or at pharnett@urps.com.au should you wish to discuss any particular matter.

Yours sincerely,



Phil Harnett
Principal Consultant

habitat



Murrumbidgee Land Use Plan

OCTOBER 2022

Murrumbidgee Council

Prepared for

Murrumbidgee Council

Contact



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Albury NSW 2640
02 6021 0662
habitat@habitatplanning.com.au
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Habitat Planning Pty Ltd
ABN 29 451 913 703
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Foreword

The Murrumbidgee Land Use Plan is the next important and significant step in planning for the future growth and development of the new Murrumbidgee local government area and builds on recent planning work undertaken by Council.

It will, in conjunction with other planning strategies, inform future changes to Council's planning controls including the zoning of land to ensure that there is an adequate supply to cater for the local needs of the community for the next 20 years.

The Plan reinforces Murrumbidgee's unique local character and what makes it a great place to live, work and visit. It provides a strategic assessment of existing conditions and trends, as well as balancing residential and economic activities, whilst looking after and enhancing local character, the natural environment, heritage, public spaces and places.

Ruth McRae Mayor

Acknowledgement

Murrumbidgee Council acknowledges the traditional custodians of the land and pays respect to Elders past, present and future. This Plan acknowledges a strong belief amongst Aboriginal people that if we care for country, it will care for us. This is supported by the knowledge that the health of a people and their community is reliant on a strong physical and emotional connection to place.

Conserving Aboriginal heritage and respecting the Aboriginal community's right to determine how it is identified and managed will preserve some of the world's longest standing spiritual, historical, social and educational values.



Yo-thun-ing-yuna Ngarratya painted by Barundji/Barkindji artists Elsie Black, Gertrude Gittins, Eileen Ballangarry and Sos Hawkins

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1. Introduction

1.1. Purpose	1.2. Objectives
The purpose of the <i>Murrumbidgee Land Use Plan</i> is to provide a clear direction to achieving Murrumbidgee's medium to long-term urban and rural growth needs. The Land Use Plan will provide a context for future land use that builds upon the actions and strategic planning ambitions outlined within Council's Local Strategic Planning Statement, as well as other strategic planning work undertaken by both Council and other government agencies. Upon completion, the Land Use Plan will inform the preparation of a new comprehensive Local Environmental Plan, which combines the former Jerilderie Shire and Murrumbidgee Shire planning controls and will provide a clear and consistent direction for targeted growth in specific areas across the new Murrumbidgee Local Government Area. The Land Use Plan provides strategic guidance for the short, medium and long-term direction of Murrumbidgee's growth and development until 2040 and in some cases beyond that, which will underpin the social, economic, environmental and infrastructure decision making of Council.	The overall objective of the Land Use Plan is to guide the future development and use of land within Murrumbidgee for the next 20 years and beyond. The objectives of the Strategic Land Use Plan are to assist in: • preparing a new consolidated Local Environmental Plan for the newly formed Murrumbidgee Council area; • providing the community with a greater degree of certainty and confidence regarding future land use planning decisions for the area; • maintaining productive agricultural land not required for urban expansion, whilst also encouraging alternative rural and complementary industries and renewable energy developments; • protecting the natural environment including biodiversity and heritage from use and development; • ensuring that infrastructure works are appropriately planned for and funded to support growth; • separating incompatible land uses; • reducing development speculation; and • considering development proposals.

1.3. Study Area

1.3.1. Regional Context

The Murrumbidgee Council area is located in the Riverina Region of south-western New South Wales and is located approximately 640 kilometres south west of Sydney and 420 kilometres north of Melbourne.

Murrumbidgee adjoins a number of other NSW local government areas including: Griffith, Leeton, Narrandera, Federation, Berrigan, Edward River, Hay and Carrathool.



Figure 1: National Context Map

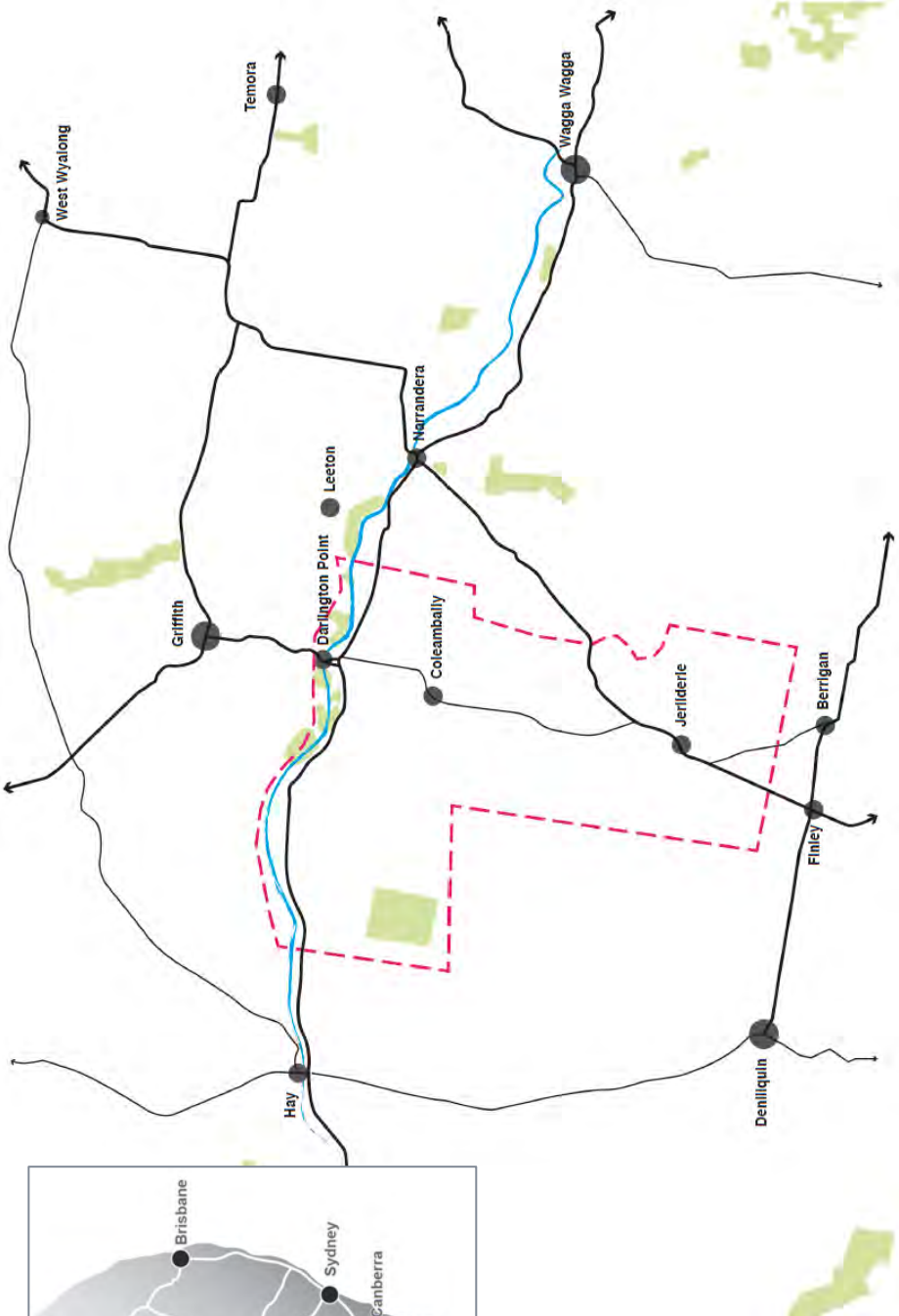


Figure 2: Regional Context Plan

1.3.2. Local Context

The new Murrumbidgee Council area was proclaimed on 12 May 2016, following the amalgamation of the former Jerilderie and Murrumbidgee Council areas.

The new council area has an area of 688,502 hectares (6,885km²) and primarily consists of rural land, but does comprises the townships of Darlington Point, Coleambally and Jerilderie.

The Land Use Plan applies to the whole Murrumbidgee Council area.

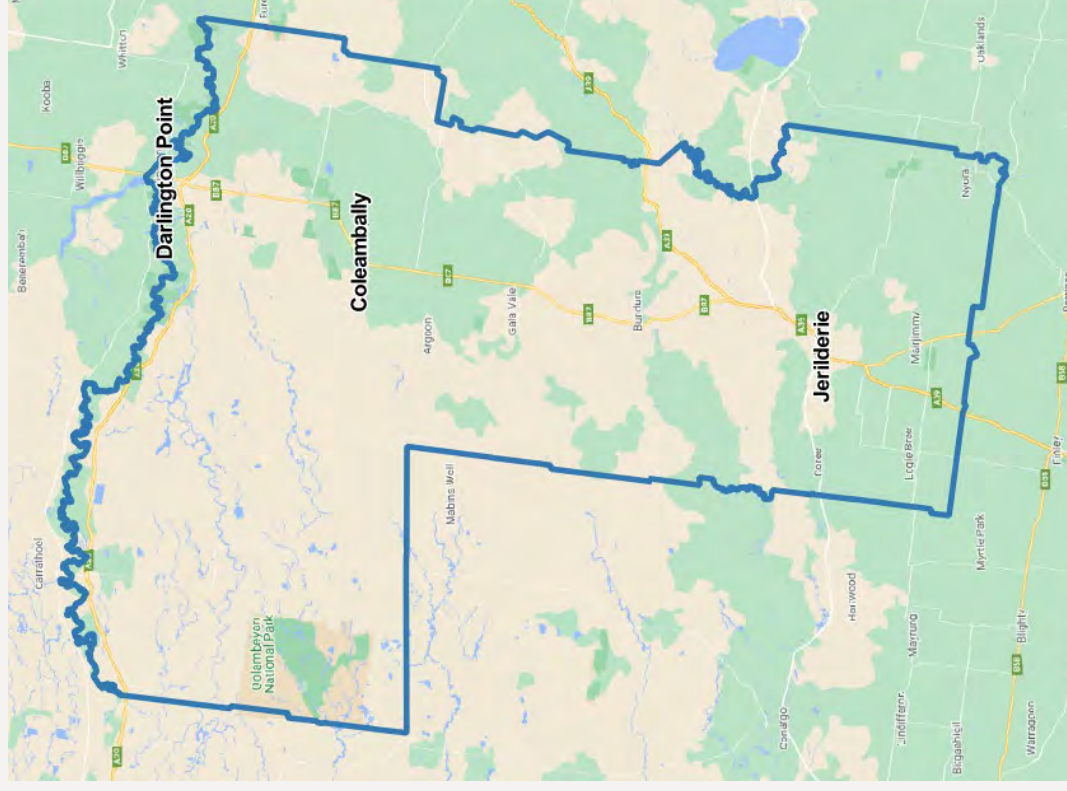


Figure 3: Study Area

1.4. Planning Policy Framework

The Land Use Plan has been prepared having regard to the planning policy framework that influences the management of land.

Land use planning is undertaken on a number of different levels from Federal down through state, regional, local, as well as specific localities or sites. The level of detail in land use planning under this hierarchy generally increases as the area to which it is applied decreases.

More recently, the NSW government has committed to shifting the NSW planning system into a strategic-led planning framework so that planning decisions are informed by a strategic plan, where each level of planning informs the next, setting the context and direction to be detailed in subsequent plans.

Placed in a planning context, strategic planning is therefore a proactive process rather than reactive.

Strategic plans are to provide clear line-of-sight between the key strategic priorities and the Land Use Plan has been prepared having regard to the planning policy framework. The Land Use Plan builds upon the actions and strategic planning ambitions outlined within the Riverina Murray Regional Plan and Council's Local Strategic Planning Statement (LSPS).

Further consideration of these key strategic planning documents is provided on the following page.

Upon completion, the Land Use Plan will inform a review of Council's new Local Environmental Plan (LEP) and Development Control Plan (DCP), which are the main tools to deliver the Council's and community's vision.

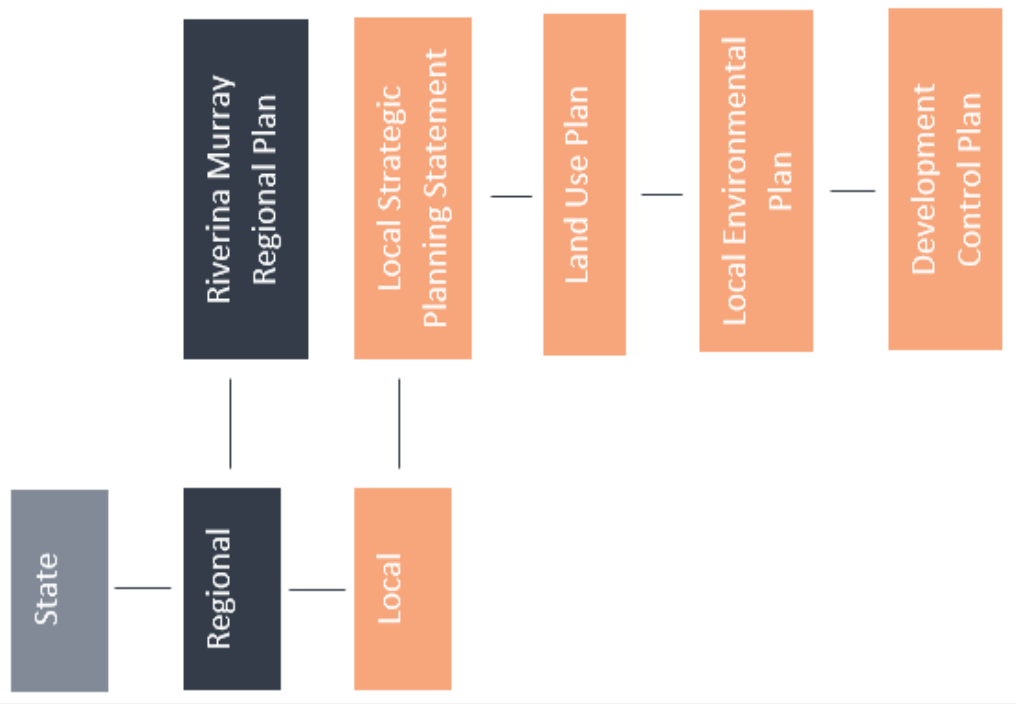


Figure 4: Planning Policy Framework

Housing 2041: NSW Housing Strategy

Housing 2041: NSW Housing Strategy represents the NSW Governments' 20 year vision for housing in NSW. Housing needs change over the course of our lives, reflecting our different aspirations and lifestyles, as well as the economic, environmental and social conditions of the day. All of these factors play a part in influencing our housing choices and the decisions we make and, in turn, the way we plan for and shape the character of our communities.

The plan embodies the NSW Government's goals and ambitions to deliver better housing outcomes by 2041 including housing in the right locations, housing that suits diverse needs and housing that feels like home.

The 20 year vision for Housing 2041 are outlined below:

Table 1: Housing 2041 Vision

People and communities have:		Homes in NSW are:
• Access to housing security, diversity and support, irrespective of whether they live in metropolitan or regional areas • choices that enable them to afford a home without compromising on basic needs • support and opportunity in differing circumstances, including people in crisis, social housing residents, private rental tenants and those who aspire to home ownership.		• accessible and suitable for different stages of life or changing circumstances • connected to local facilities, jobs and social networks, with infrastructure, services and spaces that people need to live sustainably • designed to support human wellbeing and respond to the environment, maximise technology and support local character and place.

Housing 2041 is underpinned by four key pillars being: supply, diversity, affordability and resilience of housing. The right type and size of housing (diversity) and housing in the right locations must be planned relative to infrastructure, the market and environmental factors (resilience). The amount of housing (supply) will also impact the cost (affordability) of housing.

The Housing Strategy has been prepared having regards to these four key pillars.



Figure 5: NSW Housing System Pillars
(Source: NSW Department of Planning, Industry and Environment)

A 20-Year Economic Vision for Regional NSW

The 20-Year Economic Vision for Regional NSW is the NSW Government's plan to drive sustainable, long-term economic growth in regional NSW.

It forms the roadmap to unlock significant economic potential in regional NSW. It sets out a long-term plan and a framework for how the NSW Government will provide the foundations for businesses to invest in regions with confidence.

Regional NSW is divided into five types of regional economies based on underlying geography, population and economic features. These include Metro Satellites, Growth Centres, Coastal, Inland and Remote.

The Murrumbidgee Council area is located within the Western Riverina and classified as an 'inland' economy.

The 20-Year Economic Vision outlines that:

inland regions will benefit from a strong focus on building community resilience. Accelerating research and investment in key enablers, such as climate-resilient water infrastructure and technology use in agriculture and food production, will help support these economies with more productive and sustainable industries.

The action items to achieve this objective are outlined in Table 2.

Specifically, the Land Use Plan addresses action item No. 1, which seeks to investigate inland intermodals near the production of agricultural products. In response, the Land Use Plan recommends establishing new industrial areas within both Jerilderie and Darlington Point including potential opportunities to create a transport hub at the intersection of the Kidman Way and Sturt Highway in Darlington Point.

Similarly, the Land Use Plan responds to action item No. 4, which seeks to provide clear signals to attract industries to targeted locations. As outlined above, the Plan seeks to identify specific land use zones to encourage coordinated growth in the right location and discourage ad hoc and unplanned growth within inappropriate locations.

Table 2: Economic Vision for NSW – Action Items

Action Item	Principles
1. Infrastructure	• Principle 1: Affordable, reliable and fast mobile and internet connectivity to support. • Principle 2: Improved travel between regional centres and from regional centres to international gateways. • Principle 3: Freight networks that will increase the competitiveness of key regional sectors. • Principle 4: Reliable accessible water and energy.
2. Skills	• Principle 5: A skilled labour force for current and future needs of the regions.
3. Advocacy and Promotion	• Principle 6: Recognising each region's strengths and underlying endowments.
4. Business Environment	• Principle 7: Regulation and planning to promote commercial opportunities.
5. Economic Strength and Diversity	• Principle 8: Sustainable economies and communities are better able to recover from shocks

Riverina-Murray Regional Plan

The Riverina-Murray Regional Plan is a 20 year blueprint for the future of the region.

The vision for the Riverina Murray region is outlined as follows:

To create a diversified economy founded on Australia's food bowl, iconic waterways and a strong network of vibrant and connected communities.

To achieve this vision, the Regional Plan has set four goals for the region:

- **Goal 1** – A growing and diverse economy.
- **Goal 2** – A healthy environment with pristine waterways.
- **Goal 3** – Efficient transport and infrastructure networks.
- **Goal 4** – Strong, connected and healthy communities.

The Land Use Plan is consistent with the following Directions:

- **Direction 4:** Promote business activities in industrial and commercial areas.
- **Direction 15:** Protect and manage the region's many environmental assets.
- **Direction 21:** Align and protect utility infrastructure investment.
- **Direction 22:** Promote the growth of regional cities and local centres.
- **Direction 25:** Building housing capacity to meet demand.
- **Direction 27:** Manage rural residential development.
- **Direction 28:** Deliver healthy built environments and improved urban design.
- **Direction 29:** Protect the region's Aboriginal and historic heritage.

Murrumbidgee Council Local Strategic Planning Statement

The Murrumbidgee Council Local Strategic Planning Statement (LSPS) establishes a 20 year vision for land use planning in the local area.

The strategic planning vision of the LSPS is outlined as follows:

To experience land use and development outcomes in the future that both benefit the community and minimise environmental impacts.

To achieve this vision, the LSPS is based on four key themes:

- **Theme 1** – Built environment.
- **Theme 2** – Natural environment.
- **Theme 3** – Infrastructure.
- **Theme 4** – Economic growth.

The Land Use Plan is consistent with the following strategic agenda items:

- **BE1 – Supply of land:** To ensure there is 15-20 years supply of zoned land and choice of sites for urban development.
- **B33 – Location of industrial development:** To prevent land use conflicts with adjoining non-industrial land.
- **BE5 – Non-Aboriginal heritage:** To ensure the rich history of the Murrumbidgee Council area is protected and maintained.
- **NE1 – Environmentally sensitive land:** To ensure environmentally sensitive areas are identified and provided with the appropriate level of safeguards against detrimental environmental impacts.
- **NE6 – Climate change:** To ensure land use and development is prepared for the consequences of climate change.
- **IP4 – Civil infrastructure in urban and rural area:** To ensure local infrastructure adequately performs its intended purpose.
- **EG2 – Supply and choice in commercial development sites:** To ensure there is always choice of sites for new commercial development.
- **EG7 – Productive agricultural land:** To prevent development that reduces the amount of land available for agriculture.

1.5. Consultation

1.5.1. Overview

Consultation with the community and relevant government agencies represents an important component of the Land Use Plan, enabling the collection and consideration of aspirations, values and concerns for the future of the Murrumbidgee Council area.

The purpose of the consultation was to:

- Communicate and inform the community and stakeholders of the process for the Land Use Plan;
- Understand the stakeholder and community views, which will inform the preparation of the Land Use Plan;
- Identify key issues and input from the community and government agencies and opportunities to resolve them;
- Assist in establishing a clear vision for each township;
- Gain public ownership of the resulting plan.

There are several advantages of consultation when undertaken effectively:

- Increase in community/understanding of the Land Use Plan and the process by which it evolves;
- Improve the quality of the Land Use Plan as it will benefit from a broad cross section of ideas at the outset and feedback during its creation;
- Integrating results from previous consultation processes;
- The Land Use Plan will receive 'buy-in' and ownership by community and agencies.

1.5.2. Program of Consultation

The Land Use Plan has been prepared based on recent community consultation, as well as previous consultation undertaken as part of other Council strategic planning projects.

Consultation has included the following:

- Media release issued by Council at the start of the initial consultation phase;
- Consultation with all landowners via Council's hardcopy and electronic newsletters during May 2020;
- Contact via letter of all relevant government agencies and service providers seeking input into the Draft Land Use Plan;
- Consultation with affected landowners via letter during January 2021;
- Placement of information flyers within key locations around the three main townships;
- Creation of an online and hardcopy questionnaire available for residents to complete.
- Engagement via social media such as Facebook and Instagram;
- Advertisement in local newspapers to generate community interest.

Further consultation will be undertaken with the community as part of the exhibition of the Draft Land Use Plan, which will be used to inform the Final Land Use Plan.

1.5.3. Outcomes of Consultation

General Community

Community feedback was received via face to face discussions, completion of the community questionnaire and written submissions provided to Council.

A total of 45 submissions were received, including 14 from Darlington Point, 10 from Coleambally and 17 from Jerilderie. Four submissions were received from persons living outside of the Murrumbidgee Council area.

A summary of the consultation results from each township is provided in **Table 3**.

Table 3: Survey Questionnaire Results

Survey Questions	Darlington Point	Coleambally	Jerilderie
I live:	- Inside the LGA – 85% - Outside the LGA – 15%	- Inside the LGA – 100% - Outside the LGA – 0%	- Inside the LGA – 94% - Outside the LGA – 6%
I shop:	- Locally in my town – 7% - Outside of town (Griffith) – 93%	- Locally in my town – 80% - Outside of town (Griffith) – 20%	- Locally in my town – 94% - Outside of town (Albury, Shepparton) – 6%
I live here because?	- Affordable housing - Natural environment (rivers, bushland) - Family support and connections	- My work - Safe place for me and my family - Family support and connections	- Safe place for me and my family - My work - Family support and connections
What key items would make people want to live in the area?	- Affordable housing - Natural environment and recreation - Jobs	- Jobs - Agricultural opportunities - Affordable housing	- Jobs - Agricultural opportunities - Sense of community
What key things would encourage travellers to stop in town?	- Natural environment (rivers, creeks etc) - More attractive business area - More shops	- Better toilets - Better recreational facilities - More attractive business area	- More attractive business area - Natural environment (rivers, creeks etc) - More shops
Council should work harder to:	- Make places more attractive - Improve social, health and recreational facilities - Encourage more things for people to do	- Encourage more things for people to do - Support new businesses and investment - Build and improve infrastructure	- Support new businesses and investment - Make places more attractive - Build and improve infrastructure
What should Council zone more land for?	- Environmental - Agricultural - Residential	- Residential - Agricultural - Business	- Business - Industrial - Residential

Survey Questions	Darlington Point	Coleambally	Jerilderie
If Council were to rezone more residential land, what is the priority?	- Town size blocks (1,000m2) - Hobby farms (2ha) - Larger residential blocks (4,000m2)	- Town size blocks (1,000m2) - Hobby farms (2ha) - Larger residential blocks (4,000m2)	- Large residential blocks (4,000m2) - Town size blocks (1,000m2) - Hobby farms (2ha)
What are the residential areas closest to you like?	- Needs improvements - Have some poor developments - Needs a greater variety of housing types	- Are nicely planned and attractive - Needs improvements - Are mostly attractive	- Are nicely planned and attractive - Are mostly attractive - Have some poor developments
What are some things that could be undertaken to improve these areas?	- More attractive streetscapes and street trees - Improved street lighting - More emphasis on compliance	- Improved street lighting - Better road access (kerb, gutters and footpaths) - More attractive streetscapes and street trees	- Improved street lighting - Better drainage - More emphasis on compliance
What are the priorities for compliance in the residential areas?	- Rubbish, old car removal - Yards are kept tidy - No living in sheds	- Rubbish, old car removal - Yards kept tidy - No living in sheds	- Rubbish, old car removal - Yards kept tidy - Better quality backpacker accommodation
What are the key challenges facing the local area?	- Lack of employment - Lack of infrastructure, services and facilities - Loss of biodiversity or heritage	- Pressure on agriculture land from other activities - Lack of employment - Lack of infrastructure, services and facilities	- Lack of employment - Pressure on agriculture land from other activities - Lack of infrastructure, services and facilities
In encouraging sustainability what should Council's priorities be?	- Conservation of the natural environment - Waste and recycling - Revegetation works	- Conservation of the natural environment - Waste and recycling - Working with other government agencies	- Waste and recycling - Conservation of the natural environment - Nothing, Council has other priorities

Public Authorities and Government Agencies

Feedback from government agencies and service providers was provided via written feedback and is summarised in **Table 4**.

Table 4: Summary of Government Agency Consultation

Public Authority	Submission Details
NSW Police Force	No specific details provided in relation to the LUP, however NSW Police Force would like to be involved for proposed developments relating to: ▪ Nursing homes; ▪ Public housing/low cost housing estates; ▪ Licensed premises; ▪ Holiday and caravan parks.
Essential Energy	▪ Need to liaise with Essential Energy in the early planning stages of future development that will impact the electrical network; ▪ Need to create a process for easement creation as part of the DA approval process.
NSW Department of Primary Industries – Agriculture	▪ Strategic planning should focus on ensuring appropriate land use objectives, lot size and zonings to protect and support agricultural production from inappropriate neighbouring land uses.
NSW Rural Fire Service	▪ The preparation of the LUP should have regard to the provisions of <i>Planning for Bushfire Protection 2019</i>. ▪ Strategic planning should provide for the exclusion of inappropriate development in bushfire prone areas. ▪ Where increased residential densities are proposed on bushfire prone land, a Strategic Bushfire Study shall be prepared. ▪ Consideration needs to be given to 'Grassland Hazards' in the Murrumbidgee Council's Bushfire Prone Land map.
NSW Planning Industry & Environment – Biodiversity Conservation Division	▪ Undertake a study of Aboriginal cultural heritage values for the local government area in partnership with the local Aboriginal community; ▪ Implement a biodiversity strategy for the Murrumbidgee LGA ▪ Make a Development Control Plan consistent with <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i> to regulate high conservation vegetation; ▪ Promote biodiversity certification for new urban release areas and spot re-zonings; ▪ Validate High Environmental Value (HEV) mapped areas in the Murrumbidgee including vegetation likely to provide habitat for Koalas and other threatened species. ▪ Development should be compatible with flood behaviour, flood hazard and flood emergency management. ▪ Assess and manage the impacts of climate change (such as heat, floods, storms and drought).
Transport for NSW	▪ Land use planning should ensure that the classified road and rail network are not adversely impacted by proposed changes; ▪ Direct access to the Classified road network and State roads should not be relied upon. ▪ The Classified road network needs to be protected from 'ribbon development'.
NSW Department of Primary Industries – Fisheries	▪ Planning instruments and associated strategies need to identify and proactively protect waterways from inappropriate development. ▪ Waterways/watercourses, recognised sensitive aquatic habitats and other key fish habitats such as threatened species habitat mapping should be included within land use mapping.

Public Authority	Submission Details
Heritage NSW	▪ Undertake a heritage study of non-Aboriginal heritage. ▪ Prepare an Aboriginal Cultural Heritage Study to inform Council's consolidated LEP. ▪ Support the ongoing use of the Aboriginal Heritage Information Management System (AHIMS) to identify known locations of items of Aboriginal cultural heritage and requiring appropriate due diligence as part of the development application process.
NSW EPA	▪ Suitable separation distances (buffer zones) should be established at the strategic planning stage, particularly between sensitive land uses and industry. ▪ The LUP should consider adjacent existing activities and zonings to any proposed areas to ensure conflicts do not occur. For example between rural and rural residential development and industrial and residential activities. ▪ High noise generating activities should be located a suitable distance from noise sensitive land uses. ▪ Land use planning and site selection should be used to ensure that odour impacts do not adversely affect residential and other sensitive areas.

1.6. Implementation, Monitoring and Review

The recommendations of the Land Use Plan will be implemented via a review of Council's existing Local Environmental Plans. This will include a review of existing land use zones, as well as the introduction of local provisions and maps to achieve certain development outcomes.

The new Local Environmental Plan will also be supported by the creation of a new Development Control Plan.

The Land Use Plan should be reviewed regularly incorporating changes in the circumstances as they evolve over time and that take account of shifting priorities and policy changes including:

- The types of development being undertaken;
- The rate of land consumption by various land use types;
- The supply of land for various land use types;
- The standard and capacity of infrastructure;
- Environmental impacts;
- Legislative changes; and
- Community views.

1.7. Associated Studies and Investigations

The preparation of the Land Use Plan has been informed by the following associated studies and investigations:

- Non-Aboriginal Heritage Review, prepared by Noel Thomson Architecture Pty Ltd;
- Aboriginal Cultural Heritage Assessment, prepared by AREA Environmental Consultants and Communication;
- Biodiversity Assessment, prepared by AREA Environmental Consultants and Communication;
- Darlington Point Flood Risk Management Strategy and Plan, prepared by Catchment Simulation Solutions;
- Murrumbidgee Integrated Water Cycle Management Strategy, prepared by NSW Public Works Advisory.

Copies of these strategies are included with the Land Use Plan.

2. Murrumbidgee Council Area

2.1. Overview

This section of the Land Use Plan provides an overview of the matters that are relevant to the future planning of Murrumbidgee as a whole. Details regarding each of the three townships are addressed in Section 3.

2.2. Social and Community

Areas of analysis in this section include population demographics and trends, housing, welfare need and dependency, community capacity, community services, recreation and open space, as well as skills and education, which will influence key issues for planning.

2.2.1. Population

The official population of the Murrumbidgee council area as of 30 June 2016 was 3,836, which has remained steady since 2011.

In terms of where the population lives, Darlington Point accounts for 30 percent of the total population, with Coleambally accounting for 35 percent and Jerilderie 27 percent. The remaining 8 per cent of the population resides in rural areas outside of the three main townships.

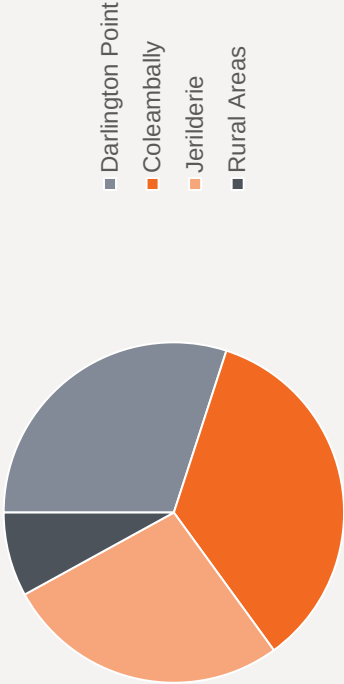


Figure 6: Murrumbidgee Population

Table 5: Population Summary

Population (2016)		% of LGA
Darlington Point	1,162	30
Coleambally	1,331	35
Jerilderie	1,029	27
Rural Areas	314	8
Total	3,836	100

Males make up 52 percent of the total population, as compared to females who comprise 48 percent of the population. This percentage split differs from the remainder of regional NSW whereby females comprise a larger percentage of the population.

Similarly, Aboriginal and Torres Strait Islanders comprise 7.4 percent of the total population as compared to 5.5 percent for the remainder of regional NSW.

NSW DPIE prepare population projections for each LGA using 'low', 'medium' ('common') or 'high' growth scenarios. For the period between 2016 and 2041, using common (medium) planning assumptions, the total population of Murrumbidgee is predicted to decline 3,836 persons in 2016 down to 3,860 persons in 2041. This represents a total reduction in the population of 156 persons over this period or an annual population reduction of 6.

Notwithstanding, when using NSW DPIE high growth rate scenario, the population between 2016 and 2041 is predicted to increase from 3,836 persons in 2016 to 4,182 persons in 2041. This represents a total increase in the population of 346 persons over this period or an annual population increase of approximately 14 persons.

Whilst it is acknowledged that as a whole Murrumbidgee is predicted to decline, it is expected that the population of the main townships of Darlington Point, Coleambally and Jerilderie will remain steady or in fact may slightly increase.

This will be the result of in migration from retired farmers and the elderly from outlying rural areas in recognition of the wider range of services and housing available to this age group.

Furthermore, Council is also expecting the population of Murrumbidgee to increase into the future as a result of a number of other factors.

Such factors include the decentralisation of persons away from metropolitan and larger centres, technological improvements and opportunities to work from home, lower land and housing prices, as well as a recent influx in the number of development enquiries and proposed large scale agricultural and renewable energy production developments.

This projected higher growth rate scenario is also reflective of the fact that the population of Murrumbidgee grew between 2011 and 2016 from 3,838 persons to 3,929 persons. This represents an annual population increase of 18.2 persons.

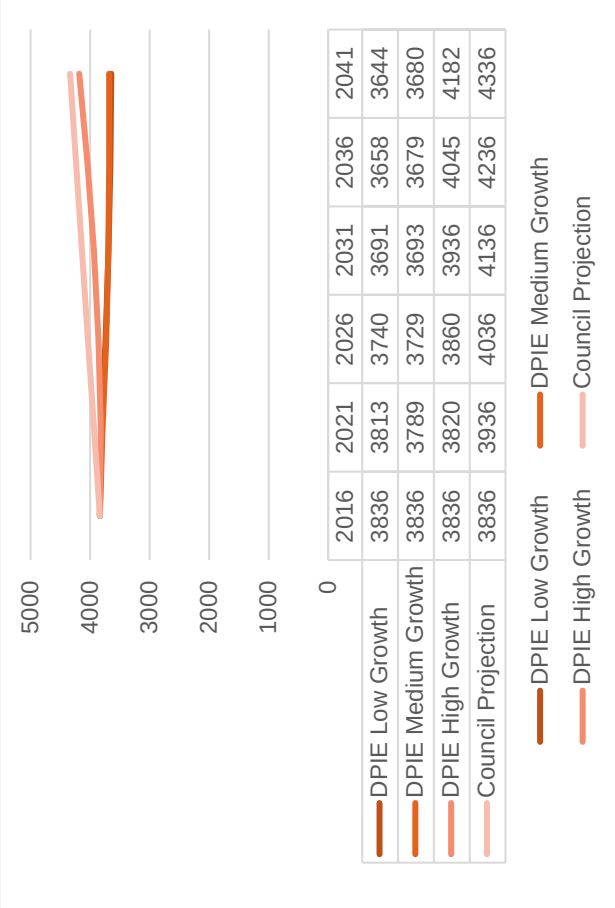
All of these factors are likely to contribute to increased permanent and short term/seasonal worker population that need to be catered for.

In recognition of these factors, a higher population growth rate scenario has been adopted for Murrumbidgee, which is projected to grow by approximately 500 persons between 2016 and 2041 to **4,336**. This equates to an annual population increase of approximately 20 persons.

Table 6: Population Projections 2041

	Population (2016)	DPIE Projection (Common Growth)				DPIE Projection (High Growth)				Council Projection (High Growth)			
		Additional Population	Annual Change (Persons)	Population (2041)	Additional Population	Annual Change (Persons)	Population (2041)	Additional Population	Annual Change (Persons)	Additional Population	Annual Change (Persons)	Population (2041)	Population (2041)
Darlington Point	1,162	-47	-1.88	1,115	104	4.16	1,266	150	6			1,312	
Coleambally	1,331	-55	-2.22	1,276	121	4.84	1,452	175	7			1,506	
Jerilderie	1,029	-42	-1.67	987	93	3.72	1,122	135	5.4			1,164	
Rural Areas	314	-12	-0.47	302	28	1.12	342	40	1.6			354	
Total	3,836	-156	-6.24	3,680	346	13.84	4,182	500	20			4,336	

*Note: NSW DPIE projections have been adjusted to align with confirmed ABS population data as at 30 June 2016.



In 2016 the median age of residents was **41** years compared to 43 for regional NSW as a whole indicating a slightly younger age profile.

Notwithstanding, consistent with NSW and national trends the number of persons aged over 65 is predicted to increase from 17% in 2016 to 24% by 2041.

Whilst the overall population of Murrumbidgee is projected to slightly decline or stay static under the medium growth scenario of NSW DPIE, the total number of persons aged over 65 will increase. As a result, this will place pressure on additional services and facilities, namely residential accommodation, health care and transportation for this age group.

This in turn will result in a reduction in the working age population, which will place further pressures on local economies and the workforce, particularly when compounded by an under-representation of younger working aged persons in the community.

Council will need to investigate opportunities to increase the proportion of younger aged persons within the workforce, particularly those aged between 20-29 years of age.

Figure 7: Population Projections for Murrumbidgee

2.2.2. Housing

Housing is perhaps the most influential factor in determining how Council's planning instruments should be framed for the future. The trends in housing in Murrumbidgee are fairly similar to those for population.

The population of the council area in 2016 was housed in 1,936 dwellings located within the townships of Coleambally, Darlington Point and Jerilderie, as well as in rural areas.

Of these, 62 percent were classified as 'family households' and comprised at least one parent and child, whilst 'lone person households' were the next largest household type comprising 25 percent of the total housing stock.

Table 7: Household Summary

Dwellings (2016)		Household Size
Darlington Point	536	2.45 persons
Coleambally	659	2.3 persons
Jerilderie	546	2.3 persons
Rural Areas	195	2.45 person
Total	1,936	

Of the total number of houses, the predominant housing type was separate houses. These made up approximately 91% of the total housing stock, when compared with other forms of housing (semi-detached, row or terrace house, townhouse, flat or apartment).

This figure is much higher when compared against the NSW and National average of 66.4% and 72.9% respectively.

It is noted however that Council have seen in recent years a general increase in the demand for short term and temporary workers accommodation. In certain circumstances, this has resulted in ad hoc and uncoordinated development that has the potential to detract from the residential amenity of the area and create land use conflicts.

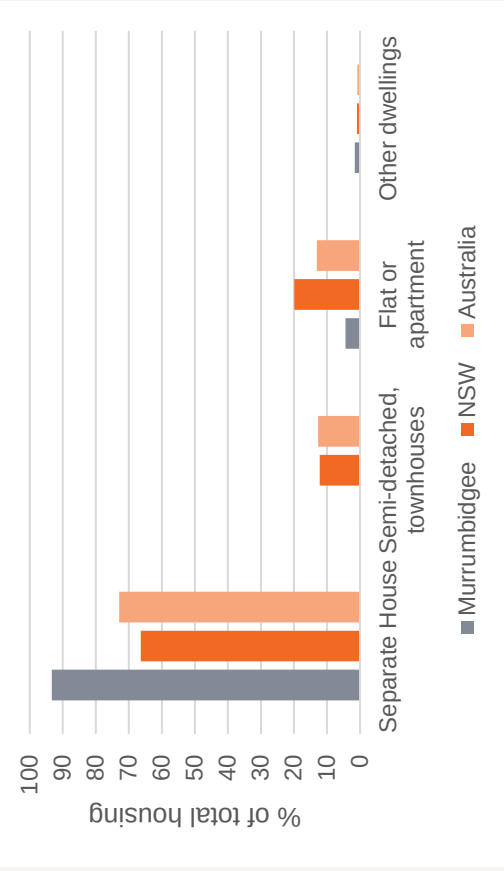


Figure 8: Housing Type

The size of dwellings within Murrumbidgee varies from state and national averages with households generally comprising 3 or more bedrooms with comparatively fewer 1 and 2 bedroom dwellings (Figure 9).

Specifically, the number of one bedroom dwellings only comprises 3% of the total housing stock. This figure is not reflective of the fact that approximately 28% of the household types comprise single (or lone) persons households.

When considering a future ageing population and in-migration from outlying rural areas, there will be a need for additional smaller dwellings.

The average household size within Murrumbidgee was 2.4 persons per household. This figure has declined from 2.5 in 2006 and reflects a nationwide trend of smaller household sizes, which is expected to further decline to 2.03 by 2041.

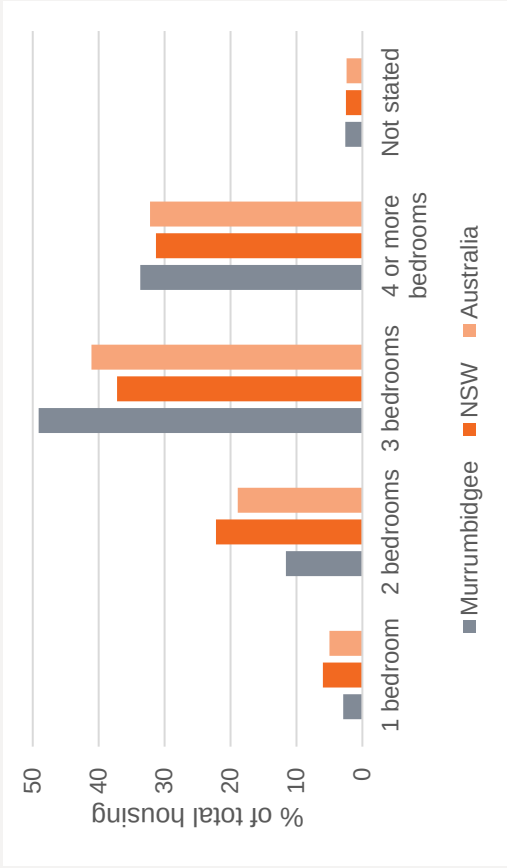


Figure 9: Size of dwellings

Housing approvals (short term and permanent) within Murrumbidgee have been reflective of population growth remaining steady over time. On average, 9 new dwellings are constructed each year across the council area. For the most part, the majority of these housing approvals have occurred within the RU5 Zone, primarily due to a lack of alternative residential product.

In recent times however, there has been an increase in the demand for short-term and worker accommodation, which has the potential to create land use conflicts with established dwellings.

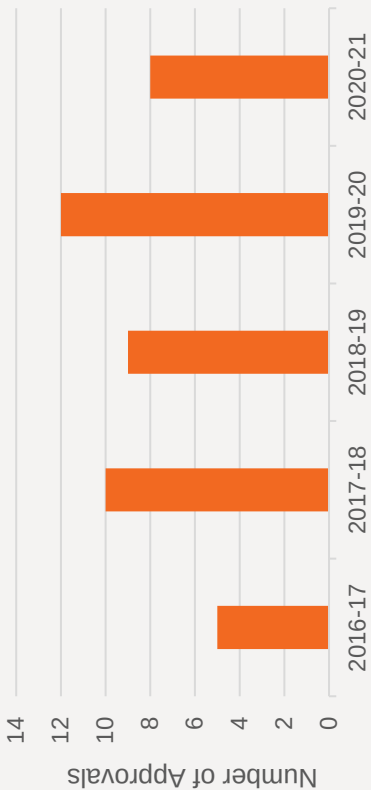


Figure 10: Residential Building Approvals

Based on Council population projections, the Murrumbidgee Local Government Area is expected to grow by 500 persons between 2016 and 2041 to 4,336.

This will equate to the construction of **208 new dwellings** over this time period using an average household size of 2.4 persons per household.

This equates to the construction of 8 new dwellings per annum.

Notwithstanding the above, when using a reduced average household size of 2.03 persons per household as per NSW DPIE forecasts, this will require the construction of **246 new dwellings** between 2016 and 2041.

This equates to the construction of 9.8 new dwellings per annum.

Table 8: Household Projections 2041

Dwellings (2016)			DPIE Projection (Common Growth)			DPIE Projection (High Growth)			Council Projection (High Growth)		
			Additional Dwellings	Annual Change (Dwellings)	Dwellings (2041)*	Additional Dwellings	Annual Change (Dwellings)	Dwellings (2041)	Additional Dwellings	Annual Change (Dwellings)	Dwellings (2041)
Darlington Point	536		-23.10	-0.92	-	51.13	2.05	587.13	73.89	2.95	609.89
Coleambally	659		-26.95	-1.08	-	59.65	2.39	718.65	86.21	3.45	745.21
Jerilderie	546		-20.79	-0.83	-	46.02	1.84	592.02	66.50	2.66	612.50
Rural Areas	195		-6.16	-0.25	-	13.63	0.55	208.63	19.70	0.79	214.70
Total	1,936		-77	-3.08	-	170.44	6.82	2,106.44	246.31	9.85	2,182.31

*Note: No dwelling projections have been included under the common growth scenario as this is a negative number

As will be discussed later in Section 3 of this Land Use Plan, whilst it is acknowledged that the main township of Murrumbidgee already has a degree of residential land supply, which could cater for the projected housing needs of the community there is a need to create additional land supply.

Several of the key obstacles to achieving additional residential land supply are due to instances of land banking and land speculation. This has resulted in much of the undeveloped zoned residential land being locked up and excluded from development based on a lack of interest of owners to develop this land. This is exacerbating land supply issues due to a relative lack of development fronts and opportunities to develop other land.

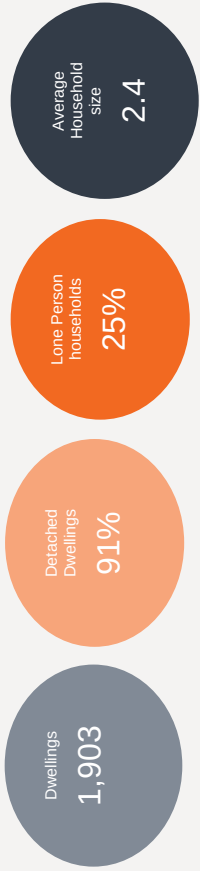


Figure 11: Housing Summary

2.2.3. Housing Affordability

Household tenure refers to whether someone owns or rents a property. The percentage of households that own their property outright in Murrumbidgee (36.3%) is comparatively higher than state (32.2%) and national (31.0%) average.

Conversely, the percentage of households owned with a mortgage in Murrumbidgee (24.9%) is comparatively lower than state (32.3%) and national (34.5%) averages.

The number of households that rent is also generally higher than state and national averages, which may be reflective of lower median rental prices, a general lack of available or suitable housing stock to buy, as well as a transient/rural workforce.

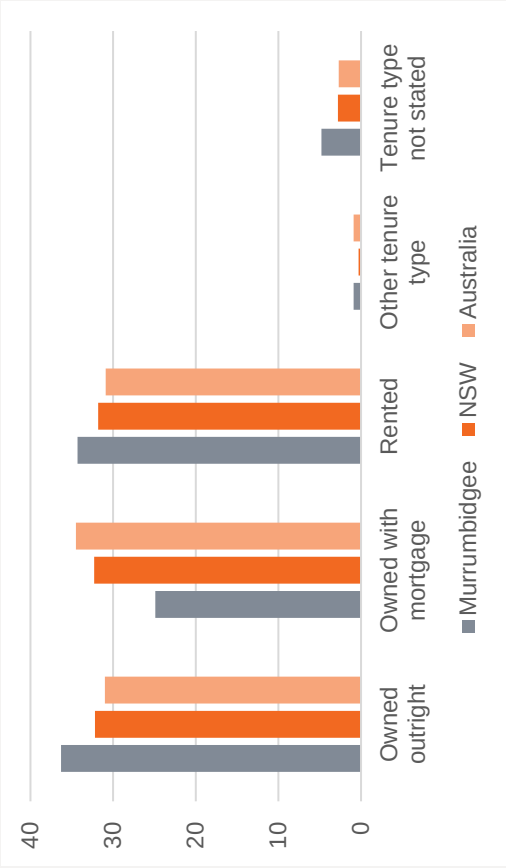


Figure 12: Housing Tenure

At the 2016 Census, the proportion of weekly rental and monthly mortgage repayments was comparatively lower than the NSW and national average with the vast majority of household rents and mortgage repayments comprising less than 30% of total household incomes. This indicates a low level of rental and housing stress and indicates housing affordability.

Table 9: Weekly Rental Payments

Weekly rental payments	Murrumbidgee	NSW	Australia
Median rent	\$150	\$380	\$335
Households where rent <30% of household income	94%	87.1%	88.5%
Households where rent >30% of household income	6%	12.9%	11.5%

Table 10: Mortgage Monthly Repayments

Mortgage monthly repayments	Murrumbidgee	NSW	Australia
Median mortgage repayment	\$900	\$1,986	\$1,755
Households where mortgage <30% of household income	96.6%	92.6%	92.8%
Households where mortgage >30% of household income	3.4%	7.4%	7.2%

A review of the Department of Family and Community Services online wait time register for Darlington Point (S126), Coleambally (S113) and Jerilderie (S107) indicates that the expected waiting time for general applications as at 30 June 2020 for social housing are as follows:

Notwithstanding, it is noted that the number of applicants in each of these townships was less than 5 applicants indicating a general low level of demand for social housing.

Table 11: Expected wait time for social housing

Housing Type	Expected waiting time		
	Darlington Point	Coleambally	Jerilderie
Studio/1 bedroom property	-	-	-
2 bedroom property	-	-	-
3 bedroom property	Up to 2 years	10+ years	2 to 5 years
4+ bedroom property	Up to 2 years	10+ years	-

Source: NSW Department of Family and Community Services

2.2.4. Socio-Economic

The 2016 Socio-Economic Indexes for Areas (SEIFA) measures the relative level of socio-economic disadvantage based on a range of Census characteristics. The index is derived from attributes that reflect disadvantage such as low income, low educational attainment, high unemployment, and jobs in relatively unskilled occupations. A lower score on the index means a higher level of disadvantage.

The SEIFA index for the Murrumbidgee council area is 961 which is comparable to surrounding local government areas.

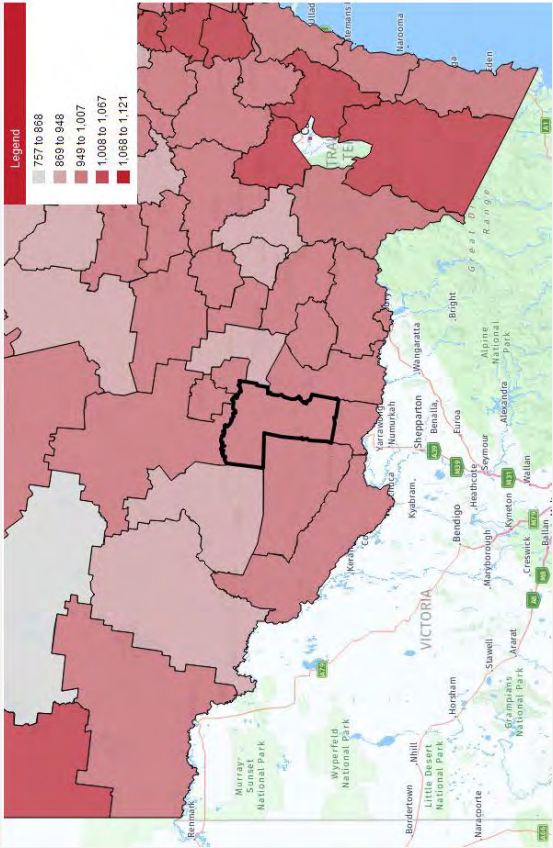


Figure 13: Index of Relative Socio-Economic Disadvantage

In 2016, 186 people (or 4.8 percent of the population) in Murrumbidgee Council reported needing help in their day-to-day lives due to disability. This was a similar percentage in 2011.

Analysis of the need for assistance of people in Murrumbidgee Council compared to Regional NSW shows that there was a lower proportion of people who reported needing assistance with core activities as compared to other areas.

2.2.5. Community Facilities

There are a number of community facilities and services available to the residents of Murrumbidgee. Community infrastructure assets include health, aged care support, community facilities and halls, libraries, swimming pools and a range of quality educational facilities.

The community has access to nine (9) public halls, a public library, which operates in the southern portion of the council area, as well as a mobile library service that operates in the northern half of the council area. Council administrative offices are also located within each of the main townships.

Educational and health care facilities also operate within each of the main townships and include; pre-schools, childcare centres, primary schools, high schools, local hospitals and allied health care. In addition, the community has access to other community facilities such as police, fire brigade and ambulance.

A plan identifying these individual facilities within each township is provided in Sections 3.1 to 3.3.

Murrumbidgee Council offers a number of direct community services to local communities including:

- Community transport.
- Meals on wheels.
- Home modifications and maintenance.
- Social support e.g. art groups, one on one social support to access their communities.
- Domestic assistance.
- Funding of equipment for residents such as wheelchairs, lifts etc.
- Personal care.

The Murrumbidgee Council area has a number of community groups and organisations that illustrate the capacity and ability of the community. Some of these groups include local chambers of commerce, progress association, Lion's Club, Rotary, APEX, Men's sheds, Country Women's Association (CWA), State Emergency Services (SES), landcare groups, local church groups, as well as various local sporting or hobby groups.

2.2.6. Recreation and Open Space

The Murrumbidgee council area provides a variety of indoor and outdoor recreational activities. More specifically, Council is responsible for maintaining three (3) sports fields, two (2) community sports centres, three (3) swimming pool complexes, as well as being responsible for maintaining 186 hectares of formal public open space areas across the council area.

Other recreational facilities within the council area include: skate parks, tennis courts, football and cricket ovals, golf courses, race tracks and gyms, shooting and pistol ranges,

In recognition of the natural features of the area residents and visitors also have access to water-based recreational activities including fishing, boating and water skiing, as well as camping, bush walking and bike riding.

A plan identifying existing recreational facilities within each township is provided in Section 3.1 to 3.3.



Figure 14: Summary of Community and Open Space Facilities

Notwithstanding the above, it is necessary to consider the current provision of open space and whether additional public open space is required to service the future needs of the population and expectant population growth.

Consideration has been given to the NSW Government’s *Draft Greener Places Design Guide*. The Draft Greener Places Design Guideline outlines that there are six core criteria that drive the planning of open space for recreation. These include:

- Accessibility and connectivity.
- Distribution.
- Size and shape.
- Quantity.
- Quality.
- Diversity.

Of these core criteria, the distribution of open space is one of the key principles that need to be considered when planning open space. Distribution refers to the ability of residents to gain access to public open space within an easy walk from home, workplaces, and schools, which is an important factor in the quality of life. The geographic distribution of open space is a key access and equity issue for the community, which is typically measured by walking or travel distance.

The Guidelines outline that at the local or neighbourhood-level scale, residents should have access to a public open space area within 400m/ 5 minutes safe walking distance as per Table 12.

Table 12: Key Performance Indicators for Open Space

Access Level	Performance Indicator
Local access	
High-density area (>60 dwellings/ha)	2-3 minutes walk / 200m walking distance to a local park (barrier free).
Medium to low density areas (<60 dwellings/ ha)	5 minutes walk / 400m walking distance to a local park (barrier free).
District access	
	25 minutes walk / 2km proximity to a district park.
	District parks also provide local access.
Regional access	
	Up to 30 minutes travel time on public transport or by vehicle to regional open space.
	Regional parks also provide local and district access.

Source: Draft Greener Places Design Guide, 2021

The provision and size of open space areas is also critical when planning new greenfield residential areas. According to the Guideline, the public open space network will include a range of parks serving different catchment sizes – a hierarchy of service. Typically, the further up the hierarchy, the larger the park is and the more diverse the range of opportunities within that park.

A summary of the open space hierarchy contained within the Guideline is reproduced in Table 13.

Table 13: Hierarchy of parkland provision

Park Type	Typical Opportunities	Example Design Solutions
Local Park	Local play and recreation opportunities	Local park of 5,000m ² with 50% road frontage and functional space for informal activities
Linear Park/ Open Space corridor	Recreation and active transport pathways, linkages to formal parks, minor recreation features such as seats, active opportunities such as fitness equipment.	Large creekside linear park with a minimum of 20m from top of bank and not steeply sloping.
District Park	Local and destination play, picnic and gathering spaces for groups, large active spaces for youth and recreation spaces.	District park of a minimum 2ha with 50% road frontage and large usable area for active recreation
District Sports Precinct	Provision of formal, developed playing areas for field and court sports and built sporting facilities.	10+ha site with multiple fields and courts and building facilities supporting formal use such as clubhouses, amenities and parking.
Regional/ Metropolitan/ Citywide Parks	Large group spaces, picnic and barbecue facilities, large destination play, key landscape features, path and trail based recreation, long stay facilities	Large destination parklands of more than 5ha focussed around a key landscape feature such as a riverside or central reserve.

Source: Draft Greener Places Design Guide, 2021

2.2.7. Land Use Conflicts

Land use conflicts may arise when incompatible land uses are situated in close proximity to each other. Land use conflicts may impact on the amenity of sensitive land uses, the efficient use of productive land, or environmental and landscape values.

Some of the key land use conflicts that will need to be managed ongoing include:

- Bushfire risks on development that adjoins heavily vegetated areas or open grasslands.
- Flooding impacts on development from adjoining rivers and waterways.
- Sensitive environmental values at the interface of development with natural areas.
- Potential odour impacts associated with the operation of sewerage treatment works or industries.
- Noise and amenity impacts between industrial and commercial development and sensitive land uses (residential, educational).
- Impacts on the productive viability of agriculture from the encroachment of residential or rural residential development including; weed infestation, domestic animals, noise, lights, spray drifts etc.
- Amenity impacts such as noise adjoining key transport corridors (road, rail).

Careful consideration will be required when planning future land uses to ensure that they will not result in conflicts between land uses.

A plan identifying potential land use conflicts within each township is provided in Sections 3.1 to 3.3.

2.2.8. Key Issues for Planning

<u>Population:</u>	
2.2.8.1	Population decline/stagnation and opportunities to reverse this.
2.2.8.2	Population growth and the need to provide adequate supply of zoned and appropriately located land for a range of development.
2.2.8.3	Decline in working age persons and potential impacts on local economy.
2.2.8.4	Under-representation of younger working age persons in the community.
2.2.8.5	Over-representation of older persons (comparatively) that will continue to grow in line with national trends resulting in increased demand for facilities and services including: - o appropriate housing (independent and dependent) - o access to health care - o public transport and disabled access
<u>Housing:</u>	
2.2.8.6	Ensuring development is appropriately located to avoid natural and man-made land use conflicts.
2.2.8.7	An increasing demand for housing by retirees and the type of housing this generates.
2.2.8.8	Lack of affordable housing options, particularly for older low-income earners adding to housing stress in the community.
2.2.8.9	Providing a range of housing types and options that suit the needs of residents and encourages in-migration.
2.2.8.10	Supply of zoned and serviced land to meet the future demand.
2.2.8.11	Residue supply of undeveloped urban zoned land due to a lack of landowner ability or aspirations to develop this land.
2.2.8.12	Ensuring compatibility between different housing types such as freestanding, higher density and short-term housing to reduce the potential for land use conflicts.

2.2.8.13	Increase in large lot residential and rural lifestyle housing options to provide choice in the housing market.
2.2.8.14	Increase in short-term, tourist and worker accommodation developments and ensure these integrate with the permanent population.
2.2.8.15	Lack of diversity in housing, particularly one and two bedroom dwelling stock.
<u>Community Services:</u>	
2.2.8.16	Declining representation of young people due to a lack of jobs and tertiary educational opportunities.
2.2.8.17	Increased demand for facilities and services for older populations.
2.2.8.18	Ability to retain young people to sustain growth and provide balance in the community.
<u>Recreation and Open Space:</u>	
2.2.8.19	Provision and maintenance of recreational facilities in the face of an ageing population.
2.2.8.20	Provision of appropriate recreational facilities that cater for the needs of local residents.
2.2.8.21	Provision of additional recreational facilities that build on the areas' natural environmental features and competitive advantages.
<u>Land Use Conflicts:</u>	
2.2.8.22	Ensuring development is appropriately located to avoid natural and man-made land use conflicts.

2.3. Economy

Areas of analysis in this section include economic output and employment base, agriculture, industrial activities, commercial activities and retail hierarchy, tourism, local/ regional development opportunities, threats and opportunities, which will influence key issues for planning.

Note: At the time of finalising the Land Use Plan, employment data for the 2021 Census has not been released.

2.3.1. Economic Output

The Murrumbidgee Council area has traditionally been home to a variety of agricultural industries, with a growing interest in recent times in renewable energy projects (solar, biomass).

In 2017/18 nearly half of employment in the council area was in agriculture, forestry and fishing, which had a total value output of \$237 million. Other significant sectors in the area include manufacturing, retail trade, education and training and health care.

Murrumbidgee Council's Gross Regional Product for 2018 was estimated at \$0.41 billion contributed to by 603 local businesses and 1,970 jobs. The value of annual exports was \$225 million, and the Murrumbidgee Council area was the 5th highest LGA in NSW for worker productivity (GDP/worker) at \$206,641.

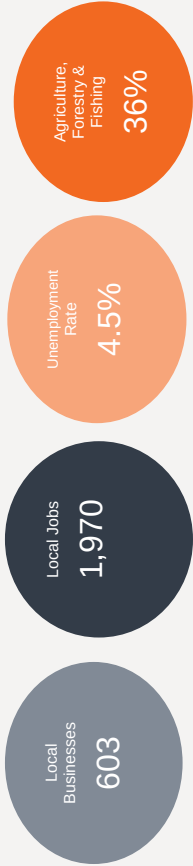


Figure 15: Summary of economic conditions

2.3.2. Employment Base

Traditional sectors within the economy such as agriculture and manufacturing have seen a decline since 2006, whereas industries such as education and training, construction, accommodation and food services and health care and social assistance have increased.

These figures show that the employment base of the economy is expanding and diversifying.

Table 14: Employment Base

Industry	2006	2011	2016	Change 2006-2016 %	No.
Agriculture, forestry and fishing	796	668	625	- 3.5	- 171
Manufacturing	209	149	131	- 2.8	-78
Education and Training	97	107	123	+ 2.3	+26
Construction	75	67	110	+ 2.6	+35
Accommodation and food services	66	72	79	+1.3	+13
Health care and social assistance	119	131	135	+1.9	+16

The labour force within the Murrumbidgee Council area at the time of the 2016 Census amounted to 1,805, of which 81 persons or 4.5 percent of the population were unemployed.

Whilst it is noted that the unemployment rate within the Murrumbidgee council area has increased from 3.5 percent in 2006, this figure is still well below the average unemployment rate for regional NSW of 6.6 percent.

The 2019 NSW Department of Planning, Infrastructure and Environment Population Projections indicate that the working age population (aged 15-64) within Murrumbidgee is estimated to decrease from 2,450 in 2016 to 2,200 in 2041 – a change of 250. This trend is reflective of a wider demographic shift towards an ageing population.

The weekly family household income in Murrumbidgee at the 2016 Census was \$1,461. This is compared to the weekly household income of NSW (\$1,780) and Australia as a whole (\$1,734).

Table 15: Median Weekly Income

Median weekly income	Bland Shire	NSW	Australia
Personal	\$659	\$664	\$662
Family	\$1,461	\$1,780	\$1,734
Household	\$1,197	\$1,486	\$1,438

2.3.3. Unpaid Work

At the 2016 Census, 28.7 percent of the population reported doing some form of volunteering. This is compared to the average for regional NSW of 20.8% and highlights that there is a high degree of community spirit amongst residents living within the Council area.

Similarly, 372 carers provided unpaid assistance to a person with a disability, long term illness or old age and 223 people provided unpaid care for children other than their own in 2016.

2.3.4. Workforce Location

The majority of persons working within Murrumbidgee also live within the Local Government Area. Those persons who work in the Murrumbidgee council area but live outside of this area commute from adjoining council areas. Griffith (9.1 percent) and Berrigan (4.7 percent) are the two largest centres that persons commute from, whilst other places including; Leeton, Edward River, Carrathool and Narrandera make up the other commuter locations.

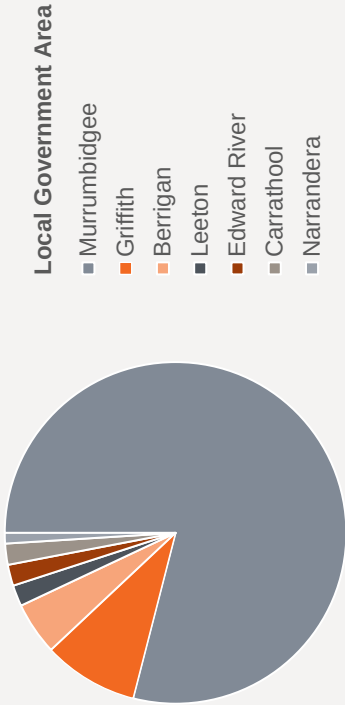


Figure 16: Residential location of local workers by LGA

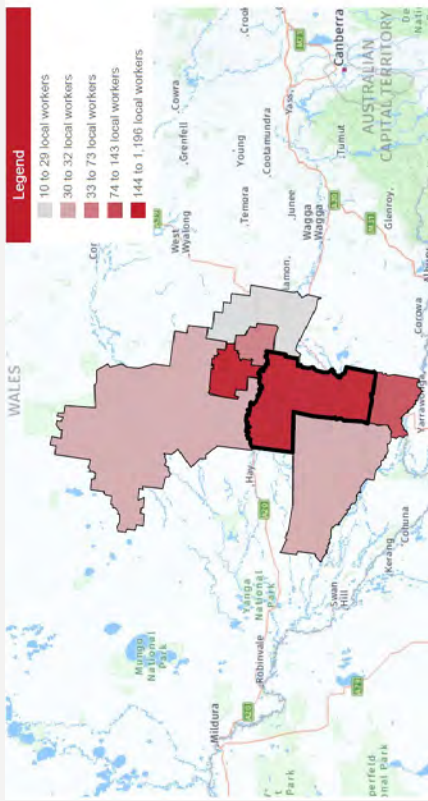


Figure 17: Residential location of local workers by LGA

2.3.5. Travel to Work

Similar to most rural and regional areas, the majority of people travelled to work via car. The Murrumbidgee Council area does however have a higher percentage of people who walked to work (8.3 versus 3.5 percent) or worked from home (12.6 versus 5.8 percent) as compared to the average for regional NSW.

2.3.6. Major Employers

Some of the largest employers within the Murrumbidgee Council area include:

- Murrumbidgee Council.
- Jerilderie Hospital.
- IGA Supermarkets Jerilderie & Coleambally.
- BP Service Station.
- Jerilderie Grain Storage and Handling.
- Billabong Produce.
- Altina Wildlife Park.
- Freedom Foods.
- Yarrow Park Olive Farm.
- Organic One Winery.
- Prickle Hill Farm Produce.
- RIVCOTT Cotton Gin.
- Coleambally Irrigation Co-Operative Limited.
- Wisemans Organics.
- Baiada Chicken Farms.
- Various almond Farms.

2.3.7. Commercial and Retail

The main commercial and retail areas in the Council area are contained within the three main townships of Darlington Point, Coleambally and Jerilderie.

Each of these towns operate with a traditional country main street, which provide local commercial, retail and convenience goods to residents and visitors. Each of the townships is zoned RU5 Village to allow for flexibility in the planning process. It is recommended however that further controls be included within Council's DCP to coordinate and direct growth to appropriate locations to maintain a centralised retail core.

Council in recent years has undertaken a number of beautification works along these main streets to support economic activity to try and encourage more visitors and passing motorists to stop in these centres.

Darlington Point has a very close link with Griffith to the north and relies heavily on the commercial facilities of that town. Similarly, Jerilderie has a relationship to Berrigan and Finley located to the south.

Retail patterns and community feedback indicate that a proportion of the Murrumbidgee Council residents travel to purchase higher order goods outside the Council area as these areas have a greater number of larger 'chain' stores'.

Griffith and Wagga Wagga have a greater influence on Darlington Point and Coleambally, whilst Corowa, Deniliquin and Albury-Wodonga have closer ties to Jerilderie.

Local commercial and retail businesses in recent times have also faced increasing pressures from online competition (e.g. online shopping).

2.3.8. Industrial Activities

Manufacturing and industrial activities are the second largest employer within the Murrumbidgee Council area, representing 8.1% of total employment.

Whilst traditional industries such as manufacturing have seen a slight decline over time due to technological advancements and productivity enhancing machines, the construction industry has grown as a result of a number of large construction projects that have occurred within the area. These include agricultural production and construction works associated with new agricultural industries (dam construction, poultry farms, almond plantations cotton gins etc), as well as renewable energy projects (solar). These provide both direct and flow on impacts.

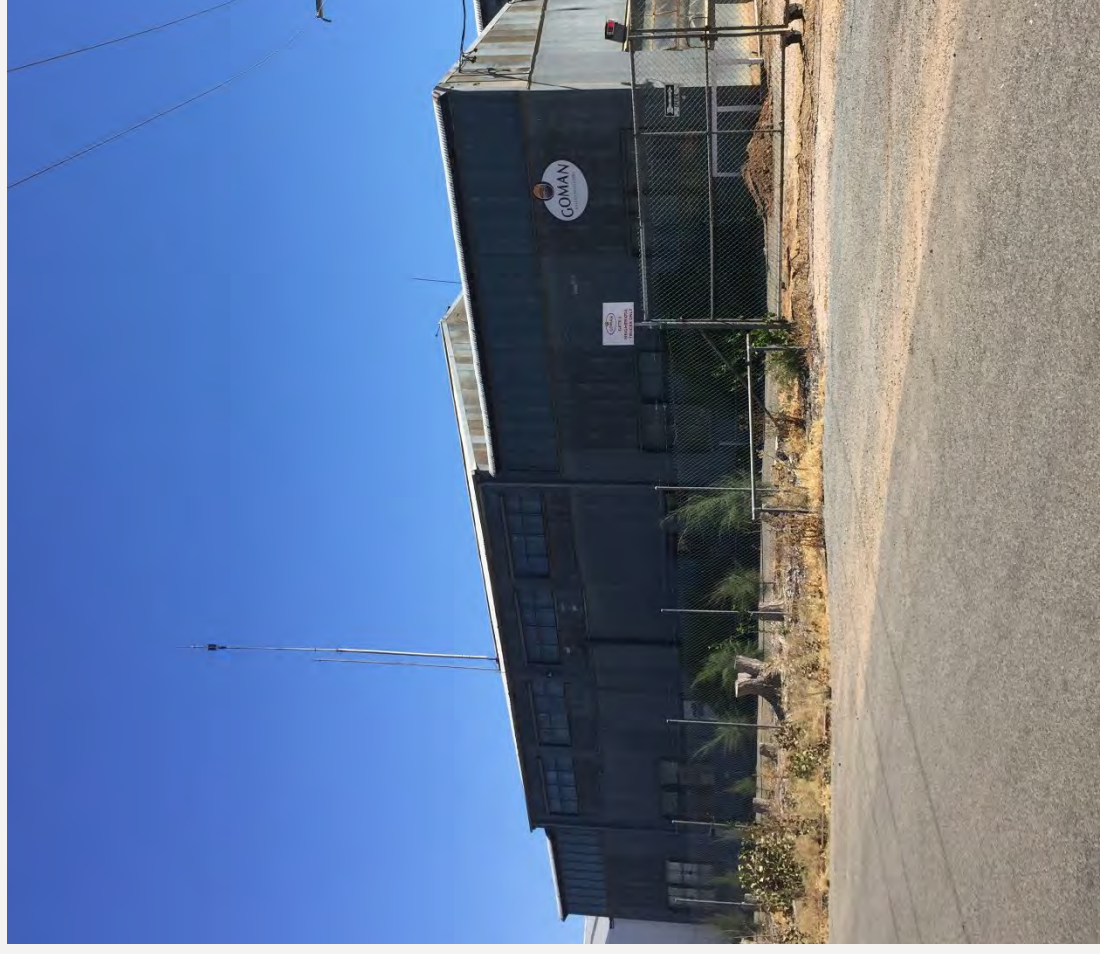
Industrial zoned land is currently available in both Coleambally and Jerilderie, however Council have identified a lack of industrial land in parts of the Murrumbidgee Council area, namely Darlington Point which are adversely impacting on the attractiveness of the Murrumbidgee Council area to prospective businesses and investors. A supply and demand analysis of industrial zoned land has been provided in Section 3 of this Plan.

Council has also identified opportunities for the creation of a transport hub or interchange terminal at the junction of the Sturt Highway and Kidman Way (Waddi).

Previous planning investigations have also identified several large-scale industrial and commercial businesses operating within the residential zone immediately adjacent to existing residential dwellings due to a lack of appropriately zoned and located industrial land. This has the potential to create land use conflicts.

Council's Economic Development Strategy identifies:

the region has large agricultural and manufacturing sectors that require transport and logistics services. As such, transport and logistics play an integral and enabling role in the growth and development of these two important sectors. Focusing transport and freight that align with State and regional policies that improve linkages can increase productivity of agriculture and manufacturing.



Example of Industrial Development in Darlington Point

Agriculture

Agriculture, forestry and fishing are the largest employers within Murrumbidgee. The majority of the Council area comprises rural land, which is home to a variety of agricultural industries including sheep, cattle, wheat, corn, winter cereal, rice, cotton, nuts, horticulture, poultry and egg production, timber milling and food processing.

The economic benefits of agriculture are significant to Murrumbidgee and have both direct and flow on effects through all stages of the agricultural supply chain.

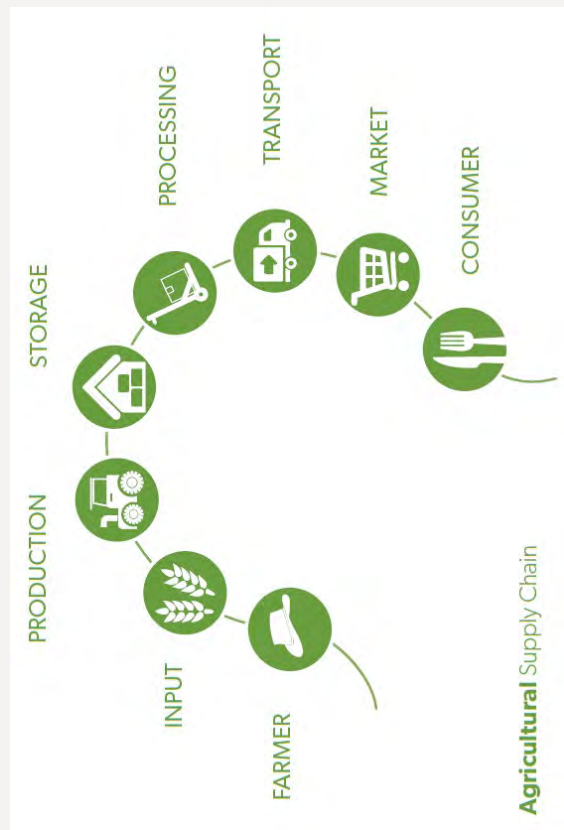


Figure 18: Agricultural supply chain
(Source: Riverina Murray Regional Plan, 2017)

Land and soil capability are key determinates in the agricultural quality of land. A Land and Soil Capability (LSC) map has been prepared for NSW as a whole. It provides a broad-scale, regional view as to the dominant LSC class present through the assessment of eight key soil and landscape limitations (water erosion, wind erosion, salinity, topsoil acidification, shallow soils/rockiness, soil structure decline, waterlogging and mass movement).

The mapping is based on an eight class system with values ranging between 1 and 8 which represent a decreasing capability of the land to sustain landuse. Class 1 represents land capable of sustaining most landuses including those that have a high impact on the soil (e.g., regular cultivation), whilst class 8 represents land that can only sustain very low impact landuses (e.g., nature conservation).

Land within the Murrumbidgee Council area ranges from Classes 3-6. The majority of the Council area is classified as Class 4 quality land, whilst areas of higher quality agricultural land (Class 3) are located around the central and southern portions of the local government area.

A description of these LSC classes is provided below:

- **Class 3:** Moderate limitations. Land capable of sustaining high impact land uses using more intensive, readily available and accepted management practices.
- **Class 4:** Moderate to severe limitations. Land generally not capable of sustaining high impact land uses unless using specialised management practices with high level of knowledge, expertise, inputs, investment and technology. Limitations are more easily managed for lower impact land uses (e.g. grazing)
- **Class 5:** Severe limitations. Land not capable of sustaining high impact land uses except where resources allow for highly specialised land management practices to overcome limitations (e.g. high value crops). Lower impact land uses (e.g. grazing) can be managed by readily available practices
- **Class 6:** Very severe limitations. Land incapable of sustaining many land use practices (e.g. cultivation, moderate to high intensity grazing and horticulture). Highly specialised practices can overcome some limitations for some high value products. Land often used for low intensity land uses (low intensity grazing).

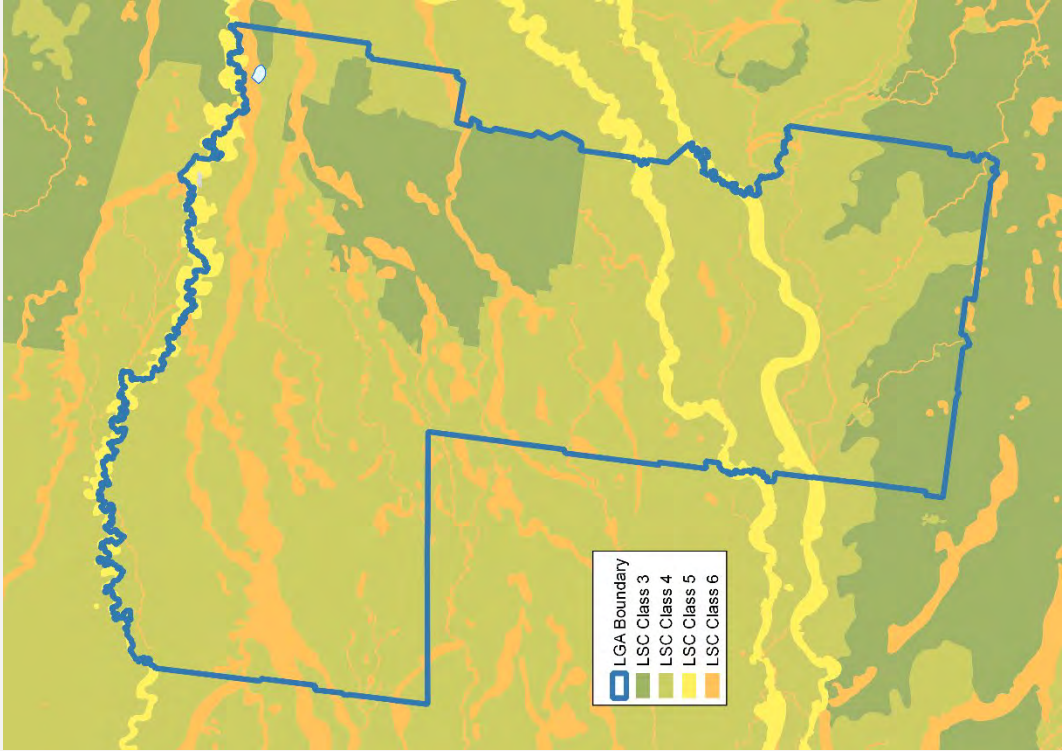


Figure 19: Land and Soil Capability Mapping
(Source: NSW SEED Map, 2021)

The NSW Government's 2017 Landuse Map captures how the landscape in NSW is being used for food production, forestry, nature conservation, infrastructure and urban development. In Murrumbidgee the three main land uses comprise grazing, dryland cropping and irrigated cropping.

Figure 13 illustrates that grazing is more prevalent in the southern and western portions of the Council area, whilst cropping, particularly irrigated cropping is more prevalent in the central portions around Coleambally due to its location within the Coleambally Irrigation Area.

This irrigation area is run by the Coleambally Irrigation Co-Operative Limited (CICL) and is Australia's fourth largest irrigation company. The irrigation scheme spans an area of approximately 457,000 hectares and supplies irrigation and drainage services to nearly 500 farms via gravity across 516 kilometres of supply channels and 711 kilometres of drainage channels.

The irrigation area delivers between 200,000 and 300,000 megalitres of water a year on farm.

The availability and reliability of water is important for ongoing agricultural operations. Water resource management is vested in all three tiers of government, so a cooperative and collaborative approach that involves all stakeholders is required.

Land use planning can play a key role in protecting the security of water supplies by appropriately locating, monitoring and managing development, and the impact of existing land uses. This is especially relevant in the Murrumbidgee and Coleambally irrigation areas, where significant investments have been made in irrigation networks and water storages.

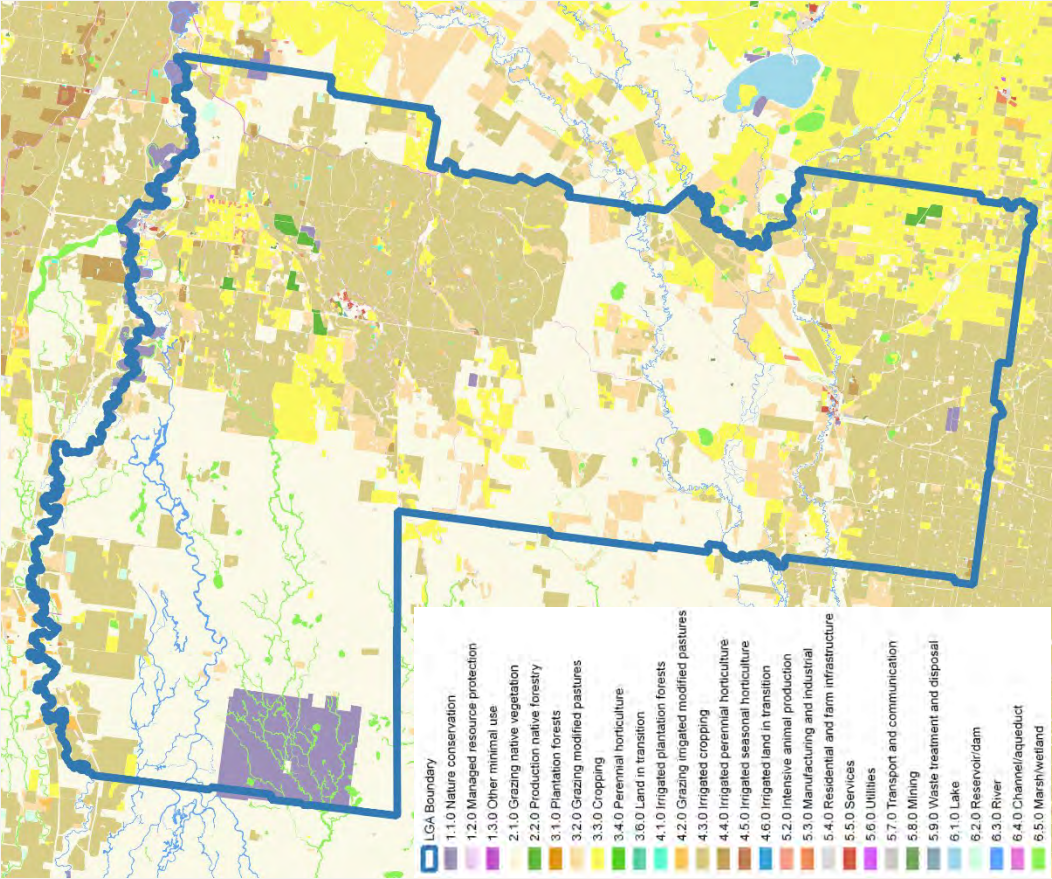


Figure 20: Land Use Plan, 2017)
(Source: NSW SEED Map, 2020)

Agricultural production has become more efficient over time through the emergence of new technologies and productivity enhancing machinery. Whilst this has improved the economic output and efficiency of these industries these changes have seen a decline in agriculture and the manufacturing sector's labour demand, which has consequential social and economic impacts.

During this time period, we have also seen a general trend towards larger farm sizes to achieve economies of scale to remain economically viable. Whilst this has generally had a positive impact on farm operations, it has created a challenge for young or emerging farmers accessing affordable land.

The changing nature of agriculture has also seen changes in farming practices, including a shift to more intensive production methods (e.g. feedlots, aquaculture), improved land and water management and the introduction of higher yielding plant and livestock varieties.

Whilst traditional agricultural operations such as grazing and cropping including sheep, cattle, corn, winter cereal, rice, poultry and egg production still remain the predominant agricultural activities, there has been a recent emergence of other alternative rural industries such as cotton and nuts (almonds). The growth of agricultural tourism has also been increasing over time including 'agritourism', 'farm gate premises' and 'farm experiences'.

Due to the significant role that agriculture plays in the Murrumbidgee Council area, there is a need to ensure that high quality agricultural land is protected ongoing.

In particular, the Murrumbidgee Council area has seen an increased interest in the renewable energy sector (solar, biomass), which has the potential to place pressures on traditional agricultural lands. Also, to a lesser degree, traditional agricultural areas are experiencing pressures from urban and rural residential growth, particularly at the fringes of the main townships.

Further discussion regarding the land use planning controls that currently apply to Council's rural areas are discussed in Section 3.4.

2.3.9. Tourism

The Murrumbidgee tourism profile shows that the Council area plays a daytrip function in the Riverina region. Over the last five years, around 56% of visitations to Murrumbidgee and surrounds was from day-trips.

Of the 75,265 people working in the Riverina, it is estimated that 4,390 jobs are supported by tourism, with 49 of those in the Murrumbidgee council area.

The tourism industry is the ninth most productive industry in Murrumbidgee, generating \$4,404 million in 2016-2017.



Figure 21: Tourism Expenditure by Industry

The Murrumbidgee Council area has a number of key tourist attractions including the Murrumbidgee River, Altina Wildlife Park, Yarrow Park olive grove and winery, Ned Kelly Raid Trail, Murrumbidgee Valley Regional Park – Willbriggie and Oolambeyan National Park.

Given the natural and agricultural features of the area, there is an opportunity to grow ‘eco-tourism’, as well as agricultural tourism (such as ‘farm gates’), which are currently restricted by land use planning controls.

Tourism within Murrumbidgee is also supported by a strong events scene which runs throughout the year including the Riverina Classic Catch and Release Fishing Competition in Darlington Point, Jerilderie Gold Cup, Darlington Point Spring Fair and Taste Coleambally.

2.3.10. Digital Connectivity

Digital communications and technology have become a fundamental enabler of business innovation and economic development. The emergence of the digital economy has increased the propensity for individuals and businesses to interact and trade with suppliers, partners and customers through communication technologies.

In recognition of the important role that digital connectivity provides, Murrumbidgee Council has applied and been successful in receiving a \$1.2m grant under the Federal Government’s Regional Connectivity Program to improve internet speeds and mobile phone coverage around the three main townships and surrounding areas.

This will deliver new coverage across 6,400sqkm, boosting internet and mobile data to over 3,000 residents and 430 businesses.

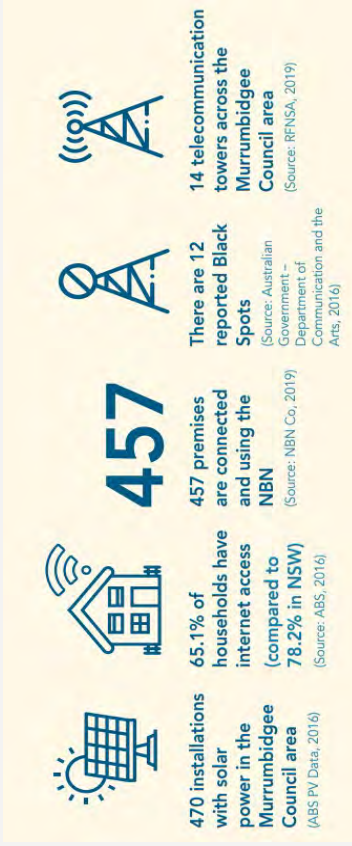


Figure 22: Digital Connectivity
(Source: Murrumbidgee Economic Development Strategy)

2.3.11. Strengths, Challenges and Opportunities

The *Murrumbidgee Economic Development Strategy* identifies a number of strengths, challenges and opportunities that will inform the land use planning decisions of Council. These are reproduced below.

Table 16: Strengths, Challenges and Opportunities

Strength	Benefit and Opportunity
Water and Irrigation System	• The Murrumbidgee River is a significant natural resource that enhances the attractiveness and lifestyle of the Council area and supports a range of agricultural, tourism and recreational activities. • Access to water and irrigation systems is a critical input for agricultural production. • Modernisation irrigation systems leads to effectively receiving and delivering water when and where it is needed.
Agriculture	• Extensive arable land available in Murrumbidgee Council, which can be used for agriculture. • Murrumbidgee Council area has developed strengths around agriculture, with opportunities for both irrigated and dry-land production. • Capitalising on its natural resources and irrigated assets, agriculture has become the primary driver of economic growth in Murrumbidgee Council. Agriculture is a highly productive industry in Murrumbidgee, generating \$100.9 million in value add in 2017/18 (Source: NIER, 2018). Agriculture is an important source of export earnings for the Murrumbidgee economy. It exports 79.5% of its agricultural output in 2017/18 outside the Murrumbidgee Council boundaries (Source: NIER, 2018). Most went to the Australian market, but \$44.5 million went to international markets. • The industry is even more important from an employment perspective, with Agriculture, Forestry and Fishing, making up over 40% of the employment in the area. Unfortunately, specialization comes at a cost – agriculture is highly exposed to adverse impacts such as drought, flooding, water security, commodity prices and policy changes. This industry is also being driven by productivity improvements which are leading to growth in production using less labour. • The increasing size of farms has led to the challenge of young (or emerging) farmers accessing affordable land. • Opportunity to support export capabilities and opportunities such as complementary manufacturing in corn, cotton and almonds.
Lifestyle	• The people who live in the area enjoy an enviable country lifestyle, high levels of personal security and social amenity and a good representation of services. • High levels of volunteerism and above average working hours contribute to engaged and committed communities. • Sporting infrastructure is excellent across a range of pursuits.
Transport links	• Newell Highway (major freight link between Melbourne and Sydney) and Sturt Highway (major freight between Adelaide and Sydney). With increased population in these cities in recent years, expanding market opportunities are available to the Murrumbidgee Council area. • Opportunity to support projects that improve connections and supply chain efficiencies.

Table 17: Issues and Challenges for Murrumbidgee Council

Issue	Challenge for Murrumbidgee Council
Water Security	- Water security and allocation is seminal to the future of Murrumbidgee townships, and to agricultural production. Council will need to partner with key water management stakeholders to pursue regional and catchment scale approaches to better manage our water resources. - Murray Darling Basin Plan – a Commonwealth Government initiative affecting four States. It aims to sustainably share the water in the system. However, it is an issue for Murrumbidgee Council agricultural industry. The ramifications are becoming more evident and are spread throughout the businesses and broader community as a whole.
Residential Land and Housing Shortages	- Residential land availability and affordable rental accommodation are an issue in parts of the Murrumbidgee Council area. This adversely impacts upon the capacity of businesses in the region to attract and retain workers. It also limits and the availability of housing for seasonal workers, particularly in Coleambally and Darlington Point. - For example there are currently only 5 properties for rent within the Murrumbidgee Council area and approximately 20 residential dwellings indicating a lack of supply of housing options. - Murrumbidgee Council is an agricultural based economy. The region has a high proportion of seasonal workers, who utilize short stay accommodation in the region during peak periods of agricultural activity, generally related to horticulture harvest/picking seasons.
Industrial land	Lack of industrial land in parts of the Murrumbidgee Council area, which adversely impacts on the attractiveness of the Murrumbidgee Council area to prospective businesses and investors.
Population	- A shift in the size and structure of the population, including the outward migration of young people (20-24 years) as they leave in the region to study and/or seek employment. - Globally, from 2011 to 2016, 21% of people move every five years, but in Australia, the rate is 39%. - Liveability means different things to different people when attracting new residents.
Dependence on Agriculture	- A heavy reliance of agriculture means that the flow-on impacts of downturns is large., affecting most people in the Murrumbidgee Council community. - Murrumbidgee has relatively low mass and population. There is an increasing reliance on agricultural production which exposes the Community to external forces such as security of water assets, strong commodity prices and rising input costs. Economic diversity and transformation of the sector is needed.
Land Use Planning Constraints	It was reported that Council planning regulations are not keeping pace with the changing needs of business and industry growth.
Barriers to Education and Skill Attainment	Skills and educational attainment are challenges for the Murrumbidgee community. Low levels of education comparative to regional NSW is a challenge for planning social change and economic growth. It is noted that the Murrumbidgee Council area provides no tertiary or vocational training facilities with the closest facilities located in Griffith (TAFE), Wagga Wagga and Albury (Charles Sturt University). Poor internet access in the past has also limited remote learning opportunities.
Digital Connectivity	Connectivity is complicated by low levels of digital enterprise in the small and medium sized businesses and visitor industry sectors.

2.3.12. Key Issues for Planning

Economy:

- 2.3.12.1 Retention of existing businesses to secure local employment and anchor the local economy.
- 2.3.12.2 Attract new businesses and industries to the Council area. In particular those industries that support or value-add to the agricultural sector and will provide local employment.

Commercial and Retail:

- 2.3.12.3 Make the town centres of Darlington Point, Coleambally and Jerilderie attractive places to visit for both residents and visitors.
- 2.3.12.4 Ensure a sufficient supply of commercial zoned land to provide opportunities for economic development.
- 2.3.12.5 Proximity of regional centres and the opportunities this creates for local businesses.
- 2.3.12.6 Commercial opportunities presented by the Murrumbidgee River (Darlington Point) and Billabong Creek (Jerilderie) to capitalise on the unique environment and natural asset.
- 2.3.12.7 Re-use of heritage buildings for commercial developments to allow them to be maintained and in the public realm.

Industrial:

- 2.3.12.8 Ensure a sufficient supply of industrial zoned and serviced land to provide opportunities for economic development.
- 2.3.12.9 Manage the impact of industrial areas on residential amenity and the need for separation.

Agriculture:

- 2.3.12.10 Protection of high-quality agricultural land for agriculture.
- 2.3.12.11 Changing agricultural practices and providing opportunities for alternatives.
- 2.3.12.12 Create a resilient agricultural sector by securing long-term water supply and developing strong partnerships within the agricultural sector.
- 2.3.12.13 Controlling minimum lot sizes for subdivision and the effects of subdivision in rural areas on agriculture.
- 2.3.12.14 Relationship between 'hobby' farmers and full time farmers and the conflicts that can occur between the two.
- 2.3.12.15 Intensive agriculture needs to be appropriately located and controlled to minimise any potential conflict.
- 2.3.12.16 Impacts of renewable energy industries on existing agricultural operations.

Tourism:

- 2.3.12.17 Tourist industry growth and opportunities this creates for the local economy.
- 2.3.12.18 Seasonal peaks in tourist activity and difficulties this presents for sustaining related businesses year round.
- 2.3.12.19 Suitable locations for large tourist and short term accommodation developments to ensure minimal environmental impacts.
- 2.3.12.20 Opportunities to grow eco-tourism and agricultural tourism (such as 'artisan food and drink premises' and farm gates via the introduction of new LEP definitions and clauses consistent with recent changes to the Standard Instrument LEP.

2.4. Environment

Areas of analysis in this section include economic output and employment base, agriculture, industrial activities, commercial activities and retail hierarchy, tourism, local/ regional development opportunities, threats and opportunities as well as implications and key issues for planning.

2.4.1. Vegetation

The Murrumbidgee Local Government Area lies in the Riverina IBRA bioregion and both the Murrumbidgee and Murray Fans IBRA subregions.

Vegetation within the northern portion of the Council area includes River red gum and river cooba on channels, Black box, lignum and old man saltbush on floodplains, Myall and old man saltbush with other saltbush and grasses formerly widespread on backplains, as well as White cypress pine on dunes.

Similarly, vegetation in the southern portions of the Council area include extensive river red gum forests with river cooba on channels and low floodplains, Yellow Box and black box with saltbush on high floodplains and terraces, as well as White cypress pines on dunes, sandy levees and lunettes.

Much of this vegetation has however been removed since pre-European settlements through past agricultural practices. This has created patches of remnant vegetation of semi-arid woodlands around which most of the original vegetation has been removed.

Remnant vegetation provides crucial habitat for the Council area's wildlife, including several threatened species. The remaining vegetation also provides benefits in relation to prevention and amelioration of dry land salinity, reducing soil loss and the provision of shade and shelter for stock or adjoining crops.

These patches of remnant vegetation primarily exist along rivers, including forested wetlands and Riverina wetlands comprising River Red Gum (*Eucalyptus camaldulensis*) and Black Box (*Eucalyptus largiflorens*). Adjacent to the river there are several billabongs providing further habitat for wildlife.

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The Murrumbidgee Council area is also home to two (2) National Parks including the Murrumbidgee Valley National Park and Oolambeyan National Park. The Council area also includes a number of state forests, nature reserves and regional parklands including the Palmer State Forest, Bretts State Forest, Boona State Forest, Ugobit State Forest, South west woodland nature reserve, Jerilderie nature reserve and Murrumbidgee Valley Regional Park.

In total, these areas comprise an area of 688 hectares of land.

See Biodiversity Constraints Analysis prepared by AREA Environmental and Heritage Consultants for further details.



Oolambeyan National Park

2.4.2. Threatened Species

The Murrumbidgee Council area contains 68 listed threatened species of flora and fauna at both the State and Federal level.

The more prominent threatened species contained within Murrumbidgee include: Southern Bell Frog, Glossy Ibis, White-bellied Sea Eagle, Brolga, Plains Wanderer, Superb Parrot, Brown Treecreeper (eastern subspecies), grey-crowned Babbler (eastern subspecies), Turnip Copperburr, Red Darling Pea, Silky Swainson-pea and the Sand-hill Spider Orchid. The majority of species listed within the Council area are avian (bird) and flora species.

These species are listed under the *NSW Biodiversity Conservation Act 2016* and/or the *Federal Environment Protection and Biodiversity Conservation Act 1999*.

Furthermore, The Council area contains a number of Threatened Ecological Communities including Grassy Box Gum Woodland.

Notwithstanding the above, it is recommended that the terrestrial biodiversity map of the LEP be amended as it applies to the three main townships. This is in recognition that a portion of this mapping applies to urban land that has been developed and contains no areas of environmental significance

2.4.3. Soils

The dominate soil types within the Murrumbidgee Council area are red brown earths, grey, brown and red clays and siliceous sands. Alluvial soils (medium texture, loams and clay loams) are also present in the northern portion of the Council area adjacent to the Murrumbidgee River. These soils are also subject to wind erosion.

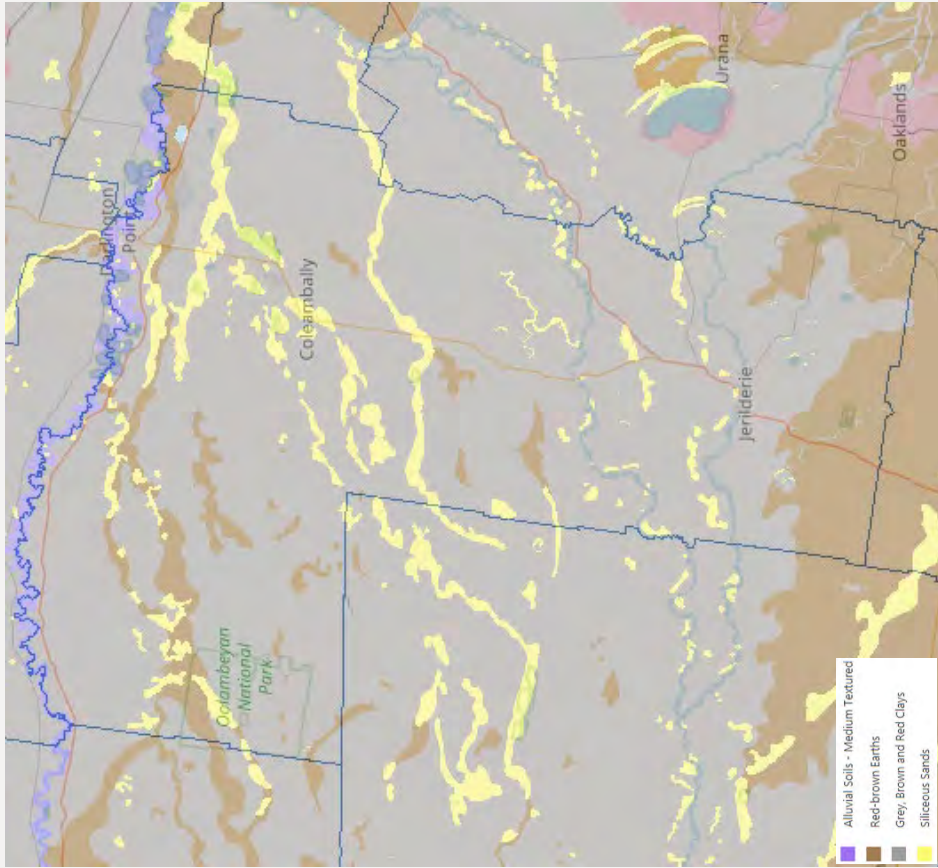


Figure 23: Soil Type Map
(Source: NSW SEED Map, 2021)

2.4.4. Topography

The general topography of the Murrumbidgee Council area is general flat with elevation ranging from approximately 105 to 130 metres.

Therefore, steep land is not considered to be a constraining issue for development.

2.4.5. Waterways and Catchments

The Murrumbidgee Council area contains two key waterways, being the Murrumbidgee River located in the northern portion of the Council area and Billabong Creek located in the southern portion, which are both identified as floodplain wetlands.

Billabong Creek is believed to be the World's longest creek at approximately 320 kilometres.

The Council area is one of a number of LGA's located within the most important catchment and productive agricultural region of Australia, being the Murray Darling Basin. Development within these catchments can have a significant impact on downstream users and the surrounding environment. These land use impacts must be properly planned for and managed to protect water quality.

Notwithstanding the above, it is recommended that the Wetlands Map of the LEP be amended as it relates to Jerilderie. For example, the Jerilderie Showground is identified as a wetland on this map.

The groundwater conditions in Murrumbidgee are unknown with the exception of information obtained relating to site specific proposals, as well as the Coleambally Irrigation Area, which are required to monitor groundwater levels within their operations area.

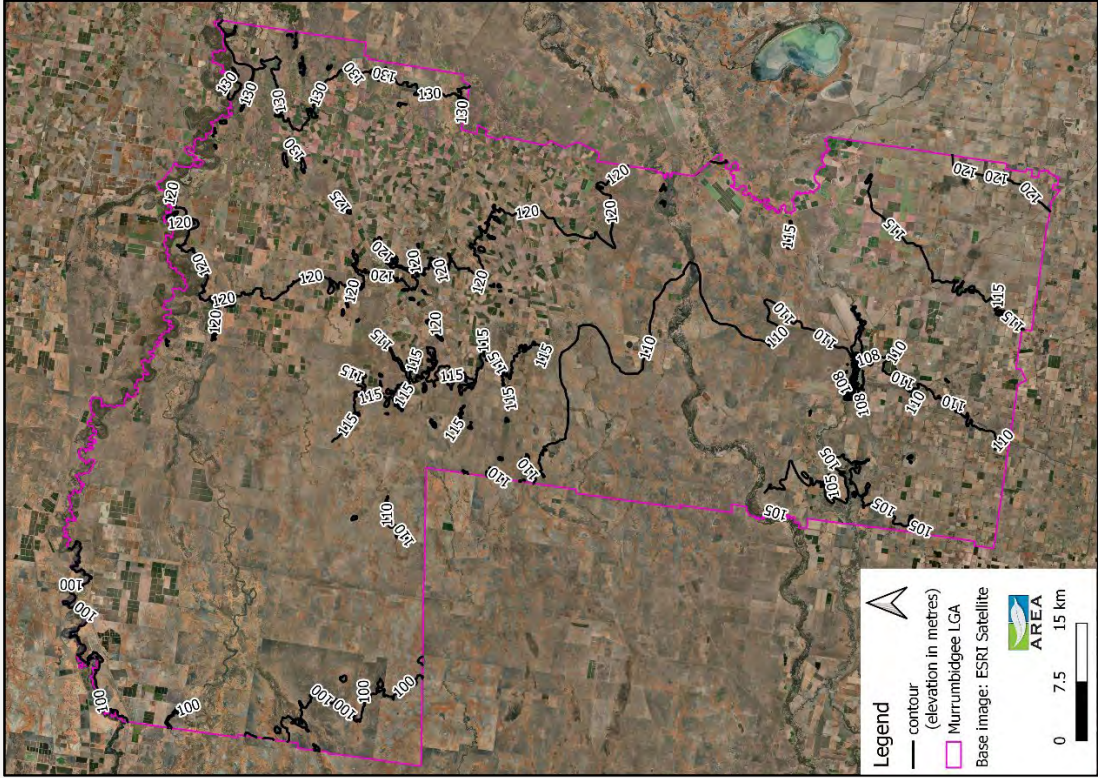


Figure 24: Topography Map
(Source: Biodiversity Constraints Analysis, Area Consulting, 2021)

2.4.6. Contaminated Land

Matters regarding land contamination are an important consideration in the land use planning process and can occur from previous land use activities including industrial or agricultural operations. Careful consideration of land contamination is required to ensure that the level of exposure to harmful substances is restricted to an acceptable level.

The Murrumbidgee Council area has only one (1) NSW Environment Protection Authority (EPA) listed site, being the former Mobil Depot in Coleambally.

Nonetheless, it is expected that there are a number of other unregistered sites located across the Council area that may be subject to land contamination given their previous site activities. For this reason, it is recommended that Council prepare a contaminated land/unhealthy building land register to identify these sites.

Consideration of land contamination is required as part of the planning process including the rezoning of land and the determination of Development Applications in accordance with the requirements of State Environmental Planning Policy No. 55 – Remediation of Land.

Where necessary, land may need to be remediated in order for it to be further developed.

2.4.7. Air

Generally, air quality within the Council area is of high quality. It is likely to be influenced by emissions from vehicles, dust from vehicles traveling on unsealed roads, emissions from industry, dust from agricultural activities and natural hydrocarbons and particulate emissions from vegetation. Smoke from stubble burning of agricultural paddocks and the use of solid fuel heaters also contributes to the particulate count in air quality. Climatic conditions, particularly prevailing winds also play a part in air quality.

There are no industrial activities within the Council area that are having an adverse impact on air quality.

2.4.8. Noise

Noise pollution can be defined as unwanted noise and does not need to be determined by decibel level alone. Noise can be an unpleasant nuisance and the degree to which this has an impact on the population is an indicator of the pressure on individual's quality of life.

Noise pollution can come from various sources including industry, agriculture, road traffic, airports and household music or pets. Generally, noise issues within the Council area are restricted to a few isolated instances of issues like household music or pets, although there have been some reports of residents having noise issues associated with certain industries.

Land use planning needs to consider the issue of noise and consider separation of activities which are incompatible due to noise levels. For example, industrial areas may be separated from residential areas by light industrial, recreational facilities and/or retail activities.

2.4.9. Salinity

Dryland salinity is a key natural resource management issue and needs to be addressed to ensure productive and sustainable land use. Australia's past land uses-including agricultural development have significantly changed Australia's landscapes and natural systems. The changes have affected the soil, water and nutrient balances resulting in land degradation which affects the wider community.

Changes to the landscape can create widespread and rapidly growing problems of dryland salinity, which can negatively impact both farmers, as well as regional and urban infrastructure, such as water supply, roads and buildings are now also at risk.

Notwithstanding, salinity is not regarded as an issue for future urban development in the Council area.

2.4.10. Bushfire

According to the NSW Rural Fire Service (RFS), a bushfire prone area is land that can support a bush fire or is likely to be subject to bush fire attack.

In general, a bush fire prone area is a mapped area that identifies the vegetation types and associated buffer zones. These are generally areas close to bush fire hazards such as forests, woodlands or grasslands.

Bushfire mapping is classified into three different categories:

- **Vegetation Category 1** being land at highest bushfire risk.
- **Vegetation Category 2** being land at lowest bushfire risk.
- **Vegetation Category 3** being land at medium bushfire risk.

In addition, a bushfire vegetation buffer is applied around each patch of identified bushfire hazard. A 100 metre buffer applies around Vegetation Category 1 land, whilst a 30 metre buffer applies around both Vegetation Category 2 and Vegetation Category 3 land.

Examples of bushfire prone land within Murrumbidgee include the large areas of remnant vegetation contained within the Council area including the Murrumbidgee Valley Regional Park, as well as to parts of Darlington Point and Coleambally (see Section 3 for further details). No bushfire mapping applies to Jerilderie.

Council is currently in discussions with the NSW RFS to update this mapping to reflect current day bushfire hazards and policy changes.

Areas identified as being bushfire prone are subject to development and planning controls designed to improve the survivability of developments that are exposed to a bush fire hazard.

Developments, such as residential dwellings in a bush fire prone area need to meet the requirements of *Planning for Bush Fire Protection, Guidelines 2019*. This guideline requires certain bush fire protection measures to be included to render a building less susceptible to damage or destruction from bush fire.

Consideration of bushfire matters is also required in relation to residential subdivisions and Special Fire Protection Purposes such as schools, childcare centres, nursing homes, hospitals etc, which requires approval from the NSW RFS. This is to ensure that a suitable level of protection is provided for the more vulnerable people who use these facilities.

2.4.11. Flooding

Parts of the Murrumbidgee Council area, namely adjoining the Murrumbidgee River, Billabong and Wangamong Creeks are subject to inundation from flooding.

In response, Council have prepared the Darlington Point and Jerilderie flood studies to investigate the impacts of flooding within these main townships. Outside of these areas, flood information in the Murrumbidgee Council area is largely anecdotal and based on observations of actual events rather than any catchment modelling.

The above flood studies have been prepared in accordance with the NSW Floodplain Development Manual to assess options for minimising the danger to life and property during floods.

The Probable Maximum Flood (PMF) is the largest flood that could physically occur and although improbable, is theoretically possible. A number of historical floods in Australia have approached the magnitude of a PMF and previous flood studies reveal that a significant proportion of Darlington Point and Jerilderie would be inundated in a PMF event.

Notwithstanding the above and in accordance with the recommendations of the NSW Floodplain Development Manual, Councils are only required to consider the 1 in 100 year flood level as being an acceptable level of risk. Development below the 1 in 100 year flood event is generally not permitted.

Both Darlington Point and Jerilderie are subject to the 1 in 100 year flood event as outlined in Section 3.

2.4.12. Climate Change

According to the Murray Murrumbidgee Climate Change Snapshot:

Based on long-term (1910–2011) observations, temperatures in the Murray Murrumbidgee Region have been increasing since about 1950, with higher temperatures experienced in recent decades.

The region is projected to continue to warm during the near future (2020–2039) and far future (2060–2079), compared to recent years (1990–2009). The warming is projected to be on average about 0.6°C in the near future, increasing to about 1.9°C in the far future. The number of high temperature days is projected to increase, with fewer potential frost risk nights anticipated.

The warming trend projected for the region is large compared to natural variability in temperature and is of a similar order to the rate of warming projected for other regions of NSW.

The region currently experiences considerable rainfall variability across the region and from year-to-year and this variability is also reflected in the projections. However, all of the models agree that spring rainfall will decrease in the future.

Consequently, Council's land use planning decisions will need to have regard to the future impacts of climate change, particularly the greater occurrence of natural hazards to ensure that development is appropriately located to avoid harm from these hazards.

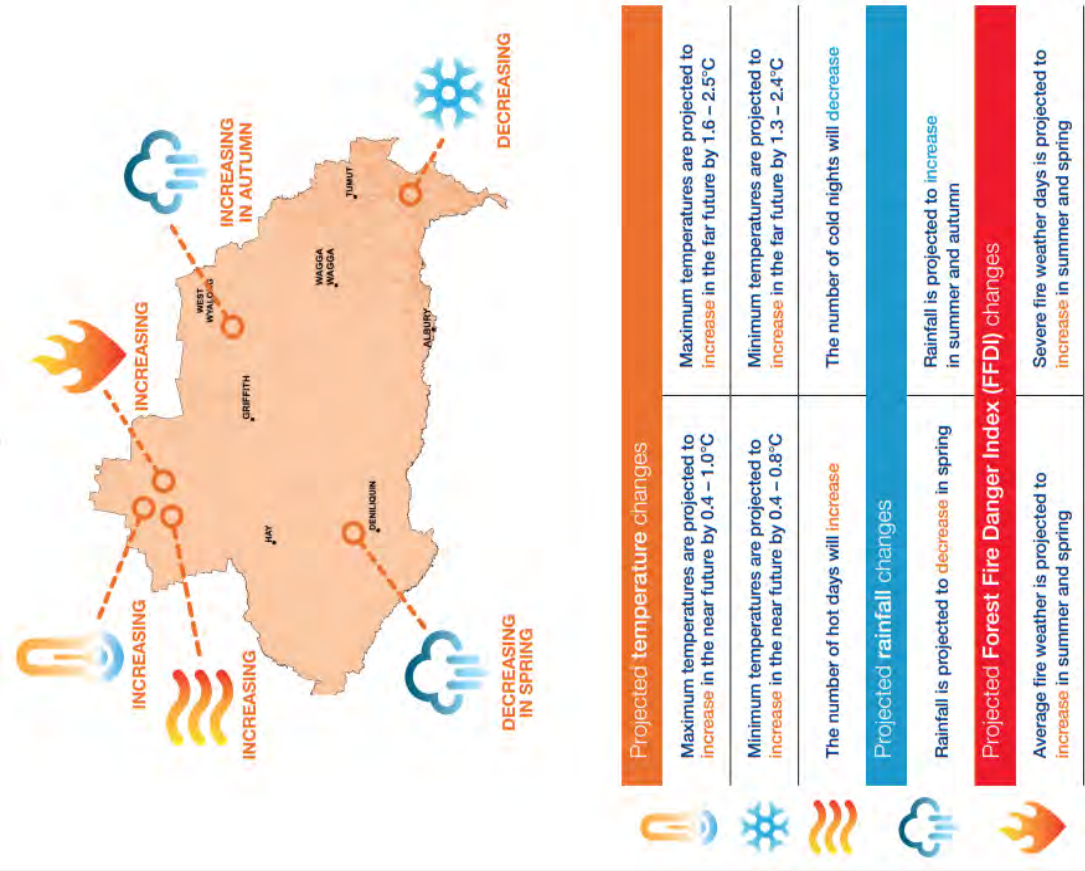


Figure 25: Murray Murrumbidgee Climate change snapshot
(Source: NSW Office of Environment and Heritage)

2.4.13. Heritage

Heritage, culture, history and tradition are fundamental aspects of the identity of a place, and can include Aboriginal, non-Aboriginal, natural, archaeological, movable, maritime and intangible cultural heritage. These aspects define the local character of a place and help create and maintain a sense of meaning for communities.

Aboriginal Heritage

The original inhabitants of the Murrumbidgee Council area were the Wiradjuri people.

Areas of significance to Aboriginal people can generally be expected to occur across the Council area. This includes both traditional and contemporary associations of Aboriginal people with the environment as well as physical sites (i.e. that contain archaeological evidence).

Aboriginal heritage exists as tangible and intangible evidence. The former mainly comprises archaeological sites and physical objects or artefacts, whose locations can be broadly predicted by a combination of landform variables e.g. shell middens and earth mounds tend to occur along rivers, artefact scatters representing ancient campsites tend to occur on flat, well drained ground near permanent water sources, whilst burials and cemeteries tend to occur in sand hills near watercourses. Examples of intangible heritage includes memories or stories and 'ways of doing', which include language and ceremonies.

The regional archaeological context indicates a strong association between evidence of Aboriginal occupation and reliable water sources. This is typical of the archaeological record broadly, but there are some nuances in the Murrumbidgee region. Recorded sites are more likely near the junctions of major waterways with other waterways. They are also likely near ephemeral water courses, including relict water courses, drainage lines and depressions in the landscape.

There are three (3) identified archaeological sites within the Murrumbidgee Council area including the Warrangesda Aboriginal Mission and Station, which is state-listed.

The NSW Aboriginal Heritage Information Management System (AHIMS) is the main source of data for information on recorded sites in the Council area, as well as providing the basis for predicting the presence of sites in unsurveyed areas. There are a number of recorded Aboriginal sites within the Council area, however this is likely to be a small sample of the actual number of sites contained within the council boundary.

See Section 3 of this report and the Aboriginal Cultural Heritage Review prepared by AREA Environmental and Heritage Consultants for further details.

Non-Aboriginal Heritage

The Murrumbidgee Council area contains 23 non-Aboriginal heritage-listed properties as outlined within Schedule 5 of the *Jerilderie Local Environmental 2012* and the *Murrumbidgee Local Environmental Plan 2013*. All of these items are of local heritage significance with the exception of the Jerilderie Railway station Group, which is state-listed.

In addition, a number of archaeological sites are listed as local heritage items and the Jerilderie Main Street is also identified as a local heritage conservation area.

A Heritage Review Inventory Report has been prepared by Noel Thomson Architecture in support of the Land Use Plan. The purpose of this report was to review the current heritage listings and recommend any deletions and/or additions to this list.

See Section 3 of this report and the Heritage Review Inventory Report for further details. A map showing identified heritage sites is also provided in Section 3 as it relates to the main townships.

2.4.14. Biosecurity

Recent changes have taken place with the introduction of the *Biosecurity Act 2015* which provides a framework for the prevention, elimination and minimisation of biosecurity risks, which are placing an impact on biodiversity.

Some of the key priority weeds found in the local area include: Spiny Burr Grass, Boxthorn, St John's Wort and Alligator weed. Eradication of these species continues to be vigorously supported by Council and the community and Council continues to slash and spray road shoulders to help with weeds, and also for reduction of fire hazards within the road network.

2.4.15. Key Issues for Planning

Biodiversity & Threatened Species:

- 2.4.15.1 Ensure that environmentally sensitive areas are identified and protected from development.
- 2.4.15.2 Require development proposals to consider the environmental impacts of vegetation removal in accordance with local and state government legislation.
- 2.4.15.3 Review the Terrestrial Biodiversity Map of the three townships and Wetlands Map for Jerilderie to better reflect environmental conditions.
- 2.4.15.4 Minimise development impacts on the Murrumbidgee River and Billabong Creek and their environs.

Climate Change and Natural Hazards:

- 2.4.15.5 Adopt the recommendations of the *Darlington Point Flood Risk Management Study and Plan* including the introduction of a Flood Planning Map for the township, as well as DCP controls.
- 2.4.15.6 Prepare an amended Bushfire Prone Land map in association with the NSW RFS.
- 2.4.15.7 Require new development proposals to consider the provisions of *Planning for Bushfire Protection Guidelines 2019*.
- 2.4.15.8 Consider matters regarding land contamination as part of the development application and rezoning process having regard to the requirements of *State Environmental Planning Policy No. 55 – Remediation of Land*.

Heritage:

- 2.4.15.9 Implement the recommendations of the *Murrumbidgee Land Use Plan - Aboriginal Cultural Heritage Review*.
- 2.4.15.10 Require development proposal to consider impacts on matters of Aboriginal Cultural Heritage in accordance with the recommendations of the Aboriginal Cultural Heritage Review and relevant local and state government legislation.
- 2.4.15.11 Amend Schedule 5 and the Heritage maps of the LEP consistent with the recommendations of the *Heritage Review Inventory Report* where landowners choose to 'opt-in'.

Environmental Impacts of Development:

- 2.4.15.12 Ensure that due consideration is given the environmental and off-site amenity impacts of development including noise, air quality and odours.

2.5. Infrastructure

Infrastructure underpins economic activity, growth and development and is fundamental to a prosperous economy. It includes transport infrastructure, power, water, sewerage, gas, electricity, drainage and telecommunications. Generally, the three townships are well serviced with reticulated infrastructure, whilst the rural areas rely upon on-site infrastructure. Sewerage and water capacity are the main challenges facing the three major townships, as well as the cost and sustainability of maintaining and upgrading infrastructure.

2.5.1. Transport

Local and regional road network

Transportation within the Murrumbidgee Council area is predominately by road. According to the NSW Office of Local Government, the Council area has 1,715.10 kilometres of roads.

The region is strategically located with the state classified Kidman Way, Newell and Sturt Highways passing through the area representing major transport corridors for the Riverina area.

The other main regional roads within Murrumbidgee are:

- Oaklands Road.
- Conargo Road.
- Morundah Road/Main Canal Road/Yamma Road.
- Berrigan/Oaklands Road.
- Urana Road.
- Whitton Road.

In addition, the area also includes a number of local and rural roads. The majority of local roads within the main townships are sealed, however there are a number of rural roads that remain unsealed, but are maintained in a generally good standard as part of Council's scheduled grading and re-sheeting works. The Murrumbidgee area also contains 19 council owned bridges, which Council is responsible for maintaining.

Public transport in Murrumbidgee is consistent with most other regional and rural towns and is generally limited to a daily school bus and coach service. A community transport service does however operate within the townships for the elderly.

Concern however has been raised with heavy vehicle traffic utilising Kidman Way that passes through the main street of Darlington Point. Traffic data counts indicate that the Kidman Way accommodates approximately 1,000 vehicles per day with about 25% of these being heavy vehicles. This in turn is creating amenity and pedestrian safety issues.

Accessibility within the townships is generally good with a number of constructed on and off road shared pedestrian and bicycle paths. Council has prepared a number of strategic plans and policies that seek to expand this footpath and bicycle network.

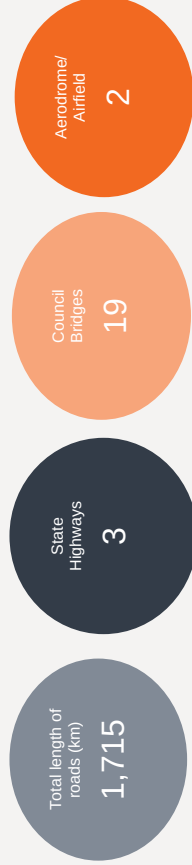


Figure 26: Transport and road infrastructure

Rail Network

There are no operational railway lines within the Murrumbidgee Council area. A former railway line exists in Jerilderie, however this line is not active. The former state heritage-listed Jerilderie Railway Station still exists today but is currently vacant.

Regional Air Services

There are no commercial passenger airports contained within the Murrumbidgee Council area with the closest facilities being Griffith Airport and Narrandera Regional Airport. Other commercial passenger air services located within proximity to Murrumbidgee are located at Wagga Wagga and Albury.

Jerilderie is however serviced via an aerodrome, which contains a sealed airstrip and associated building. This facility is currently leased by an agricultural company and primarily used for agricultural work. Similarly, Coleambally also has an airstrip, which is used for agricultural purposes.

Other surrounding airfields and aerodromes are located at Berrigan and Tocumwal, which are also primarily used for agricultural purposes.

Freight and Logistics

The Council area is ideally located between Adelaide, Sydney and Melbourne. Specifically, the Newell Highway provides the major freight link between Melbourne and Sydney and the Sturt Highway, which provides the major freight link between Adelaide and Sydney. Similarly, a further opportunity exists to improve freight and logistics in the area from the establishment of the Inland Rail network.

Given this location, there are more than a dozen freight and transport services that operate out of Darlington Point, Coleambally and Jerilderie and its surrounds. Many of these freight businesses are focused on rural and manufacturing industries.

An opportunity therefore exists to capitalise on the strategic location of the Council area for transport and logistics services. Council has previously identified an opportunity for the creation of a transport hub or interchange terminal at the junction of the Sturt Highway and Kidman Way (Waddi).

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The Murrumbidgee region is also within comfortable travelling distance by road from regional centres such as Griffith, Wagga Wagga, Corowa and Albury-Wodonga.

Transport Services

The Murrumbidgee Council area has some (although limited). Public bus services that operate throughout the area (Monday to Friday), which is mainly limited to a school bus service. V-Line operate coach services out of the three main townships to Melbourne and Sydney. There are also private bus and coach services for charter, as well as local taxi services in Griffith, Leeton and Narrandera.

A community transport service for the aged and disabled is available to each of the townships and provides transport to surrounding larger regional centres several times a week, which is supported by community drivers. In addition, Cyprusview in Coleambally and Valmar Support Services in Jerilderie offer similar services.

A community car is also available for use and is run by the Berrigan and District Home and Community Support Services.

2.5.2. Water

Council in association with the NSW Public Works Advisory is in the process of preparing an Issues Paper to the Integrated Water Cycle Management Strategy (IWCMS), which will identify current and future capacity issues and upgrade requirements.

The outcomes of this Paper will inform further recommendations to the IWCMS and the conclusions of this Issues Paper are discussed below.

A reticulated water supply scheme is available to each of the townships, with each town currently operating its own water treatment plant. Water supply for Darlington Point and Coleambally is drawn from bores. Jerilderie's town water supply comes from Billabong Creek, which also provides non-potable water through dual reticulation. The average water usage within the townships is 2 megalitres per day.

Water supply within each of the main townships is via a reticulated/ potable water supply system, which is serviced by individual water filtration plants. Each of these systems have capacity for some additional growth, however Council has identified the need to undertake a number of maintenance and upgrade works to each of these systems, to ensure an appropriate Level of Service (LoS).

Outside of the main township, the rural areas are reliant upon on-site capture and collection via the use of water tanks or the carting in of water for stock and domestic purposes.

Large irrigation channels also run throughout the Council area, which service the rural industries in Murrumbidgee. These systems are privately owned and/or run by irrigation schemes.

Further details regarding water supply as they relate to each township is discussed in Section 3.

2.5.3. Sewerage

As outlined above, Council in association with the NSW Public Works Advisory is in the process of preparing an Issues Paper to the IWCMS, which will identify current and future capacity constraints.

A reticulated sewerage scheme is available to each of the townships, with each town currently operating its own wastewater treatment plant. Each of these facilities contain holding and evaporation ponds and are subject to an EPA licence. These systems are also generally centrally located within each of the townships due to the relatively flat topography of the area.

There have been no recent complaints regarding any of Council's sewerage treatment plants, however concern has been raised with regards to the location of the Darlington Point facility, which may hamper opportunities for future growth due to its central location immediately adjacent to existing residential dwellings. This facility also has capacity issues and is located on flood prone land.

Sewerage disposal outside of the main townships is via on-site effluent disposal as per council's 'On-Site Sewage Management Plan'.

Further details regarding sewerage supply as they relate to each township is discussed in Section 3.

2.5.4. Drainage

Drainage within the Murrumbidgee Council area is comprised of constructed stormwater drainage and rural drainage. Specifically, each of the main townships are connected to a Council drainage system (pit and pipe) or directed to roadside table drains or constructed stormwater drainage areas, such as Lake Jerilderie.

Drainage within the rural areas is not formalised and comprises overland flow and stormwater run-off, which is directed into local drainage lines and downstream waterways.

2.5.5. Gas

The Murrumbidgee Council area does not have access to a reticulated gas supply with gas in both the rural areas and three townships serviced by a bottled gas supply.

2.5.6. Electricity

Electrical supply is available to the Murrumbidgee Council area, which is provided and maintained by Essential Energy. This system services both the resident population and large-scale industries operating within the area.

The NSW Department of Planning, Infrastructure and Environment has identified that the region has significant potential for renewable energy industries, with vast open spaces and a strategic advantage in terms of location.

More specifically, TransGrid's *NSW Connection Opportunities* report identified Darlington Point and Griffith as two locations with capacity for renewable energy generation. In response, Council has seen a recent increase in enquiries and development applications in renewable energy production and biomass industries with large-scale solar farms constructed in Coleambally (150MW) and Darlington Point.

Consideration will be required to balance the competing needs for large scale renewable energy production facilities within the Council area and the impacts that this may have on traditional agricultural lands including the loss of productive farmland and potential land use conflicts.

Consideration is also required as to the social and economic impacts of these industries during construction and the pressures this may place on Council's infrastructure, as well as local residents and businesses, including accommodation venues.

To help offset the impacts of large-scale renewable energy works, it is recommended that Council include a condition on any subsequent approval requiring the payment of a developer contribution to help contribute towards the cost of maintaining infrastructure.

For those projects that are state-significant and determined by the Minister for Planning, it is recommended that a developer contribution be secured via a Voluntary Planning Agreement.

2.5.7. Telecommunications

Telstra advises that it maintains the existing telecommunications network throughout the Council area, which is provided via 14 telecommunication towers.

Furthermore, the area is serviced via a high speed fixed wireless broadband network, which is provided by NBN Co and provides connection for 457 premises.

2.5.8. Waste Management

Murrumbidgee Council operates three waste disposal sites in each of the townships. An open pit method of disposal is used with fencing provided to control access. The sites are operated on scheduled opening hours under supervision and closed at all other times unless access is arranged.

Council residents living in each of the three towns are provided with a weekly garbage collection service, utilising 240L garbage bins. Darlington Point and Coleambally also have a fortnightly recycling collection service.

Murrumbidgee Council participates in the RAMJO Waste Management Group to develop regional waste strategies and continues to operate the DrumMuster programme for clean, empty farm chemical containers. In addition, Council is involved in the mobile muster and ink cartridge recycling programs.

No container deposit facilities have been made available in the Council area since the Container Deposit scheme was commenced in NSW in late 2017.



Figure 27: Transgrid Electrical Supply Map
(Source: Transgrid Connection Opportunities, 2016)

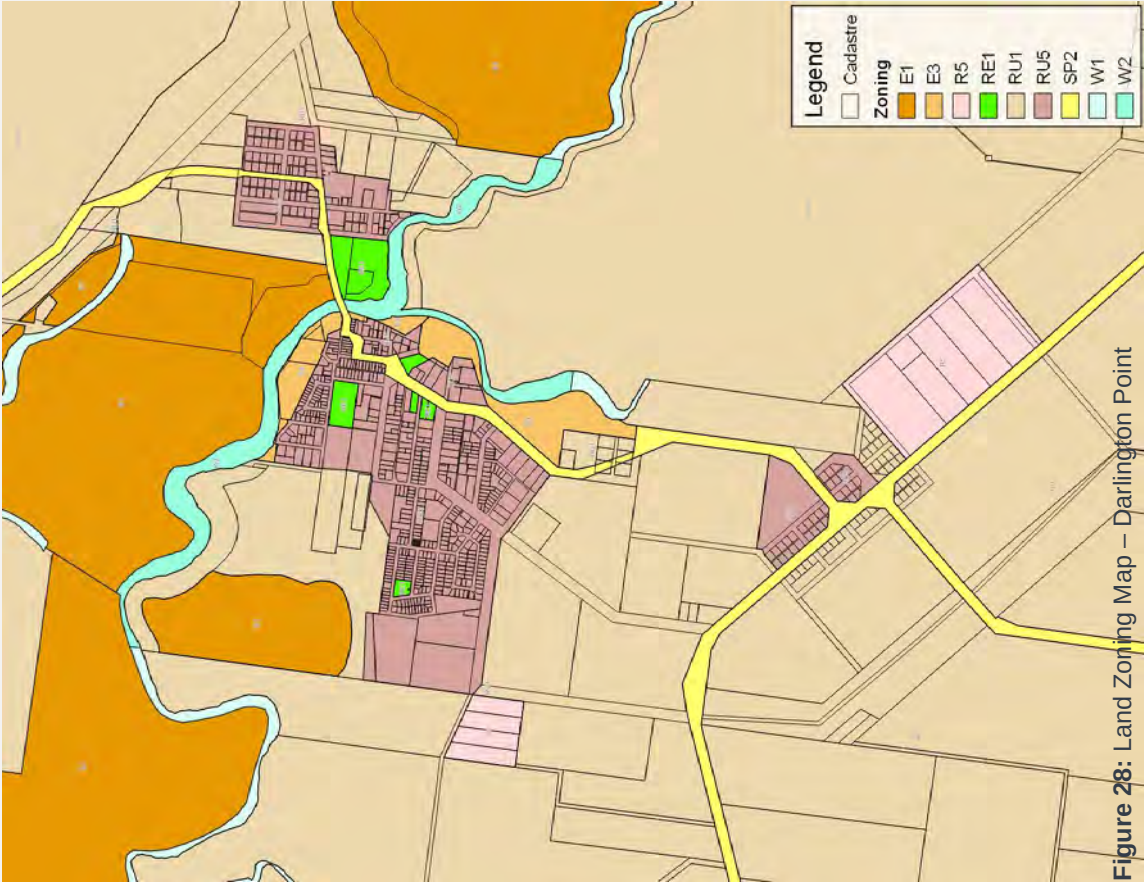
2.5.9. Key Issues for Planning

<u>Infrastructure:</u>	
2.5.9.1	Finalise and adopt the recommended actions of the Integrated Water Cycle Management Strategy.
2.5.9.2	Capacity of existing infrastructure and the need to be able to meet the growing demand created by new development.
2.5.9.3	Township growth and the need to consider what areas are best suited for efficient infrastructure expansion.
2.5.9.4	Cost of road construction and maintenance creating challenges for the large number of roads which Council is responsible for managing.
2.5.9.5	Access along main roads to ensure safety.
2.5.9.6	Heavy vehicles and the impact on road surfaces and amenity.
2.5.9.7	Use of main streets by heavy vehicles and opportunities for alternative routes and bypasses within the larger towns.
2.5.9.8	Reliance on motor vehicles for transport and a need to encourage alternative travel methods such as walking and cycling.
2.5.9.9	Lack of public transport due to low viability from small population bases and large distances involved.
2.5.9.10	Potential conflicts between renewable energy production and traditional agricultural activities.
2.5.9.11	Availability and access to high quality telecommunications and internet services.
2.5.9.12	Ensure that new developments make an appropriate contribution towards the provision or augmentation of infrastructure consistent with Council's adopted Infrastructure Contributions Plans.
2.5.9.13	Ensure that development occurs in a staged and logical sequence to minimise pressures on infrastructure.

3. Land Use Plan

habitat —

Darlington Point



3.1. Darlington Point

Darlington Point is a rural town situated on the Murrumbidgee River in the northern part of the Murrumbidgee Council area. The town is located approximately 30 kilometres south of Griffith, 30 Kilometres north of Coleambally and 50 kilometres west of Leeton.

The main township is located on the intersection of the Sturt Highway and Kidman Way and covers an area of approximately 10.5 square kilometres.

The main urban areas are zoned RU5 Village under the LEP to provide for the residential and commercial needs of the township. Other zones within the town include the R5 Large Lot Residential, RE1 Public Recreation, E1 National Parks and Nature Reserves, E3 Environmental Management, SP2 Infrastructure, W1 Natural Waterways and W2 Recreational Waterways Zones.

3.1.1. Social and Community

Population

Darlington Point had a total population of 1,162 at the 2016 Census, which accounted for 30 percent of the total Murrumbidgee Council area.

Population and demographic trends within Darlington Point are consistent with the broader Murrumbidgee Council area as outlined in Section 2.2.

Table 18: Darlington Point Population Projections 2016-2041

	Population (2016)	Additional Population (persons)	Annual change (persons)	Population (2041)
DPIE Projection (Common Growth)	1162	-47	-1.88	1,115
Council Projection (High Growth)	1162	150	6	1,312

Housing

At the 2016 Census, there were 536 dwellings in Darlington Point. The predominant housing type in the township is single detached dwellings, with the largest household type being classified as ‘family households’ comprising at least one parent and child. The average size of households within Darlington Point is 2.45 persons per household.

Building approvals for Darlington Point have remained low but steady over time with an average of 2.7 new dwellings constructed per annum, which is reflective of population growth.

Anecdotally, demand for housing is forecast to increase in response to the establishment of a number of large industries and agricultural businesses proposed within close proximity to the town. In addition, the township is also located within commuting distance to Griffith and Leeton, which may generate demands for additional housing.

To accommodate some of this projected growth, Council has recently approved a residential subdivision on the western side of town at Young Street.

Table 19: Darlington Point Housing Projections 2016-2041

	Housing (2016)	Additional Dwellings	Annual change (dwellings)	Housing (2041)
DPIE Projection (Common Growth)	536	-23.10	-0.92	-
Council Projection (High Growth)	536	73.89	2.95	609.89

Consequently, demand for housing is expected to remain stable or slightly increase over time, particularly given the limited range and type of residential product (namely large lot and low density residential) available to purchasers.

Current housing issues facing Darlington Point include:

- Increased demands for short-term or temporary worker accommodation in the township and potential amenity and land use conflicts this may create.
- Instances of residents living in sheds or outbuildings.
- Impacts of flooding on residential zoned land, particularly in North Darlington Point.
- Infrastructure and servicing capacity constraints (sewer), including the location of the Darlington Point Wastewater Treatment Plant.
- Competition for housing from surrounding larger regional centres such as Griffith and Leeton.
- Development servicing costs to construct residential subdivisions versus expected land sales prices.
- Lack of large lot or rural lifestyle housing options.
- Land use conflicts between commercial and industrial businesses and existing residents from a lack of industrial zoned land.
- Ageing population and demands for appropriate housing types.

Residential Land Supply

An analysis of residential land supply had been used to determine how much residential land is currently available for consumption.

For the purposes of this assessment, a lot is considered to be ‘vacant’ where it does not contain a dwelling as at 30 June 2021.

The residential land within Darlington Point has been categorised as follows:

- **Standard Residential**, being land zoned RU5 Village with a minimum lot size of 600m². This land is connected to Council’s reticulated sewerage;
- **Large Lot Residential**, being land zoned R5 Large Lot Residential with lot sized of 2ha or larger. This land is not connected to Council’s reticulated sewerage.

Whilst it is acknowledged that the RU5 Village zone has a default minimum lot size of 600m², this is not representative of the established residential subdivision pattern of the town, which is more consistent with a minimum lot size of 1,200m².

Table 20 provides an analysis of the current supply of residential zoned land (both developed and undeveloped) in Darlington Point. The figures used in this table are based on an average of 6.5 lots per hectare, which equates to an average lot size of 1,200m². This calculation also assumes 20% of the development site is required for roads, drainage and open space.

Based on this analysis, Darlington Point has an approximate 93.6 years supply of residential zoned land based on an average take-up rate of 2 dwellings per annum.

When considering population projections outlined in Table 6 above and using an average take-up rate of 3 dwellings per annum, the level of residential land supply is reduced to approximately 62.3 years.

As can be seen in Table 12, there is currently no available land specifically identified for low density (1,500m²-4,000m²) and large lot residential (2ha) purposes. The provision of additional land for this purpose is considered critical to the ongoing viability of the town and also provides a point of difference to nearby centres including Griffith and Leeton.

Table 20: Darlington Point Existing Residential Land Supply

Summary	Growth Rate	Land Supply	No. of additional lots	Demand (dwellings p.a.)	Years Supply
Standard Residential (600m ²)	DPIE Projection (High Growth)	36ha	187	2	93.6
	Council Projection (High Growth)	36ha	187	3	62.3
Low Density Residential (1,500m ² – 4,000m ²) Large Lot Residential (2ha+)	DPIE Projection (High Growth)	0	0	0	0
	Council Projection (High Growth)	0	0	0	0

Whilst it is acknowledged that Darlington Point already has a relatively large level of residential land supply, this is primarily limited to a number of individual landowners who do not have any development aspirations, or the land is being used for an alternative purpose.

For example, the land at 64-66 Britts Road is currently being used for intensive agricultural purposes (apiary) and is not likely to be developed in the short to medium term. Similarly, land on the eastern side of the sewerage treatment works is constrained by this facility due to odour.

When taking into consideration the environmental constraints and current aspirations of landowners, the actual supply of residential land is reduced to approximately 19 hectares. This brings the total actual year’s supply of residential land down to 49.4 and 32.93 years respectively when using either NSW DPIE or Council population projections.

Community Facilities

Darlington Point is serviced with a number of community facilities including a pre-school, primary school with over 100 students, a doctor's clinic, police station and a museum. Council also runs an administration office to service the needs of local residents and a mobile library services the town every Thursday. A community hall is also available for hire and the area has a number of churches and a local cemetery.

In recognition of the wide range of community facilities and historical population trends, there is capacity within the existing facilities to accommodate the expected marginal population growth to 2041 (150 persons under Council's high growth projection).

A plan showing the existing community facilities is provided in Figure 29.

Recreation and Open Space

The Darlington Point area is well serviced by a number of public recreation and open space areas including Fig Tree Park, Lions Park and CWA Park. The town also has a sportsground, skate park, swimming pool and local playgrounds that are available for use.

Given the natural attributes of the area and the town's location alongside the Murrumbidgee River, the area has access to outdoor and water-based recreational facilities including two boat ramps, walking, camping, picnicking and fishing locations, as well as access to 15 different sandy beaches.

Private recreation facilities include the Darlington Point Sports Club, which provides a golf course, tennis courts and lawn bowls.

In recognition of future population growth and consistent with the key performance criteria of the NSW Government's *Draft Greener Places Design Guide*, it is recommended that a new local park be constructed on the western side of town to service the future population in this area and ensure that all residents have access to open space within a general 400m / 5 minutes walking distance.

A plan showing existing and proposed open space is provided in Figure 29.

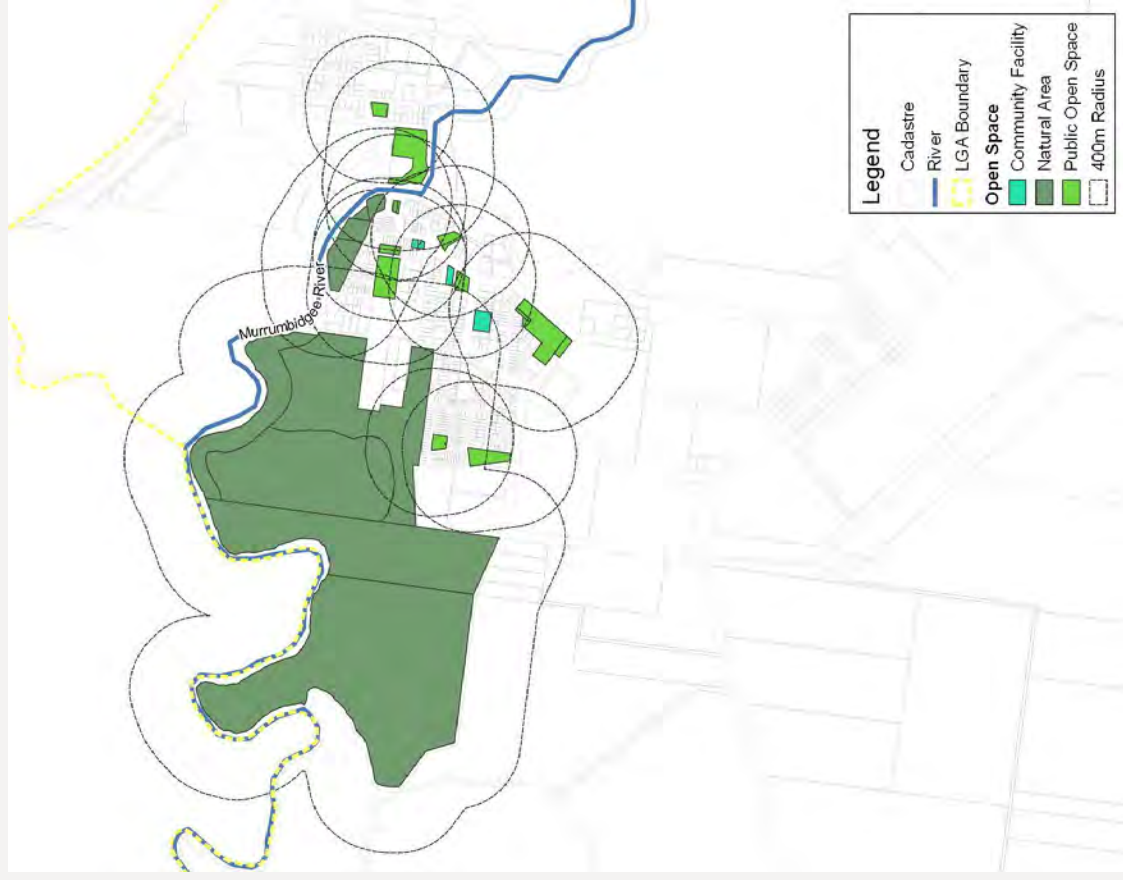


Figure 29: Open Space and Community Facilities Map – Darlington Point

3.1.2. Economy

Commercial and Retail

The main commercial and retail centre of Darlington Point is focussed around Carrington Street, which is the main street. The main commercial area includes an NRMA garage, newsagent-hardware store, service station, supermarket, butcher, post-office and pharmacy.

The area also contains a number of restaurants and cafes, as well as the Punt Hotel, which is centrally located within the main street. A truck stop/roadhouse is also located on the key intersection of the Sturt Highway and Kidman Way at Waddi to service passing traffic.

The main township is zoned RU5 Village under the current LEP to provide flexibility in zoning and to allow for a range of commercial, residential and light industrial activities.

Opportunities also exist to better connect the main street with the adjoining Murrumbidgee River and there is also a need for more accommodation within the main commercial area.

Industry

There is currently no industrial zoned land within Darlington Point, which is creating problems regarding the long-term expansion of the town and resulting in potential new businesses establishing within other towns or regional centres.

Recently, Council has received a number of enquiries and interest for the establishment of industrial development, however due to a lack of zoned land this has resulted in potential new businesses establishing elsewhere.

Similarly, given the lack of industrial zoned land, there are several large commercial and industrial industries currently operating within the residential areas, which has in the past created land use conflicts.

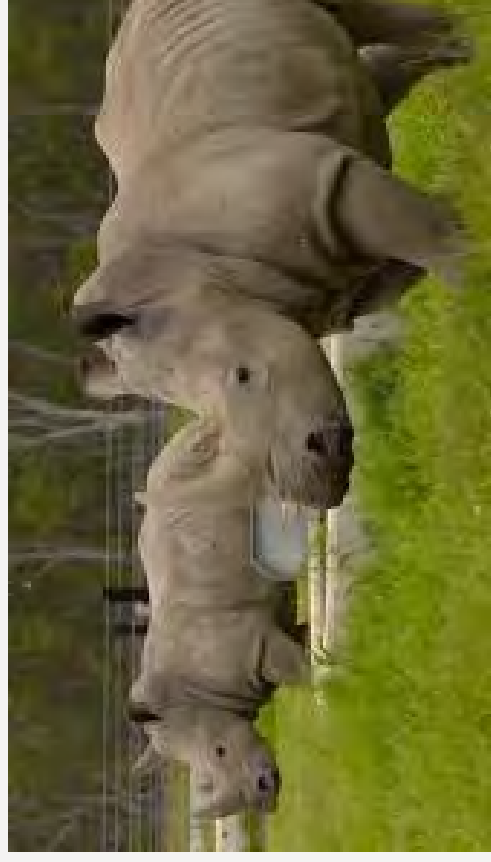
Given the towns' strategic location on one of the main inland transport corridors, an opportunity exists to create a transport depot or interchange. The location of this facility should occur alongside these main transport routes, but away from sensitive land uses.

Tourism

Due to the town's location alongside the Murrumbidgee River and on key transport routes, Darlington Point provides nature-based tourism opportunities for visitors. The Murrumbidgee River and Murrumbidgee Regional Park at Willbriggie offer River Redgums and water access for recreational activities. Ten kilometres east of Darlington Point is the Altina Wildlife Park, which offers unique tours via personalised carts.

Demands for tourism have increased over time and the town provides short-term accommodation at the Darlington Park Caravan Park, the Sports Club and at Campbell Street.

An opportunity exists to build on the natural environmental values of the area with increasing demand for 'eco-tourism' and agricultural tourism such as 'farm gates', as well as to increase the range of unique or high-end accommodation and restaurant options.



Altina Wildlife Park

Agriculture

The majority of the Murrumbidgee Council area is zoned for rural and agricultural purposes and is broadly used for dryland and irrigated cropping, as well as grazing.

Land within and immediately surround Darlington Point is generally rated as Class 4 – Moderate to severe limitations and Clause 5 – Severe limitations in terms of agricultural land quality (Figure 30).

All rural land within and surrounding the main township of Darlington Point is zoned RU1 Primary Production with a corresponding 200 hectare minimum lot size for subdivision. This land is generally used for broadacre grazing purposes.

Although the Council area can be viewed as a traditional rural and agriculturally based local government area, the main townships and immediate surrounds are urban in nature or have been developed for hobby farming type purposes.

Future development and expansion of Darlington Point will need to ensure that residential and rural residential growth does not restrict existing productive agricultural operations.

Similarly, land management for native vegetation removal in the rural zones is undertaken in accordance with the Local Land Services Act 2013. For the purposes of this Study, much of the land surrounding the main Darlington Point township is classified as 'Category 1 Exempt Land' as it was cleared of native vegetation as at 1 January 1990 (Figure 31).

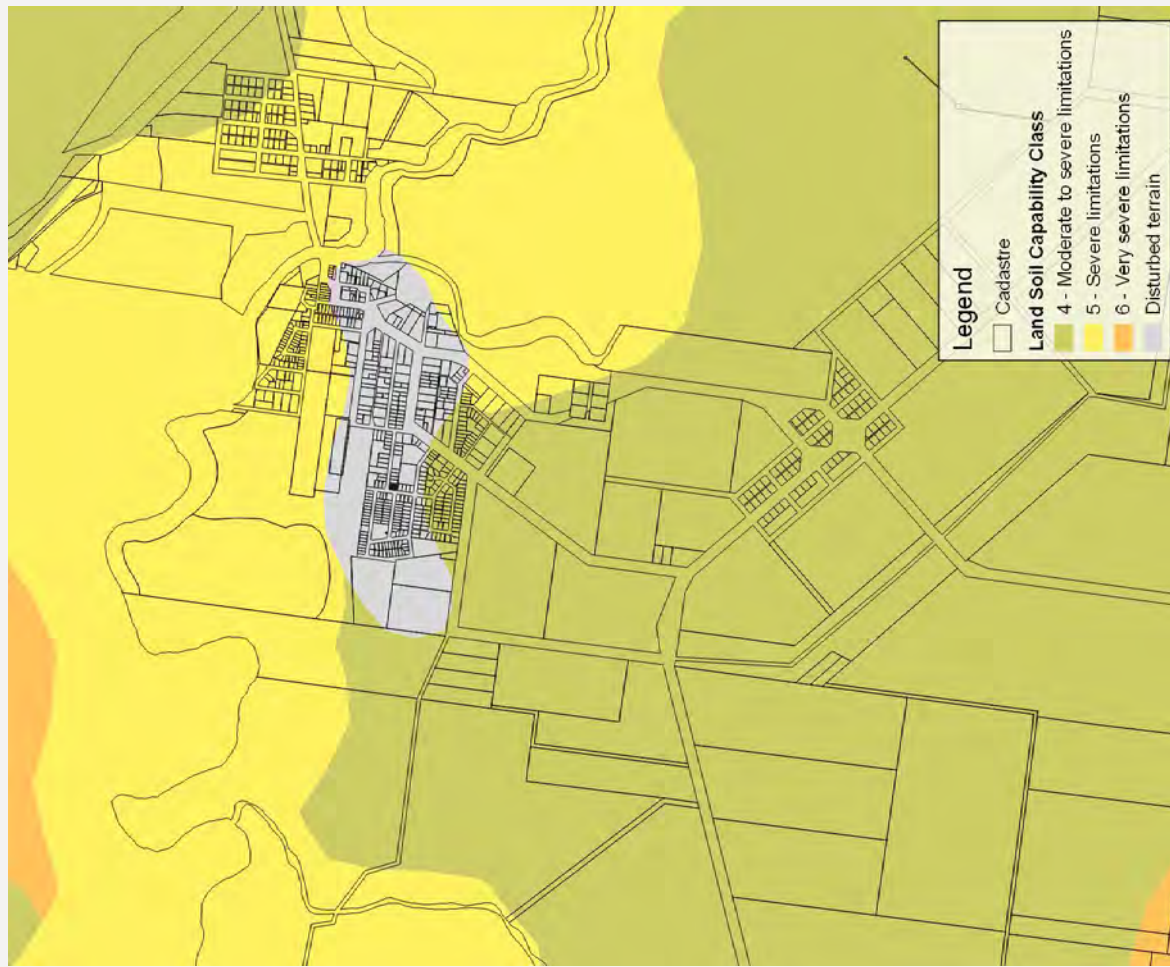


Figure 30: Agricultural Land Capability Map – Darlington Point

3.1.4. Infrastructure

Council in association with the NSW Public Works Advisory is in the process of preparing an Issues Paper to the Integrated Water Cycle Management Strategy (IWCMS), which will identify current and future capacity issues and upgrade requirements.

The outcomes of this Paper will inform further recommendations to the IWCMS and the conclusions of this Issues Paper as they relate to Darlington Point are discussed below.

Water

Darlington Point's town water is supplied from two bores with the water system having recently been upgraded, including minor repairs and the installation of a gas chlorinator.

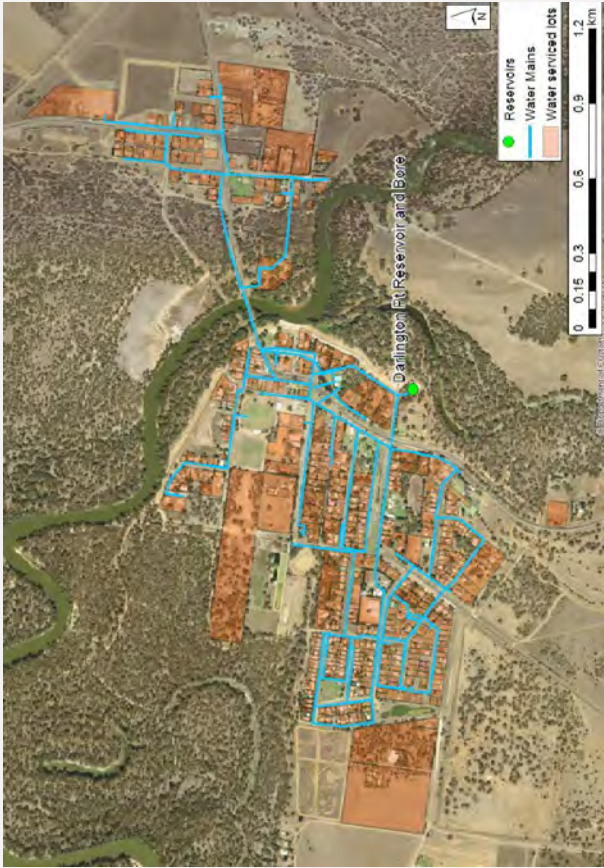


Figure 39: Darlington Point water supply scheme distribution map
(Source: Draft Integrated Water Cycle Management Strategy)

The IWCMS Issues Paper identifies the following capacity issues in terms of water supply in Darlington Point. These items will need to be addressed so as to achieve projected future population growth.

Based on this analysis projected residential development can be achieved subject to augmentations of the existing water network.

Sewerage

The Darlington Point sewerage treatment plant has limited capacity to accommodate additional growth and is currently only sized to service approximately 1,200 people.

The location of this facility is also problematic as it is located within close proximity to the town centre and residential dwellings, which may cause land use conflicts and odour issues as the town continues to grow.

Previous investigations as part of the Darlington Point Township Structure Plan identified the need to investigate opportunities, subject to a cost benefit analysis to relocate the sewerage treatment facility from the central urban area to a new location, with suitable buffers from current or future residential development in order to remove potential land use conflicts/restrictions that may restrict growth opportunities of the town.

3.1.3. Environment

Vegetation and Threatened Species

Darlington Point with its riverine environment is comprised of a range of vegetation types including: forested wetlands (River Red Gums and Black Box woodland), semi-arid woodlands (Weeping Myall), grassy woodland (Yellow Box), freshwater wetlands (Lignum shrubland, Sedge), as well as grasslands (Plains grassland).

Of these, a number are classified as endangered (Weeping Myall) or critically endangered (Plains grassland, shallow freshwater wetland sedgeland and Yellow Box – River Red Gum)(Figure 32).

Other environmental features within the area include the Tiddalik Wetlands and the 2,000 hectare Cuba State forest, which is located approximately 11 kilometres east of Darlington Point.

The area is also home to a number of native fauna including the Painted honeyeater, Superb parrot, Brown treecreeper, Grey-crowned Babbler (eastern subspecies) and the Dusky woodswallow, which are listed as 'vulnerable' under the NSW *Biodiversity Conservation Act 2016* and/or the *Federal Environment Protection and Biodiversity Conservation Act 1999*.

The LEP maps much of Darlington Point as an area of 'Terrestrial Biodiversity' within which Clause 6.3 requires Council to consider the impact of development on flora and fauna as well as "any appropriate measures proposed to avoid, minimise or mitigate" those impacts. These areas have been identified through aerial imagery and have not been 'ground truthed' for significance. They also do not identify scattered vegetation.

Having regard to the vegetation types in the study area, vegetation potentially presents as a constraint for development not just because of its biodiversity significance but also because of the high cost of offsetting its removal. Fortunately, there remains large tracts of land that are either unconstrained by stands of remnant vegetation or contain scattered paddock trees at a lower density.

Further matters regarding biodiversity are contained in the Biodiversity Constraints Analysis report prepared by AREA Environmental and Heritage Consultants in support of the Land Use Plan.



Figure 31: Category 1 Exempt Land Map
(Source: Area Environmental and Heritage Consultants, 2021)



Figure 33: Terrestrial Biodiversity Map – Darlington Point

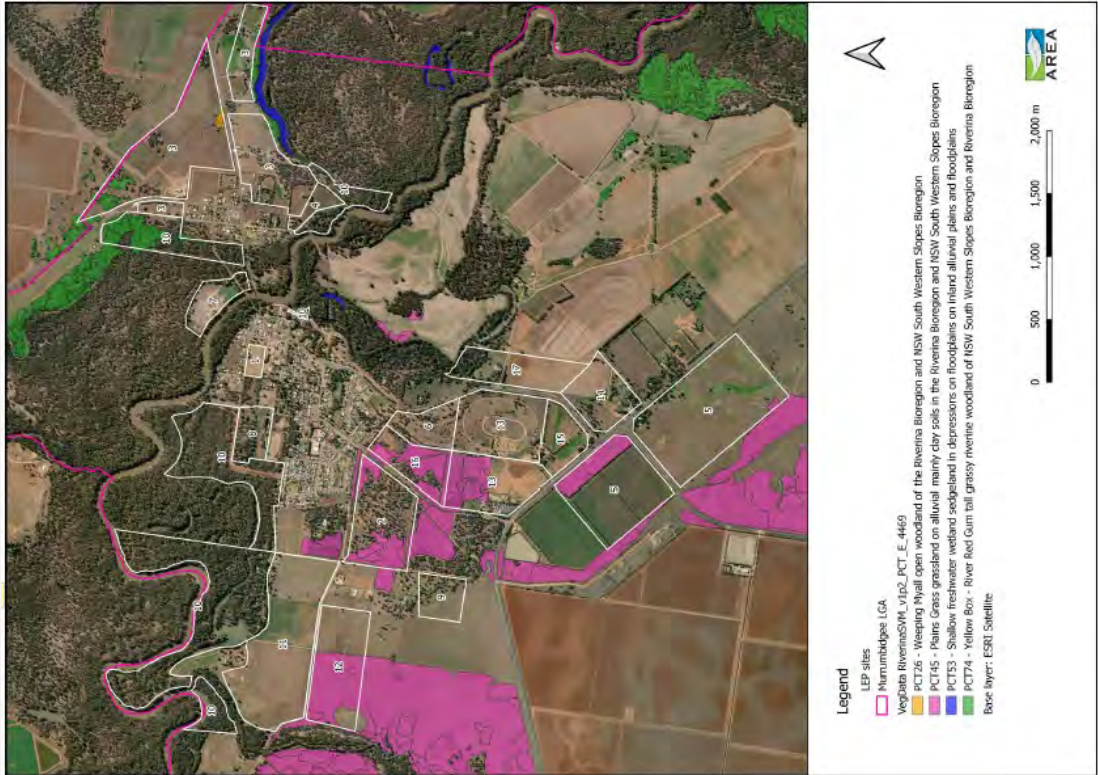


Figure 32: Plant Community Types associated with Threatened Ecological Communities (Source: Area Environmental and Heritage Consultants, 2021)

Flooding

Darlington Point has been the subject of a number of severe floods due to its location alongside the Murrumbidgee River.

In response, Council have recently completed the *Darlington Point Flood Risk Management Study and Plan* to investigate the impacts of flooding within the township.

This Plan identifies the land immediately adjoining the Murrumbidgee River as 'floodway', whilst land further back from this waterway is categorised as 'flood fringe' and 'flood storage'.

This plan and previous flood assessment have been used to construct a flood levee bank around the main township to protect it from flooding.

It is noted however that no levee bank is currently proposed around north Darlington Point, which will limit development that can occur in this area until such time as a levee bank is constructed.

In accordance with the requirements of the NSW Floodplain Development Manual, development should seek to minimise the danger to life and property during floods.

Specifically, future development should seek to avoid areas of flood storage and floodway, which align with a high hazard level of flooding.

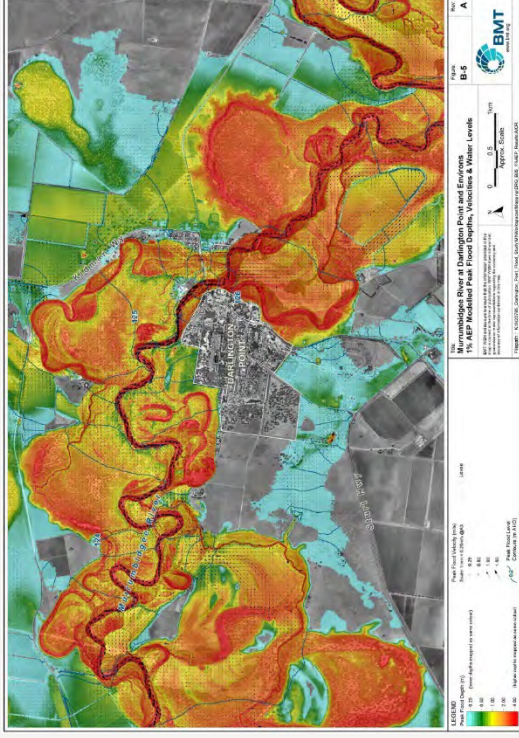


Figure 34: 1 in 100 Year Flood Map for Darlington Point
(Source: Murrumbidgee River at Darlington Point Flood Study, 2018)

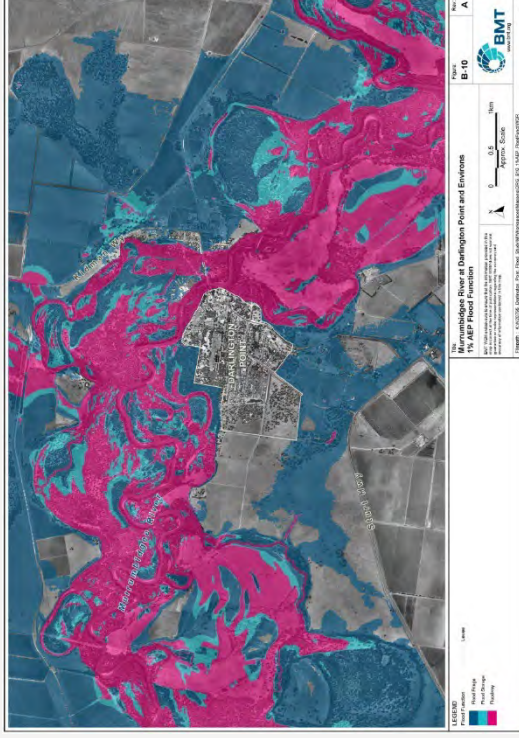


Figure 35: 1 in 100 Year Flood Map – Hydraulic Categories for Darlington Point
(Source: Murrumbidgee River at Darlington Point Flood Study, 2018)

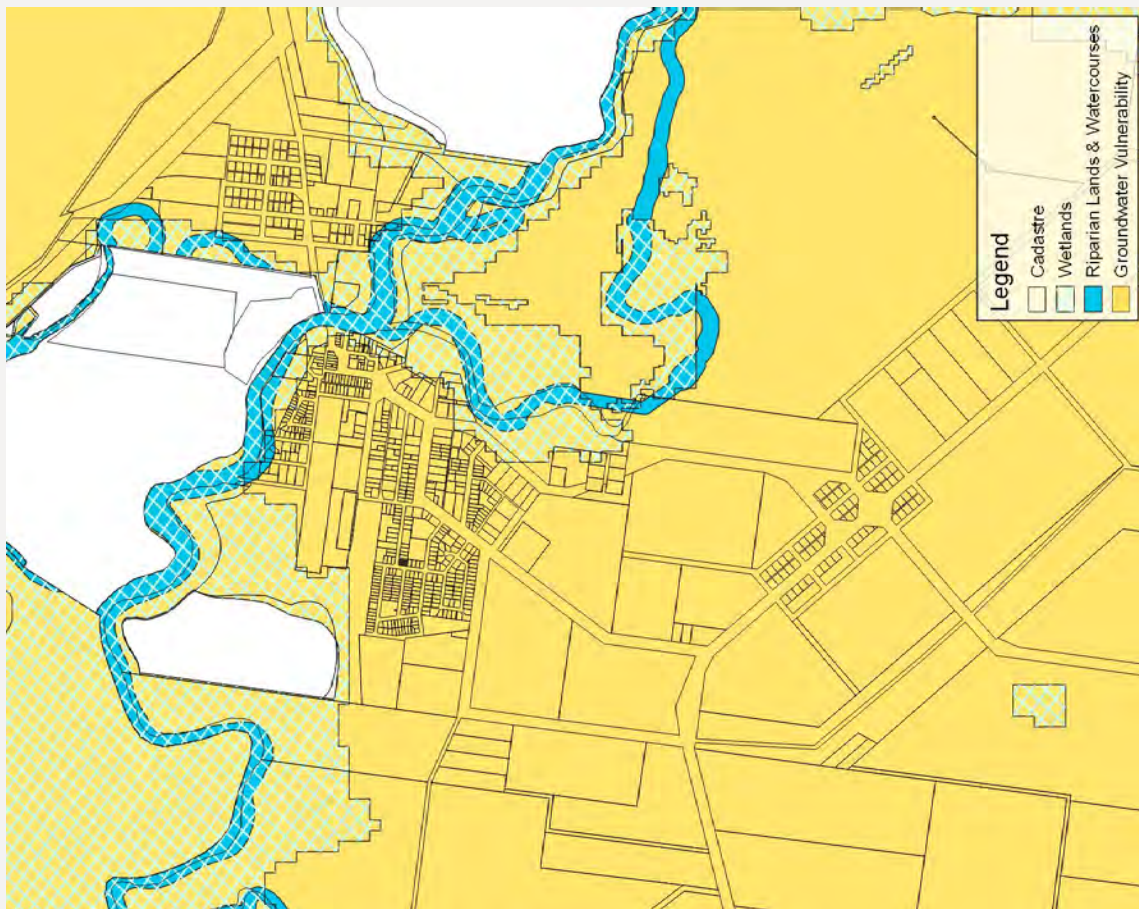


Figure 36: Waterways Map – Darlington Point

Waterways

The iconic Murrumbidgee River winds its way through Darlington Point and provides one of the key tourist, recreational and natural asset for the community. The interface with the river is varied in character and includes many areas of superb natural environmental lands as well as highly used recreational areas.

Protection of the waterway from inappropriate development and/or pollution is critical for the ongoing development of the township and the environmental health of this waterway.

Development near waterways is regulated by a number of state and local government policies including the *Water Management Act 2000*. Development within the bed or banks of the river or within 40 metres of a watercourse also requires separate approval from relevant NSW state government agencies to ensure the ongoing protection of these waterbodies.

The LEP contains specific controls regarding riparian land, wetlands and areas of groundwater vulnerability as identified within Figure 36. In addition, Clauses 6.4-6.6 of the LEP contains specific matters that Council must consider when assessing an application in proximity to the Murrumbidgee River.

Consideration of these areas will be required in the future rezoning of any land, particularly areas of groundwater vulnerability where effluent is proposed to be disposed of on-site.

Bushfire

A portion of the township is classified as bushfire prone ('Vegetation Category 2' and 'Vegetation Buffer'). Any development of this land or adjoining land shall have regard to the relevant bushfire planning requirements as outlined within the NSW RFS document titled *Planning for Bushfire Protection Guidelines 2019*.

In addition, *Planning for Bushfire Protection Guideline 2019* now provides a broader definition of grassland than previous versions with any undeveloped land now considered to be 'grassland vegetation'.

Consequently, further development of land shall have regard to the bushfire prone land map, as well as the broader grassland bushfire hazard. Where necessary, any future subdivisions shall incorporate relevant bushfire provision measures such as Asset Protection Zones, whilst the construction of new buildings shall achieve relevant Bushfire Attack Level (BAL) ratings in accordance with the requirements of PBP.



Figure 37: Extract of Bushfire Prone Land Map for Darlington Point (Source: NSW Planning Portal, 2020)

Non-Aboriginal Heritage

Only one (1) item of non-Aboriginal heritage is identified in Darlington Point, being the Court House Group. However, following a review of the heritage map contained within the LEP, it is recommended that this listing be reviewed to confirm its location as it is currently incorrectly mapped.

A Heritage Review Inventory Report has been prepared by Noel Thomson Architecture in support of the Land Use Plan. The purpose of this report was to review the current heritage listings and recommend any deletions and/or additions to this list.

The report recommends the inclusion of a number of new items of environmental heritage including:

- Survey Tree "BM AN 42", Kidman Way, Darlington Point
- Darlington Point War Memorial, Carrington Street, Darlington Point
- Darlington Point Church, 2 Hay Road, Darlington Point
- Former headmasters' residence, 4 Hay Road, Darlington Point
- Darlington Point Public School (original school building), Hay Road, Darlington Point
- St Oliver Plunkett's Catholic Church, 7 Hay Road, Darlington Point
- Palm Tree Avenue, Hay Road, Darlington Point
- St Paul's Anglican Church, 23 Carrington Street, Darlington Point
- Punt Hotel, 5 Punt Road, Darlington Point
- Murrumbidgee Shire Hall (former), Carrington Street, Darlington Point
- Darlington Point Wharf, Murrumbidgee River, Darlington Point
- Water Trough, Stock Street, Darlington Point
- Darlington Point War Memorial Swimming Pool, Carrington Street, Darlington Point
- Corner Store, 53 Carrington Street, Darlington Point
- Darlington Point Sports Club, 6 Demamiel Street, Darlington Point
- Toganmain Station Homestead, Sturt Highway, Darlington Point

Upon review and following Councillor advice, it is recommended that Council give affected landowners the option to 'opt in' to the heritage schedule of the LEP and will only include those properties where the landowner consents to them being listed as a local heritage item.

As a result, it is recommended that only those publicly listed items be included within the heritage schedule unless an owner decides to opt-in. In the interim, this list includes the following:

- Survey Tree "BM AN 42", Kidman Way, Darlington Point
- Darlington Point War Memorial, Carrington Street, Darlington Point
- Darlington Point Church, 2 Hay Road, Darlington Point
- Palm Tree Avenue, Hay Road, Darlington Point
- Punt Hotel, 5 Punt Road, Darlington Point
- Murrumbidgee Shire Hall (former), Carrington Street, Darlington Point
- Darlington Point Wharf, Murrumbidgee River, Darlington Point
- Water Trough, Stock Street, Darlington Point

See Heritage Review Inventory Report prepared by Noel Thomson Architecture for further details.



Former Murrumbidgee Shire Hall

Aboriginal Heritage

The Darlington Point area has a strong relationship and ties to traditional landowners and contains a number of significant places and items of Aboriginal Cultural Heritage significance.

A review of the Aboriginal Heritage Information Management System (AHIMS) database revealed 77 registered Aboriginal sites within five kilometres of Darlington Point. Culturally modified trees were the most dominant site type, appearing at 70 sites. Other site types present included a small number of artefact scatters, two ceremonial sites, a burial, a hearth, a shell (midden) site and a restricted site.

Two sites of Aboriginal cultural heritage significance were recorded in the LEP and the State Heritage Inventory. This includes the Warangesda Aboriginal Mission and Station (SHI database #5055095; LEP Item A4). This mission is unique to NSW as it is the only mission or reserve site that retains a group of original 19th century building ruins and archaeological relics.

The other LEP item is the Waddie Creek Scarred Trees (SHI database #2100005; LEP Item A5).

An Aboriginal Cultural Heritage report has been prepared by AREA Environmental and Heritage Consultants to provide a general assessment of likely sites of cultural heritage.

A predictive archaeological model has been prepared to draw general conclusions about the likelihood of cultural heritage remains in an area based on the archaeological and landscape contexts.

The archaeological context indicates a strong association between evidence of Aboriginal occupation and reliable water sources. More specifically, Aboriginal cultural heritage sites are more likely near the junctions of major waterways with other waterways. There is also an increased likelihood of sites near ephemeral water courses.

Previous archaeological studies have identified culturally-modified trees as a very common site type. Stone artefact sites are common in the broader region but are in low numbers nearby to the study area. Burial mounds, hearths and ceremonial sites also appear in the archaeological record of the Murrumbidgee region.

Specifically, the Darlington Point study area includes a large number of registered Aboriginal Cultural Heritage items. Much of the township is located adjacent to, or nearby to the Murrumbidgee River. On this basis alone, Darlington Point is considered to have a generally high Aboriginal heritage potential.

Nonetheless, there are portions of the study area that have high levels of disturbance and are distant from the Murrumbidgee River and other water sources.

Accordingly, any future development should seek to limit the impacts on Aboriginal heritage and where necessary be supported by a due diligence or Aboriginal cultural heritage assessment to ensure the ongoing protection of these heritage assets, which contribute to the social and cultural values of the town.

For further details regarding Aboriginal Cultural Heritage, see the Aboriginal Cultural Heritage Review report prepared by AREA Environmental and Heritage Consultants.

Land Use Conflicts

As outlined within Section 2.2.7, land use conflicts arise when incompatible land uses are situated in close proximity to each other. Land use conflicts may impact on the amenity of sensitive land uses, the efficient use of productive land, or environmental and landscape values.

An assessment of land use conflicts for Darlington Point has been undertaken consistent with the NSW Department of Primary Industry's Land Use Conflict Risk Assessment (LUCRA) guidelines. There are four key steps involved in undertaking a LUCRA and these include:

1. Gather information about proposed land use changes and associated activities.
2. Evaluate the risk level of each activity.
3. Identify risk reduction management strategies
4. Record LUCRA results.

Key potential land use conflicts contained within Darlington Point include:

5. Sewerage treatment works
6. Waste management centre

Other land use conflicts that are specific to Darlington Point that need to be considered include:

7. Bushfire risks on development that adjoins heavily vegetated areas or open grasslands.
8. Flooding impacts on development from adjoining rivers and waterways.
9. Amenity impacts such as noise adjoining key transport corridors (road, rail).

Careful consideration will be required when planning future land uses to ensure that they will not result in conflicts between land uses.

A plan showing these potential land use conflicts is provided in Figure 38.



Figure 38: Land Use Conflict Map – Darlington Point

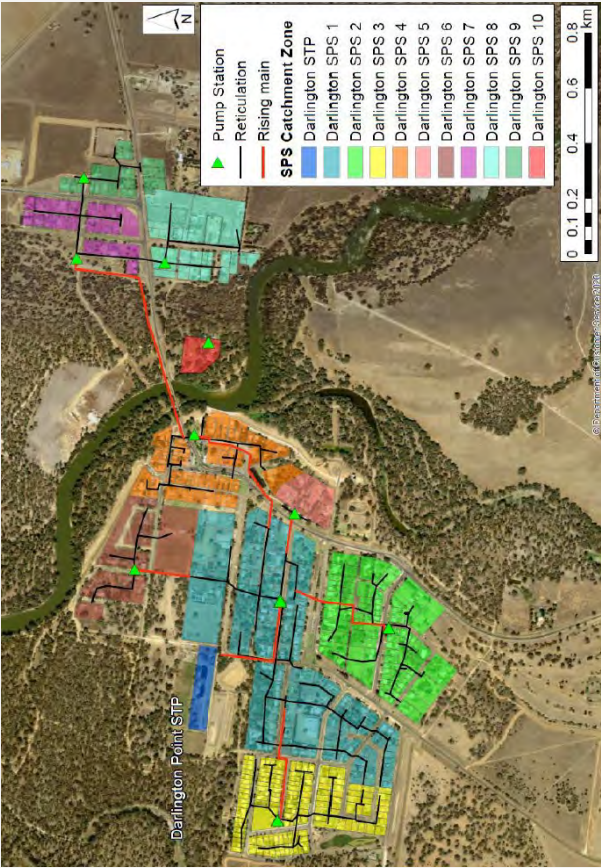


Figure 40: Darling Point sewage transfer system
(Source: Draft Integrated Water Cycle Management Strategy)

Based on this analysis, the existing sewerage plant has enough capacity to service development until 2043 subject to the augmentation of a number of individual Sewerage Pump Stations.

Whilst the location of the current sewerage treatment plant is currently a constraint on development, given that this system does not need to be upgraded in the short to medium term, as well as the fact that there is a large supply of additional zoned residential land located elsewhere, it is not recommended that the sewerage treatment plant be relocated due to the financial costs.

Transport

Darlington Point experiences high volumes of heavy vehicles and trucks that pass through the town at high speeds creating vehicle and pedestrian safety problems.

There is also no truck parking area available for drivers passing through Darlington Point outside of a small area opposite the Darlington Point Club. Similarly, there is a need to ensure that development on main intersections and roads is appropriately designed to improve the visual appearance of the town. Where new access points are proposed from classified roads, this will require approval from Transport for NSW.

Other Services

Gas, electricity and telecommunications infrastructure are available and can be extended to service future development. Drainage infrastructure is also appropriate and should continue to occur via a 'pit and pipe' system.

Where large lot residential subdivisions are proposed, drainage can be via vegetated swale/table drains.

Darlington Point is also serviced by an existing waste management facility located to the south west of the main township. This facility is currently zoned rural and it is recommended that this facility be rezoned to a special activities zone to ensure its ongoing protection.

3.1.5. Darlington Point Land Use Plan

Recommendations

The Land Use Plan identifies four candidate sites to be rezoned for residential purposes. These parcels of land are described as follows:

- 7 Boyd Street, Darlington Point (Lot 2, DP335057 & Lots 14-19, DP3754)
- Darlington Street, Darlington Point (part)(Lot 73, DP751688)
- 92 & 164 Britts Road, Darlington Point (Lot 5, DP1115843 & Lot 1, DP1103528).
- Britts Road, Darlington Point (part)(Lot 2, DP1103528).

The recommended rezoning of this land is consistent with the environmental constraints of the land, as well as infrastructure and servicing provision.

The properties represent both infill and greenfield development and are currently zoned RE1 Public Recreation and RU1 Primary Production with a minimum lot size of 200 hectares.

More specifically, it is proposed to rezone the existing sportsground from RE1 Public Recreation to RU5 Village with a 600m² minimum lot size. The rezoning of this land is consistent with previous strategic plan work, which identified an opportunity to relocate this sportsground to the south of the township adjacent to the existing golf club. In doing so, this will increase the amount of flood free land available for infill residential development.

The Land Use Plan also recommends rezoning the land to the south of Darlington Street from RU1 Primary Production to R2 Low Density Residential with a 5,000m² minimum lot size. This land is located above the relevant flood level and can provide opportunities for minor infill low density residential development (10 additional lots).

In order to cater for the long term future needs of Darlington Point, the Strategy recommends rezoning land on the western side of town for residential development.

Given the relatively large amount of conventional residential land supply currently available within the township, it is recommended that this land be zoned at lower residential densities.

In doing so, this will provide a greater variety of residential lot types and will provide lifestyle options for persons looking to relocate to Darlington Point.

The rezoning of this land at lower densities also reduces the amount of potential land supply, places less pressure on infrastructure and services as effluent can be disposed of on-site above 5,000m² and provides a transition from the main urban area to the surrounding rural environment.

Specifically, land on the northern side of Britts Road located immediately adjacent to RU5 Village zoned land is proposed to be zoned R2 Low Density Residential with a minimum lot size of 5,000m². This land has a total area of 65 hectares and would result in the creation of an additional 104 low density residential lots.

In recognition of this large amount of residential land supply, it is recommended that the rezoning of this land be staged commensurate with demand. In the interim it is recommended that only the eastern half of this land be rezoned.

Similarly, the Land Use Plan recommends rezoning the southern side of Britts Road to R5 Large Lot Residential with a 2 hectare minimum lot size. The rezoning of this land forms an extension of existing R5 zoned land already developed on the southern side of this roadway. This land has a total area of approximately 38 hectares, which could result in the creation of an additional 15 large lot residential lots. It is noted that there is currently no supply of R5 zoned land available in the town and it is recommended that all of this land be rezoned in the interim, pending confirmation of biodiversity values on the western portion of this land. An opportunity also exists to extend this zoning further south in the future.

Based on the land zoning and minimum lot size recommendations, the propose rezoning sites have the potential to cater for up to approximately 250 additional residential lots as outlined in Table 23. Based on the DPIE medium growth rate of 2 dwellings per annum, this equates to a residential land supply of approximately 125 years.

When considering the forecast take-up rate of 3 dwellings per annum, this level of residential land supply is reduced to approximately 83 years.

Table 21: Darlington Point Existing and Proposed Residential Land Supply

Summary		Area	Proposed No. of additional lots	Demand (dwellings p.a.)	Years Supply
Existing Supply					
RU5 Village (600m ² +)	DPIE Projection (High Growth)	36ha	187	2	93.6
	Council Projection (High Growth)	36ha	187	3	62.3
R5 Large Lot Residential (2ha+)	DPIE Projection (High Growth)	0	0	0	0
	Council Projection (High Growth)	0	0	0	0
Proposed Supply					
R2 Low Density Residential (5,000m ²)	DPIE Projection (High Growth)	30ha	48	2	24
	Council Projection (High Growth)	30ha	48	3	16
R2 Low Density Residential (5,000m ²) (Future)	DPIE Projection (High Growth)	35ha	56	2	28
	Council Projection (High Growth)	35ha	56	3	19
R5 Large Lot Residential (2ha+)	DPIE Projection (High Growth)	38ha	15	2	7.5
	Council Projection (High Growth)	38ha	15	3	5
Total*	DPIE Projection (High Growth)	104ha	250	2	125
	Council Projection (High Growth)	104ha	250	3	83

*Note: Figure excludes land identified as R2 Low Density Residential (future)

The other key land use planning recommendation includes the establishment of an industrial area and business park within the southern portion of the township on the key intersections of the Sturt Highway and Kidman Way.

These parcels of land are described as follows:

- Sturt Highway, Darlington Point (Lot 149, DP750908).
- Sturt Highway, Darlington Point (Lots 150 & 288, DP750908 & Lots 1-5, DP7509030).
- 20 Bundure Street, Darlington Point (Lot 153, DP750908, Lots 1-5, DP7509030).
- 197 & 205-213 Hay Road, Darlington Point (Lot 1, DP507949, Lot 1, DP837504 & Lots 3-4, DP869939)
- Sturt Highway, Darlington Point (Lots 1-9, DP7509030 and part Lot 11, DP750908).

This land is strategically located and avoids areas of environmental significance or hazards, as well as nearby sensitive land uses that have the potential to create land use conflicts.

In total, the Land Use Plan recommends rezoning approximately 160 hectares of land for industrial purposes, which can be developed at various lot sizes.

In recognition of the need to coordinate land development, the provision and extension of services, as well as the large amount of industrial land supply proposed within this Plan, it is recommended that development within this area be staged.

Specifically, it is recommended that approximately 95 hectares of land be rezoned in the short-term surrounding the Sturt Highway and Kidman Way with the remaining land to be rezoned when demand permits.

The development of this land could result in the creation of approximately 76 industrial lots based on an average lot size of 8,000m². This equates to an approximately 25 years of industrial land supply based on demand.

It is noted however that an interested party has already approached council regarding the future development options for Lot 149, DP750908.

Consequently, this may further reduce the level of industrial land supply if this property is developed in the interim.

Due to the prominent location of this land, it is recommended that as part of the review of the Development Control Plan, that new controls be included that govern building design and appearance including; building setbacks, car parking, vehicular access, signage and landscaping. This will ensure that the development of this land does not detract from the overall visual appearance of the township.

Table 22: Darlington Point Existing and Proposed Industrial Land Supply

Summary	Area	Proposed No. of additional lots	Demand	Years Supply
IN1 General Industrial	95ha	76	3	25
IN1 General Industrial (Future)	68ha	52	3	17
Total	163ha	128	3	43

Other changes recommended by the Plan include rezoning certain lands for environmental protection purposes in recognition of their environmental features and constraints, as well as placing Council's key infrastructure facilities within a special use zone to ensure its ongoing protection.

It is also recommended that the Terrestrial Biodiversity Map be reviewed as it applies to the urban areas of Darlington Point as it currently maps land that is developed or contains no identified significant vegetation.

Similarly, it is recommended that the Heritage Map and Schedule 5 of the LEP be reviewed consistent with the recommendations of the Heritage Review.

Key Land Use Planning Considerations

Table 23: Key Land Use Planning Considerations – Darlington Point

<u>Population and Housing:</u>	
DP1	Ensure a sufficient supply and range of residential zoned land to cater for expected demand.
DP2	Rezoned land to the west of the main township on the northern side of Britts Road to R2 Low Density Residential with a 5,000m ² minimum lot size.
DP3	Rezoned land to the west of the main township on the southern side of Britts Road to R5 Large Lot Residential with a 2 hectare minimum lot size.
DP4	Rezoned the Darlington Point Sports Oval to RU5 Village Zone with a 600m ² minimum lot size.
DP5	Rezoned a small portion of land above the flood level at the southern end of Darlington Street to R2 Low Density Residential with a 5,000m ² minimum lot size.
DP6	Ensure short-term accommodation developments are appropriately designed and located to minimise impacts on surrounding residents.
DP7	Encourage infill development by exploring incentive strategies.
DP8	Locate residential development outside of flood prone areas and investigate opportunities to extend current flood levee system.
<u>Community Facilities and Open Space:</u>	
DP9	Continue to review community facilities and open space provisions within town, with gaps identified and strategies developed.
DP10	Ensure zoning is flexible to allow for the establishment of community facilities within central locations that are accessible.
DP11	Establish a new public open space area on the western side of town to service the proposed residential development in this area.

Commercial and Retail:

- DP12 Retain flexible land use zoning in the main commercial centre to encourage a range of businesses.
- DP13 Encourage the development of land currently bordered by Demamiel Street, Carrington Street, Hay Road and a public laneway for commercial purposes.
- DP14 Encourage the establishment of a motel or short term stay accommodation development within the centre of town.

Industry:

- DP15 Rezoned land on the intersection of the Kidman Way and Sturt Highway to IN1 General Industrial and/or B6 Enterprise Corridor.
- DP16 Incorporate specific controls into the DCP to ensure an appropriate interface is achieved between industrial development and the Sturt Highway including vehicular access, building design, setbacks, landscaping and signage.
- DP17 Investigate opportunities to create a transport depot or truck interchange or parking area near the Sturt Highway and Kidman Way interchange.

Tourism:

- DP18 Encourage the establishment of a motel or short term stay accommodation development within the centre of town.

Agriculture:

DP20 Limit residential and rural residential sprawl into established rural areas that has the potential to create land use conflicts and undermine the viability of productive agricultural businesses.

Environment:

DP21 Rezone environmental lands adjoining the Murrumbidgee River to E3 Environmental Management.

DP22 Require development proposals to consider the environmental impacts of vegetation removal in accordance with local and state government legislation.

DP23 Review the Terrestrial Biodiversity Map, Groundwater Vulnerability, Riparian Lands and Watercourse Map and Wetlands Map of the LEP to better reflect environmental conditions.

DP24 Require development proposal to consider impacts on matters of Aboriginal Cultural Heritage in accordance with the recommendations of the Aboriginal Cultural Heritage Review.

DP25 Adopt the recommendations of the Darlington Point Flood Risk Management Study and Plan including the introduction of a Flood Planning Map for the township.

DP26 Prepare a Bushfire Prone Land map in association with the NSW RFS.

DP26 Require new development proposals to consider the provisions of *Planning for Bushfire Protection Guidelines 2019*.

DP27 Amend Schedule 5 and the Heritage maps of the LEP consistent with the recommendations of the Heritage Review Inventory Report only where landowners choose to 'opt in'.

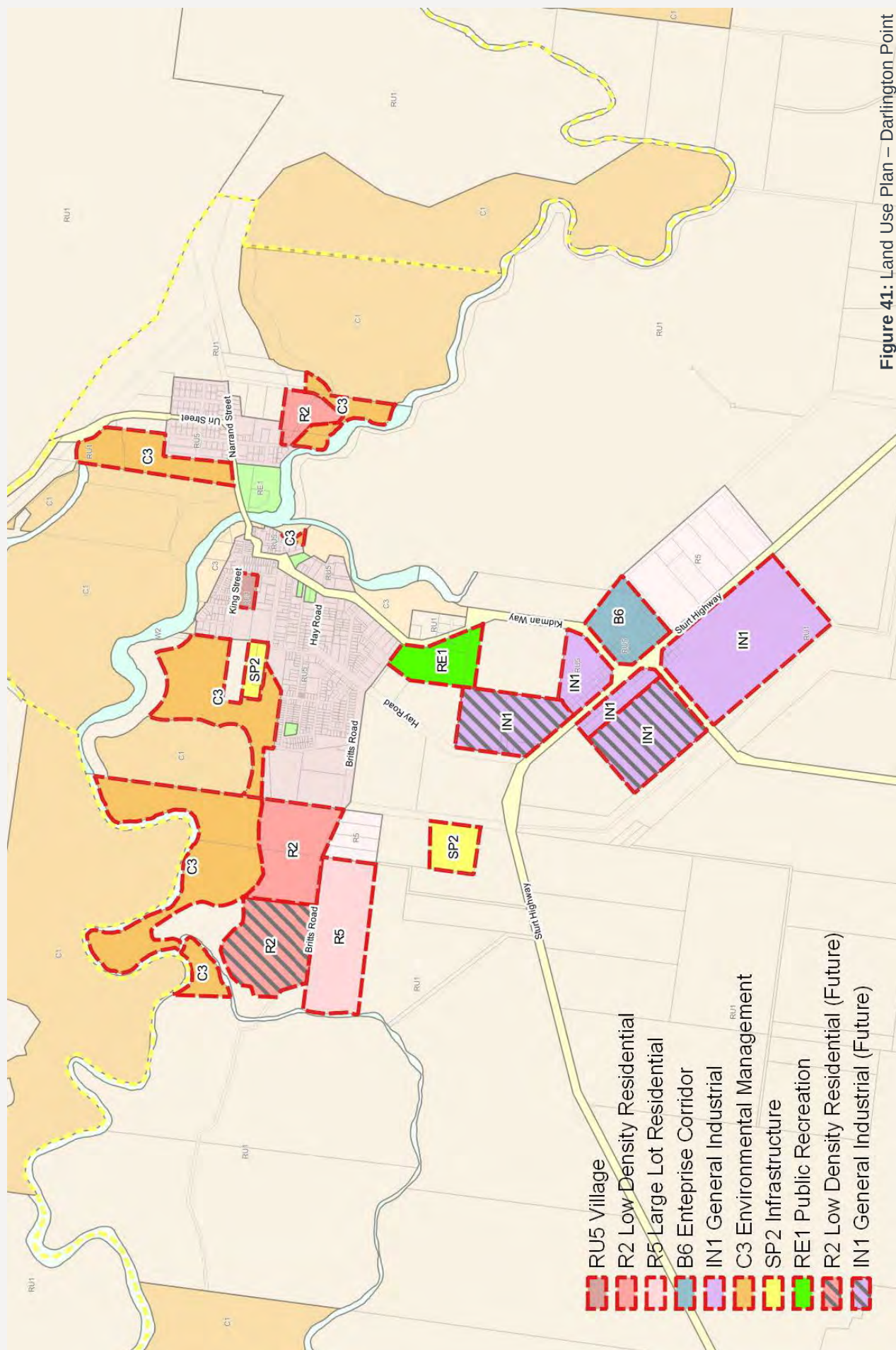
Infrastructure:

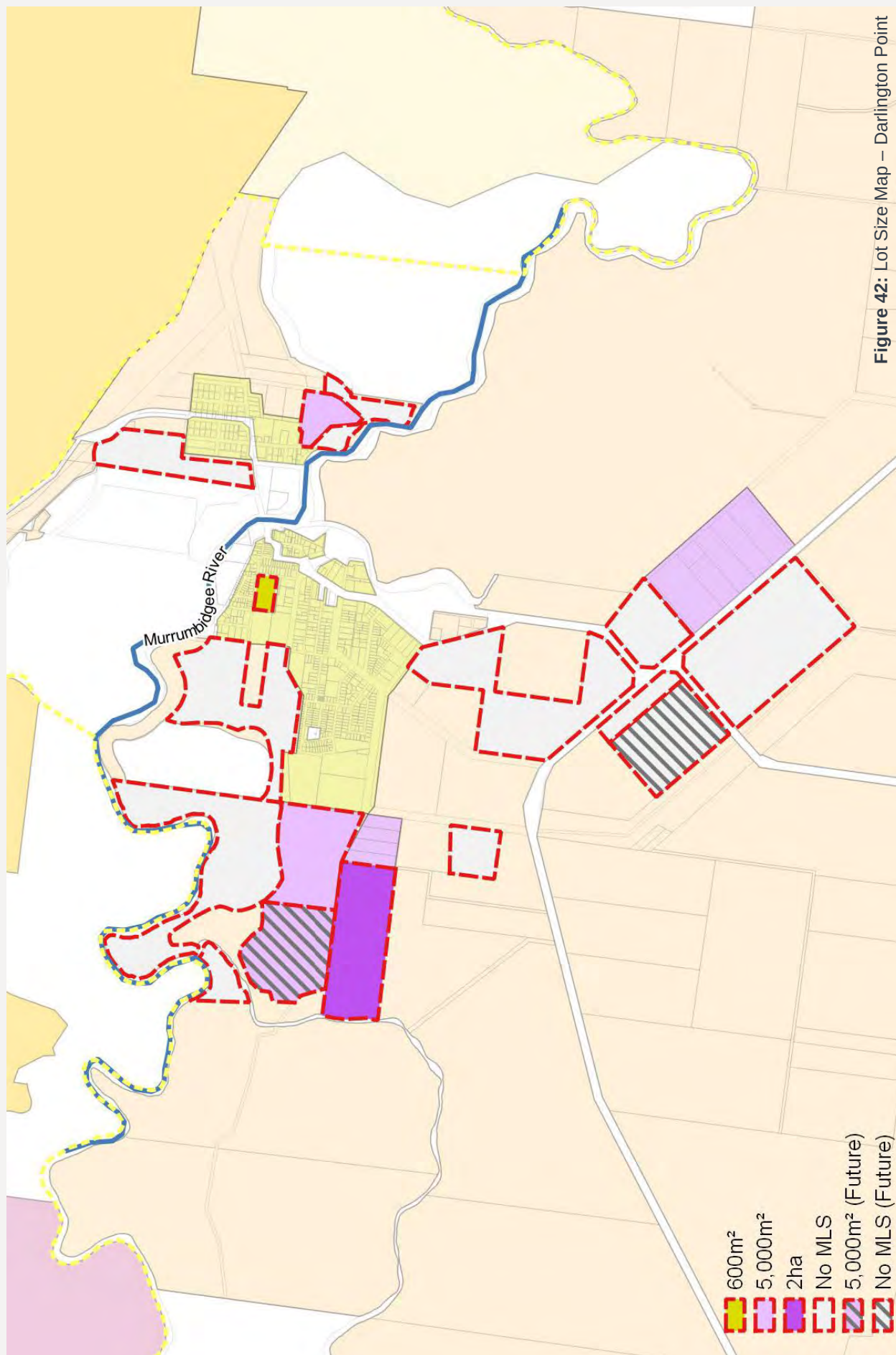
DP28 Finalise and adopt the recommended actions of the Integrated Water Cycle Management Strategy.

DP29 Ensure that new developments make an appropriate contribution towards the provision or augmentation of infrastructure consistent with Council's adopted Infrastructure Contributions Plans.

DP30 Ensure that development occurs in a staged and logical sequence to minimise pressures on infrastructure.

DP31 Rezone Council Sewerage Treatment Plant and Waste Management Centre SP2 Infrastructure.





habitat

Coleambally

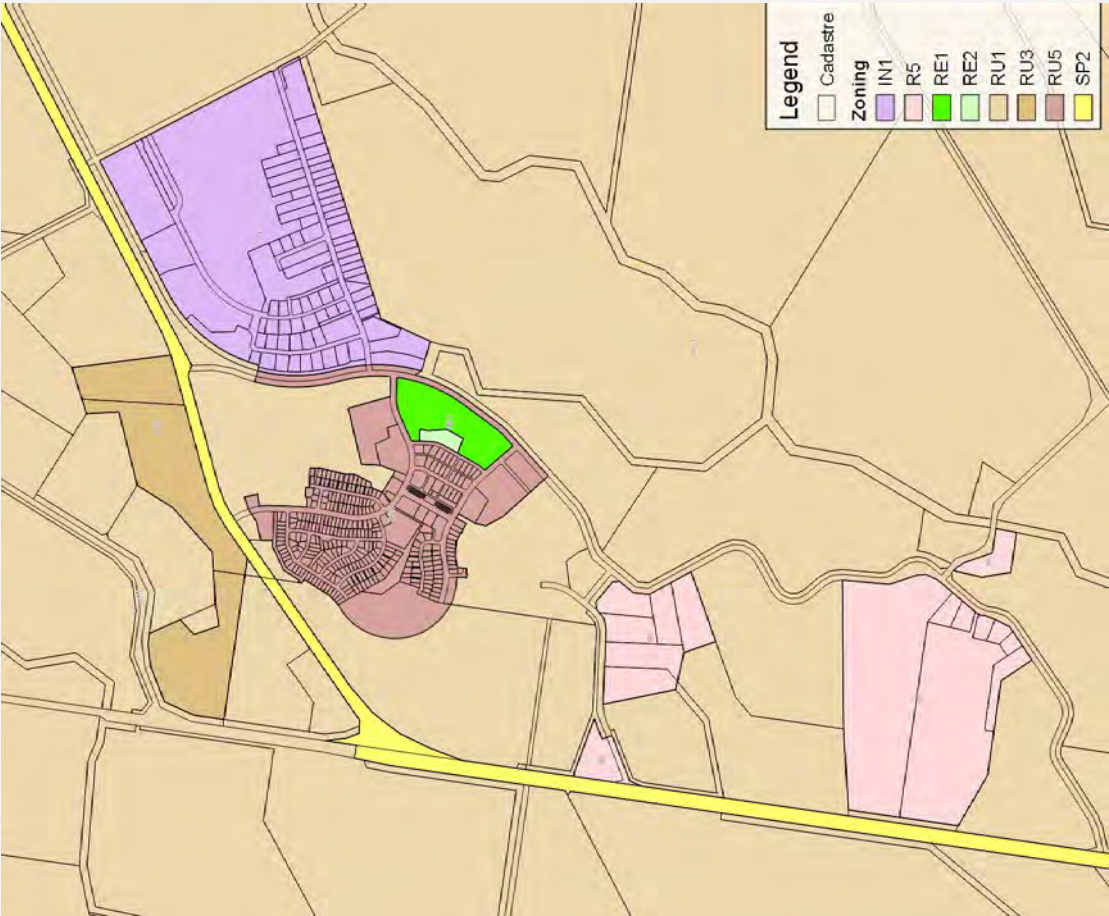


Figure 43: Land Zoning Map - Coleambally

3.2. Coleambally

Coleambally is the largest of the three townships of the Murrumbidgee Council area. It was established in 1968 to act as the centre for the surrounding Coleambally Irrigation Area and is the newest town in NSW celebrating its 50-year anniversary in 2018.

The town is located approximately 30 kilometres south of Darlington Point and 70 kilometres north of Jerilderie.

The main urban areas are zoned RU5 Village under the LEP to provide for the residential and commercial needs of the township. Other zones within the town include the R5 Large Lot Residential, IN1 General Industrial, RE1 Public Recreation, RE2 Private Recreation, RU1 Primary Production zones and RU3 Forestry zones.

3.2.1. Social and Community

Population

Coleambally had a total population of 1,331 people at the 2016 Census, which accounted for 35 percent of the total Murrumbidgee area.

Population and demographic trends within Coleambally are consistent with the broader Murrumbidgee Council area as outlined in Section 2.2.

Table 24: Darlington Point Population Projections 2016-2041

	Population (2016)	Additional Population (persons)	Annual change (persons)	Population (2041)
DPIE Projection (Common Growth)	1,331	-55	-2.22	1,276
Council Projection (High Growth)	1,331	175	7	1,506

Housing

At the 2016 Census, there were 659 dwellings in Coleambally. The predominant housing type in the township is single detached dwellings, with the largest household type being classified as ‘family households’ comprising at least one parent and child. The average size of households within Darlington Point was 2.3 persons per household.

Building approvals for Coleambally have remained low but steady over time with 3-4 new dwellings constructed per annum, which is reflective of population growth.

Anecdotally, demand for housing is forecast to increase in response to the establishment of a number of large industries and agricultural businesses proposed within close proximity to the town.

Table 25: Coleambally Housing Projections 2016-2041

	Housing (2016)	Additional Dwellings	Annual change (dwellings)	Housing (2041)
DPIE Projection (Common Growth)	659	-26.95	-1.08	-
Council Projection (High Growth)	659	86.21	3.45	745.21

Current housing issues facing Coleambally include:

- Increased demands for short-term or temporary worker accommodation in the township and potential amenity and land use conflicts this may create.
- Instances of residents living in sheds or outbuildings.
- Ageing population and demands for appropriate housing types.

Residential Land Supply

An analysis of residential land supply had been used to determine how much residential land is currently available for consumption.

For the purposes of this assessment, a lot is considered to be ‘vacant’ where it does not contain a dwelling as at 30 June 2021.

The residential land within Coleambally has been categorised as follows:

- **Standard Residential**, being land zoned RU5 Village with a minimum lot size of 600m². This land is connected to Council’s reticulated sewerage;
- **Large Lot Residential**, being land zoned R5 Large Lot Residential with lot sized of 2ha or larger. This land is not connected to Council’s reticulated sewerage.

Whilst it is acknowledged that the RU5 Village zone has a default minimum lot size of 600m², this is not representative of the established residential subdivision pattern of the town, which is more consistent with a minimum lot size of 1,000m².

There are currently approximately 15 vacant developed residential zoned lots within the township that are available for development. Furthermore, there is approximately 11.5 hectares of residential zoned land located to the south west of the main township, which can be further subdivided for conventional residential purposes.

It is noted that there is another approximate 7 hectare sized parcel of land zoned RU5 Village located to the south of Kookaburra Avenue. However, this land has not been included within the existing residential land supply as it is heavily vegetated and is proposed to be rezoned for environmental purposes.

In addition, there is approximately 87 hectares of undeveloped land located to the south of Coleambally along Pine Drive that is zoned R5 Large Lot Residential with a 2 hectare minimum lot size that could be further developed.

Table 26 provides an analysis of the current supply of residential zoned land (both developed and undeveloped) in Coleambally. The figures used in this table are based on an average of 8 lots per hectare for RU5 zoned land, which equates to an average lot size of 1,000m². Land supply in the R5 Large Lot Residential Zone has been calculated using a 2 hectare minimum lot size. This calculation also assumes 20% of the development site is required for roads, drainage and open space.

Based on this analysis, Coleambally has an approximate 62 years supply of residential zoned land based on an average take-up rate of 2.5 dwellings per annum.

When considering population projections outlined in Table 12 and using an average take-up rate of 3.5 dwellings per annum, the level of residential land supply is reduced to approximately 35 years.

Table 26: Coleambally Existing Residential Land Supply

Summary	Growth Rate	Land Supply	No. of additional lots	Demand (dwellings p.a.)	Years Supply
Standard Residential (600m ²)	DPIE Projection (High Growth)	11.5ha	89*	2.0	44.5
	Council Projection (High Growth)	11.5ha	89*	2.5	35.6
Large Lot Residential (2ha+)	DPIE Projection (High Growth)	87	35	0.5	70
	Council Projection (High Growth)	87	35	1.0	35

* This figure includes the existing 15 constructed lots that are vacant

Community Facilities

Coleambally is well serviced with a number of community facilities including a pre-school, playgroup, primary school (St Peter's), a K-12 school (Coleambally Central), residential program for Aboriginal boys (Tirkandli Innaburra), a medical centre, aged care hostel, police station and ambulance station. Council also runs an administration office and a mobile library services the town every Wednesday. A community hall is also available for hire and the area has a number of churches and a local cemetery.

In recognition of the wide range of community facilities and historical population trends, there is capacity within the existing facilities to accommodate the expected marginal population growth to 2041.

A plan showing the existing community facilities is provided in Figure 45.

Recreation and Open Space

The Coleambally area is serviced by a number of public recreation and open space areas including the Coleambally Sports and Recreation Complex, Apex Park, John McInnes Square and Lions Park, which is situated at the town's entrance and contains the imposing Bucyrus Erie dragline excavator.

The town caters for tennis, netball, basketball, football, lawns bowls, cricket and squash. In addition, it is serviced with an outdoor heated swimming pool, clay target shooting club, pistol club and golf course.

The Coleambally Lake Committee has recently been established to investigate opportunities to create a new lake and associated recreation and parking facilities to the south west of the main township. A residential subdivision is also proposed surrounding this lake.

In recognition of future population growth and consistent with the key performance criteria of the NSW Government's *Draft Greener Places Design Guide*, it is recommended that a new local park be constructed on the south western side of town to service the future population in this area and ensure that all residents have access to open space within a general 400m / 5 minutes walking distance.

A plan showing existing and proposed open space is provided in Figure 44.



Figure 44: Open Space and Community Facilities Map – Coleambally

3.2.2. Economy

Commercial and Retail

The main commercial and retail centre of Coleambally is focussed around Brolga Place, which is the main street. The main commercial area includes banking services, a butcher, supermarket, service station, post office, newsagent, hairdresser, clothing stores, take-away food shop, pharmacy, account and legal services.

The area also contains a number of cafes, coffee shops and restaurants, as well as the Brolga Hotel, which is located at the northern edge of the main street.

The main township is zoned RU5 Village under the current LEP to provide flexibility in zoning and to allow for a range of commercial, residential and light industrial activities.

Further commercial development within the township should occur around the established main street.

Industry

Coleambally is well serviced with industrial zoned land with approximately 155 hectares of land located on the eastern side of town zoned IN1 General Industrial.

This industrial area provides the town with automotive and tyre services, transport, hardware and building supplies, engineering and agricultural industries.

A supply and demand analysis of existing industrial zoned land has been undertaken and is provided in Table 27.

As can be seen in this table, there is approximately 60 hectares of vacant industrial zoned land that could be developed. Based on an average lot size of 5,000m² – 7,000m² which is consistent with the current established lot pattern, this could equate to an industrial land supply of 84-115 lots.

A review of recent council building and planning approvals for the previous 5 years shows that on average, 3 new industrial developments are constructed each year in Coleambally.

Based on current industrial supply and demand figures, this equates to approximately 28-38 years worth of industrial land.

Accordingly, the town is well serviced with industrial zoned land and there is no need to rezone more land for this purpose, given a large proportion of this area still remains undeveloped.

Table 27: Coleambally Industrial Land Supply

Supply and Demand Analysis		No.
Amount of industrial zoned land		155ha
Total Lots Created		81
Total Lots Consumed (developed)		60
Total Vacant Lots		21
Vacant Industrial zoned land (to be developed)		59ha
Potential additional lot supply (based on average lot size of 5,000m ² – 7,000m ²)		84-115*
Land supply (years) (based on demand for 3 industrial lots p.a.)		28-38

* This figure will be lower if several larger industrial lots are created similar to other examples within the industrial estate.

Tourism

Coleambally enjoys a number of tourist attractions that make it an ideal place to visit including; retail, recreation, agricultural and nature-based activities. These permanent attractions are in addition to a number of events held throughout the year.

It is recommended that land use zoning remain flexible to continue to support a variety of tourist opportunities.

As outlined above, the Coleambally Lake Committee has also recently been established to investigate opportunities to create a new lake and associated recreation and parking facilities to the south west of the main township so as to encourage additional tourism opportunities consistent with a number of other regional and rural townships. It has been proposed that this lake can be constructed on Council owned land and filled with surplus irrigation water.



Coleambally Water Tower

Agriculture

The majority of the Murrumbidgee Council area is zoned for rural and agricultural purposes and is broadly used for dryland and irrigated cropping, as well as grazing.

Land within and immediately surrounding Coleambally is rated as Class 6 - Very severe limitations in terms of agricultural land quality (Figure 45).

All rural land within and surrounding the main township of Coleambally is zoned RU1 Primary Production with a corresponding 200 hectare minimum lot size for subdivision. This land is generally used for broadacre grazing and irrigated cropping purposes.

Although the Council area can be viewed as a traditional rural and agriculturally based local government area, the main townships and immediate surrounds are urban in nature or have been developed for hobby farming type purposes.

Future development and expansion of Coleambally will need to ensure that residential and rural residential growth does not restrict existing productive agricultural operations.

Similarly, land management for native vegetation removal in the rural zones is undertaken in accordance with the *Local Land Services Act 2013*. For the purposes of this Study, much of the land surrounding the main Coleambally township is classified as 'Category 1 Exempt Land' as it was cleared of native vegetation as at 1 January 1990 (Figure 46).



Figure 45: Agricultural Land Capability Map – Coleambally

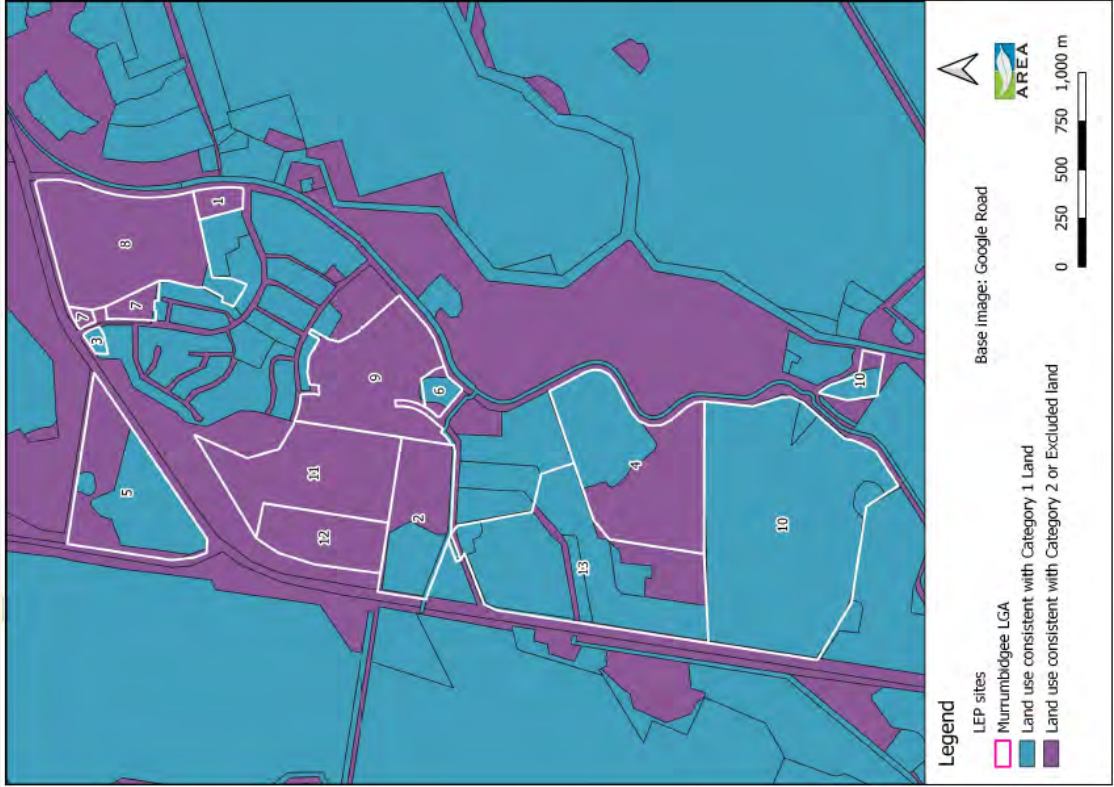


Figure 46: Category 1 Exempt Land Map
(Source: Area Environmental and Heritage Consultants, 2021)

3.2.3. Environment

Vegetation and Threatened Species

Coleambally is surrounded by dense vegetation including semi-arid woodlands (Black Box, Cypress Pine and Weeping Myall), Riverine sandhill woodlands (White Cypress Pine), Forested wetlands (River red gums), as well as grasslands (Speargrass, Windmill grass and Plains Grassland).

Of these, a number are classified as endangered (Sandhill pine woodland, Myall woodland) and critically endangered (Artesian springs ecological community and natural grasslands).

The area is also home to a number of native fauna including the Grey-crowned babbler (eastern subspecies), Painted honeyeater, Southern Myotis and Superb parrot, which are all listed as 'vulnerable' under the *Biodiversity Conservation Act 2016* and/or the *Federal Environment Protection and Biodiversity Conservation Act 1999*.

The LEP maps much of Coleambally as an area of 'Terrestrial Biodiversity' within which Clause 6.3 requires Council to consider the impact of development on flora and fauna as well as "any appropriate measures proposed to avoid, minimise or mitigate" those impacts. These areas have been identified through aerial imagery and have not been 'ground truthed' for significance. They also do not identify scattered vegetation.

Having regard to the vegetation types in the study area, vegetation potentially presents as a constraint for development not just because of its biodiversity significance but also because of the high cost of offsetting its removal. Fortunately, there remains large tracts of land that are either unconstrained by stands of remnant vegetation or contain scattered paddock trees at a lower density.

Further matters regarding biodiversity are contained in the Biodiversity Constraints Analysis report prepared by AREA Environmental and Heritage Consultants in support of the Land Use Plan.

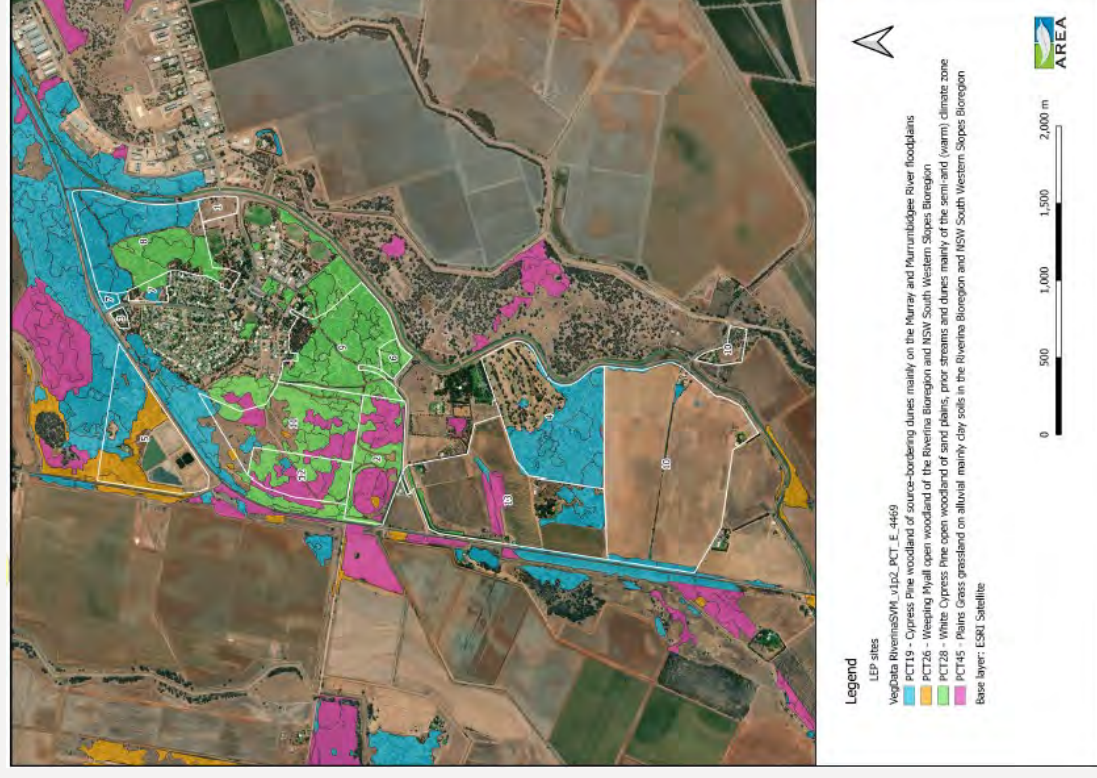


Figure 47: Plant Community Types associated with Threatened Ecological Communities (Source: Area Environmental and Heritage Consultants, 2021)



Figure 48: Terrestrial Biodiversity Map – Coleambally

Flooding

Coleambally is not subject to flooding or inundation.

Bushfire

The entire township west of Pine Drive is classified as being bushfire prone. Therefore, any development of this land or adjoining land shall have regard to the relevant bushfire planning requirements as outlined within the NSW RFS document titled *Planning for Bushfire Protection Guidelines 2019*.

In addition, *Planning for Bushfire Protection Guideline 2019* now provides a broader definition of grassland than previous versions with any undeveloped land now considered to be 'grassland vegetation'.

Consequently, further development of land shall have regard to the bushfire prone land map, as well as the broader grassland bushfire hazard. Where necessary, any future subdivisions shall incorporate relevant bushfire provision measures such as Asset Protection Zones, whilst the construction of new buildings shall achieve relevant Bushfire Attack Level (BAL) ratings in accordance with the requirements of PBP.



Figure 49: Extract of Bushfire Prone Land Map for Coleambally (Source: NSW Planning Portal, 2020)

Waterways

Coleambally does not contain any identified waterways, but rather contains a number of constructed irrigation channels that service the wider Coleambally Irrigation Area.

Notwithstanding, the entire township is identified as being subject to groundwater vulnerability. Consequently, Clause 6.4 of the LEP contains specific matters regarding groundwater vulnerability that Council must consider when assessing a development application.

Consideration of these areas will be required in the future rezoning of any land, particularly areas of groundwater vulnerability where effluent is proposed to be disposed of on-site.

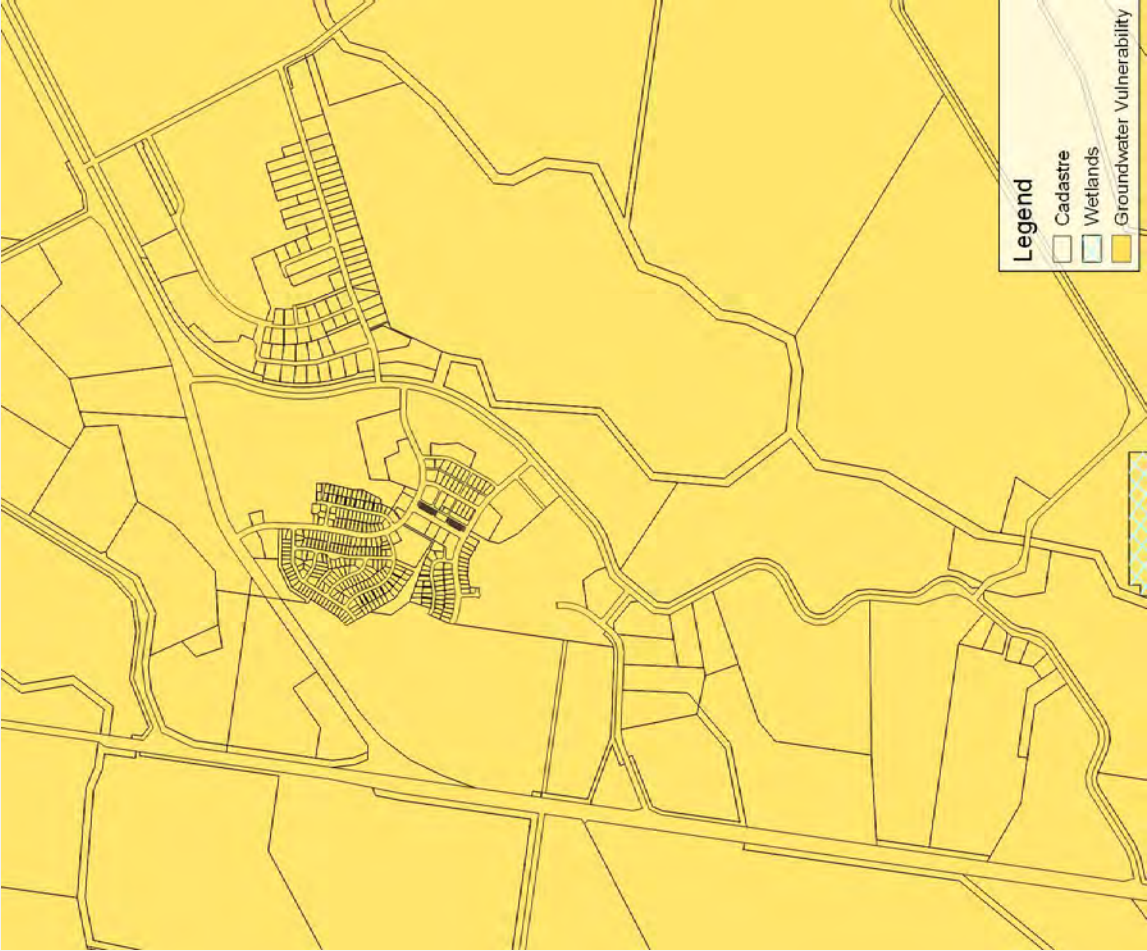


Figure 50: Waterways Map – Coleambally

Non-Aboriginal Heritage

There are currently no non-Aboriginal heritage items recorded in Coleambally. Reasons for this could include the relatively young age of the town, but the more likely scenario is that matters regarding heritage have not been previously investigated.

A Heritage Review Inventory Report has been prepared by Noel Thomson Architecture in support of the Land Use Plan. The purpose of this report was to review the current heritage listings and recommend any deletions and/or additions to this list.

The report recommends the inclusion of a number of items of environmental heritage including:

- Police Station, Brolga Place and Kookaburra Avenue, Coleambally
- Post Office and shopping centre, 33-35 Brolga Place, Coleambally
- Coleambally Community Hall, Kingfisher Avenue, Coleambally
- St Mark the Evangelist Anglican Church, 26 Kookaburra Avenue, Coleambally
- Uniting Church, 13 Kingfisher Avenue, Coleambally
- Catholic Church of St Peter, 20 Kingfisher Avenue, Coleambally
- St Peters Primary School, Currawong Crescent, Coleambally
- Coleambally Central School, 11 Kingfisher Avenue, Coleambally
- Bucyrus Class Dragline, Lions Park, Coleambally
- Coleambally Water Tower, Kingfisher Avenue, Coleambally
- Coleambally Memorial Swimming Pool, Falcon Road, Coleambally
- Coleambally Station, Four Corners Road, Coleambally
- Kyola Station, 110 Kyola Road, Coleambally
- The Avenue, The Avenue, Donald Ross Drive, Coleambally
- Gala Vale, Kulki Lane via Coleambally
- Argoon Church, Corner Kulki Lane and Stud Park North Road, Argoon
- Noonameena & Coleambally Station, Four Corners Road, Coleambally
- Coleambally Main Canal Bridge No. 2, Coleambally
- Coleambally Offtake Bridge Regulator, Coleambally

Upon review and following Councillor advice, it is recommended that Council give affected landowners the option to 'opt in' to the heritage schedule of the LEP and will only include those properties where the landowner consents to them being listed as a local heritage item.

As a result, it is recommended that only those publicly listed items be included within the heritage schedule unless an owner decides to opt-in. In the interim, this list includes the following:

- Bucyrus Class Dragline, Lions Park, Coleambally
- Coleambally Water Tower, Kingfisher Avenue, Coleambally

See Heritage Review Inventory Report prepared by Noel Thomson Architecture for further details.



Bucyrus Class Dragline

Aboriginal Heritage

Generally, the Coleambally area has low archaeological potential due to its distance from a reliable water source. It is important to note however that prior streams may be present within or nearby, which could reveal uncovered archaeological items.

A review of the NSW Aboriginal Heritage Information Management System (AHIMS) has revealed one previously-recorded Aboriginal site within the township of Coleambally with three others located to the west of Kidman Way, but in proximity to the township. All previously-recorded sites are culturally-modified trees.

Existing ground disturbances are variable in Coleambally but the regional and local archaeological contexts indicate a low likelihood for sites of Aboriginal heritage even where disturbance is low.

Nonetheless, any remnant mature vegetation should be inspected for possible cultural modification prior to clearance. Other site types are possible where disturbances are low.

Key future development sites, proposed to the south west of Coleambally have been inspected as part of an Aboriginal Cultural Heritage Assessment Report prepared by AREA Environmental and Heritage Consultants.

A pedestrian survey was undertaken on Wednesday 17 March 2021 by AREA Environmental and Heritage and a representative of the Griffith Local Aboriginal Land Council. The site was adequately covered and one possible culturally-modified (scarred) tree was recorded in the south-west corner. No other sites or areas of archaeological sensitivity were recorded and the report concluded that there will be no archaeological constraints to the development of this land.

For further details regarding Aboriginal Cultural Heritage, see the Aboriginal Cultural Heritage Review report prepared by AREA Environmental and Heritage Consultants.

Land Use Conflicts

As outlined within Section 2.2.7, land use conflicts arise when incompatible land uses are situated in close proximity to each other. Land use conflicts may impact on the amenity of sensitive land uses, the efficient use of productive land, or environmental and landscape values.

An assessment of land use conflicts for Coleambally has been undertaken consistent with the NSW Department of Primary Industry's Land Use Conflict Risk Assessment (LUCRA) guidelines. There are four key steps involved in undertaking a LUCRA and these include:

1. Gather information about proposed land use changes and associated activities.
2. Evaluate the risk level of each activity.
3. Identify risk reduction management strategies
4. Record LUCRA results.

Key potential land use conflicts contained within Coleambally include:

1. Sewerage treatment plant
2. Industrial land

Other land use conflicts that are specific to Coleambally that need to be considered include:

3. Bushfire risks on development that adjoins heavily vegetated areas or open grasslands.
4. Amenity impacts such as noise adjoining key transport corridors (road, rail).

Careful consideration will be required when planning future land uses to ensure that they will not result in conflicts between land uses.

A plan showing these potential land use conflicts is provided in Figure 51.

3.2.4. Infrastructure

Council in association with the NSW Public Works Advisory is in the process of preparing an Issues Paper to the IWCMS, which will identify current and future capacity issues and upgrade requirements.

The outcomes of this Paper will inform further recommendations to the IWCMS and the conclusions of this Issues Paper as they relate to Coleambally are discussed below.

Water

Coleambally's town water is supplied from two bores and the water is filtered and chlorinated at the water filtration plant. Minor repairs have been carried out to the water mains over the past 12 months.



Figure 51: Land Use Conflict Map – Coleambally

02577 Murrumbidgee Land Use Plan

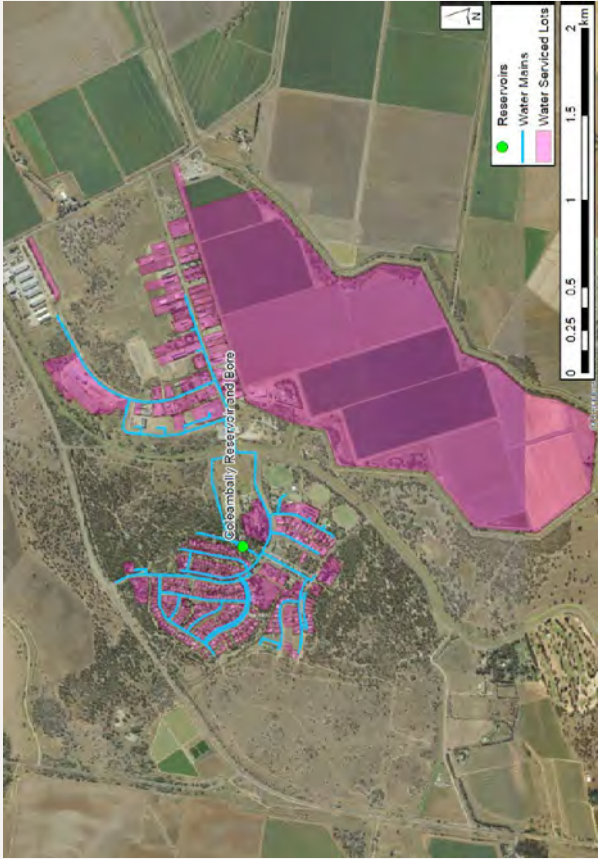


Figure 52: Coleambally water supply scheme distribution map
(Source: Draft Integrated Water Cycle Management Strategy)

The IWCMS Issues Paper identifies capacity issues in terms of water supply in Coleambally. These items will need to be addressed so as to achieve projected future population growth.

Based on this analysis projected residential development can be achieved subject to augmentations of the existing water network. It is also recommended that as part of a broader strategy that council investigate and reduce current water losses to ensure that service capacity is not unnecessarily reduced.

Sewerage

The Coleambally sewerage treatment works is located to the north west of the township on the opposite side of Kidman Way. This facility currently services the town via holding and evaporation ponds and is subject to an EPA licence.

Due to the plants' relatively isolated location and ongoing management operations, Council has received no complaints in regard to this facility. Given the important role that this facility provides, it is recommended that it is rezoned to a special activities zone to ensure its ongoing protection.

Transport

Coleambally is located alongside the Kidman Way, which is state-listed roadway that services the Murrumbidgee Irrigation area and links the Newell and Sturt Highways. Road access to the town is via two main intersections with primary vehicular access via Kingfisher Avenue, whilst a secondary intersection is available via Pine Drive.

Previous discussions with Transport for NSW have advised that no additional driveways or roadways would be permitted to connect to this roadway.

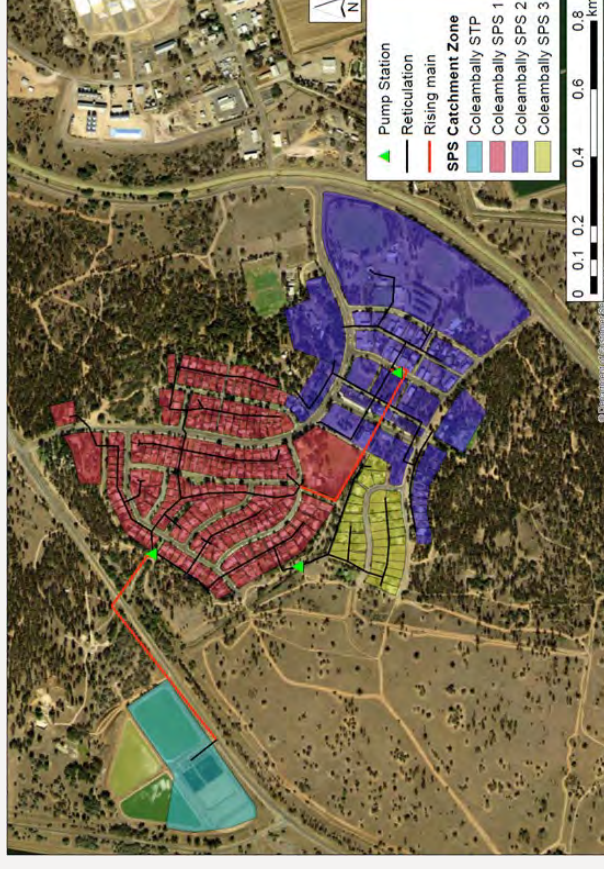


Figure 53: Coleambally sewerage system
(Source: Draft Integrated Water Cycle Management Strategy)

Other Services

Gas, electricity and telecommunications infrastructure are available and can be extended to service future development.

Drainage infrastructure is also appropriate and should continue to occur via a 'pit and pipe' system. Where large lot residential subdivisions are proposed, drainage can be via vegetated swale/table drains. New developments will be required to maintain pre-development flows to minimise overland flooding.

3.2.5. Coleambally Land Use Plan

Recommendations

The Land Use Plan identifies several candidate sites to be rezoned for residential purposes. These parcels of land are described as follows:

- Kingfisher Avenue, Coleambally (Part Lot 534, DP1097168).
- Kookaburra Avenue, Coleambally (Part Lot 464, DP862112).
- 46 Lovegrove Road, Coleambally (Lot 92, DP750872).
- 5012 Kidman Way, Coleambally (Part Lot 94, DP7508072).
- 71 & 165 Kyola Road, Coleambally (Lots 98-99, DP750896)
- 46 Lovegrove Road, Coleambally (Lot 97, DP750896)
- 4821 Kidman Way, Coleambally (Lot 96, DP750872)

The recommended rezoning of this land is consistent with the environmental constraints of the land, as well as infrastructure and servicing provision.

The properties represent both infill and greenfield development and are currently zoned RU1 Primary Production with a minimum lot size of 200 hectares.

More specifically, it is proposed to rezone land on the eastern side of the Coleambally Central School from RU1 Primary Production to RU5 Village with a 600m² minimum lot size. The rezoning of this land represents infill development within close proximity to infrastructure and services. The land is also unconstrained from an environmental perspective. This land has a total area of approximately 3 hectares, which could result in the creation of an additional 20 conventional residential lots.

The Land Use Plan also recommends rezoning land to the south west of the main township from RU1 Primary Production to RU5 Village with a 600m² minimum lot size. This land is largely unconstrained with the exception of a number of scattered paddock trees and adjoins vacant land currently zoned RU5 Village, which is accessed via Kookaburra Avenue. The total size of this area is approximately 7 hectares in size, which could result in the creation of an additional 45 conventional residential lots.

A further urban infill area has been identified via an extension of Bluebonnet Crescent. This land has a total area of approximately 4 hectares, which could result in the creation of an additional 28 conventional residential lots.

In order to achieve a diversity of residential lot types it is proposed to rezone land to the south of Lovegrove Road and adjoining the Kidman Way from RU1 Primary Production to R5 Large Lot Residential with a 2 hectare minimum lot size. This land is unconstrained from an environmental perspective and already adjoins land that has been developed for large lot residential purposes. The total size of this area is approximately 40 hectares, which has the potential to create an additional 16 large lot residential properties.

Lastly, it is recommended to rezone 4 existing parcels of land located on the southern side of Kyola Road from RU1 Primary Production to R5 Large Lot Residential with a 5 hectare minimum lot size. This land is already highly fragmented and does not adjoin productive agricultural lands. The total size of this area is approximately 102 hectares, which has the potential to create an additional 10 lots.

The proposed land zoning recommendations contained within this Plan is outlined in Figure 54.

Based on the land zoning and minimum lot size recommendations, this land has the potential to cater for up to approximately 80 additional residential lots as outlined in Table 28.

Based on the current take up rate of 2.5 dwellings per annum, this equates to a residential land supply of approximately 46.5 years.

When considering the forecast take-up rate of 3.5 dwellings per annum, this level of residential land supply is reduced to approximately 37.2 years.

This level of proposed residential land supply is in addition to the existing supply that is currently available and brings the total supply to 97 years.

The Land Use Plan does not recommend rezoning any additional industrial land given the large level of supply that already exists.

Other changes recommended by the Plan include rezoning certain lands for environmental protection purposes in recognition of their environmental features and constraints, as well as placing Council's key infrastructure facilities within a special use zone to ensure its ongoing protection.

It is also recommended that the Terrestrial Biodiversity Map be reviewed as it applies to the urban areas of Coleambally as it currently maps land that is developed or contains no identified significant vegetation. Similarly, it is recommended that the Heritage Map and Schedule 5 of the LEP be reviewed consistent with the recommendations of the Heritage Review.

Table 28: Coleambally Existing and Proposed Residential Land Supply

Summary		Area	Proposed No. of additional lots	Demand (dwellings p.a.)	Years Supply
Existing Supply					
R5 Village (600m ² +)	DPIE Projection (High Growth)	11.5ha	89*	2.0	44.5
	Council Projection (High Growth)	11.5ha	89*	2.5	35.6
R5 Large Lot Residential (2ha+)	DPIE Projection (High Growth)	87	35	0.5	70
	Council Projection (High Growth)	87	35	1.0	35
Proposed Supply					
R5 Village (600m ² +)	DPIE Projection (High Growth)	14ha	93	2.0	46.5
	Council Projection (High Growth)	14ha	93	2.5	37.2
R5 Large Lot Residential (2ha+)	DPIE Projection (High Growth)	40ha	16	0.5	32
	Council Projection (High Growth)	40ha	16	1.0	16
R5 Large Lot Residential (10ha+)	DPIE Projection (High Growth)	102ha	10	0.5	20
	Council Projection (High Growth)	102ha	10	1.0	10
Total	DPIE Projection (High Growth)	254.5	243	2.5	97.2
	Council Projection (High Growth)	254.5	243	3.5	69

* This figure includes the existing 15 constructed lots that are vacant

Key Land Use Planning Considerations

Table 29: Key Land Use Planning Considerations – Coleambally

<u>Population and Housing:</u>	
C1	Ensure a sufficient supply and range of residential zoned land to cater for expected demand.
C2	Rezoned land to the south west of Coleambally for to RU5 Village with a 600m ² minimum lot size.
C3	Rezoned land on the corner of Kingfisher Avenue and Pine Drive to RU5 Village with a 600m ² minimum lot size.
C4	Rezoned land to the south of Lovegrove Road to R5 Large Lot Residential with a 2 hectare minimum lot size.
C5	Rezoned land south of Kyola Road to R5 Large Lot Residential with a 5 hectare minimum lot size.
C6	Ensure short-term accommodation developments are appropriately designed and located to minimise impacts on surrounding residents.
<u>Community Facilities and Open Space:</u>	
C7	Continue to review community facilities and open space provisions within town, with gaps identified and strategies developed.
C8	Ensure zoning is flexible to allow for the establishment of community facilities within central locations that are accessible.
C9	Establish a new public open space area on the south western side of town to service the proposed residential development in this area.
C10	Rezoned the Coleambally golf club and Lions Park to RE1 Public Recreation.
<u>Commercial and Retail:</u>	
C11	Retain flexible land use zoning in the main commercial centre to encourage a range of businesses.
C12	Encourage new commercial development to occur within the main commercial centre of town around Broilga Place and Kestrel Road.

C13	Introduce new building and planning controls within the DCP that sets minimum design standards for the construction of new buildings or alterations and additions to existing buildings.
<u>Industry:</u>	
C14	Monitor demand for industrial zoned land and develop currently undeveloped industrial land to satisfy demand.
<u>Agriculture:</u>	
C15	Limit residential and rural residential sprawl into established rural areas that has the potential to create land use conflicts and undermine the viability of productive agricultural businesses.
<u>Environment:</u>	
C16	Require development proposals to consider the environmental impacts of vegetation removal in accordance with local and state government legislation and the recommendations of the Biodiversity Constraints Analysis for Murrumbidgee Council.
C17	Review the Terrestrial Biodiversity Map of the LEP as it relates to the main urban area of Coleambally Point to better reflect environmental conditions.
C18	Require development proposal to consider impacts on matters of Aboriginal Cultural Heritage in accordance with the recommendations of the Aboriginal Cultural Heritage Review.
C19	Prepare a Bushfire Prone Land map in association with the NSW RFS.
C20	Require new development proposals to consider the provisions of <i>Planning for Bushfire Protection Guidelines 2019</i> .
C21	Amend Schedule 5 and the Heritage maps of the LEP consistent with the recommendations of the Heritage Review Inventory Report.

C22 Rezone densely vegetated reserves to the north and south of Coleambally to E3 Environmental Management.

C23 Incorporate specific controls into the DCP to ensure development adjoining the large environmental reserves provides an appropriate interface to these public lands.

Infrastructure:

C24 Finalise and adopt the recommended actions of the Integrated Water Cycle Management Strategy.

C25 Ensure that new developments make an appropriate contribution towards the provision or augmentation of infrastructure consistent with Council's adopted Infrastructure Contributions Plans.

C26 Ensure that development occurs in a staged and logical sequence to minimise pressures on infrastructure.

C27 Rezone Council Sewerage Treatment Plant and Cemetery SP2 Infrastructure.

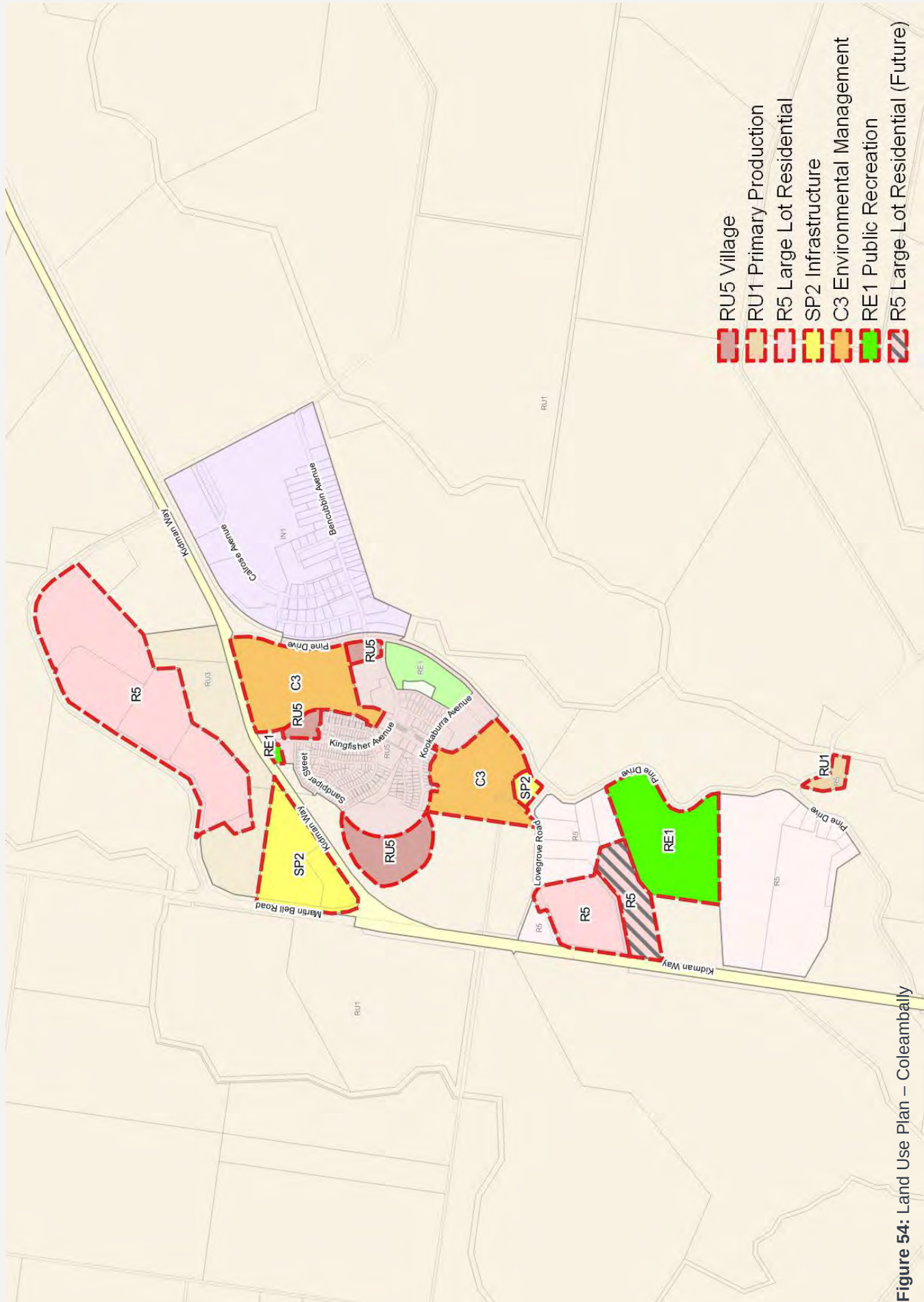
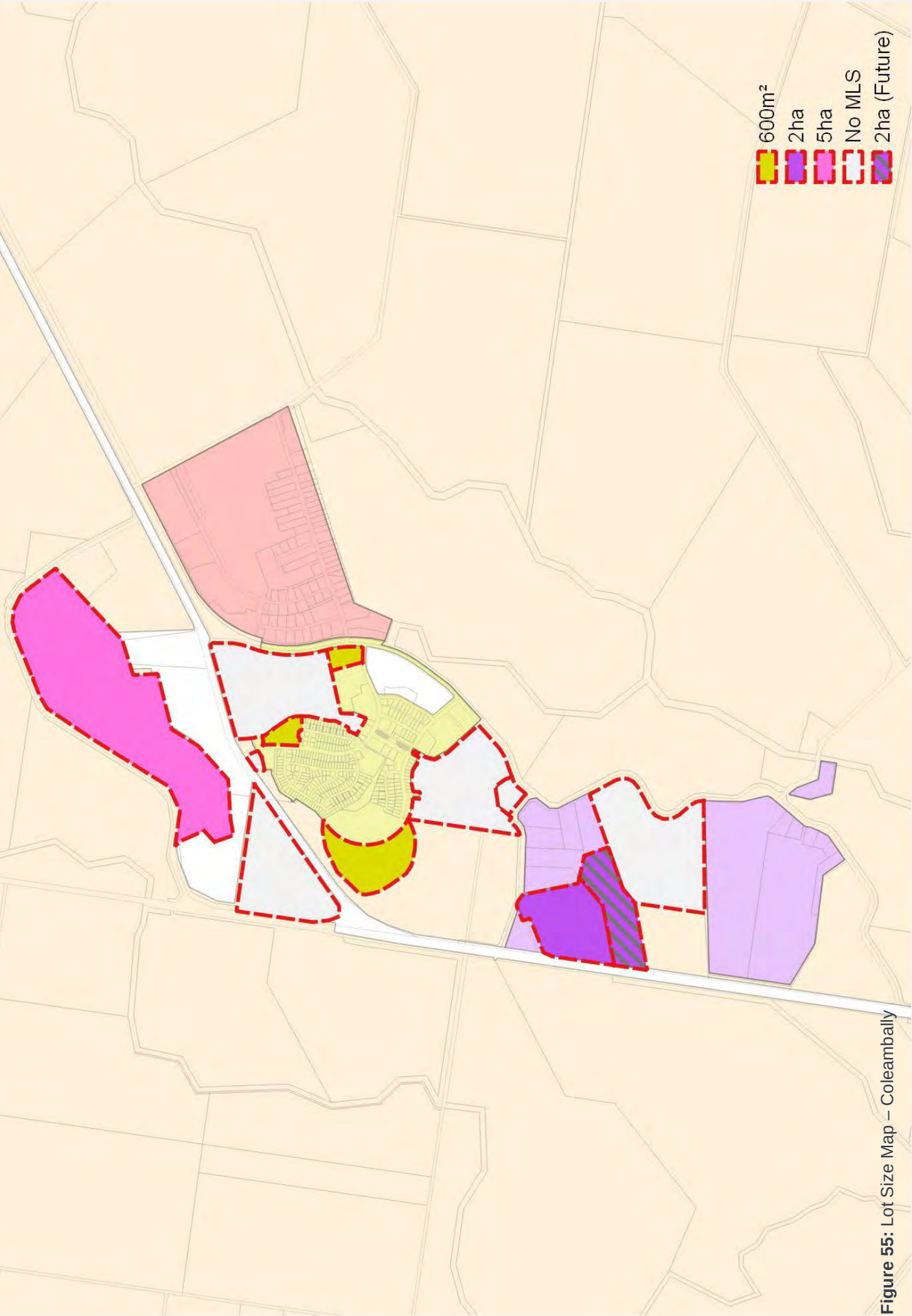


Figure 54: Land Use Plan – Coleambally



Jerilderie

habitat —

3.3. Jerilderie

Jerilderie is the smallest of the three townships of the Murrumbidgee Council area and is located within the southern portion of the local government area.

The town is located approximately 70 kilometres south of Coleambally, 40 kilometres north west of Berrigan, 40 kilometres north east of Finley, 60 kilometres east of Conargo and 60 kilometres west of Urana.

The main urban areas are zoned RU5 Village under the LEP to provide for the residential and commercial needs of the township. Other zones within the town include the R5 Large Lot Residential, IN1 General Industrial, RE1 Public Recreation, RU1 Primary Production zones, E1 National Parks and Reserves, SP2 Infrastructure ad W2 Recreational Waterways zones.

3.3.1. Social and Community

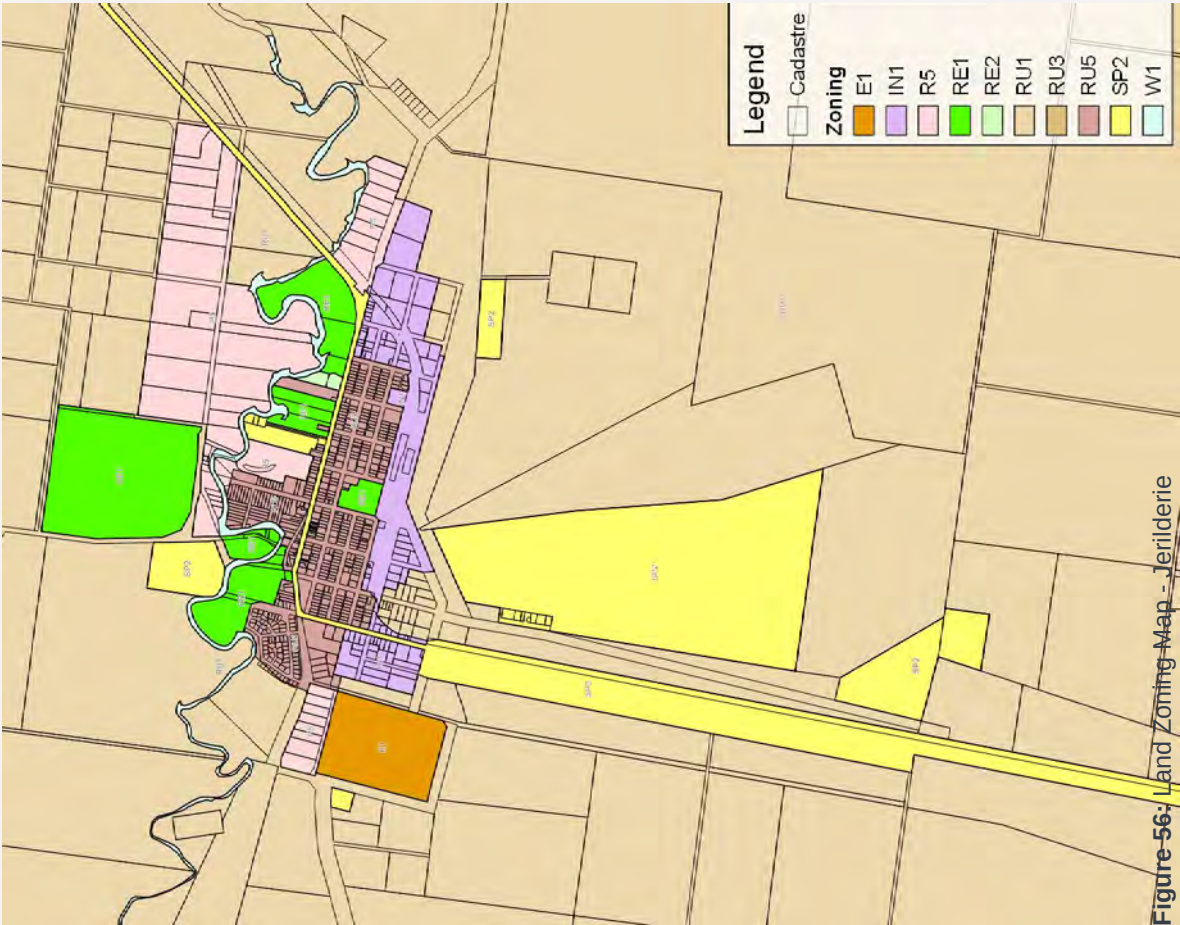
Population

Jerilderie had a total population of 1,029 at the 2016 Census, which accounted for 27 percent of the total Murrumbidgee area.

Population and demographic trends within Jerilderie are consistent with the broader Murrumbidgee Council area as outlined in Section 2.2.

Table 30: Jerilderie Population Projections 2016-2041

	Population (2016)	Additional Population (persons)	Annual change (persons)	Population (2041)
DPIE Projection (Common Growth)	1,029	-42	-1.67	987
Council Projection (High Growth)	1,029	135	5.4	1,164



Housing

At the 2016 Census, there were 546 dwellings in Jerilderie. The predominant housing type in the township is single detached dwellings, with the largest household type being classified as ‘family households’ comprising at least one parent and child. The average size of households within Jerilderie was 2.3 persons per household.

Building approvals for Jerilderie have remained low but steady over time with 2-3 new dwellings constructed per annum, which is reflective of population growth.

Anecdotally, demand for housing is forecast to increase in response to the establishment of a number of large industries and agricultural businesses proposed within close proximity to the town.

Table 31: Jerilderie Housing Projections 2016-2041

	Housing (2016)	Additional Dwellings	Annual change (dwellings)	Housing (2041)
DPIE Projection (Common Growth)	546	-20.79	-0.25	-
Council Projection (High Growth)	546	66.50	2.66	612.50

Current housing issues facing Jerilderie include:

- Increased demands for short-term or temporary worker accommodation in the township and potential amenity and land use conflicts this may create.
- Lack of large lot and rural residential land.
- Ageing population and demands for appropriate housing.



Lake Jerilderie and Luke Park

Residential Land Supply

An analysis of residential land supply had been used to determine how much residential land is currently available for consumption.

For the purposes of this assessment, a lot is considered to be ‘vacant’ where it does not contain a dwelling or has been sold as at 30 June 2021.

The residential land within Coleambally has been categorised as follows:

- **Standard Residential**, being land zoned RU5 Village with a minimum lot size of 600m². This land is connected to Council’s reticulated sewerage;
- **Large Lot Residential**, being land zoned R5 Large Lot Residential with lot sized of 2ha or larger. This land is not connected to Council’s reticulated sewerage.

Whilst it is acknowledged that the RU5 Village zone has a default minimum lot size of 600m², this is not representative of the established residential subdivision pattern of the town, which is more consistent with a minimum lot size of 1,000m².

There are currently approximately 25 vacant developed and undeveloped residential zoned lots within the township that are available for development. All residential zoned land within the town has been developed with the exception of public parks or the like, which are zoned residential

In addition, there is approximately 70 hectares of developed and undeveloped land located to the north of Showgrounds Road that is zoned R5 Large Lot Residential with a 2 hectare minimum lot size that could be further developed.

In recognition of a general lack of developed residential zoned land, Council has constructed the Wunnamurra residential estate located to the west of town. All lots have been sold and developed within Stage 1 with the exception of one, whilst of the 37 lots created as part of Stage 2, 14 of these have been sold and 6 houses have been subsequently constructed.

Whilst it is acknowledged that there is an additional supply of R5 Large Lot Residential zoned land located either side of Billabong Creek, it is noted that these properties are subject to high hazard flooding and are located within a floodway and cannot be further developed.

Table 36 provides an analysis of the current supply of residential zoned land (both developed and undeveloped) in Coleambally. The figures used in this table are based on an average of 8 lots per hectare for RU5 zoned land, which equates to an average lot size of 1,000m². Land supply in the R5 Large Lot Residential Zone has been calculated using a 2 hectare minimum lot size. This calculation also assumes 20% of the development site is required for roads, drainage and open space.

Based on this analysis, Jerilderie has an approximate 19.5 years supply of residential zoned land based on an average take-up rate of 2 dwellings per annum.

When considering population projections outlined in Table 21 above and using an average take-up rate of 3 dwellings per annum, the level of residential land supply is reduced to approximately 13 years.

Table 32: Jerilderie Existing Residential Land Supply

Summary	Growth Rate	Land Supply	No. of additional lots	Demand (dwellings p.a.)	Years Supply
Standard Residential (600m ²)	DPIE Projection (High Growth)	4ha	25*	1.5	17
	Council Projection (High Growth)	4ha	25*	2.5	10
Large Lot Residential (2ha+)	DPIE Projection (High Growth)	70ha	14**	0.5	28
	Council Projection (High Growth)	70ha	14**	0.5	28

* This figure includes vacant developed land, as well as likely estimated brownfill (infill) lots
** This figure accounts for the number of existing holdings and development potential of this land

Community Services

Jerilderie is well serviced with a number of community facilities including a pre-school, two primary schools (St Joseph's and Jerilderie Public School), a hospital, private medical centre, aged care hostel and police and ambulance stations. Council also runs an administration office to service the needs of local residents and the town has a visitor information centre and library.

A community hall is also available for hire and the area has a number of churches and a local cemetery.

A plan showing the existing community facilities is provided in Figure 58.

Recreation and Open Space

Jerilderie is serviced with a number of public recreation and open space areas including Memorial Park, Luke Park, Monash Park, Brew Park and Elliott Park.

The town also has an indoor sports complex, community gym, racecourse, swimming pool, tennis courts, bowling greens and football and netball facilities. In addition, Jerilderie has an 18 hole golf course and Lake Jerilderie also provides recreation activities such as water skiing for residents and visitors, as well as outdoor exercise stations.

Consideration of the performance criteria of the NSW Government's *Draft Greener Places Design Guide* has been undertaken. Given the existing level of open space provision and the location of proposed areas for rezoning, the Land Use Plan does not recommend the creation of any new open space area.

A plan showing existing and proposed open space is provided in Figure 58.



Figure 57: Open Space and Community Facilities Map – Jerilderie

3.3.2. Economy

Commercial and Retail

The main commercial and retail centre of Jerilderie is focussed around Jerilderie Street, which is the Main Street. The main commercial area includes banking services, a butcher, supermarket, service station, newsagent, hairdresser, clothing stores, take-away food shop and pharmacy.

The area also contains several cafes, as well as three hotel/pubs and a sports club, which are located along the main street. The town also have three motels, a bed and breakfast accommodation and caravan park.

The main township is zoned RU5 Village under the current LEP to provide flexibility in zoning and to allow for a range of commercial, residential and light industrial activities.

Further commercial development within the township should occur around the established main street.

Industry

Jerilderie has a reasonable supply of industrial zoned land with approximately 80 hectares of land located on the southern side of the town zoned IN1 General Industrial.

Much of this land is located alongside the former Jerilderie railway line and extends along Sargood Street and Oaklands Road to the east. Land to the west of Southey Street is also zoned for industrial purposes and contains a recently constructed new service station, as well as Council's depot site.

A supply and demand analysis of existing industrial zoned land has been undertaken and is provided in Table 33.

As can be seen in this table, there is approximately 16.5 hectares of vacant industrial zoned land that could be developed. Based on an average lot size of 2,000m² – 4,000m² which is consistent with the current established lot pattern, this could equate to an industrial land supply of 33-66 lots.

A review of recent council building and planning approvals for the previous 5 years shows that on average, 1.5 new industrial developments are constructed each year in Jerilderie.

Based on current industrial supply and demand figures, this equates to approximately 22-44 years worth of industrial land.

Notwithstanding the relatively large industrial land supply, given that a large proportion of this land comprises former railway line owned by ARTC, the land may not be available for development in the short to medium term.

Therefore, there is a need to provide additional industry land to meet future demand.

Table 33: Jerilderie Industrial Land Supply

Supply and Demand Analysis		No.
Amount of industrial zoned land		80ha
Total Lots Created		83
Total Lots Consumed (developed)		65
Total Vacant Lots		18
Vacant Industrial zoned land (to be developed)		16.5ha
Potential additional lot supply (based on average lot size of 2,000m ² – 4,000m ²)		33-66*
Land supply (years)(based on demand for 1.5 industrial lots p.a.)		22-44

* This figure will be lower if several larger industrial lots are created similar to other examples within the industrial estate. The figure also excludes the former railway land as it is held in public ownership and is unavailable for development.

Tourism

Jerilderie enjoys a number of tourist attractions that make it an ideal place to visit including; water recreation activities on Lake Jerilderie, the Ned Kelly Raid Trail and the Jerilderie Apex Mini Rail. These permanent attractions are in addition to a number of events held throughout the year.

It is recommended that land use zoning remain flexible to continue to support a variety of tourist opportunities.

Agriculture

The majority of the Murrumbidgee Council area is zoned for rural and agricultural purposes and is broadly used for dryland and irrigated cropping, as well as grazing.

Land within and immediately surround Jerilderie is generally rated as Class 4 – Moderate to severe limitations, Class 5 – Severe limitations and Class 6 – Very severe limitations in terms of agricultural land quality (Figure 58).

All rural land within and surrounding the main township of Jerilderie is zoned RU1 Primary Production with a corresponding 213 hectare minimum lot size for subdivision. This land is generally used for broadacre grazing and dryland cropping purposes.

Although the Council area can be viewed as a traditional rural and agriculturally based local government area, the main townships and immediate surrounds are urban in nature or have been developed for hobby farming type purposes.

Future development and expansion of Jerilderie will need to ensure that residential and rural residential growth does not restrict existing productive agricultural operations.

Similarly, land management for native vegetation removal in the rural zones is undertaken in accordance with the *Local Land Services Act 2013*. For the purposes of this Study, much of the land surrounding the main Jerilderie township is classified as 'Category 1 Exempt Land' as it was cleared of native vegetation as at 1 January 1990 (Figure 59).



Figure 58: Agricultural Land Capability Map – Jerilderie

3.3.3. Environment

Vegetation and Threatened Species

Environmental features within and surrounding Jerilderie are generally limited to the riparian lands located either side of Billabong Creek, as well as the Jerilderie Nature Reserve, which contains the vulnerably listed Red Darling Pea.

Species present and surrounding Jerilderie include: forested wetlands (river red gums) and grasslands (forb-rich speargrass). None of these are associated with a Threatened Ecological Community.

Other recorded species within and surrounding Jerilderie include: Austral Pillwort, Brolga, Koala, Red darling pea, Slender darling pea and the Tunrip copperburr. These species are listed as 'endangered' and 'vulnerable' under the *Biodiversity Conservation Act 2016*.

The LEP maps parts of Jerilderie as an area of 'Terrestrial Biodiversity' within which Clause 6.3 requires Council to consider the impact of development on flora and fauna as well as "any appropriate measures proposed to avoid, minimise or mitigate" those impacts. These areas have been identified through aerial imagery and have not been 'ground truthed' for significance. They also do not identify scattered vegetation.

Having regard to the vegetation types in the study area, vegetation potentially presents as a constraint for development not just because of its biodiversity significance but also because of the high cost of offsetting its removal. Fortunately, there remains large tracts of land that are either unconstrained by stands of remnant vegetation or contain scattered paddock trees at a lower density.

Further matters regarding biodiversity are contained in the Biodiversity Constraints Analysis report prepared by AREA Environmental and Heritage Consultants in support of the Land Use Plan.

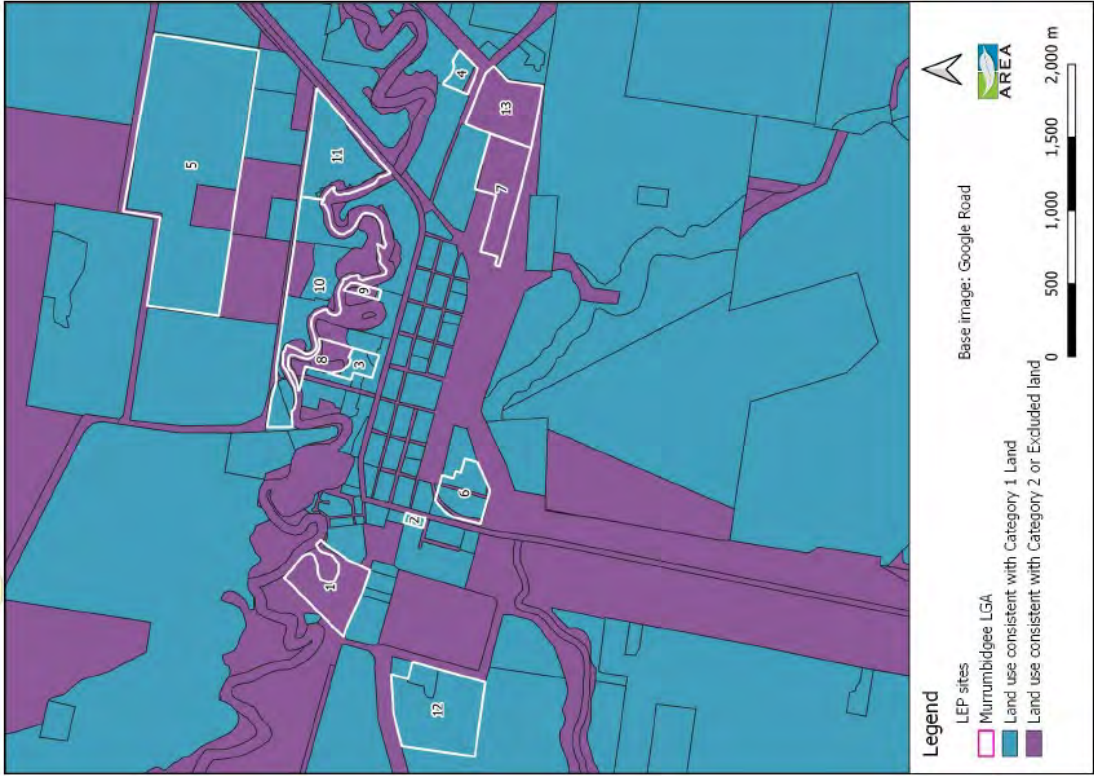


Figure 59: Category 1 Exempt Land Map
(Source: Area Environmental and Heritage Consultants, 2021)



Figure 61: Terrestrial Biodiversity Map – Jerilderie



Figure 60: Plant Community Types associated with Threatened Ecological Communities (Source: Area Environmental and Heritage Consultants, 2021)

Flooding

Jerilderie has been the subject of a number of floods due to its location alongside Billabong Creek.

In response, Council have recently completed a flood study for Jerilderie to investigate the location and degree of flooding within the township.

This Plan identifies the land immediately adjoining Billabong Creek as ‘floodway’ whilst land further back from this waterway is categorised as ‘flood fringe’ and ‘flood storage’.

Following the completion of this flood study, it was revealed that a number of parcels of land currently zoned RU5 Village and R5 Large Lot Residential located either side of Billabong Creek are subject to high hazard flooding and are located in a ‘Floodway’ and ‘Flood Storage Area’.

In accordance with the requirements of the NSW Floodplain Development Manual, development should seek to minimise the danger to life and property during floods.

Specifically, future development should seek to avoid areas of flood storage and floodway, which align with a high hazard level of flooding.

Accordingly, it is recommended that these parcels of land be rezoned to a more appropriate zone in recognition of the environmental constraints that apply to this land.

Conversely, the flood study identified land that is free from flooding or is only subject to low-level flooding, which would be appropriate for urban development. More specifically, this includes land located immediately adjacent to Wunnamurra Estate at the western edge of town.

Accordingly, it is recommended that this land, with the exception of a small back-runner/back runner, be rezoned to RU5 Village. Similarly, land located at the eastern edge of town and only subject to low-level flooding be rezoned to R5 Large Lot Residential.

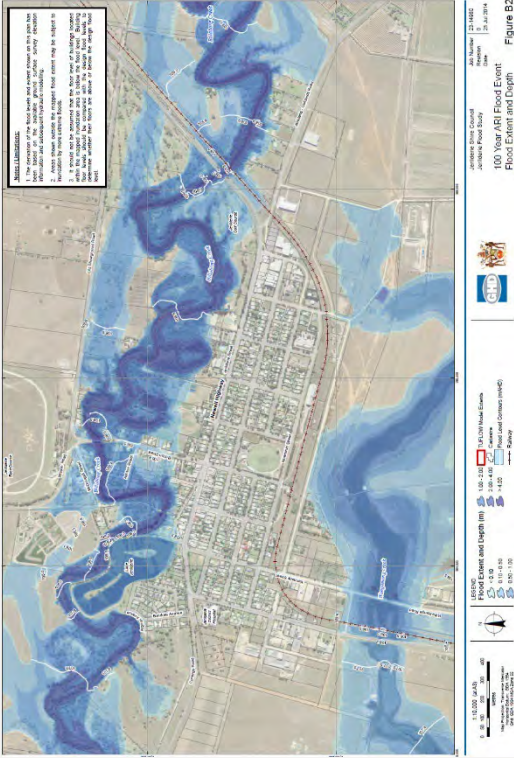


Figure 62: 1 in 100 Year Flood Map for Jerilderie
(Source: Jerilderie Flood Study, 2014)

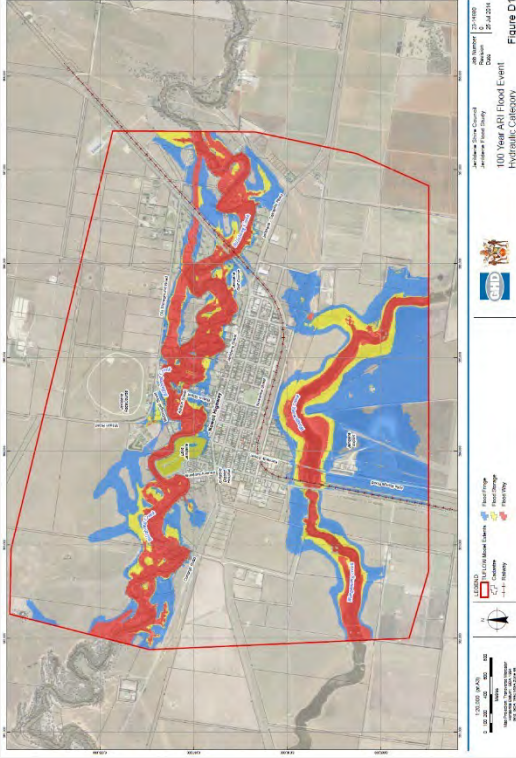


Figure 63: 1 in 100 Year Flood Map – Hydraulic Categories for Jerilderie
(Source: Jerilderie Flood Study, 2014)

Waterways

Billabong Creek winds its way through Jerilderie and provides one of the key tourist, recreational and natural asset for the community. The interface with the creek is varied in character and includes areas of natural environmental lands as well as highly used recreational areas including Lake Jerilderie.

Protection of the waterway from inappropriate development and/or pollution is critical for the ongoing development of the township and the environmental health of this waterway.

Development near waterways is regulated by a number of state and local government policies including the *Water Management Act 2000*. Development within the bed or banks of the river or within 40 metres of a watercourse also requires separate approval from relevant NSW state government agencies to ensure the ongoing protection of these waterbodies.

The LEP contains specific controls regarding riparian land and wetlands as identified within Figure 64. In addition, Clauses 6.6-6.7 of the LEP contains specific matters that Council must consider when assessing an application in proximity to Billabong Creek.

Consideration of these areas will be required in the future rezoning of any land, particularly areas of high hazard flooding (floodways).

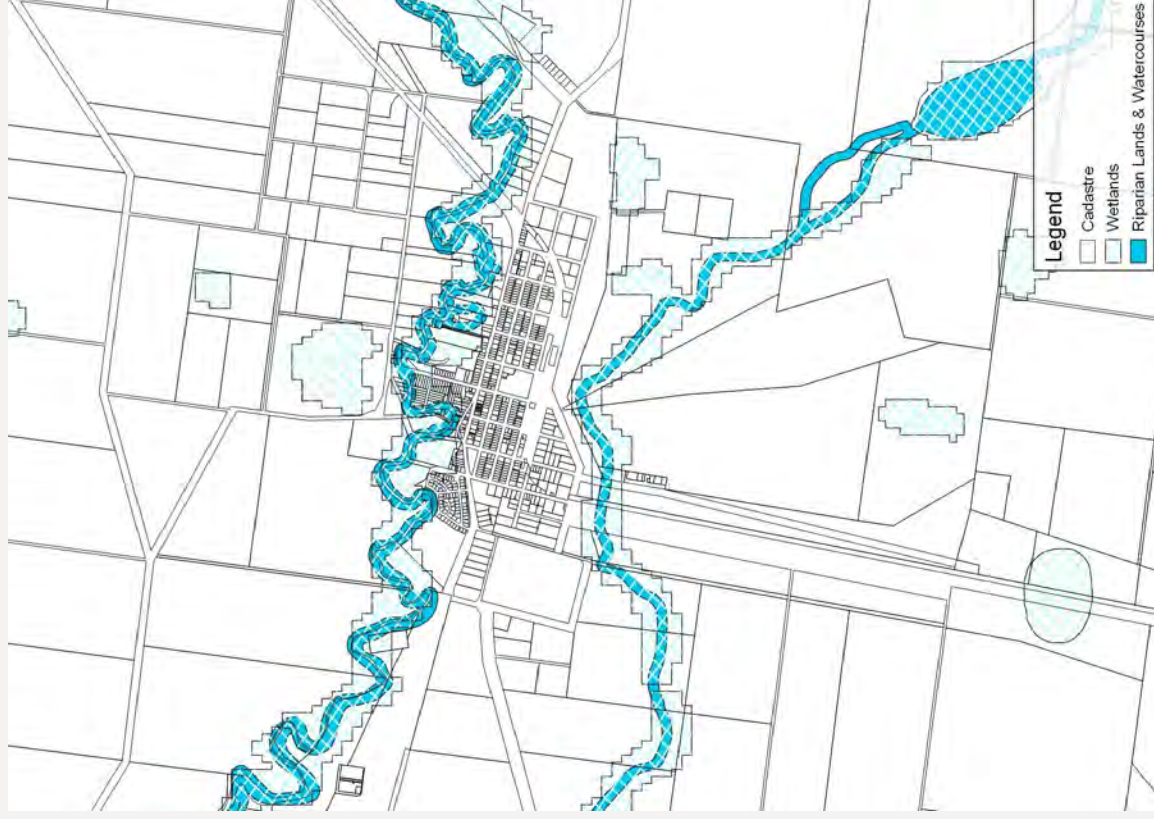


Figure 64: Waterways Map – Jerilderie

Bushfire

No lands within and surrounding Jerilderie are identified as being bushfire prone. Notwithstanding, the NSW RFS document titled *Planning for Bushfire Protection Guidelines 2019* now provides a broader definition of grassland than previous versions with any undeveloped land now considered to be 'grassland vegetation'.

Consequently, further development of land shall have regard to the broader grassland bushfire hazard. Where necessary, any future subdivisions shall incorporate relevant bushfire provision measures such as Asset Protection Zones, whilst the construction of new buildings shall achieve relevant Bushfire Attack Level (BAL) ratings in accordance with PBP.

Non-Aboriginal Heritage

The Jerilderie Township includes a number of identified non-Aboriginal heritage items, including the former Jerilderie Rail Station Group, which is identified as a State Heritage item.

A section of the Jerilderie Main Street is classified as a Heritage Conservation Area and the town also has several identified archaeological sites, including the site of the former Park Homestead, Police Stables and The Willows.



Figure 65: Heritage Map - Jerilderie

A Heritage Review Inventory Report has been prepared by Noel Thomson Architecture in support of the Land Use Plan. The purpose of this report was to review the current heritage listings and recommend any deletions and/or additions to this list.

The report recommends the inclusion of a number of new items of environmental heritage including:

- CWA Building, 10 Bolton Street, Jerilderie
- Murrumbidgee Council Offices, 35 Jerilderie Street, Jerilderie
- Jerilderie Civic Hall, 33 Jerilderie Street, Jerilderie
- Jerilderie Post Office (former), 6 Jerilderie Street, Jerilderie
- Jerilderie Cenotaph/War Memorial, Jerilderie Street, Jerilderie
- House, 9 Coreen Street, Jerilderie
- House, 19 Coreen Street, Jerilderie
- House, 65 Nowranie Street, Jerilderie
- House, 39 Mahonga Street, Jerilderie
- House, 86 Mahonga Street, Jerilderie
- House, 92 Mahonga Street, Jerilderie
- House, 76 Jerilderie Street, Jerilderie
- House, former doctors practice, 94 Jerilderie Street
- Wunnamurra Homestead Complex, 2797 Berrigan Road, Jerilderie
- Booroobanilly Church and School, Booroobanilly Road, via Jerilderie
- Jerilderie Rock Weir, Billabong Creek, Jerilderie
- Coonong Weir, Colombo Creek, Jerilderie
- Aludgerie Wier, Billabong Creek, Jerilderie
- Cockettedong Weir, Colombo Creek, Jerilderie

It is also recommended that the heritage mapping contained within the LEP be amended to better reflect the actual location of identified heritage items. For example, the Park Homestead Site and Monash Park Grandstand.

Upon review and following Councillor advice, it is recommended that Council give affected landowners the option to 'opt in' to the heritage schedule of the LEP and will only include those properties where the landowner consents to them being listed as a local heritage item.

As a result, it is recommended that only those publicly listed items be included within the heritage schedule unless an owner decides to opt-in. In the interim, this list includes the following:

- Jerilderie Cenotaph/War Memorial, Jerilderie Street, Jerilderie
- Jerilderie Post Office (former), 6 Jerilderie Street, Jerilderie

Concern has also been raised in relation to the listing of the main street as a Heritage Conservation Area following the completion of a number of street improvement works, as well as the construction of several new buildings within this precinct.

The Heritage Review Inventory Report has assessed this area and reaffirmed its significance as outlined below:

Jerilderie Street (Newell Hwy) is the main commercial street for Jerilderie. It has an eclectic collection of building types and this includes some housing. There are a variety of architectural styles ranging from the 1860's and up to the 1980's. The building types, styles and scale reflect the changes to the region over the preceding 140 years.

...Jerilderie Street is composed of commercial buildings and these are interspersed with residential buildings with small gardens which demonstrates the economic development of the town from the late nineteenth through to mid twentieth century... The Jerilderie Street and Powell Street area comprises many buildings that have local historic significance for the manner which is illustrative of the late 19th and early 20th century economic development, the businesses/buildings include; Jerilderie Hotel, Supermarket, Newsagency, Post Office, Café, Bakery, Café/Take-Away, Lolly Shop, Old & Motor Services, Computer, Old Traders building, Windmill and Houses in Powell Street.

For these reasons, it is recommended that the existing heritage conservation area be retained.

Lastly, it is also recommended that the current heritage controls contained within the DCP be reviewed and updated.

See Heritage Review Inventory Report prepared by Noel Thomson Architecture for further details.

Aboriginal Heritage

Four sites have been recorded within five kilometres of Jerilderie, all on the AHIMS database. Three are culturally-modified trees and a stone artefact site comprise the previously-recorded sites. The nearest of these is approximately 2.5 kilometres from the main township area. No other Aboriginal heritage sites were recorded on a searched database.

This may be a function of the low numbers and scale of existing heritage assessments. The proximity of the town to reliable water indicates that unrecorded heritage sites are very likely where historical disturbances are low. Land adjoining Billabong Creek has moderate to high levels of existing disturbances which reduces heritage potential. However, there are pockets of relatively undisturbed land that have high archaeological potential.

The archaeological context indicates a strong association between evidence of Aboriginal occupation and reliable water sources. More specifically, sites are more likely near the junctions of major waterways with other waterways. There is also an increased likelihood of sites near ephemeral water courses such as Billabong and Algdudgerie creeks.

Accordingly, development should seek to limit the impacts on Aboriginal heritage and where necessary be supported by a due diligence or Aboriginal cultural heritage assessment to ensure the ongoing protection of these heritage assets, which contribute to the social and cultural values of the town.

For further details regarding Aboriginal Cultural Heritage, see the Aboriginal Cultural Heritage Review report prepared by AREA Environmental and Heritage Consultants.

Land Use Conflicts

As outlined within Section 2.2.7, land use conflicts arise when incompatible land uses are situated in close proximity to each other. Land use conflicts may impact on the amenity of sensitive land uses, the efficient use of productive land, or environmental and landscape values.

An assessment of land use conflicts for Jerilderie has been undertaken consistent with the NSW Department of Primary Industry's Land Use Conflict Risk Assessment (LUCRA) guidelines. There are four key steps involved in undertaking a LUCRA and these include:

- 1. Gather information about proposed land use changes and associated activities.
- 2. Evaluate the risk level of each activity.
- 3. Identify risk reduction management strategies
- 4. Record LUCRA results.

Key potential land use conflicts contained within Jerilderie include:

- 1. Sewerage treatment plant
- 2. Industrial land
- 3. Aerodrome
- 4. Waste Management Centre

Other land use conflicts that are specific to Jerilderie that need to be considered include:

- 5. Bushfire risks on development that adjoins heavily vegetated areas or open grasslands.
- 6. Flooding impacts on development from adjoining rivers and waterways.
- 7. Amenity impacts such as noise adjoining key transport corridors (road, rail).

Careful consideration will be required when planning future land uses to ensure that they will not result in conflicts between land uses.

A plan showing these potential land use conflicts is provided in Figure 66.



Figure 66: Land Use Conflict Map – Jerilderie

3.3.4. Infrastructure

Council in association with the NSW Public Works Advisory is in the process of preparing an Issues Paper to the IWCMS, which will identify current and future capacity issues and upgrade requirements.

The outcomes of this Paper will inform further recommendations to the IWCMS and the conclusions of this Issues Paper as they relate to Jerilderie are discussed below.

Water

Jerilderie's town water supply comes from Billabong Creek, where it is filtered and chlorinated via a chemical mixing/flocculation tank and cleaned via a sedimentation tank and sand filter at the water filtration plant.

Minor repairs have been carried out to the water main network in 2017-18 and ongoing upgrading and replacement of Jerilderie's older raw water mains with PVC pipe will continue into the future.

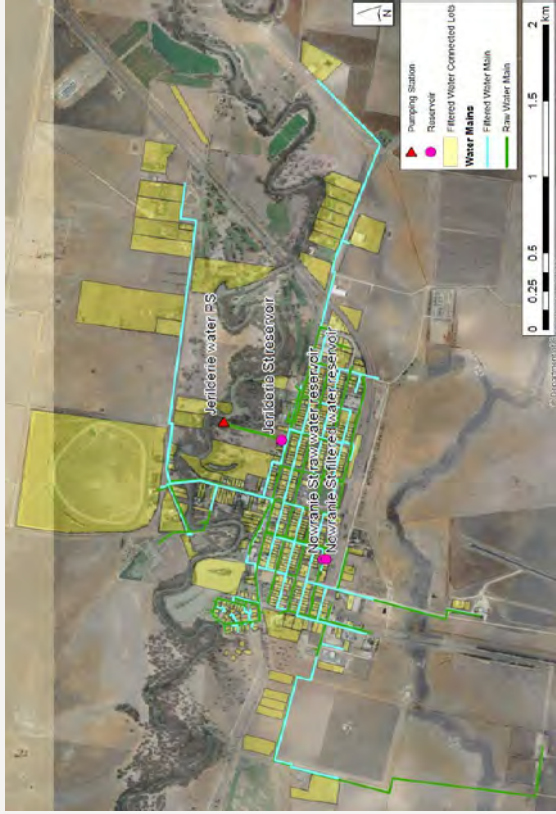


Figure 67: Water Reticulation Network – Jerilderie

Jerilderie has a 500 megalitre per annum high security water license for extraction from the Billabong Creek, whilst the town lake has a 100 megalitre per annum general security licence for extraction from the Billabong Creek.

The IWCMS Issues Paper identifies several capacity issues in terms of water supply in Jerilderie. These items will need to be addressed so as to achieve projected future population growth.

Based on this analysis projected residential development can be achieved subject to augmentations of the existing water network. It is also recommended that as part of a broader strategy that council investigate and reduce current water losses to ensure that service capacity is not unnecessarily reduced.

Sewerage

The Jerilderie sewerage treatment works is located on the northern side of the town adjacent to the racetrack and operates with holding and evaporation ponds.

This facility is protected and zoned SP2 Infrastructure and is subject to an EPA licence. Council is also licensed to provide wastewater from the Jerilderie sewerage treatment plant to the adjacent Racecourse to help maintain its turf track.

Council has received no recent complaints in regard to this facility and it has continued to operate without issue.

The IWCMS Issues Paper identifies several capacity issues in terms of sewerage supply in Jerilderie. These items will need to be addressed so as to achieve projected future population growth.

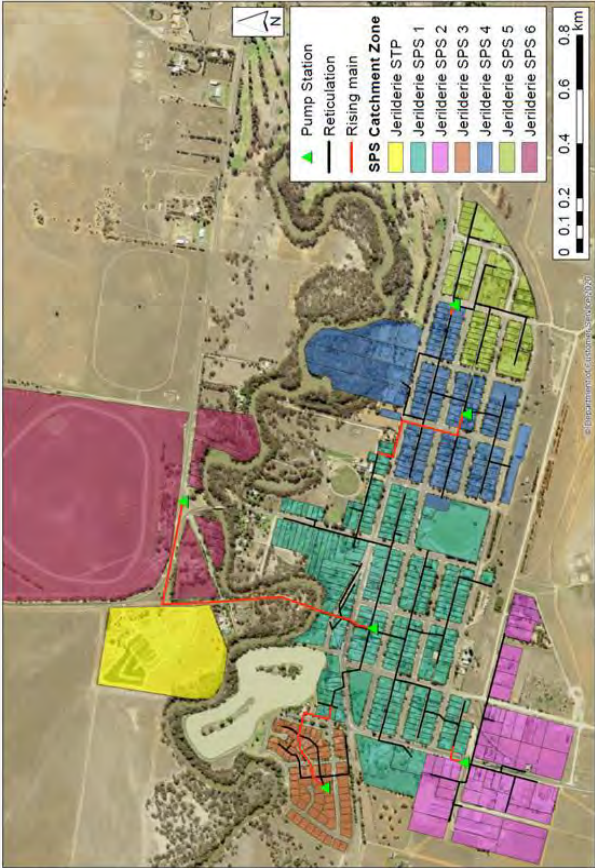


Figure 68: Jerilderie sewage system
(Source: Draft Integrated Water Cycle Management Strategy)

Transport

Jerilderie is the main inland route linking Melbourne and Brisbane; and the shortest route from Adelaide to Sydney. It is the start of The Kidman Way, a 644 kilometre stretch of road where caravaners and campers can Backtrack to the Outback.

The Newell Highway passes through the main street of Jerilderie (Jerilderie Street) and is therefore subject to heavy vehicle traffic including B-Doubles and Road Trains.

Council has undertaken a number of street improvement works to the main street in recent times to improve the visual appearance of this area, as well as to improve pedestrian safety.

Consideration of any new proposals alongside any main roads will require approval from the NSW Roads and Maritime Service.

Other Services

Gas, electricity and telecommunications infrastructure are available and can be extended to service future development. Drainage infrastructure is also appropriate and should continue to occur via a 'pit and pipe' system.

Similarly, the Jerilderie waste management facility is well separated from nearby sensitive land uses and appropriately zoned special use to ensure its ongoing protection.

3.3.5. Jerilderie Land Use Plan

Recommendations

The Land Use Plan identifies five candidate sites to be rezoned for residential purposes. These parcels of land are described as follows:

- Conargo Road, Jerilderie (Part Lot 80, DP1225744).
- 25-27 Southey Street, Jerilderie (Lots 205 & 206, DP240764).
- 1 Brown Street, Jerilderie (Part Lot 2, DP661986).
- Cape Road, Jerilderie (Part Lot 191, DP756426).
- Showgrounds Road/Newell Highway, Jerilderie (Lots 3 & 4, DP831820, Lots 148-151 & 153-155, DP756425 and Lot 2, DP831820).

The recommended rezoning of this land is consistent with the environmental constraints of the land, as well as infrastructure and servicing provision.

The properties represent both infill and greenfield development and are currently zoned IN1 General Industrial and RU1 Primary Production with a minimum lot size of 200 hectares.

More specifically, it is proposed to rezone land on the western side of Jerilderie to RU5 Village with a 600m² minimum lot size. The rezoning of this land represents an expansion of the adjoining Wunnamurra residential estate, which Council is currently developing. Stage 1 of this estate is all sold with a portion of stage 2 now also sold. All infrastructure and services are available to the land and can be extended, however it is recommended that an existing flood back runner be retained within a rural zone. The portion of land proposed to be rezoned has a total area of approximately 13 hectares, which could result in the creation of an additional 86 conventional residential lots.

The Land Use Plan also recommends rezoning 25-27 Southey Street from IN1 General Industrial to RU5 Village with a 600m² minimum lot size. The rezoning of this land is reflective of its current use as it has been developed for independent aged care housing. Consequently, the rezoning of this land will not add additional residential land supply, but rather correct a mapping anomaly.

It is also recommended that the southern portion of 1 Brown Street be rezoned from R5 Large Lot Residential to RU5 Village with a 600m² minimum lot size. The rezoning of this land is reflective of the fact that it is located above the relevant flood height and immediately adjoins existing urban zoned land. This land is approximately 3.5 hectares in size, which could result in the creation of 22 additional lots.

The Land Use Plan also recommends rezoning approximately 36 hectares of land along the former railway line, as well as a number of existing dwellings located at the western end of Coonong Street from IN1 General Industrial to RU5 Village.

Lastly, it is recommended that an additional area of land to the north of Jerilderie be rezoned from RU1 Primary Production to R5 Large Lot Residential with a 2 hectare minimum lot size. This land is approximately 78 hectares in size, which could result in the creation of 31 additional lots.

Whilst it is acknowledged that there is already a large area of R5 zoned land between Billabong Creek and Showgrounds Road, this land is already developed and is located within a floodway and cannot be further developed.

Based on the land zoning and minimum lot size recommendations, this land has the potential to cater for up to approximately 139 additional residential lots as outlined in Table 35. Based on the current take up rate of 2 dwellings per annum, this equates to a residential land supply of approximately 70 years.

When considering the forecast take-up rate of 3 dwellings per annum, this level of residential land supply is reduced to approximately 46 years.

This level of proposed residential land supply is in addition to the existing supply that is currently available.

The other key land use planning recommendation includes the expansion of industrial land to the south east of the former railway line to ensure an appropriate level of industrial land supply.

These parcels of land are described as follows:

- 1 Coreen Street, Jerilderie (Lots 3 & 4, DP758541).

This land is strategically located and already adjoins industrial zoned land and in some instances is being used for industrial purposes. Additional areas for future industrial land are also proposed to the east and west of the town.

The Land Use Plan also recommends establishing a new large scale industrial precinct to the north east of Jerilderie. This area is largely unconstrained and represents a high exposure site that has good access to the Newell Highway.

A final location of the new industrial precinct is still to be determined, but the candidate sites include:

- 152 Jerilderie-Urana Road, Jerilderie (Lot 44/DP756401).
- Old Urana Road, Jerilderie (Lot 164, DP720209).
- 6030 Newell Highway, Jerilderie (Lot 61/DP1036414).

Preliminary investigations have determined that Lot 44 is the most appropriate site for the location of a large scale industrial precinct. Whilst it is acknowledged that this site is located the furthest distance from Jerilderie (approximately 8 kilometres), the site has limited environmental constraints and does not adjoin any sensitive land uses.

Furthermore, the site has previously been operated for semi-industrial/agricultural produce activities by Baiadi Chickens and has access to all relevant infrastructure and services including reticulated water supply, electricity and road access.

Table 34: Jerilderie Existing and Proposed Industrial Land Supply

Summary	Area	Proposed No. of additional lots	Demand	Years Supply
Existing				
IN1 General Industrial	16.5ha	33-66	1.5	22-44
Proposed				
IN1 General Industrial	6ha	30-75	1.5	20-50
Total	22.5ha	63-141	1.5	42-94

In addition, the Plan seeks to correct several zoning anomalies including rezoning the Jerilderie Fire Station and aged care units from industrial to RU5 Village, as well as zoning the northern portion of the Jerilderie Golf Club as recreation.

It is also recommended that the Terrestrial Biodiversity Map be reviewed as it applies to the urban areas of Jerilderie as it currently maps land that is developed or contains no identified significant vegetation. Similarly, it is recommended that the Heritage Map and Schedule 5 of the LEP be reviewed consistent with the recommendations of the Heritage Review.

Table 35: Jerilderie Existing and Proposed Residential Land Supply

Summary		Area	Proposed No. of additional lots	Demand (dwellings p.a.)	Years Supply
Existing Supply					
R15 Village (600m ² +)	DPIE Projection (High Growth)	4ha	25*	1.5	17
	Council Projection (High Growth)	4ha	25*	2.5	10
R5 Large Lot Residential (2ha+)	DPIE Projection (High Growth)	70ha	14**	0.5	28
	Council Projection (High Growth)	70ha	14**	0.5	28
Proposed Supply					
R15 Village (600m ² +)	DPIE Projection (High Growth)	17ha	108	1.5	72
	Council Projection (High Growth)	17ha	108	2.5	43
R5 Large Lot Residential (2ha+)	DPIE Projection (High Growth)	78ha	31	0.5	62
	Council Projection (High Growth)	78ha	31	0.5	62
Total*	DPIE Projection (High Growth)	169ha	178	2 (or 1.84)	89
	Council Projection (High Growth)	169ha	178	3 (or 2.66)	59

* This figure includes vacant developed land, as well as likely estimated brownfill (infill) lots
** This figure accounts for the number of existing holdings and development potential of this land

Key Land Use Planning Considerations

Table 36: Key Land Use Planning Considerations – Jerilderie

<u><i>Population and Housing:</i></u>	
J1	Ensure a sufficient supply and range of residential zoned land to cater for expected demand.
J2	Rezone land to the immediate west of Wunnamurra Estate to RU5 Village with the exception of a small flood runner/back water.
J3	Rezone land north of Showground Road to R5 Large Lot Residential.
J4	Rezone RU5 Village zoned located either side of Billabong Creek identified as a floodway to E3 Environmental Management.
J5	Ensure short-term accommodation developments are appropriately designed and located to minimise impacts on surrounding residents.
J6	Encourage infill development by exploring incentive strategies including the removal of the minimum lot size requirement.
<u><i>Community Facilities and Open Space:</i></u>	
J7	Continue to review community facilities and open space provisions within town, with gaps identified and strategies developed.
J8	Ensure zoning is flexible to allow for the establishment of community and recreation facilities within central locations that are accessible.
J9	Rezone the existing Legacy Units and Jerilderie Fire Station located on the western side of Southey Street from IN1 General Industrial to RU5 Village.
C10	Establish a new public open space area on the western side of town to service the proposed residential development in this area.

<u><i>Commercial and Retail:</i></u>	
J11	Retain flexible land use zoning in the main commercial centre to encourage a range of businesses.
J12	Encourage new commercial development to occur within the main commercial centre of town around Jerilderie Street.
J13	Introduce new building and planning controls within the DCP that sets minimum design standards for the construction of new buildings or alterations and additions to existing buildings.
<u><i>Industry:</i></u>	
J14	Rezone land generally bound by Coonoong Street and Jerilderie Oaklands Road from RU1 Primary Production to IN1 General Industrial.
J15	Rezone land north east of Jerilderie from RU1 Primary Production to IN1 General Industrial. Only rezone once demand warrants.
<u><i>Agriculture:</i></u>	
J16	Limit residential and rural residential sprawl into established rural areas that has the potential to create land use conflicts and undermine the viability of productive agricultural businesses.

Environment:

- J17 Require development proposals to consider the environmental impacts of vegetation removal in accordance with local and state government legislation.
- J18 Review the Terrestrial Biodiversity Map of the LEP as it relates to the main urban area of Jerilderie to better reflect environmental conditions.
- J19 Adopt the recommendations of the Jerilderie Flood Study including the introduction of a Flood Planning Map for the township.
- J20 Require development proposal to consider impacts on matters of Aboriginal Cultural Heritage in accordance with the recommendations of the Aboriginal Cultural Heritage Review.
- J21 Amend Schedule 5 and the Heritage maps of the LEP consistent with the recommendations of the Heritage Review Inventory Report only where landowners' agree to opt-in.
- J22 Locate residential development outside of flood prone areas.
- J23 Prepare a Bushfire Prone Land map in association with the NSW RFS.
- J24 Require new development proposals to consider the provisions of Planning for Bushfire Protection Guidelines 2019.

Infrastructure:

- J25 Finalise and adopt the recommended actions of the Integrated Water Cycle Management Strategy.
- J26 Ensure that new developments make an appropriate contribution towards the provision or augmentation of infrastructure consistent with Council's adopted Infrastructure Contributions Plans.
- J27 Ensure that development occurs in a staged and logical sequence to minimise pressures on infrastructure.

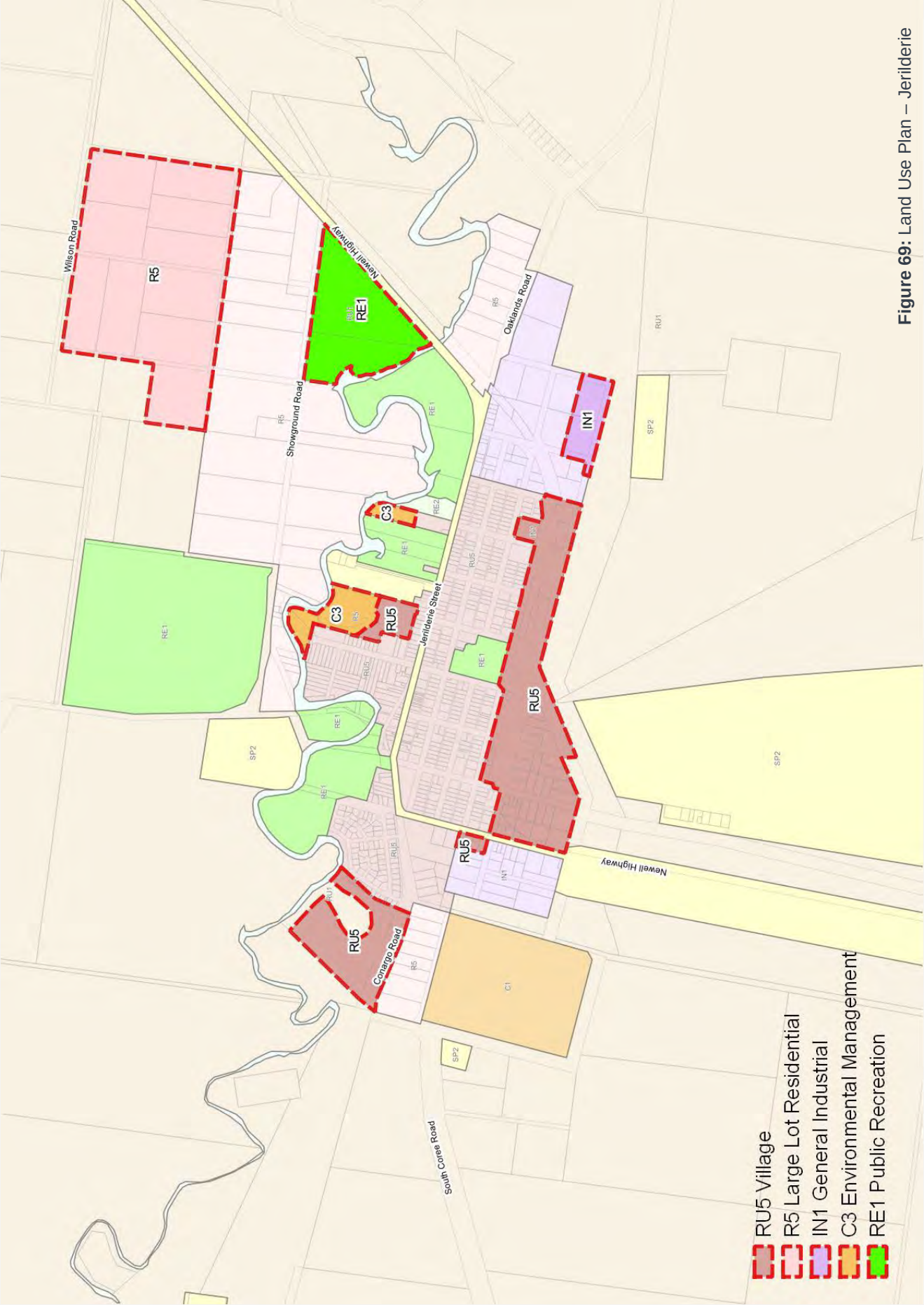
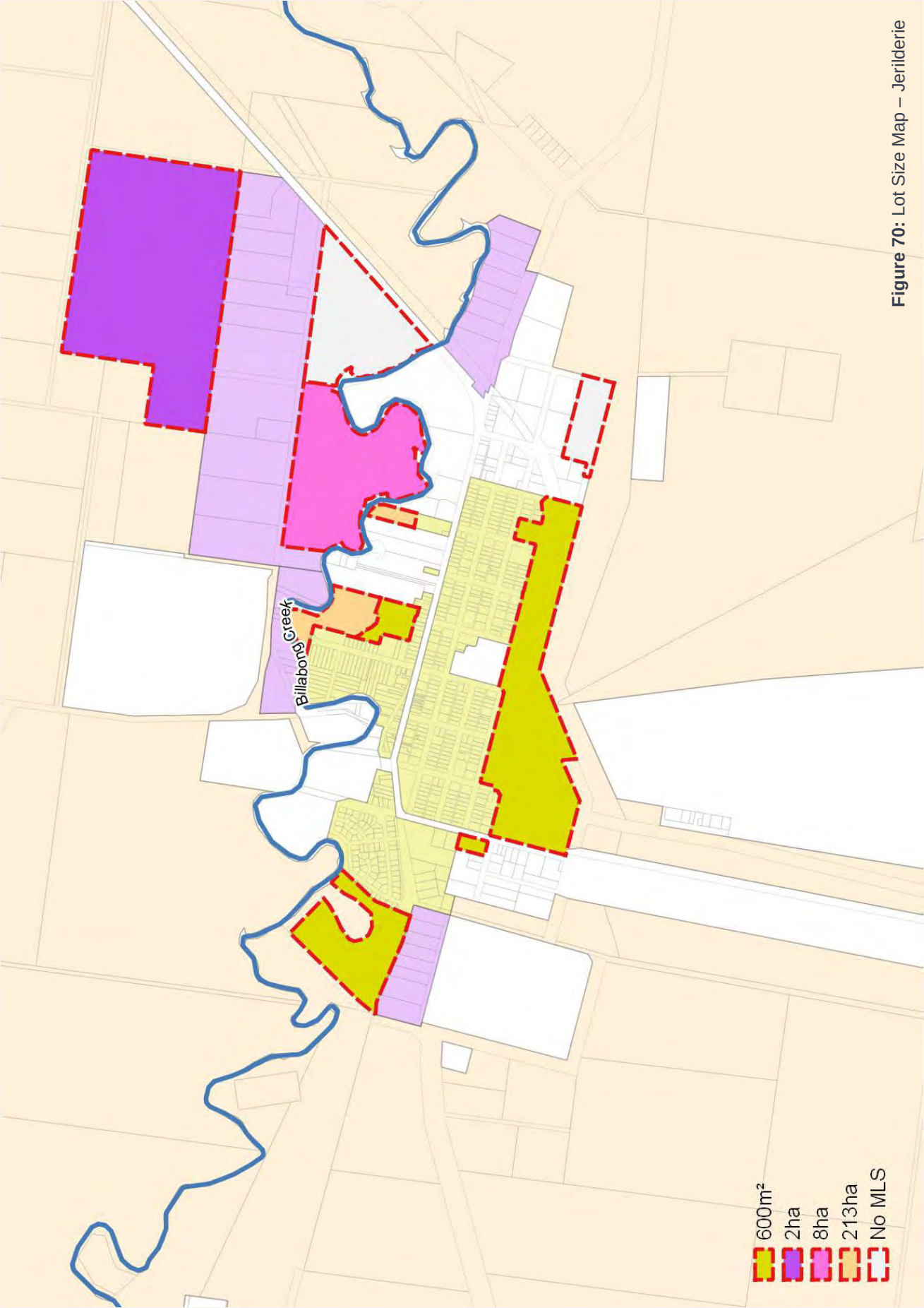


Figure 69: Land Use Plan – Jerilderie



Rural and Environmental Areas

habitat —

3.4. Rural and Environmental Areas

This section of the Land Use Plan relates to both rural and environmental lands and outlines the key issues and pressures facing these areas.

3.4.1. Rural

As outlined within Section 2 of this Plan, the majority of the Council area is rural land, which is home to a variety of agricultural industries including sheep, cattle, wheat, corn, winter cereal, rice, cotton, nuts, horticulture, poultry and egg production, timber milling and food processing.

The economic benefits of agriculture are significant to Murrumbidgee and have both direct and flow on effects through all stages of the agricultural supply chain. It is therefore important that rural land be protected ongoing. Specifically, the horticultural industry has invested over \$500M in the local area over the past 5 years.

In May 2020, the Murrumbidgee Council area had approximately 984 rural landholdings. According to Council's rates system, the total number of these landholdings has declined over time in response to changing agricultural practices and the need to increase productivity or expand to remain viable, usually both.

In the face of this decline, property size generally needs to double every 20 years for farm businesses to remain viable into the future. If farming businesses cannot expand, then the enterprises must change to generate more income from the same area (e.g. change production to higher value crops or look to value add).

Landholdings in the southern and central portions of the Council area range in size from approximately 120 hectares up to 350 hectares with the average size of these landholdings being approximately 200 hectares. Conversely, the average size of landholdings in the northern and western part of the Council area are much larger. Lot sizes in this area are attributable to several large farm holdings that have been established in this area.

Three of the largest farm holdings to be established in the Council area include "Huddersfield" (5,000ha), "Kerarbury" (6,700ha) and "Optifarm" (3,600ha). Together, these three farms comprise over 15,000 hectares.

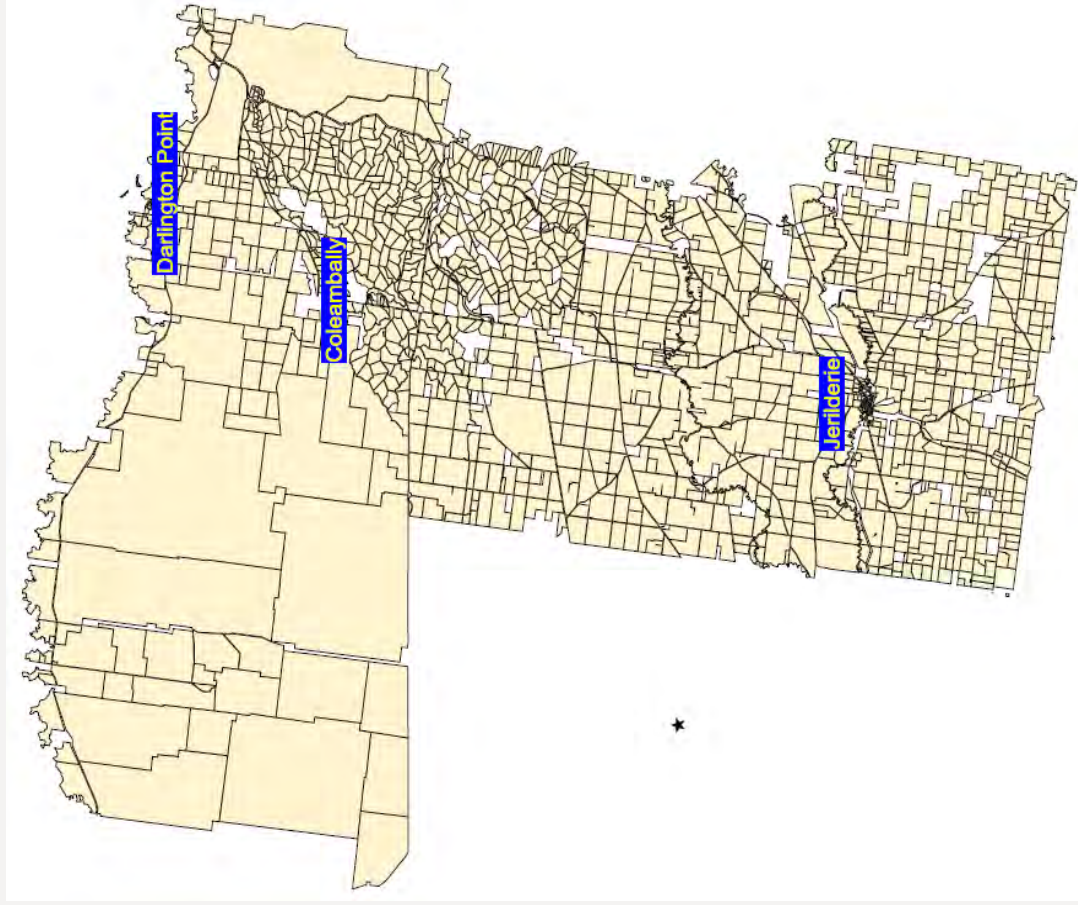


Figure 71: Murrumbidgee Council Rural Landholdings

It is Department of Primary Industries (Agriculture) policy to support the retention of agricultural land, particularly prime cropping and pasture land for commercial food and fibre production. To this end, the fragmentation of rural land through subdivision is generally seen as working against this objective as is the approval of dwellings on rural land.

The NSW Department of Primary Industries document titled *Right to Farm Policy* is a key consideration for the development of rural land and outlines the following principles:

The NSW Government recognises the value of agriculture for growing food and fibre for domestic and international markets and is concerned about the potential loss or impaired use of agricultural land. Agriculture is important to local, regional, and state economies and communities.

Addressing land use conflicts that arise from lawful agricultural practices is an issue of shared obligations. Farmers, neighbours, land developers, new land buyers as well as local and state government all have a significant role to play.

The Policy is currently undergoing review and has identified as one of the key considerations:

The loss of agricultural land to non-agricultural uses pushes production further away from markets and critical infrastructure, and breaks up the rural landscape, reducing the production capacity of the land and making our food chains more vulnerable to shocks...

Farmers can find themselves increasingly surrounded by residential land users who are sensitive to the noise and smells of farming which leads to conflict. The onus is often placed on farmers to respond to complaints about their operations and the lack of support in resolving complaints creates stress and anxiety for farmers. The complexity of the planning framework is overwhelming, costly and difficult to interpret. The inconsistency of how planning requirements are applied across councils can deter investment in new or expanding operations. A planning framework that incorporates the needs of agriculture will make it easier to interpret and ensure councils are supported in their decisions to promote and protect agriculture in their communities.

Whilst the overall objective of this Land Use Plan is to consolidate the two former LEP's and identify future urban growth and development opportunities, this is not to come at the expense of the ongoing promotion and protection of agricultural land.

For the most part, the Land Use Plan does not recommend any large-scale changes to existing rural planning requirements, but however seeks to ensure consistency between the former Jerilderie and Murrumbidgee Council areas.

The purpose of this Plan is to also support ancillary value-adding commercial and industrial activities that are part of the agricultural supply chain.

Zoning and Minimum Lot Size Provisions

The rural areas of the Murrumbidgee Council area are zoned RU1 Primary Production and RU3 Forestry under the relevant LEPs that currently apply to this land. Whilst the application of these rural zonings has been uniformly applied, it is noted that there are some discrepancies between the minimum lot size maps of the former Jerilderie and Murrumbidgee Council areas.

For example, the former Jerilderie LEP adopted a minimum lot size of 213ha in the RU1 Primary Production zone, whilst the former Murrumbidgee LEP adopted a minimum lot size of 200 hectares for this same zone.

It is recommended that as part of the proposed consolidated LEP, that a uniform minimum lot size be applied across the rural zones of the new Council area so as to avoid confusion.

Specifically, it is recommended that a 200 hectare minimum lot size be adopted for the RU1 Primary Production zone. This minimum lot size is considered more practical and will still achieve the same objective of protecting rural land from fragmentation and land use conflicts.

Whilst it is acknowledged that this will result in a reduction in the minimum lot size of the former Jerilderie Council area from 213 hectares down to 200 hectares, the additional subdivision and development opportunities that this will create is considered limited.

The minimum lot size applicable to the RU3 Forestry zone does not need to change as both LEP's do not adopt a minimum lot size for this zone.

Land Use Tables

Similar to matters regarding minimum lot size, the Land Use Tables of the former Jerilderie and Murrumbidgee LEPs also differ. Whilst the objectives for each of these zones is identical, the range of permitted and prohibited land uses outlined in Items 2-4 vary.

For this reason, it is recommended that a comparative analysis be undertaken of the two LEPs to determine the most appropriate range of permitted and prohibited land uses. In summary, it is recommended that the more flexible land use provisions apply.

It is further recommended that the RU1 Primary Production zone adopts an 'open zone'. That is, one where a broad variety of land uses can be considered, which allows for greater flexibility.

The open approach minimises the need to undertake 'spot rezonings' or other ad hoc LEP amendments to permit additional acceptable uses that were not anticipated during the initial LEP preparation.

Subdivision of Rural Land for certain developments

At present, Clause 4.2 of the Jerilderie and Murrumbidgee LEPs provides for flexibility in the rural subdivision controls, as it allows for the subdivision of rural land less than the minimum lot for the purposes of primary production.

This clause provides flexibility in rural development and supports changing agricultural trends towards more intensive farming options.

To further support the development outcomes of the rural zones and allow for greater flexibility in this zone, it is recommended that Council adopt a new clause within the LEP that allows for the subdivision of rural zoned land less than the minimum lot size for other permissible land uses.

For example, should a landowner wish to construct a freight transport facility or agricultural produce industry, which are both permitted in the RU1 zone on their land, this would require that the proposed development achieve the minimum lot size of the zone, which in this instance is 200 and 213 hectares respectively. This is not considered practical or viable and is creating a barrier for new supportive ancillary industries being established.

An example of this clause is available within Clause 4.2C – exceptions to minimum lot sizes for certain rural subdivisions of the *Albury Local Environmental Plan 2010*.

Similarly, it is also recommended that Council investigate opportunities to allow for boundary adjustments between certain rural and environmental zones, again to allow for the greater flexibility of development within these rural areas.

An example of such a clause is available within Clause 4.2G – boundary adjustments in certain rural and environmental zones of the *Griffith Local Environmental Plan 2014*.

Rural Lifestyle and Urban Development Pressures

Pressures from urban and rural lifestyle development is one of the key issues facing the ongoing viability and protection of rural zoned land.

As outlined with Sections 3.1-3.3 above, the Land Use Plan recommends rezoning certain lands on the fringe/periphery of each of the three main townships. Whilst the extension of urban development into outlying rural areas has the potential to adversely affect existing productive agricultural operations, these sites have been carefully selected to minimise their impacts on these existing land uses.

More specifically, residential and large lot residential development activities are proposed to the west of Darlington Point, whilst industrial and commercial activities are proposed to the south. The proposed residential land is separated from nearby agricultural activities and will adjoin environmental and urban development.

Britts Road has been used as the boundary between low density residential (5,000m²+) and large lot residential development (2ha+) to the south of this road. In doing so, this will provide a transition in lot sizes from the main urban area and will avoid the situation of conventional residential development butting up immediately adjacent to agricultural land.

In Coleambally, additional residential development has been proposed to the south west of the township. Again, this land is already largely separated from surrounding rural lands via dense vegetation and existing lot configurations and will not adversely affect existing agricultural activities.

In Jerilderie, the Land Use Plan recommends extending the RU5 Village zone to the west of the town, thereby forming an extension of the Wunnamurra Residential Estate. This land is not currently used for any productive agricultural activities and is largely separated from adjoining land uses via Conargo Road and Billabong Creek.

Similarly, the Land Use Plan recommends introducing additional R5 Large Lot Residential zoned land to the south of Wilsons Road adjoining the Jerilderie Racecourse. Again, this land is separated from adjoining rural lands, is already largely fragmented into 12 lots and proposes a larger minimum lot size (2ha+) that will minimise conflicts with adjoining rural lands.

Other changes proposed by the Plan include extending industrial land to the south west and south east of the township. Again, these lands are not currently used for productive agricultural activities due to their size and proximity to urban development.

Renewable Energy and its impacts on Agriculture

Due to the relatively lower cost of rural land and the strategic location of the Murrumbidgee Council area, Council in recent years has seen increased interest in the renewable energy sector (solar, biomass), which is placing pressures on traditional agricultural lands, including the loss of productive farmland and potential land use conflicts. Specifically, Council have approved two large-scale solar farms in Coleambally (150MW) and Darlington Point.

This matter is not limited to the Murrumbidgee Council area and is occurring across the rural portions of the State. In response, the NSW Government released the *Large-scale Solar Energy Guidelines for State Significant Development*, December 2018.

Whilst the Guideline recognises that large-scale solar energy projects can support jobs and investment in regional NSW and offer the potential for significant economic benefits in regional communities that may not have similar opportunities from other industries, there is a need to ensure that they are appropriately planned.

Specifically, the Guideline recommends that solar farms should avoid important agricultural lands, including Biophysical Strategic Agricultural Land (BSAL), irrigated cropping land, and land with a land and soil capability class of 1, 2 or 3. Parts of the Murrumbidgee Council area have a soil capability class of 3, whilst the area surrounding Coleambally is irrigated cropping land.

Careful consideration will need to be given to the competing needs of these activities including consideration of the loss of prime agricultural quality land, as well as the potential creation of land use conflicts between these activities.

Due to the significant role and importance that agriculture plays in the Murrumbidgee Council area, there is a need to ensure that high quality agricultural land is protected ongoing.



Coleambally Solar Farm

3.4.2. Environmental

The Murrumbidgee Council area has a number of environmental and natural landscapes that warrant protection ongoing including National Parks such as the Murrumbidgee Valley National and Regional Parks such as the Willbriggie Regional Park.

Zoning and Minimum Lot Size Provisions

The environmental areas of the Murrumbidgee Council area are zoned E1 National Parks and Nature Reserves or E3 Environmental Management under the respective LEPs. It is noted however, that there is no E3 Environmental Management zone applicable to the former Jerilderie Council area.

Following a review of the minimum lot size maps of the Jerilderie and Murrumbidgee LEPs it is noted that there is no minimum lot size applicable to the E1 and E3 zoned land and the two plans are consistent.

Land Use Tables

Similar to matters regarding minimum lot size, the Land Use Tables of the former Jerilderie and Murrumbidgee LEPs are also identical. Therefore, any consolidated LEP will be able to retain the existing Land Use Table applicable to this zone.

Review of Environmental Mapping and Overlays

As part of the preparation of this Land Use Plan, a Biodiversity Constraints Analysis has been undertaken by AREA Environmental and Heritage Consultants of proposed candidate rezoning sites.

This assessment involved a desktop assessment and analysis of biodiversity and ecological spatial data.

Consequently, it is recommended that a further analysis and ground truthing be undertaken of the relevant environmental maps and local clauses contained within the former Jerilderie and Murrumbidgee LEP's as they relate to the three main townships and as discussed within this Plan. Specifically, these include the following LEP maps:

- Terrestrial Biodiversity
- Groundwater Vulnerability
- Riparian Lands and Watercourse
- Wetlands

A review has also been undertaken of the relevant LEP clauses contained in the former Murrumbidgee and Jerilderie LEPs that enable these local maps. Following a review of these clauses, it is noted that the wording of these clauses is identical and does not require revision.

Development on Riverfront Land

Development adjacent to waterways and within river beds and banks has the potential to adversely affect environmentally sensitive land in terms of biodiversity, water quality, Aboriginal cultural heritage and the like.

Therefore, consideration should be given to development on environmentally sensitive land. Whilst it is acknowledged that the Murrumbidgee LEP contains local provisions regarding development on river front areas (Clause 6.7) and development on river beds and banks (Clause 6.8), it is noted that no such clauses apply to the southern portion of the local government area, being the former Jerilderie area.

For this reason, it is recommended that these clauses be included in the new consolidated LEP so that they apply to the whole local government area.

Development of Environmentally Significant Land

As outlined within Sections 3.1-3.3 above, the Land Use Plan recommends rezoning certain lands on the fringe/periphery of each of the three main townships. Whilst the extension of urban development into outlying areas has the potential to adversely affect environmentally sensitive locations, these sites have been carefully selected to minimise their impacts.

More specifically, residential and large lot residential development activities are proposed to the west of Darlington Point, whilst industrial and commercial activities are proposed to the south. The proposed land uses are located on largely cleared land classified as 'Category 1' under the *Local Land Services Act 2013* and generally seek to avoid areas of environmental significance.

In recognition of the environmental values of the area, the Land Use Plan recommends rezoning certain parcels of land for environmental purposes to ensure the ongoing protection of this land. Specifically, this relates to land adjoining the Murrumbidgee River that is heavily treed and contains forested wetlands that are also subject to inundation from flooding.

In Coleambally, additional residential development has been proposed to the south west of the township. Whilst this land does contain patches of scattered vegetation, it is considered less constrained and environmentally sensitive as compared to other potential development sites.

In recognition of the proposed impacts of development, the Land Use Plan also recommends rezoning several parcels of land from rural to environmental to ensure its ongoing protection and to help off-set any tree losses on adjoining lands. These parcels of land are located on the northern and southern fringes of the main township and contain dense vegetation comprising Weeping Myall woodland and Cyprus Pine woodland, both of which are part of a Threatened Ecological Community.

In Jerilderie, the Land Use Plan recommends extending the RU5 Village zone to the west of the town, thereby forming an extension of the Wunnamurra Residential Estate, as well as introducing additional R5 Large Lot Residential zoned land to the south of Wilsons Road adjoining the Jerilderie Racecourse.

These parcels of land have been selected as they are largely cleared of biodiversity values. It is noted however that the proposed rezoning does seek to retain a back-runner within the proposed RU5 expansion area, due to the impacts of flooding, as well as the fact that this area contains a large amount of remnant vegetation.

Other changes proposed by the Land Use Plan seek to rezone land along Billabong Creek as it is subject to high hazard flooding and is located within a classified floodway. This area also contains large areas of remnant riverine vegetation that will be subsequently protected ongoing.

Consideration of Development Proposals

Council is required under the *NSW Environmental Planning and Assessment Act 1979* to consider the environmental impacts of development including, but not limited to matters such as:

- Biodiversity (flora and fauna)
- Aboriginal cultural heritage
- Non-Aboriginal heritage
- Waterways and drainage
- Soils

Consequently, any future development proposals will need to be assessed against the relevant requirements of the EP&A Act, as well as any other relevant legislation, Acts or guidelines. Consideration should also be given to the recommendations and outcomes of the accompanying supporting environmental studies prepared as part of this Land Use Plan.

Development Control Plan Provisions

As part of the review of Council's existing planning controls, it is recommended that Council introduce additional environmental protection controls into the Development Control Plan.

These controls should be based on the outcomes of these investigations and should adopt current-day best practice requirements.

Key Land Use Planning Considerations

Table 37: Key Land Use Planning Considerations – Rural & Environmental

<u>Rural:</u>	
R1	Adopt a consistent minimum lot size for the RU1 Primary Production Zone, being 200 hectares.
R2	Review the range of permitted and prohibited land uses within the RU1 Primary Production Zone and ensure consistency between the former Murrumbidgee and Jerilderie council areas.
R3	Investigate opportunities for an 'open' land use table for the RU1 Zone to allow greater flexibility for industrial and commercial-related activities to occur within this zone.
R4	Introduce a new LEP clause that allows for subdivision less than the minimum lot size in the rural zones for permitted land uses.
R5	Investigate options to allow for boundary adjustments between certain rural and environmental zones.
R6	Introduce additional provisions within Council's Development Control Plan regarding development within rural areas.
R7	Limit the expansion of urban land into adjoining rural lands that has the potential to create land use conflicts.
R8	Assess rural development proposals in accordance with relevant legislation, Acts and guidelines.
R9	Assess renewable energy proposals in accordance with the NSW Large-scale Solar Energy Guidelines for State Significant Development.

Environmental:

- E1 Review and ground truth current environmental zonings contained within the Land Zoning Map of the LEP to better reflect environmental conditions.
- E2 Review the Terrestrial Biodiversity Map, Groundwater Vulnerability, Riparian Lands and Watercourse Map and Wetlands Map of the LEP to better reflect environmental conditions.
- E3 Adopt a Riverfront area clause for the Murrumbidgee Council area.
- E4 Limit the expansion of urban land into adjoining environmentally sensitive lands that has the potential to create land use conflicts.
- E5 Require development proposals to consider the environmental impacts of vegetation removal in accordance with local and state government legislation and the recommendations of the Biodiversity Constraints Analysis for Murrumbidgee Council.
- E6 Require development proposal to consider impacts on matters of Aboriginal Cultural Heritage in accordance with the recommendations of the Aboriginal Cultural Heritage Review.
- E7 Prepare a Bushfire Prone Land map in association with the NSW RFS.
- E8 Require new development proposals to consider the provisions of *Planning for Bushfire Protection Guidelines 2019*.
- E9 Amend Schedule 5 and the Heritage maps of the LEP consistent with the recommendations of the Heritage Review Inventory Report.
- E10 Introduce additional provisions within Council's Development Control Plan regarding environmental protection and environmental lands.

4. Implementation

4.1. Future Actions

Below is a summary of the future actions proposed within the Murrumbidgee Land Use Plan, as well as whose responsibility it is to facilitate and undertake the action and the indicative timing.

It is noted that the land use planning recommendations of this Plan will be incorporated within the scheduled review of the Murrumbidgee and Jerilderie LEPs and DCP, which is to commence at the conclusion of this project (short term). Other actions will be undertaken ongoing by Council and other relevant government agencies as part of the development application process.

These action items have been broken down into subcategories comprising policy statements, LEP amendments and DCP amendments.

Table 38: Action Items: Policy Statements

Action No's.	Description	Responsibility	Timing
General			
DP1, C1, J1	Ensure a sufficient supply and range of residential zoned land to cater for expected demand.	Council	Short, Ongoing
DP3, C5, J5	Ensure short-term accommodation developments are appropriately designed and located to minimise impacts on surrounding residents.	Council	Ongoing
DP4, J6	Encourage infill development by exploring incentive strategies.	Council	Short, Ongoing
DP9, C6, J7	Continue to review community facilities and open space provisions within town, with gaps identified and strategies developed.	Council	Ongoing
DP10, C6, J8	Ensure zoning is flexible to allow for the establishment of community and recreation facilities within central locations that are accessible.	Council	Short
DP12, C8, J10	Retain flexible land use zoning in the main commercial centre to encourage a range of businesses.	Council	Short, Ongoing
DP14, DP15, C11	Encourage the establishment of a motel or short term stay accommodation development within the centre of town.	Council, Development industry	Ongoing
DP20, C13, J16, R1, E4	Limit residential and rural residential sprawl into established rural areas that has the potential to create land use conflicts and undermine the viability of productive agricultural businesses.	Council	Ongoing
DP22, C14, J17, E5	Require development proposals to consider the environmental impacts of vegetation removal in accordance with local and state government legislation and the recommendations of the Biodiversity Constraints Analysis for Murrumbidgee Council.	Council, Biodiversity Conservation Division	Ongoing

DP24, C16, J20, E6	Require development proposal to consider impacts on matters of Aboriginal Cultural Heritage in accordance with the recommendations of the Aboriginal Cultural Heritage Review.	Council, Biodiversity Conservation Division	Ongoing
DP26, C17, J24, E7	Prepare a Bushfire Prone Land map in association with the NSW RFS.	Council, Rural Fire Service	Short
DP26, C18, J25, E8	Require new development proposals to consider the provisions of Planning for Bushfire Protection Guidelines 2019.	Council, Rural Fire Service	Ongoing
DP28, C20, J24	Finalise and adopt the recommended actions of the Integrated Water Cycle Management Strategy.	Council, Public Works Advisory	Short
DP29, C21, J25	Ensure that new developments make an appropriate contribution towards the provision or augmentation of infrastructure consistent with Council's adopted Infrastructure Contributions Plans.	Council	Ongoing
DP27, C22, J26	Ensure that development occurs in a staged and logical sequence to minimise pressures on infrastructure.	Council	Ongoing
R8	Assess rural development proposals in accordance with relevant legislation, Acts and guidelines.	Council	Ongoing
R9	Assess renewable energy proposals in accordance with the NSW Large-scale Solar Energy Guidelines for State Significant Development.	Council	Ongoing
Darlington Point			
DP5	Locate residential development outside of flood prone areas and investigate opportunities to extend current flood levee system.	Council	Short, Ongoing
DP11	Establish a new public open space area on the western side of town to service the proposed residential development in this area.	Council	Medium-Long
DP13	Encourage the development of land currently bordered by Demamiel Street, Carrington Street, Hay Road and a public laneway for commercial purposes.	Council, Development industry	Ongoing
DP17	Investigate opportunities to create a transport depot or truck interchange or parking area near the Sturt Highway and Kidman Way interchange.	Council, Transport for NSW	Short
DP21	Adopt the recommendations of the Darlington Point Flood Risk Management Study and Plan including the introduction of a Flood Planning Map for the township.	Council, Department of Planning, Industry and Environment	Short

Coleambally			
C7	Investigate alternative sites for the proposed Coleambally Lake project.	Council	Short-medium
C10	Establish a new public open space area on the western side of town to service the proposed residential development in this area.	Council	Medium-Long
C9	Encourage new commercial development to occur within the main commercial centre of town around Brolga Place and Kestrel Road.	Council	Ongoing
C12	Monitor demand for industrial zoned land and develop currently undeveloped industrial land to satisfy demand.	Council	Short, Ongoing
Jerilderie			
J22	Locate residential development outside of flood prone areas.	Council	Short, Ongoing
J12	Encourage new commercial development to occur within the main commercial centre of town around Jerilderie Street.	Council	Ongoing

Table 39: Action Items: LEP Amendments

Action No.	Description	Responsibility	Timing
General			
R1	Adopt a consistent minimum lot size for the RU1 Primary Production Zone, being 200 hectares.	Council	Short
R2	Review the range of permitted and prohibited land uses within the RU1 Primary Production Zone and ensure consistency between the former Murrumbidgee and Jerilderie council areas.	Council	Short
R3	Investigate opportunities for an 'open' land use table for the RU1 Zone to allow greater flexibility for industrial and commercial-related activities to occur within this zone.	Council	Short
R4	Introduce a new LEP clause that allows for subdivision less than the minimum lot size in the rural zones for permitted land uses.	Council	Short
R5	Investigate options to allow for boundary adjustments between certain rural and environmental zones	Council	Short
E1	Review and ground truth current environmental zonings contained within the Land Zoning Map of the LEP to better reflect environmental conditions.	Council	Short
DP23, C15, J18, E2	Review the Terrestrial Biodiversity Map, Groundwater Vulnerability, Riparian Lands and Watercourse Map and Wetlands Map of the LEP to better reflect environmental conditions.	Council	Short
E3	Adopt a Riverfront area clause for the Murrumbidgee Council area.	Council	Short
DP27, C19, J21, E9	Amend Schedule 5 and the Heritage maps of the LEP consistent with the recommendations of the Heritage Review Inventory Report.	Council, Heritage Branch	Short
Darlington Point			
DP2	Rezone land to the west of the main township on the northern side of Britts Road to R2 Low Density Residential with a 5,000m ² minimum lot size.	Council	Short
DP3	Rezone land to the west of the main township on the southern side of Britts Road to R5 Large Lot Residential with a 2 hectare minimum lot size.	Council	Short
DP4	Rezone the Darlington Point Sports Oval to RU5 Village Zone with a 600m ² minimum lot size.	Council	Short
DP5	Rezone a small portion of land above the flood level at the southern end of Darlington Street to R2 Low Density Residential with a 5,000m ² minimum lot size.	Council	Short
DP15	Rezone land on the intersection of the Kidman Way and Sturt Highway to IN1 General Industrial and/or B6 Enterprise Corridor.	Council	Short
DP31	Rezone Council Sewerage Treatment Plant and Waste Management Centre SP2 Infrastructure.	Council	Short

DP21	Rezoning environmental lands adjoining the Murrumbidgee River to E3 Environmental Management.	Council	Short
DP25	Adopt the recommendations of the Darlington Point Flood Risk Management Study and Plan including the introduction of a Flood Planning Map for the township.	Council	Short
Coleambally			
C2	Rezoning land to the south west of Coleambally for to RU5 Village with a 600m ² minimum lot size.	Council	Short
C3	Rezoning land on the corner of Kingfisher Avenue and Pine Drive to RU5 Village with a 600m ² minimum lot size.	Council	Short
C4	Rezoning land to the south of Lovegrove Road to R5 Large Lot Residential with a 2 hectare minimum lot size.	Council	Short
C5	Rezoning land to the south of Kyola Road to R5 Large Lot Residential with a 5 hectare minimum lot size.	Council	Short
C9	Rezoning the Coleambally golf club and Lions Park to RE1 Public Recreation.	Council	Short
C25	Rezoning Council Sewerage Treatment Plant and Cemetery SP2 Infrastructure.	Council	Short
C21	Rezoning densely vegetated reserves to the north and south of Coleambally to E3 Environmental Management.	Council	Short
Jerilderie			
J2	Rezoning land to the immediate west of Wunnamurra Estate to RU5 Village with the exception of a small flood runner/back water.	Council	Short
J3	Rezoning land north of Showground Road to R5 Large Lot Residential.	Council	Short
J4	Rezoning RU5 Village zoned located either side of Billabong Creek identified as a floodway to E3 Environmental Management.	Council	Short
J9	Rezoning the existing Legacy Units and Jerilderie Fire Station located on the western side of Southey Street from IN1 General Industrial to RU5 Village.	Council	Short
J14	Rezoning land generally bound by Coonoong Street and Jerilderie Oaklands Road from RU1 Primary Production to IN1 General Industrial.	Council	Short
J15	Rezoning land north east of Jerilderie from RU1 Primary Production to IN1 General Industrial. Only rezoning once demand warrants.	Council	Short
J19	Adopt the recommendations of the Jerilderie Flood Study including the introduction of a Flood Planning Map for the township.	Council	Short

Table 40: Action Items: DCP Amendments

Action No.	Description	Responsibility	Timing
General			
C12, J12	Introduce new building and planning controls within the DCP that sets minimum design standards for the construction of new buildings or alterations and additions to existing buildings. Particular attention should be paid to commercial and industrial developments.	Council	Short
R6	Introduce additional provisions within Council's DCP regarding development within rural areas.	Council	Short
E10	Introduce additional provisions within Council's DCP regarding environment protection and environmental lands including vegetation clearing.	Council	Short
G1	Introduce new building and planning controls within the DCP that sets minimum design standards for the construction of short term accommodation including shipping containers and transportables.	Council	Short
G2	Introduce minimum engineering design guidelines for urban development.	Council	Short
G3	Introduce a new control that requires any request for on-site effluent disposal to be accompanied by a Land Capability Assessment.	Council	Short
G4	Introduce minimum information requirements for development applications.	Council	Short
G5	Update and amend the heritage protection guidelines.	Council	Short
G6	Incorporate new controls in relation to natural hazards (bushfire, flooding, land contamination).	Council	Short
Darlington Point			
DP16	Incorporate specific controls into the DCP to ensure an appropriate interface is achieved between industrial development and the Sturt Highway including vehicular access, building design, setbacks, landscaping and signage.	Council	Short, Ongoing
DP17	Incorporate specific controls into the DCP regarding the development of the main commercial centre of Darlington Point.	Council	Short
Coleambally			
C22	Incorporate specific controls into the DCP to ensure development adjoining the large environmental reserves provides an appropriate interface to these public lands.	Council	Short
Jerilderie			
DP13	Incorporate specific controls into the DCP to ensure an appropriate interface is achieved between residential development and Conargo Road including interface treatments and subdivision design.	Council	Short, Ongoing

Appendix A: Biodiversity Constraints Analysis

Appendix B: Aboriginal Cultural Heritage Assessment

Appendix C: Heritage Review Inventory Report

Appendix D: Consistency with Riverina Murray Regional Plan 2036

Table 41: Consistency with Riverina-Murray Regional Plan

Goal, Direction & Action Title	Relevance to Land Use Plan	Consistency
Goal 1 – A connected and prosperous economy		
Direction 1 – Protect the region's diverse and productive agricultural land.	Large parts of the Murrumbidgee Local Government Area are zoned for rural purposes.	The Land Use Plan primarily supports the productive rural lands of the Murrumbidgee council area despite the fact that it proposes modest urban expansion at the peripheral/fringe of the three main townships. Whilst it is acknowledged that the Plan seeks to rezone RU1 Primary Production zoned land adjoining the three main townships an assessment of this land has been undertaken in accordance with the agricultural capability and class rating. Specifically, the land soil capability class of agricultural land surrounding Darlington Point is identified as Class 4 – Moderate to severe limitation and Class 5 – Severe limitations. At present this land immediately adjoins the main urban centre and is used for broadacre (albeit low-scale) agriculture. The total land proposed for rezoning comprises 238 hectares spread across 6 different landholdings of varying quality and condition. The land soil capability class of agricultural land within and surrounding Coleambally is identified primarily as Class 6 – Very severe limitation, which is reflective of the fact that large portions of it contain native vegetation, which limit its agricultural capability. The land is used for small scale broadacre agriculture and the total land proposed for rezoning for residential purposes comprises 50 hectares. Of the remaining land proposed to be rezoned, the zoning is considered to be reflective of the lands' current use (such as the sewerage treatment plant) or environmental features. Lastly, the land soil capability class of agricultural land within and surrounding Jerilderie is identified Class 4 – Moderate to severe limitations and Class 5 – Severe limitations. The land is used for small scale broadacre agriculture and the total land proposed for rezoning comprises 136 hectares. Overall, the proposed modest reduction of rural zoned land is considered to be acceptable given the agricultural classification of the land, its location and generally fragmented nature. The rezoning of this land has also been carefully selected so as to avoid land use conflicts with adjoining productive agricultural lands. Outside of these proposed rezoning changes the Land Use Plan seeks to ensure consistency between the current Murrumbidgee and Jerilderie LEP's, which vary in terms of their rural controls (minimum lot size, LEP provisions). Furthermore, the Land Use Plan recommends introducing several new local provisions to help support development in rural areas.

Goal, Direction & Action Title	Relevance to Land Use Plan	Consistency
		Specifically, these include the introduction of a new local provision regarding exceptions to rural subdivisions to allow permitted developments on rural zoned land (except for dwellings)(see Clause 4.2C of the Albury LEP). Similarly, the Plan also recommends introducing a new local provision to allow for boundary adjustments between certain rural and environmental zones, again to allow for the greater flexibility of development within these rural areas (see Clause 4.2G of the Griffith LEP). In addition, it is also recommended that Council adopt an 'open zone' for the rural areas. That is, one where a broad variety of land uses can be considered, which allows for greater flexibility.
Direction 2 – Promote and grow the agribusiness sector.	Applies as the Land Use Plan seeks to amend the range of permitted agricultural land use types.	The Land Use Plan is consistent with this direction as it recommends adopting an 'open zoning' for the rural zoned lands. In doing so, this will provide for a wider range of supportive and complementary uses such as agricultural produce industries, artisan food and drink industries to be established. The Plan also recommends rezoning additional land at key strategic locations for industrial purposes to support and encourage agricultural-related businesses such as manufacturing/production and logistics.
Direction 3 – Expand advanced and value-added manufacturing.	Applies as the Land Use Plan seeks to amend the range of permitted land use types.	Complies, as the Land Use Plan seeks to rezone additional land for industrial and commercial purposes. In particular, it is noted that Darlington Point currently does not currently have a dedicated industrial area, which is deterring new businesses from establishing and resulting in the establishment of large scale industries in inappropriate locations.
Direction 4 – Promote business activities in industrial and commercial areas.	Applies as the Land Use Plan recommends changes to the main commercial centres.	Complies, one of the key outcomes of the Land use Plan is to reinforce and strengthen the economic viability of the main commercial centres of each of the townships. As outlined above, the Plan recommends zoning additional land for industrial purposes and recommends retaining the current RU5 Village zone so as to maximise flexibility in the land use planning system. Furthermore, as part of the review of Council's DCP, additional controls will be included that provides further details and guidelines for where commercial and industrial development is to be encouraged, as well as setting minimum design requirements to ensure that appropriate outcomes are achieved.
Direction 5 – Support the growth of the health and aged care sectors.	Applies as the Land Use Plan provides population growth estimates.	As part of the preparation of the Land Use Plan, a demographic analysis was undertaken. Murrumbidgee like the remainder of Australia is experiencing an ageing of its population, which will increase into the future.

Goal, Direction & Action Title	Relevance to Land Use Plan	Consistency
		As a result, this will place additional demands on additional facilities and services, namely health and aged care. Given the modest growth projected for each of the townships there is enough capacity within these systems to accommodate additional growth from a health care perspective. It is recommended however that additional appropriate and adaptable aged care housing be provided within the main townships.
Direction 6 – Promote the expansion of education and training opportunities.	Yes	The Land Use Plan does not derogate from this direction.
Direction 7 – Promote tourism opportunities.	Applies as the Land Use Plan identifies additional tourism opportunities	The Land Use Plan complies with this direction as it seeks to encourage and promote tourism within the three main townships and the wider Murrumbidgee area. Broadly speaking, the Plan seeks to strengthen the role of each of the townships and better promote the facilities that each has to offer. More specifically, it is also recommended that Council build upon its natural assets and promote opportunities for eco-tourism through the land use tables of the LEP. Similarly, an opportunity also exists to protect and promote heritage tourism opportunities by preserving items and areas of historical significance.
Direction 8 – Enhance the economic self-determination of Aboriginal communities.	Applies, as the Land Use Plan has regard to matters regarding Aboriginal Cultural Heritage.	The Murrumbidgee Council area has a rich cultural history that warrants protecting and promoting into the future. In particular, the local government area contains a number of state significant Aboriginal Cultural places including the Warrangesda Mission site. An Aboriginal Cultural Heritage Assessment has informed the recommendations of the Plan, which seek to avoid areas of significance and retain these for the ongoing self-determination of traditional landowners.
Direction 9 – Support the forestry industry.	Applies, as the Murrumbidgee Council area contains forestry land.	The Land Use Plan does not derogate from the aims of this direction as it does not seek to reduce the amount of forestry owned land and more broadly supports agricultural industries.
Direction 10 – Sustainably manage water resources for economic opportunities.	Yes, as the Murrumbidgee Council area contains a number of significant waterways.	The Land Use Plan is consistent with this direction as it seeks to manage and protect key waterways throughout the council area including the Murrumbidgee River and Billabong Creek. These waterways are already zoned for this purpose, however it is recommended that a new local provision be introduced to control development on river front areas. Both Darlington Point and Jindera are centred around water-based activities, which the Plan seeks to promote and enforce. A proposal was identified in Coleambally for the creation of a new recreational lake that would promote tourism, however the elected site contained a

Goal, Direction & Action Title	Relevance to Land Use Plan	Consistency
		large Threatened Ecological Community, which severely limited the ability to be able to develop this land. Matters regarding water supply and sustainability are also currently being investigated by Council and NSW Public Advisory as part of the preparation of an IWCM strategy. The initial discussion paper has identified a number of required works to the water supply system including the need to address water losses currently being experienced in the system.
Direction 11 – Promote the diversification of energy supplies through renewable energy generation.	Yes, as the Murrumbidgee Council area is located within a high solar generation area.	The Land Use Plan does not derogate from the aims of this direction as Murrumbidgee currently contains two state-significant solar farms and has approved a number of smaller solar farms. The Plan does however identify the need to ensure that renewable energy proposals do not result in the loss of highly productive agricultural land.
Direction 12 – Sustainably manage mineral resources.	Yes, as the Murrumbidgee Council area contains mineral resource	Complies, the Land Use Plan does not derogate from the aims of this direction as it does not propose any changes to existing mineral resource areas.
Goal 2 – A healthy environment with pristine waterways		
Direction 13 – Manage and conserve water resources for the environment.	Yes, as the Murrumbidgee Council area contains a number of water resources.	Complies. As outlined above, the Land Use Plan recommends introducing a new riverfront clause to provide for the ongoing protection of waterways.
Direction 14 – Manage land uses along key river corridors.	Yes, as the Land Use Plan seeks to rezone land adjoining river corridors.	The Land Use Plan is consistent with this direction despite seeking to rezone several parcels of land alongside river corridors in both Darlington Point and Jerilderie. Notwithstanding, the land proposed to be rezoned is setback from these waterways or located above the relevant flood height. The proposed areas for rezoning also avoids significant vegetation and areas of high cultural significance.
Direction 15 – Protect and manage the region's many environmental assets.	Yes, as the Land Use Plan seeks to rezone land for environmental purposes.	The Land Use Plan has been informed by the preparation of a shire wide biodiversity and Aboriginal cultural heritage assessment. In response, candidate rezoning sites were selected where they avoided areas of environmental significance and in some instances recommend rezoning land for environment protection in recognition of the environmental values of this land.

Goal, Direction & Action Title	Relevance to Land Use Plan	Consistency
Direction 16 – Increase resilience to natural hazards and climate change.		Whilst it is acknowledged that the Plan recommends amending the terrestrial biodiversity and wetlands map, this is in recognition of further more detailed environmental assessment that has been undertaken to better reflect the environmental conditions of the land.
Direction 16 – Increase resilience to natural hazards and climate change.	Yes, as the Land Use Plan addresses natural hazards	The Land Use Plan complies with this direction as it has given due consideration to the impacts of climate change, which are likely to result in more variable and extreme weather events such as flooding and bushfire. The land use zoning recommendations of the Plan have been informed by the preparation of flood studies for both Darlington Point and Jerilderie and seeks to avoid areas subject to natural hazards, particularly high hazard flooding. Specific development controls and flood maps will also be incorporated into the DCP to ensure that flooding is appropriately considered at the development application stage. In addition, the Land Use Plan also recommends that the bushfire prone land map for Murrumbidgee be amended consistent with recent changes to <i>Planning for Bushfire Protection Guidelines 2019</i>.
Goal 3 – Efficient transport and infrastructure networks		
Direction 17 – Transform the region into the eastern seaboard's freight and logistics hub.	Yes, as the Land Use Plan seeks to rezone land to encourage freight and logistics	The Land Use Plan complies with this direction as it seeks to rezone key strategic sites for the purposes of industrial or business development, namely freight or logistics. These sites are located alongside key transport corridors and can help grow and expand freight and logistics within the Murrumbidgee Council area.
Direction 18 – Enhance road and rail freight links.	Yes	The Land Use Plan does not derogate from the aims of this direction.
Direction 19 – Support and protect ongoing access to air travel.	Yes, as the Murrumbidgee Council area contains several airfields.	The Land Use Plan does not derogate from the aims of this direction and avoids locating development within proximity to identified aerodromes/airfields.
Direction 20 – Identify and protect future transport corridors.	Yes	The Land Use Plan will not affect future transport corridors. Furthermore, where development is proposed alongside key transport routes, local provisions will be included seeking to limit the number of access points onto these roadways.

Goal, Direction & Action Title	Relevance to Land Use Plan	Consistency
Direction 21 – Align and protect utility infrastructure investment.	Yes, as the Murrumbidgee Council area contains a number of utility infrastructure.	Complies, as the Land Use Plan seeks to rezone all of Council's key strategic infrastructure assets within an SP2 Infrastructure zone. This will ensure their ongoing protection and the Plan identifies appropriate buffer zones around these facilities so as preclude the establishment of sensitive land uses, which may limit their ability to operate. Also, as part of the preparation of the LUP, Council in association with the NSW Public Advisory are preparing an IWCM, which will identify existing capacity of Council's water and sewerage infrastructure and funding required to maintain an appropriate level of service.
Goal 4 – Strong, connected and healthy communities		
Direction 22 – Promote the growth of regional cities and local centres.	Yes, as the Land Use Plan seeks to promote growth.	The Land Use Plan is consistent with this direction as it seeks to promote and strengthen the economic role of each township, as well as the wider Murrumbidgee as a whole. To achieve this, the Plan recommends rezoning additional land for residential, commercial and industrial development, which will support population growth and business development. The Plan also seeks to protect areas of environmental and cultural significance, promote tourism and identify key opportunities and constraints. The Land Use Plan adopts a number of different population projections, which indicate that the population is likely to remain steady or slightly increase, particularly in response to large scale renewable energy projects and new and emerging agricultural industries. By rezoning additional land, this will strengthen and promote the growth of these small rural townships.
Direction 23 – Build resilience in towns and villages.	Yes, as the Land Use Plan identifies a number of land use planning recommendations.	The Land Use Plan seeks to build resilience in each of the townships by maintaining flexible land use zonings. In addition, the Plan also recommends adopting 'open zones' and removing barriers to development and inconsistencies between the two LEPs that currently apply to the newly amalgamated Murrumbidgee local government area. The Plan identifies and avoids areas of environmental and cultural significance, as well as areas subject to natural hazards. Infrastructure provision and servicing has also been investigated and in some instances such as Darlington Point, larger lot sizes are proposed as this does not place additional demands on Council's sewerage supply infrastructure.
Direction 24 – Create a connected and competitive	Not applicable	Murrumbidgee is not a cross-border community.

Goal, Direction & Action Title	Relevance to Land Use Plan	Consistency
environment for cross-border communities.		
Direction 25 – Build housing capacity to meet demand.	Yes, as the Land Use Plan identifies future housing needs.	The Land Use Plan is consistent with this direction as it identifies existing and projected housing needs. When using Council's high growth population projection, an additional approximate 250 new dwellings will need to be constructed up to 2041 across the three townships. In order to cater for this expected growth, the Land use Plan identifies additional residential zoned land on the peripheral of each of the three townships or via infill development. A supply and demand analysis has been undertaken for residential land and the Plan aims to achieve a good level of supply to cater for any unforeseen or significant increases in population. Furthermore, the Plan seeks to provide for a range of housing products, particularly in Darlington Point to cater for demands for more low density (5,000m²) or large lot residential (2ha) land, which are currently not available. In doing so, this expands the range of available housing types and provides a point of difference to encourage persons to move to the Murrumbidgee area in recognition of the lifestyle opportunities it presents.
Direction 26 – Provide greater housing choice.	Yes, as the Land Use Plan provides a greater choice of housing	Complies, as outlined above, the Land Use Plan seeks to provide for a wider range of residential product outside of traditional urban (600m²) and rural (100ha+) options by introducing new R2 and R5 zoned areas. This fills the 'missing middle' that is not currently available and also reduces pressures on infrastructure and is more reflective of the rural lifestyle amenity that the Murrumbidgee council area provides. The Plan also identifies the need for additional aged care housing and ageing in place, as well as options to encourage infill development within the main townships.
Direction 27 – Manage rural residential development.	Yes, as the Land Use Plan recommends rural residential development	The Land Use Plan is consistent with this direction as it seeks to manage and avoid land use conflicts associated with rural residential development. An analysis of each of the three townships has been undertaken and areas proposed for either conventional residential or large lot residential purposes have been carefully selected so as to avoid highly productive agricultural lands or the creation of land use conflicts.

Goal, Direction & Action Title	Relevance to Land Use Plan	Consistency
Direction 28 – Deliver healthy built environments and improved urban design.	Yes, as the Land Use Plan recommends urban design controls.	The Plan identifies the long term future residential needs for Murrumbidgee (50+ years) and therefore seeks to avoid land speculation or land banking generally associated with rural residential development. The Land Use Plan is consistent with this direction as it recognises the need to ensure a high level of building design and amenity. In response, it is recommended that Council amend its DCP to include new/updated building design requirements, including specific controls for strategic sites that adjoin key transport corridors. The Plan also investigates the open space needs of the community in accordance with the NSW Government's <i>Draft Greener Places Design Guide</i>. As a result, it is recommended that a new local park be established within both Darlington Point and Coleambally to serve the future needs of the community. This open space area will need to comply with the 6 key performance indicators of the Guide and generally be located within 400m / 5 minutes walking distance of users.
Direction 29 – Protect the region's Aboriginal and historic heritage.	Yes, as the Land Use Plan seeks to protect areas of cultural heritage.	The Land Use Plan is consistent with this direction as it has been underpinned by the recommendations of a cultural heritage assessment prepared for the wider Murrumbidgee council area. As outlined within Section 2, the Murrumbidgee Council area has strong associations with traditional landowners, being the Wiradjuri people with a large number of registered Aboriginal sites recorded for the Murrumbidgee area, particularly in Darlington Point due to its location alongside a permanent water source. A predictive archaeological model was prepared to draw general conclusions about the likelihood of cultural heritage remains in an area based on the archaeological and landscape contexts. In response, the proposed rezoning sites have been selected as they avoid areas of either identified cultural significance or sites with a medium to high likelihood of containing items of Aboriginal cultural significance. Consequently, the Land Use Plan is consistent with this direction.

Appendix E: Consistency with Section 9.1 Ministerial Directions

Table 42: Consistency with Ministerial Directions

No.	Title	Applicable to Land Use Plan	Consistency
1. Employment and Resources			
1.1	Business and Industrial Zones	Yes, as the Land use Plan seeks to rezone land for commercial and industrial purposes.	The Land Use Plan is consistent with the aims and objectives of this direction as it seeks to encourage employment growth in suitable locations, protects employment and industrial zoned land and will support the viability of identified centres. The Plan does not propose to reduce the area of industrial or commercial zoned land and in fact seeks to rezone more land for this purpose. More specifically, an industrial supply and demand analysis has been undertaken for each of the three townships. This analysis found that there is an adequate supply of industrial zoned land within Coleambally and there is no need to rezone additional lands in the short to medium term (pending demand). The analysis did however identify the need to rezone industrial lands in both Darlington Point and Coleambally. In particular, it is noted that Darlington Point currently has no designated industrial zoned land, which as a result is discouraging the establishment of new industrial businesses within the town. In addition, this has resulted in the establishment of a number of industrial businesses within the village zone immediately adjacent to sensitive land uses (houses), which is creating amenity impacts such as visual appearance, traffic, noise, dust, odour and the like. For this reason, it is recommended that a new IN1 General Industrial zone be established at the intersection of the Kidman Way and Sturt Highway. This land is strategically located on a key transport route, is not subject to any environmental or natural hazards and is well-separated from the main townships so as to avoid issues of land use conflicts. It is noted that council has already received strong interest for the development of industrial zoned land and the proposed rezoning will satisfy this demand. The rezoning of this land is also consistent with the recommendations of a structure plan previously prepared for this township. Similarly, the Land Use Plan recommends rezoning additional lands within Jerilderie for industrial purposes. Whilst it is acknowledged that Jerilderie already has a level of industrial land supply, it is noted that much of the remaining undeveloped land is held in public ownership (railcorp/ARTC) and is therefore unable to be developed in the short to medium term. The rezoning of additional industrial zoned land will ensure that there is choice in industrial land supply. Matters regarding commercial land have also been considered. It is noted that each of the three main townships are zoned RU5 Village which provides for a variety of land use types and the Land Use Plan does not recommend changing this so as to retain flexibility in land use planning. It is recommended however that the DCP be amended to include additional urban design controls for both commercial and industrial development to ensure that an appropriate built form is achieved.

No.	Title	Applicable to Land Use Plan	Consistency
1.2	Rural Zones	Yes, as the Land Use Plan seeks to rezone rural zoned land	The aims and objectives of this direction are to protect the agricultural production value of rural land. Whilst it is acknowledged that the Land Use Plan recommends rezoning rural zoned land for urban purposes (residential, commercial, industrial) this is considered justifiably inconsistent in this instance for the reasons outlined below. Whilst it is acknowledged that the Plan seeks to rezone RU1 Primary Production zoned land adjoining the three main townships an assessment of this land has been undertaken in accordance with the agricultural capability and class rating. Specifically, the land soil capability class of agricultural land surrounding Darlington Point is identified as Class 4 – Moderate to severe limitation and Class 5 – Severe limitations. At present this land immediately adjoins the main urban centre and is used for broadacre (albeit low-scale) agriculture. The total land proposed for rezoning comprises 238 hectares spread across 6 different landholdings of varying quality and condition. The land soil capability class of agricultural land within and surrounding Coleambally is identified primarily as Class 6 – Very severe limitation, which is reflective of the fact that large portions of it contain native vegetation, which limit its agricultural capability. The land is used for small scale broadacre agriculture and the total land proposed for rezoning for residential purposes comprises 50 hectares. Of the remaining land proposed to be rezoned, the zoning is considered to be reflective of the lands' current use (such as the sewerage treatment plant) or environmental features. Lastly, the land soil capability class of agricultural land within and surrounding Jerilderie is identified Class 4 – Moderate to severe limitations and Class 5 – Severe limitations. The land is used for small scale broadacre agriculture and the total land proposed for rezoning comprises 136 hectares. Overall, the proposed modest reduction of rural zoned land is considered to be acceptable given the agricultural classification of the land, its location and generally fragmented nature. The rezoning of this land has also been carefully selected so as to avoid land use conflicts with adjoining productive agricultural lands. The Land Use Plan is also generally consistent with the aims and objectives of the Riverina-Murray Regional Plan as it promotes and supports productive agricultural lands and agri-business through more flexible land use provisions, whilst also ensuring consistency across the two LEP's that apply to the recently amalgamated Murrumbidgee Council area. Consequently, the proposed land zoning and minimum lot size recommendations of the Land Use Plan are considered minor given the relatively low productive agricultural value of the land.
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable as the Land Use Plan does not impact on	Not applicable.

No.	Title	Applicable to Land Use Plan	Consistency
1.4	Oyster Aquaculture	Not applicable as the Murrumbidgee council area is not within a Priority Oyster Aquaculture Area.	Not applicable.
1.5	Rural Lands	Yes, as the Planning Proposal affects land within an existing rural zone.	The Direction requires that the planning proposal must: a) <i>be consistent with any applicable strategic plan, including regional and district plans endorsed by the Secretary of the Department of Planning and Environment, and any applicable local strategic planning statement</i> b) <i>consider the significance of agriculture and primary production to the State and rural communities</i> c) <i>identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources</i> d) <i>consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions</i> e) <i>promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities</i> f) <i>support farmers in exercising their right to farm</i> g) <i>prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land uses</i> h) <i>consider State significant agricultural land identified in State Environmental Planning Policy (Primary Production and Rural Development) 2019 for the purpose of ensuring the ongoing viability of this land</i> i) <i>consider the social, economic and environmental interests of the community.</i> The planning proposal can be considered to satisfy these requirements for the following reasons: a) it is consistent with the Riverina-Murray Regional Plan 2036 prepared by the Department of Planning (see Attachment B) and particularly Goal 4 – Strong, connected and healthy communities; b) the subject land is generally classified as Classes 4-6 on the land soil capability mapping and therefore does not represent state-significant agricultural land. This land is only being used for small scale broadacre agriculture and its development for alternative uses will have a positive impact on the small townships and wider Murrumbidgee council area;

No.	Title	Applicable to Land Use Plan	Consistency
			c) the subject land is cleared of vegetation and has been selected as it represents low quality environmental lands consistent with the recommendations of a biodiversity constraints analysis and relevant environmental mapping prepared by the NSW state government; d) the land is not constrained in terms of natural hazards including bushfire and flooding and has limited other physical constraints; e) given the size of these landholdings there is little opportunity for agricultural innovation and investment given the small size of the property and surrounding urban development; f) the subject lands are not part of a commercial farming operation (that would require protection) and will not adversely affect any adjoining commercial farming operations; g) the land is already highly fragmented and a land use conflict assessment has been undertaken, which confirms that the development of this rural land for urban purposes will not create conflicts with adjoining agricultural operations; h) the subject land is not identified as State significant; and i) there will be a net benefit to the townships of Darlington Point, Coleambally and Jerilderie through an increase in population. Having regard for the above, the proposal is considered to be justifiably inconsistent with this Direction.
2.	Environment and Heritage		
2.1	Environment Protection Zones	Yes, as this direction applies to all Planning Proposals (Land Use Plan).	The Land Use Plan is consistent with this direction as it seeks to avoid and protect areas of environmental significance. A biodiversity constraints analysis was prepared for the entire Murrumbidgee Council area to identify areas of environmental significance. Consequently, the land use planning recommendations of the Plan seek to avoid areas of environmental significance to ensure the ongoing protection of this land. Specifically, this largely includes cleared land consistent of Category 1 land under the LLS Act. In addition, the Land Use Plan also recommends back-rezoning certain lands, namely in Darlington Point and Coleambally to E3 Environmental Management to ensure this land is protected ongoing and to better reflect the environmental values of this land. Much of this land contains dense vegetation and threatened ecological communities and is inappropriate for development or held in public ownership. Whilst it is acknowledged that the Plan does recommend reviewing the Terrestrial biodiversity and wetlands maps, this is in recognition of the fact that these maps have not been ground truthed and apply in some instances to urban zoned land that does not contain any recognised environmental features.

No.	Title	Applicable to Land Use Plan	Consistency
			Similarly, a separate request has also been made to the Biodiversity Conservation Division of DPIE seeking a review of the Biodiversity Map as it relates to land in Jerilderie (Coonong Road). See Appendix A for further details.
2.2	Coastal Management	Not applicable as the Murrumbidgee council area is not within a coastal zone.	Not applicable.
2.3	Heritage Conservation	Yes, as this Direction applies to all Planning Proposals (Land Use Plan)	The Land Use Plan is consistent with the aims and objectives of this direction as it seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. Specifically, a Heritage Review Inventory Report has been prepared by a qualified heritage consultant to review the current heritage listings contained within the LEP and identify any additional sites that warrant inclusion. Upon review, this report recommends including a number of new heritage items within Schedule 5 and the heritage maps of the LEP. It is also recommended that a new heritage conservation area be established for Darlington Point. Consequently, the Land Use Plan seeks to implement the recommendations of this heritage review to ensure that items of heritage significance are protected and maintained ongoing. Similarly, a cultural heritage report has also been prepared for the Murrumbidgee Council area. This report undertook a review of registered heritage sites and established a predictive model for the local government area. An assessment of each of the candidate rezoning sites was undertaken from a cultural heritage perspective. Only those sites that had a low likelihood of containing items of Aboriginal cultural significance were subsequently proposed for rezoning with other alternative sites retained within their current zoning.
2.4	Recreation Vehicle Areas	Yes, as this Direction applies to all Planning Proposals.	The Land Use Plan is consistent with this direction because it does not advocate the designation of land as a recreation vehicle area pursuant to an order in force under section 11 (1) of the <i>Recreation Vehicles Act 1983</i> .
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs.	Not applicable to the Murrumbidgee Local Government Area.	Not applicable.

No.	Title	Applicable to Land Use Plan	Consistency
2.6	Remediation of Contaminated Land	Yes, as the Land Use Plan applies to land that has been used for a purpose referred to in Table 1 to the contaminated land planning guidelines.	The Land Use Plan is justifiably inconsistent with this direction as it seeks to rezone certain land that has previously been used for a purpose referred to in Table 1 to the contaminated land planning guidelines. It is noted that each of the sites proposed to be rezoned comprises former broadacre grazing or cropping land. A historical search of council records has not identified any of this land as being contaminated nor is there any physical evidence to suggest that the land is contaminated. Despite the lack of evidence to suggest any land contamination, consistent with the requirements of State Environmental Planning Policy No. 55 – Remediation of Land it is recommended that a preliminary site investigation be submitted as part of the development application process, where a change of use to a more sensitive use is proposed. Notwithstanding the above, it is noted that proposed candidate rezoning site J1 in Jerilderie located adjacent to the Wunnamurra Estate contains evidence of former sheep dips. Consequently, the zoning of this land has been amended to avoid this area and it is recommended that a detailed site investigation (DSI) be prepared prior to any development occurring on-site.
3. Housing, Infrastructure and Urban Development			
3.1	Residential Zones	Yes, as the Land Use Plan seeks to rezone land for residential purposes.	The Land Use Plan is consistent with the aims and objectives of this direction as it seeks to encourage a range of housing types, makes efficient use of infrastructure and minimise impacts of urban land on rural and environmental lands. A residential supply and demand analysis has been prepared for each of the townships identifying the existing level of supply and proposed additional residential land supply. Following the completion of this assessment, it is recommended that additional lands be rezoned to cater for the long term needs of each of the townships. Specific details regarding each of these have been outlined in Section 3.1-3.3 and are discussed below. The Land Use Plan recommends rezoning additional lands on the western side of Darlington Point. In recognition of the relatively large supply of RU5 zoned land (600m² minimum lot size) it is recommended that additional residential lands be zoned R2 Low Density Residential with a 5,000m² minimum lot size and R5 Large Lot Residential with a 2ha minimum lot size. It is noted that at present, Darlington Point does not have any supply of R5 zoned and the Land Use Plan seeks to address this land supply shortage. Similarly, in recognition of the lifestyle and amenity values that Darlington Point brings and to provide an alternative residential product to other nearby towns including Griffith and Leeton, it is recommended that council introduce a new R2 zone with a 5,000m² minimum lot size. The introduction of this new zone will provide greater diversity in the housing market and also places less pressure on infrastructure and services as effluent can be disposed of on-site.

No.	Title	Applicable to Land Use Plan	Consistency
			Other sites proposed for rezoning include the Darlington Point football ground and land at the southern end of Darlington Street. Both of these sites represent infill development that is located above the relevant flood height. In Coleambally, it is proposed to rezone additional RU5 zoned land to the south west of the main township. This area already adjoins land that is zoned for residential purposes, but is yet to be developed. The development of this land will form an extension of this area and has access to relevant infrastructure and services subject to augmentation and extension. The Plan also recommends zoning additional lands to the south of Lovegrove Road to an R5 zone consistent with the existing development pattern in this area. Reticulated water and road access is already available to this land and the lot sizes proposed mean that sewerage can be disposed of on-site with further extensions. Lastly, the Land Use Plan recommends rezoning land on the western side of Jerilderie RU5 with a 600m² minimum. The rezoning of this land will form an extension of the adjoining Wunnermara estate, which council is currently developing. All of stage 1 of this subdivision has been sold and so too has a portion of stage 2. The rezoning of this land will cater for the medium to long term needs of the community. In addition, the Plan also recommends rezoning land on the northern side of Showground Road south of Wilson Road to R5 Large Lot Residential. This area is already fragmented and adjoins land developed for residential lifestyle purposes.
3.2	Caravan Parks & Manufactured Home Estates	Yes, as this Direction applies to all Planning Proposals (and Land Use Plan)	The Land Use Plan is consistent with this Direction because it does not reduce the opportunities for caravan parks and manufactured homes estates on land nor does it seek to rezone land currently being used a caravan park or manufactured homes estate.
3.3	Home Occupations	Revoked 9 November 2020	Not applicable.
3.4	Integrating Land Use and Transport	Yes, as the Land Use Plan seeks to rezone land for residential, commercial, industrial and tourist purposes.	The Land Use Plan applies to the entire Murrumbidgee Local Government Area and primarily aims to strength and reinforce the role of each of the main townships so as to appropriately cater for the future needs of these communities. As a result, the Plan identifies additional land proposed to be rezoned for residential, commercial, industrial and tourist purposes. Much of this land immediately adjoins the main urban areas of these townships and forms an extension of existing urban development, thereby ensuring that the sites are easily accessible in terms of facilities and services. The land is unconstrained in terms of natural hazards and can be serviced with relevant infrastructure and services. Similarly, an assessment of public open space has been undertaken and the Plan recommends establishing new open space areas in Darlington Point and Coleambally, which are within 5 minutes walking distance of users. Much of the land across Murrumbidgee is flat, thereby improving opportunities for

No.	Title	Applicable to Land Use Plan	Consistency
			alternative transport modes (walking, cycling). It is also recommended that the DCP be amended to include minimum engineering design requirements including the construction of footpaths in new residential estates. The Land Use Plan also recommends rezoning additional land for industrial purposes. These sites are located in strategic locations and adjoin major transport routes consistent with the recommendations of the Riverina-Murray Regional Plan. Notwithstanding, given the higher level role that these important roadways play, it is recommended that access to and from these classified roads be limited so as to ensure the safety and efficiency of these roads.
3.5	Development Near Regulated Airports and Defence Airfields	Not applicable, as the Murrumbidgee Local Government Area does not contain a regulated airport or defence airfield.	Not applicable, although it is noted that the Land Use Plan does seek to avoid development near established airfields.
3.6	Shooting Ranges	Yes, as the Land Use Plan applies to the entire Murrumbidgee Local Government Area which contains shooting ranges.	The Land Use Plan is consistent with this direction as it does not alter or remove any zone or provision relating to an existing shooting range of land adjoining a shooting range.
3.7	Reduction in non-hosted short term rental accommodation period	Not applicable to the Murrumbidgee Local Government Area.	Not applicable.
4. Hazard and Risk			
4.1	Acid Sulphate Soils	Yes, as the Murrumbidgee Local Government Area contains areas of acid sulphate soils.	The Land Use Plan is consistent with this direction as it does not seek to rezone or change the land use planning controls applicable to land classified as acid sulphate soils.
4.2	Mine Subsidence & Unstable Land	Not applicable, as Murrumbidgee does not	Not applicable.

No.	Title	Applicable to Land Use Plan	Consistency
4.3	Flood Prone Land	contain a Mine Subsistence District. Yes, as the Land Use Plan applies to flood prone land.	The proposed Land Use Plan is consistent with this direction as it has been informed by the recommendations of Flood Studies prepared for both Darlington Point (Murrumbidgee River) and Jerilderie and which comply with the floodplain development manual and relevant DPIE guidelines. Specifically, each of the candidate sites were chosen because they are either flood free or only comprise low level flood prone land (flood fringe) commensurate with their proposed use. All areas have two way access away from the hazard and no sensitive uses are proposed on high hazard flood prone land. For the most part only industrial or large lot residential development is proposed on low hazard flood prone land and these sites have been included as part of the relevant flood study. Following the completion of both of these flood studies, the Land Use Plan recommends introducing a flood planning area map that can either be included in the LEP or the DCP. It is also recommended that new controls be introduced into the DCP to control the development of flood prone land. Whilst it is acknowledged that the Plan recommends rezoning several sites that are classified as high hazard (floodway), the rezoning of this land is limited to environmental protection purposes and does not increase the development potential (and therefore risk) of this land. In addition, the Land Use Plan also recommends increasing the minimum subdivision lot size from 2ha to 8ha for several large undeveloped parcels adjoining Billabong Creek in Jerilderie that are subject to high hazard flooding and are located within a floodway. The increase in minimum lot size is considered to reflect the actual development potential of this land. See the relevant flood studies for further details.
4.4	Planning for Bushfire Protection	Yes, as the Land Use Plan seeks to rezone land that is identified or adjoins land mapped as bushfire prone.	The Land Use Plan is generally consistent with the aims and objectives of this direction. It is noted that at present, the Murrumbidgee Council area does not have an endorsed bushfire prone land map and relies on the bushfire mapping overlay contained within the NSW Planning Portal. Notwithstanding, matters regarding bushfire are considered on an individual case by case basis in accordance with the NSW RFS guideline titled: <i>Planning for Bushfire Protection Guidelines 2019</i> (PBP). Under these revised guidelines, an additional grassland hazard has been added that will need to be considered in the rezoning and development assessment process. The subject Land Use Plan is considered to be justifiably inconsistent with the aims and objectives of this direction as a constraints and opportunities analysis was undertaken as part of the preparation of the Land Use Plan including an identification of land use conflicts including bushfire. For the most part, the land proposed to be rezoned under this Plan is cleared and in most instances is classified as a grassland hazard.

No.	Title	Applicable to Land Use Plan	Consistency
			The Plan seeks to avoid areas of heavy vegetation and trees and generally adjoins the main urban areas of each township on land that is currently used for small-scale grazing or cropping. As a consequence, these areas have access to sealed roads, which can provide two way access away from the hazard, as well as a reticulated water supply, which can be used during times of a bushfire. The Land Use Plan also recommends amending the DCP to include additional controls regarding natural hazards including bushfire, that will require developments to comply with PBP. Specifically, this will include the establishment of relevant asset protection zones (APZs) within the development site and developments will be encouraged to provide appropriate interfaces such as roads or fire breaks between the hazard and the development site so as to achieve compliance with PBP. Notwithstanding the above it is recommended that before additional greenfield development occurs within Darlington Point that the existing reticulated water supply network be upgraded so as to achieve minimum fire fighting water pressure requirements. It is also noted that Council has also recently been in discussions with the NSW Rural Fire Service regarding the preparation of a new bushfire prone land map that complies with current day requirements and more accurately reflects the bushfire hazard as it applies to the Murrumbidgee council area.
5. Regional Planning			
5.1	Implementation of Regional Strategies	Revoked 17 October 2017.	Not applicable.
5.2	Sydney Drinking Water Catchment	Not applicable, as the land is not located within the Sydney Drinking Water Catchment.	Not applicable.
5.3	Farmland of State & Regional Significance on the NSW Far North Coast	Not applicable, does not apply to the Murrumbidgee Local Government Area.	Not applicable.
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable, as the subject land is not located within proximity to the Pacific Highway.	Not applicable.
5.5	Development in the Vicinity of Ellalong,	Revoked 18 June 2010.	Not applicable.

No.	Title	Applicable to Land Use Plan	Consistency
	Paxton and Millfield (Cessnock LGA)		
5.6	Sydney to Canberra Corridor	Revoked 10 July 2008.	Not applicable.
5.7	Central Coast	Revoked 10 July 2008.	Not applicable.
5.8	Second Sydney Airport: Badgerys Creek	Revoked 20 August 2018.	Not applicable.
5.9	North West Rail Link Corridor Strategy	Not applicable, does not apply to the Murrumbidgee Shire Local Government Area.	Not applicable.
5.10	Implementation of Regional Plans	Yes, as this Direction applies to all Planning Proposals (and Land Use Plan) that apply to land where a Regional Plan has been prepared.	The Land Use Plan is generally consistent with the goals, directions and actions as contained within the <i>Riverina-Murray Regional Plan 2036</i> for the reasons outlined in Appendix D. A full response in relation to this Regional Plan has been provided in Appendix D.
5.11	Development of Aboriginal Land Council Land	Not applicable, as the subject land is not identified on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019	Not applicable.
6. Local Plan Making			
6.1	Approval and Referral Requirements	Yes, as this Direction applies to all Planning Proposals (and Land Use Plan).	The Land Use Plan is consistent with this direction because it does not propose the inclusion or provision that requires the concurrence, consultation or referral of development applications to a Minister or a public authority and does not nominate any development as 'designated development'.

No.	Title	Applicable to Land Use Plan	Consistency
6.2	Reserving Land for Public Purposes	Yes, as this Direction applies to all Planning Proposals (and Land Use Plan).	The Land Use Plan is consistent with this Direction because it does not remove or propose any land for public purposes.
6.3	Site Specific Provisions	Not applicable as the Land Use Plan does not propose any site-specific provisions.	Not applicable.
7. Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney	Revoked 9 November 2020	Not applicable.
7.2	Implementation of Greater Macarthur Land Release Investigation	Revoked 28 November 2019.	Not applicable.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable, does not apply to the Murrumbidgee Local Government Area.	Not applicable.
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable, does not apply to the Murrumbidgee Local Government Area.	Not applicable.
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and	Not applicable, does not apply to the Murrumbidgee Local Government Area.	Not applicable.

No.	Title	Applicable to Land Use Plan	Consistency
	Infrastructure Implementation Plan		
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable, does not apply to the Murrumbidgee Local Government Area.	Not applicable.
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable, does not apply to the Murrumbidgee Local Government Area.	Not applicable.
7.8	Implementation of Western Sydney Aerotropolis Plan	Not applicable, does not apply to the Murrumbidgee Local Government Area.	Not applicable.
7.9	Implementation of Bayside West Precincts 2036 Plan	Not applicable, does not apply to the Murrumbidgee Local Government Area.	Not applicable.
7.10	Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable, does not apply to the Greater Murrumbidgee Local Government Area.	Not applicable.
7.11	Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable, does not apply to the Murrumbidgee Local Government Area.	Not applicable.
7.12	Implementation of Greater Macarthur 2040	Not applicable, does not apply to the Murrumbidgee Local Government Area.	Not applicable.

No.	Title	Applicable to Land Use Plan	Consistency
7.13	Implementation of the Pyrmont Peninsula Place Strategy	Not applicable, does not apply to the Murrumbidgee Local Government Area.	Not applicable.



Revised Transportable or Moveable Dwellings and Temporary Accommodation Policy

	Name	Position	Signature	Date
Responsible Officer	Garry Stoll	Director Planning, Community & Development		
Authorised By	John Scarce	General Manager		

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1. Policy Purpose

Transportable or moveable dwellings are important to the local economy as they can provide short term stay accommodation for seasonal workers, and tourist and visitors alike, as well as providing an alternative form of low-cost housing.

Notwithstanding, the use and development of land for transportable or moveable dwellings can have a negative impact on the amenity of neighbouring properties and the wider community in general if they are not appropriately planned and designed.

2. Policy Objective

The purpose of this policy is:

- a) To provide for a range of housing and accommodation types to meet the diverse needs of the regions' residents, visitors and seasonal workers;
- b) To outline the approval requirements for the installation of transportable or moveable dwellings used for the purposes of seasonal workers, tourist and visitor accommodation or alternative forms of small lot or low-cost housing;
- c) To set the minimum standards and requirements for the installation of transportable or moveable dwellings; and
- d) To ensure that the installation of transportable or moveable buildings do not detract from the overall appearance and amenity of an area.

3. Approval Process

The installation of transportable buildings and structures requires the following approvals:

- a) Development consent under the Environmental Planning & Assessment Act 1979 for the use of the land;
- b) Section 68 approval under the Local Government Act 1993 for the installation of the individual transportable or moveable dwellings or "dongas";
- c) Section 68 approval under the Local Government Act 1993 for the installation of any on-site sewage management system, such as a septic tank or aerated waste treatment system;
- d) Construction Certificate, where a proposed building or structure will be constructed on-site.

4. Guiding Principles

In assessing any application for the installation of transportable or moveable dwellings or temporary accommodation, applicants will need to demonstrate to Council, and Council will need to be satisfied, that the proposal meets the following principles:

4.1 Management

- (a) Development for the purposes of seasonal workers or tourist and visitor accommodation shall have either:
 - i. an on-site manager or supervisor present at all times; or
 - ii. an on-call manager available by telephone and within 10 minutes from the site and who can attend the site when required.

- (b) A site management plan shall be prepared prior to the use of the site. The purpose of the plan is to establish performance criteria for various aspects of the operations of the premises so as to minimise potential for impacts on the amenity of the surrounding neighbourhood. The site management plan shall address:
- i. Amenity of neighbourhood;
 - ii. Noise;
 - iii. Deliveries;
 - iv. Waste removal (including sewage and garbage);
 - v. Site management;
 - vi. Capacity of premises;
 - vii. Traffic, access and parking;
 - viii. Safety and security (including site access and security lighting);
 - ix. Landscaping.

4.2 Building Setbacks

- (a) Buildings and other structures shall comply with the following building setbacks:
- i. Front setback – 4 metres or the average setback of adjoining properties, whichever is the greater;
 - ii. Side setbacks – 2 metres;
 - iii. Rear setbacks – 2 metres;
 - iv. Corner lots – the minimum setback required from the secondary street boundary of the site to the forward most wall of the buildings or structures is 3 metres.
 - v. Between “dongas” (unless fire rated) – 1.5 metres*
 - vi. Between other uses – 3 metres*

* When in doubt consult Specification C1.1 of the Building Code of Australia

4.3 Traffic and Parking

- (a) All car parking shall be provided on the development site and shall be provided at the following rates:
- i. One space for the manager’s office;
 - ii. One space per 2 employees; and
 - iii. One parking space is required per sole occupancy unit unless a bus service is available to and from the site.
- (b) All car parking areas shall be clearly defined and of an all-weather construction.
- (c) All vehicles shall enter and exit the site in a forward direction.

4.4 Landscaping

- (a) A landscaping plan shall be prepared for the site, detailing the location and size of plant species and groundcovers and any existing trees to be retained and/or removed;
- (b) Such landscaping shall be used to screen and soften the appearance of the development and be maintained in perpetuity.

4.5 Waste

- (a) The application shall include details regarding waste management, including construction waste, garbage disposal and sewage disposal and how these wastes will be managed on-site.

Please Note: Where an on-site sewage management system is proposed, full details and calculations will be necessary to satisfy Council that the system proposed can adequately accommodate the expected volumes. This will require submission of full design calculations, site soil analysis and specifications from an appropriately qualified person or persons.

4.6 Noise

- (a) Each premises (including any communal buildings) are to be acoustically insulated to ensure that noise from within the building is not audible on an adjacent property;
- (b) Site is to operate in accordance with the POEO (Noise Control) Regulation 2017.

4.7 Signage

- (a) Details of any proposed signage and advertising shall be included in the development application, detailing the size, location and position of any proposed signage;
- (b) Maximum number of signs per site – 2 per lot;
- (c) Where located in a residential area, such signage shall be non-illuminated.

4.8 Safety and Security

- (a) Details regarding safety and security lighting shall be included in the development application. Safety and security lights shall be provided to all communal and car parking areas;
- (b) Such lighting shall not be directed into adjoining properties and shall have hoods or covers to prevent light spillage;
- (c) A separate plan shall be provided showing the location of all fire services on the site.

4.9 Public Amenity and Communal Facilities

- (a) Clothes Drying – Each dwelling or sole occupancy unit shall be provided with an area for clothes drying which contains sufficient clothes line. Alternatively, individual, heat operated clothes dryers or a bank of clothes dryers shall be provided. The Local Government Act requirements for caravan parks shall be used as a guide in this regard.

- (b) Communal kitchens and lounge rooms – Where more than 8 sole occupancy units are proposed, or where more than 8 workers are proposed to be housed, communal facilities, including an appropriately sized lounge/common room and attached kitchen, shall be provided.

4.10 Disabled Access

- (a) Disabled accessible units and parking space are to be provided in accordance with AS 1428 and Table D3.1 of the Building Code of Australia.

5. Time Limited Approval

Note: When issuing an approval for transportable or moveable dwellings and temporary accommodation, Council will include a condition limiting the life of this approval to 5 years. Council may approve an extension of time subject to a separate request.

6. Decommissioning

A plan for decommissioning of the site is to be provided to Council as part of the application.

7. Exhibition

All applications, the subject of this policy, will be exhibited in accordance with the Environmental Planning and Assessment Regulations and Council's Community Participation Plan.

8. Review

This Policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).

Appendix A - Documentation Checklist

- ☐ Completed Application Form (including landowner/s signature)
- ☐ Statement of Environmental Effects (SoEE)
- ☐ Site Plan
- ☐ Traffic Movement and Parking Plan
- ☐ Fire Services Plan
- ☐ Floor Plan (all buildings)
- ☐ Elevations
- ☐ Waste Management Plan including:
 - Construction Waste
 - Garbage and Recycling
 - Sewage Waste
- ☐ Landscaping Plan
- ☐ Site Management Plan
- ☐ Decommissioning Plan

* This list is for submission of a Development Application and is indicative only. You are advised to discuss your proposal and documentation with a Council officer before submitting your application.

Additional details will be required when applying for a Construction Certificate.



Mobile Food Vending Policy

	Name	Position	Signature	Date
Responsible Officer	Garry Stoll	Director Planning, Community & Development		
Authorised By	John Scarce	General Manager		

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1. POLICY OBJECTIVE

To regulate mobile and standing food vendors that display and sell commodities on public or private land.

2. SCOPE AND PURPOSE

Council supports the operation of mobile food vendors in the Murrumbidgee Council and encourage diversity in food options.

The purpose of the Policy is to provide the framework for the operation of mobile food vehicles in the Murrumbidgee Council. The Policy sets out the relevant legislative requirements for safe food handling and preparation practices and establishes the on-street trading parameters. The Policy supplements provisions of the Local Government Act 1993, the Local Government (General) Regulation 2005, the Roads Act 1993, the Roads Regulation 2008, the Food Act 2003, Food Regulation 2015 and the Protection of the Environment Operations Act 1997.

The NSW Government treats Mobile Food Vendors as exempt development (not requiring any Council approval) where they comply with the following development standards under the NSW Exempt and Complying Development Code 2.54B;

The standards specified for that development are that the development must—

- (a) have the consent of the owner of the land on which the development is carried out or, if a council or public authority has the control and management of the land, the consent, in writing, of the council or public authority, and
- (b) not restrict any vehicular or pedestrian access to or from the land or entry to any building on the land, and
- (c) not obstruct the operation of, or access to, any utility services on the land or on adjacent land, and
- (d) not be located within the canopy of, or result in damage to, any tree growing on the land or on adjacent land, and
- (e) not result in any damage to public property on the land or on adjacent land, and
- (f) if carried out on land in a residential zone—only be carried out between 7am and 7pm, and
- (f1) if carried out on land immediately adjacent to a residential zone—only be carried out between 7am and 10pm, and
- (g) if located on a public place—have any approval required under section 68 of the Local Government Act 1993

The Policy applies to Council owned roads and other public places within the Murrumbidgee Council.

This Policy does not apply to mobile food vendors who are:

- Trading in accordance with a development consent or the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 on private land
- Trading on public land in accordance with an approved event

3. DEFINITIONS

Council means Murrumbidgee Council

Vending Vehicle includes any mobile or stationary vehicle and any adjacent area reasonably used for the purpose of displaying and selling commodities; but excludes service vehicles such as mechanics, carpet cleaning services, gardening services and the delivery of pre-ordered commodities such as pre-ordered meals.

4. COUNCIL POLICY

Approval

- 4.1 An application for approval to operate a vending vehicle within the Murrumbidgee Local Government Area must be completed by the applicant and submitted to Murrumbidgee Council for approval by the Director Planning, Community & Development (or equivalent position) or their nominated delegate.
- 4.2 After the granting of the initial approval to operate a vending vehicle within the Murrumbidgee Local Government Area, subsequent approvals are to be renewed annually with Murrumbidgee Council and will be subject to an application fee. This application should be lodged with Council at least one month prior to the expiry of the previous approval.
- 4.3 An approval to operate a vending vehicle includes approval under the provisions of Section 68 of the Local Government Act 1993 for the purpose of selling of commodities in a public place.
- 4.4 If the vehicle information provided with the initial application changes during the term of this approval, details of the change shall be advised in writing to Council within one week of the variation occurring.
- 4.5 Any vehicle and adjacent areas used for the purpose of displaying and selling commodities without the appropriate approval of Council, and/or not in accordance with this policy, or any license or direction of Council, is prohibited.
- 4.6 A copy of the certificate of approval must be kept with the vehicle at all times and the certificate must be provided on request by an authorised Council Officer.
- 4.7 Should the mobile food stall be based outside Murrumbidgee Council, the operator will need to complete the Temporary Food Stall Application Form and provide a copy of a current (within the last 12 months) inspection report from the Council where the vehicle is registered.

Inspection of Vehicle

- 4.8 The Council may require the vehicle to be made available for inspection at any reasonable time.
- 4.9 All mobile food vendors should be fully self-contained and not rely on Council to provide power, water or sewer services.

Hours of Operation

- 4.10 The hours of operation for the vehicle selling or displaying commodities are limited from 7.00am to 7.00pm daily. In exceptional circumstances, hours of operation may be varied to the discretion of the Director, Planning, Community & Development (or equivalent position) or their nominated delegate.

Approved Sites

- 4.11 Vendors shall operate only within the designated areas as identified in Appendix A.

Selling Condition

- 4.12 Only the sale of foodstuffs and drinks will be allowed by mobile food vendors. No sale of alcohol, cigarettes or other products from mobile food vehicles will be approved.
- 4.13 The vendor is required to undertake a Food Safety Supervisor Course and keep a visible copy of the NSW Food Authority Certificate in the vehicle at all times.

Vehicle Condition

- 4.14 All vehicles permitted under this policy shall be maintained in a clean and safe condition. Vehicles displaying or selling food are to comply with the Food Standards, Australian and New Zealand Food Safety Standards, Food Act 2003 and Transport for NSW registration and rules.
- 4.15 The vending vehicle must not be used for sleeping purposes.
- 4.16 Employees' personal belongings, cleaning equipment, soiled equipment, waste and commodities kept in the vehicle are to be physically separated.

Waste Disposal

- 4.17 Suitable garbage receptacles with close-fitting lids must be provided in the vehicle.
- 4.18 When directed, a suitable receptacle must be provided outside the vehicle for placing litter.
- 4.19 All garbage must be removed daily, or more frequently when the need arises. Vendor packaging should not be disposed of in Council rubbish bins.
- 4.20 Any waste must be transported to a place that can lawfully be used as a waste facility for that waste. A copy of an appropriate Waste Management Plan must be provided to Council prior to approval.

Public Nuisance

- 4.21 The use of the vehicle must not create an "offensive noise", as defined in the Protection of the Environment Operations Act 1997.

- 4.22 The use of equipment to amplify sounds in or on any public road or public place is prohibited unless prior consent of the Council is obtained. Such applications may be approved with or without conditions.

Road Rules

- 4.23 Vehicles permitted under this policy shall not obstruct roadways or footpaths and shall not be driven or parked in such a way that is a hazard to other road users.
- 4.24 A vehicle permitted under this policy will not be exempt from any road rules, traffic and parking regulations or any similar legislation.
- 4.25 Vehicles permitted under this policy shall not be permitted to sell commodities in a demarcated School Zone.
- 4.26 The vendor is not to provide tables or chairs or other seating or furniture for customers.

Statutory Approvals

- 4.27 A vehicle permitted under this policy shall comply with all relevant Acts, Regulations and Council Policies and nothing herein shall be taken as the granting of consent under the Environmental Planning and Assessment Act 1979.

Public Liability

- 4.28 The proprietor must provide Council with a copy of their current Public Liability Policy for not less than \$20 million dollars indemnifying Murrumbidgee Council against any claims that arise from the operation of the vending vehicle.

5. EXCEPTIONS

There are no exemptions under the Policy for mobile food vehicles.

Note: Section 158(3) of the Local Government Act 1993 requires a Local Approvals Policy to specify the circumstances (if any) in which a person would be exempt from the necessity to obtain a particular approval from Council. To ensure the safety of food for human consumption, there will be no exemptions for compliance with the Policy in relation to mobile food vehicles.

6. LEGISLATION

The following documents are related to the Policy:

- Section 356 of the Local Government Act 1993 (as amended)
- Local Government Act 1993
- Protection of the Environment Operations Act 1997
- Food Act 2003.
- Food Regulation 2015
- Roads Act 1993
- Roads Regulation 2008
- Environmental Planning and Assessment Act 1979

7. RELATED DOCUMENTS

The following documents are related to the Policy:

- Guidelines for Mobile Food Vending Vehicles (available on the NSW Government Authority Food website <http://www.foodauthority.nsw.gov.au/>)
- Office of Local Government Street Vending Control Guidelines

8. POLICY REVIEW

This Policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).

APPENDIX A

Darlington Point Location – Darlington Point Swimming Pool Carpark Corner Carrington & Curphey Place



Coleambally Location – Carpark at rear of Brolga Place

Corner Kingfisher Avenue and Brolga Place



Jerilderie Location – Luke Park Parking Area

Powell Street





Draft Frost Control Fan Policy

	Name	Position	Signature	Date
Responsible Officer	Garry Stoll	Director Planning, Community & Development		
Authorised By	John Scarce	General Manager		

Document Revision History	
Previous Reviews/Policies	NIL
Date adopted by Council:	
Minute No:	
Next Review Date:	See item 7 of this Policy
Revision Number:	
Review Date:	
Date adopted by Council:	
Minute Number:	
Next Review Date:	

July 2022

Council Disclaimer

This policy was formulated to be consistent with Council's legislative obligations and within the scope of Council's powers. This policy should be read in conjunction with relevant legislation, guidelines and codes of practice. In the case of any discrepancies, the most recent legislation should prevail.

This policy does not constitute legal advice. Legal advice should be sought in relation to particular circumstances. Liability will not be accepted for losses incurred as a result of reliance on this policy.

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1. Purpose

- To find an equitable balance between the use of frost control fans and the amenity of surrounding residents.
- To address the interface issues regarding the installation and operation of frost control fans.
- To set standards appropriate for Murrumbidgee Council Local Government Area (LGA) for the installation and operation of frost control fans.
- To allow for sustainable agriculture and continued agricultural growth.

2. Statement

2.1 Introduction

Murrumbidgee Council supports the horticultural industry within the Murrumbidgee Council Local Government area.

The Frost Control Fan Policy seeks to provide guidelines for the installation of permanent fans and use of mobile fans to reduce the adverse impacts of frost on horticultural crops, in an effort to maintain primary production while reducing the likelihood of land use conflict within the locality.

With increasing interest expressed by fruit and nut growers to install frost control fans or mobile wind machines in our rural areas, the need has arisen to revise the initial guidelines as population density increases.

2.2 What is a frost control fan?

The principal function of the frost control fan is to mix the warmer air from higher atmospheric inversion layers with the cold air layer closer to the ground, normally reducing the risk of frost damage to horticultural crops.

A frost control fan is a machine that consists typically of a tower approximately 10 - 11 metres in height, with two (2) to five (5) blades at the top, each being 2.5 - 3 metres long. An engine is mounted at the base of the tower and is used to drive the blade via drive shafts and gearing. The head of the fan rotates through 360 degrees on a vertical axis, with the blade spinning between 400 - 750 revolutions per minute. The head of the fan takes approximately 5 - 7 minutes to complete one 360 degree rotation.

2.3 Are all frost control fans covered by this Policy?

From the date of adoption, this policy will apply to the installation of permanent, and to the use of mobile frost control fans in the Murrumbidgee Council Local Government Area, with regard to noise emission/compliance.

Permanent frost control fans require development consent. The use of mobile frost control fans do not require Council's approval, however, they are included in this policy for equity purposes with regard to noise emission.

2.4 In what planning zones under the Murrumbidgee Local Environment Plan 2013 are frost control fans permitted?

Frost control fans will only be permitted with Council consent in the RU1 Primary Production zone, only where intensive plant agriculture (e.g. orchards and vineyards) are permissible without consent.

2.5 What application requirements will apply to the installation of permanent frost control fans?

When a development application is submitted to Council for the installation of permanent frost control fans, it must be accompanied by the following information:

- 2.5.1 Scaled site diagram showing the proposed location of the frost control fan/s, particularly in relation to dwelling houses within 1000 metres of the fans.
- 2.5.2 Structural engineer's certification and drawings for the footings and structural steelwork. (This information may be provided by the manufacturer).
- 2.5.3 Details of crop/s to be protected by the frost control fans; e.g. citrus, almonds, grapes, and the like.
- 2.5.4 Details of the anticipated temperature at which damage occurs to the crop/s proposed to be protected and the anticipated temperature that the fans would come on to protect the crop/s from frost and cut out to cease fan operation.
- 2.5.5 The number of frosts on average per year which currently affect the crop/s to be protected, according to currently available climatic data. For example, Bureau of Meteorology data, or site specific data collected for the past 3 seasons.
- 2.5.6 Applicants are referred to Section 4.15 of the Environmental Planning & Assessment Act, 1979 to address its provisions in their statement of environmental effects, including the provisions of environmental planning instruments, development control plan, the likely impacts of the development and other relevant matters associated with their proposal.
- 2.5.7 An acoustic report, prepared by a suitably qualified acoustical consultant, is to be submitted with the application documentation, modelling the extent of impact of the proposed frost control fans upon surrounding non-associated dwellings, with all proposed and existing fans on the farm (or within the same ownership on adjoining or adjacent lands) operating simultaneously. The model should be based upon manufacturer's sound level data, a copy of which is to be provided with the application. A map should be included in the report with the extent of the modelled 55 dB(A) and 45 dB(A) sound level 'contours'. Further, the report should provide a clear description of the parameters and atmospheric conditions upon which the modelling is premised (e.g. terrain - actual or theoretical, wind speed, temperature, inversion layer present, local known reflective surfaces).
- 2.5.8 In relation to the manufacturer's sound power level data, the LAeq measurements must have been taken over a period of 15 minutes, and over a range of distances from 10 metres to 500 metres from the frost control fan. These manufacturer's readings must be included in the information submitted with the Development Application.
- 2.5.9 If there are no non-associated dwellings within 1000 metres of the proposed frost control fans, the acoustic modelling report will not be required.
- 2.5.10 Notwithstanding point 2.5.9 above, if there are other permanent frost control fans within 1000 metres of the proposed frost control fans, the accumulated noise may impact upon surrounding non-associated dwellings, and an acoustic report will be required, taking into consideration the cumulative impact of all of the fans, including those on the site.

- 2.5.11 The acoustic report should demonstrate how compliance will be achieved with the following criteria, for the closest non-associated dwelling outside the subject site or ownership, on a property not associated with the land over which the application is made, based upon zone of that land adjacent to the application property.

The following criteria apply to existing adjacent land use zones:

Location of affected residence	Outdoor Criteria (LAeq)	Indoor Criteria (LAeq)
Noise Sensitive Zone	45 dB(A) (max)	25 dB(A) (max)
Non-noise Sensitive Zone	55 dB(A) (max)	35 dB(A) (max)

- 2.5.12 If the indoor criteria can be met through the provision of noise attenuation measures at the closest non-associated dwelling rather than the external noise criteria, compliance will be determined at Council's discretion. Internal criteria can also be achieved through the installation of double glazing and insulation for example.

Note:

- i. A noise sensitive zone is a land use zone adjacent to the frost fan property, primarily meant for noise sensitive land uses typically meant for residential development under Murrumbidgee Local Environmental Plan, 2013. The noise sensitive zones are R5 Large Lot Residential and RU5 Village Zone.
- ii. A non-noise sensitive zone is a land use zone adjacent to the frost fan property, primarily meant for primary production under the Murrumbidgee Local Environmental Plan, 2013, being RU1 Primary Production.
- iii. Other non-noise sensitive land use zones include Environmental Protection Zones (e.g. E2 Environmental Conservation, E3 Environmental Management) and Industrial Zones (e.g. Industrial General – IN1) where existing non-associated dwellings may be located adjacent to primary production lands.
- iv. Manufacturer's sound power level data must not just be based on the sound power output at 300 metres only, but readings taken at a range of distances and provided to Council.
- v. Note that Council will retain all submitted acoustic reports, which will be made available upon request, for an application within 1000 metres of another property containing frost control fans.

2.6 What standards will apply to the operation of all frost control fans?

Once permanent frost control fans have been approved by Council, they must operate under the following conditions:

1. The frost control fans must have an auto-ignition thermostatic control that is set at all times to a temperature appropriate to the crop being protected, with an anemometer set to shut down the fan operation when wind speeds exceed 10km per hour.
2. The driving engine for the frost control fan must be housed in a noise attenuating housing with an integrated acoustic muffler.
3. As an initial compliance check, noise levels are to be taken following the installation of approved permanent frost control fans. This will be imposed as a condition of consent to ensure that the installed fans do actually achieve the applicant's stated decibel level. The compliance check should be conducted during the atmospheric conditions under which the fans are intended to operate (i.e. during a frost event). Compliance acoustic reports will be undertaken by a suitably qualified acoustical consultant, at the cost of the owner of the frost control fans.

4. The minimum sound data collection for a compliance check should be taken at a range of distances from 10m to 500m from the frost control fans. Further the sound data collection should also be taken at a distance of two to five (2-5) metres from a bedroom of the closest non-associated dwelling to the fans. Both data sets should be recorded for a minimum of 15 minutes. The resultant compliance report is to be provided to Council to complete the condition of consent, permitting Council to be satisfied that compliance has been achieved, or to advise that amelioration measures need to be taken to bring the fans into compliance.
5. Whilst all frost control fans are in operation, the noise level measured at a distance of 2 - 5 metres from any bedroom window of a non-associated dwelling situated on an adjacent property to that containing the frost control fans, must not exceed the outdoor or indoor limit as listed below:

Location of affected residence	Outdoor Criteria (LAeq) +2dB(A) considered compliant	Indoor Criteria (LAeq) +2dB(A) considered compliant
Noise Sensitive Zone	45 dB(A) (max)	25 dB(A) (max)
Non-Noise Sensitive Zone	55 dB(A) (max)	35 dB(A) (max)

6. Compliance checks may be requested at any time, should official complaints be received by Council and there is doubt as to whether the subject frost control fans are operating in accordance with the development consent or this policy in the case of a mobile frost fan. Compliance acoustic reports will be undertaken by a suitably qualified acoustical consultant, at the cost of the fan operator.
7. If, when measured in an approved manner, the noise from frost control fans is within 2 dB(A) of the limits listed within this section, the frost control fans will be deemed to be in compliance.
8. The noise limits contained in this section apply to the noise from all frost fans on the land under investigation, operating simultaneously; i.e. land over which frost fans have been approved, or lands in the same ownership which contain existing frost fans.
9. A noise management plan should be prepared and provided to adjoining and adjacent non-associated residents within 1000m of the property where the frost fans are installed. This plan at a minimum should provide owner/farm manager contact numbers and emails, complaints procedure, advice on contact prior to impending frost and operation of fans and the like and potential noise mitigation measures to resolve complaints.

Note:

- i. For a definition of noise sensitive and non-noise sensitive zones, see notes i, ii and iii of Section 2.5 of this Policy.
- ii. Indoor noise levels are to be measured from the inside of a bedroom of a residence (with all windows closed) not being on the same property as the subject frost control fans.
- iii. When a noise level check is carried out, the measurement period must be for at least 15 minutes.
- iv. All noise measurements are to be carried out by either a qualified noise control officer (as authorised under the POEO Act) or a suitably qualified acoustical consultant.

2.7 Can adjacent land alter from a non-noise sensitive zone to noise sensitive?

Council may rezone land which alters the type of the land uses within that new zone so that it becomes noise sensitive. Council may consider changes to zones through a strategic land use strategy, though rezoning may also occur through a site specific planning proposal where Council will carefully consider the appropriateness of the change in predominant land use given the nature of the surrounding land.

2.8 Do the noise criteria apply to other development?

In the circumstance where land to be developed (e.g. subdivided or new dwellings constructed) is within 1,000 metres of existing and/or approved (but not yet installed) frost control fans, the future developer of the land subject to the rezoning or development application will be responsible for addressing the issue of compliance with this policy.

This may be achieved by doing the following:

- a) The provision of buffers to limit the location of future dwelling houses in relation to their proximity to the existing frost control fans; and/or,
- b) Constructing dwellings to achieve the relevant indoor criterion for the land use zone within which the developed property is located; and/or
- c) At the time of subdivision of that land, Council may impose a condition for the creation of a restriction on the title of the proposed lots, requiring certain noise attenuation measures to be incorporated into the design and construction of any proposed dwelling in that subdivision to enable the indoor criteria to be achieved.

2.9 What happens if complaints are received about an existing frost control fan?

1. In the first instance, a resident should make contact with the land owner that the fan operation is of concern or disturbing them. The land owner/operator should prepare a noise management plan and provide it to non-associated residents within the immediate vicinity (e.g. up to 1000 metres) of the property containing the frost fans to encourage dialogue in order to reduce the incidence of complaint and to aid conflict resolution.
2. The noise management plan should include, but not be limited to, contact telephone number of farm manager or land owner, after hour contact details, email address and the like, along with likely times of operation, permitted noise levels, a procedure for providing adjacent non-associated residents with advice on impending fan operation (e.g. 24 hour notice), complaint handling, and potential noise mitigation measures.
3. The noise management plan should be provided to Council for reference and inclusion in the development application/property file records.
4. In the event of non-compliance with the Noise Management Plan, Council will endeavour to establish a dialogue between the affected resident and the owner of the frost control fans, to raise the issues and to try and find possible resolutions.
5. Should any dialogues/negotiations fail, Council will re-assess the subject frost control fan against the requirements of this policy and any associated development consent.
6. Where complaints are received, the complainant should be prepared to allow Council's Officers or the proponent's acoustical consultant reasonable access to their property for the purpose of measuring the sound from the frost control fan if it is deemed necessary, during normal operation atmospheric conditions (i.e. during a frost when the fans are operating, which could be during the night or early hours of the morning). Council may seek to install a noise logger on the complaint's property for an extended period of time to record sound data for evaluation purposes.
7. Should Council receive a complaint concerning the operation of frost control fans, then noise level readings must be taken over at least three consecutive 15 minute periods at 2 - 5 metres from any bedroom wall in the non-associated dwelling house the subject of the complaint. The noise level set for the frost control fans must be exceeded on more than two nights within a 60 day period before Council will notify the operator of the frost control fan that action may need to be taken to ensure the fan operates within its consent.
8. If the frost control fan and its operation comply with its development consent and/or this policy, no further action will be taken. Should the subject frost control fans not be complying, further action will be considered. Where the noise limits are not met, the frequency of usage is a consideration in deciding what action to take. The level of noise exceedance will also be taken into consideration.

Note:

When noise measurements are to be taken, the following points will apply:

- i. The sound level meter must be set to measure fast response A-weighted sound pressure levels and the levels must be measured in terms of the equivalent continuous sound level (Leq) metric and the duration of the measurements must be no less than 15 minutes or two full revolutions of the frost fan gear head.
- ii. Noise measuring instruments must be equivalent to Type 2 (or better) as defined in Australian Standard 1259 "Sound Level Meters", Parts 1 and 2. The instrument is to be calibrated prior to use.
- iii. Apart from the provisions already contained in this policy, noise measurements must be conducted in accordance with Australian Standard 2659, "Guide to the use of Sound-measuring Equipment", Parts 1 and 2.

3. Statement

Noise sensitive zone is a land use zone adjacent to the frost fan property, primarily meant for noise sensitive land uses, typically meant for residential development under Murrumbidgee Local Environmental Plan, 2013.

Non-noise sensitive zone is a land use zone adjacent to the frost fan property, primarily meant for primary production or other general development under the Murrumbidgee Local Environmental Plan, 2013, and may include rural, some environmental protection and industrial zones.

Non-associated dwelling is a dwelling not located on the same land as the proposed / approved / existing frost fans, and in separate ownership to those lands.

4. Exceptions

NIL

5. Legislation

- Environmental Planning & Assessment Act 1979
- Protection of the Environment Operations Act, 1997
- Murrumbidgee Local Environmental Plan, 2013

6. Related Documents

NSW Environment Protection Agency Noise Guide for Local Government

7. Review

This Policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).



Draft Single Use Plastics Policy

	Name	Position	Signature	Date
Responsible Officer	Garry Stoll	Director Planning, Community & Development		
Authorised By	John Scarce	General Manager		

Document Revision History	
Previous Reviews/Policies	NIL
Date adopted by Council:	
Minute No:	
Next Review Date:	See item 6 of this Policy
Revision Number:	
Review Date:	
Date adopted by Council:	
Minute Number:	
Next Review Date:	

August 2022

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1. Purpose

Murrumbidgee Council is committed to progressively reducing, and where possible eliminating, single use plastics by 2026. This policy applies to Council operations, including implementation of responsible procurement practices and influence of supply chains, and Council-managed events including, but not limited to, official functions, civic events, community forums, listening posts, workshops, meetings, training events and parties. The policy also incorporates advocating for change and working with the community to build awareness and behavioural change on single use plastics. This policy outlines how Council will lead, and work together with our community to achieve this commitment.

2. Scope

The scope of the policy aims to encourage improved planning and consideration of plastic waste, from the procurement phase, to use and finally disposal.

Exemptions may be granted for plastic products that are required to meet medical and safety requirements or where there is no other practical alternative product or distribution method available.

Events and activities occurring on Council land, but not managed by Council, are not included in the mandatory scope of this policy, but shall be encouraged and supported by Council to voluntarily comply.

3. Definitions

Council	Murrumbidgee Council
Council managed land	Land owned by the State (i.e. Crown Land) or a third party that Council manages day to day.
Council Officers/Public Officials	Includes Councillors, employees whether they are permanent or temporary employees, volunteers, and contractors.
Council Operations	Anywhere that Council staff are present at a location or provide a service or function to the community.
Council Owned Land	Land owned by Council.
Council Sponsored	Activities or events that receive financial or in-kind assistance from Murrumbidgee Council.
Events	A gathering of people for an organised activity.
Plastic	The Oxford Dictionary defines plastic as “a synthetic material made from a wide range of organic polymers such as polyethylene, PVC, nylon, etc., that can be moulded into shape while soft, and then set into a rigid or slightly elastic form”. Includes plastics labelled as degradable or biodegradable.
Single use plastic items	Includes any disposable plastic and polystyrene items including, but not limited to, stationery packaging, cleaning items, balloons, cutlery and food and drink packaging designed to be used once and then discarded.

4. References

- National Packaging Targets 2025
- NSW Waste Avoidance and Resource Recovery Strategy 2014-2021 (WARR Strategy)
- Protection of the Environment Operations (Waste) Regulation 2014
- Riverina and Murray Joint Organisation (RAMJO) Waste Strategy 2017 – 2021

5. Content

Under the Murrumbidgee Council Community Action Plan 2022 – 2026, item 2.2.2.1, Murrumbidgee Council have committed to continuing collaboration with RAMJO on Council's Waste Management Strategy.

To achieve our commitment by 2026, Murrumbidgee Council will work to:

- progressively reduce and, where possible, eliminate single use plastic items within Council operations;
- encourage and support events and activities that are held on Council-owned or managed land or receive Council sponsorship to voluntarily comply to reduce single use plastic;
- reduce and, where possible, eliminate single use plastic items for all events held on Council-owned or managed lands from 2023;
- comply with all National and State legislation in relation to waste avoidance, generation, recycling and disposal;
- advocate all levels of Government regarding reductions in the use of single use plastics;
- implement procurement practices and influence supply chains to avoid soft plastic packaging wherever possible;
- influence the local business and retail industry sectors to provide products and services that do not rely on single use plastics;
- build awareness within the community on the importance of reducing single use plastics;
- support the National Packaging Targets; and
- develop and implement an action plan to progressively reduce single use plastics.

Exemptions will apply for plastic products that are required to meet medical and safety requirements, or where there is no other practical alternative product or distribution method available.

6. Review

This policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).

SCHEDULE OF INVESTMENTS - 30 SEPTEMBER 2022**External investments**

In accordance with Regulation 212 of the *Local Government (General) Regulation 2005*, details of Murrumbidgee Council's external investments are set out below.

Institution	Balance (\$)	Yield (p.a.)	Maturity	Term (months)	No.
Bendigo	3,000,000	0.40%	16/10/2022	7	38
Westpac	1,200,000	2.99%	21/10/2022	4	30
IMB Ltd	750,863	2.40%	3/11/2022	4	29
Bendigo	1,500,000	0.45%	16/12/2022	7	40
IMB Ltd	1,012,053	3.00%	20/12/2022	6	24
St George	510,738	2.70%	3/01/2023	4	27
Suncorp - METWAY	1,576,297	3.30%	9/01/2023	6	34
Bendigo	502,048	3.40%	8/02/2023	6	26
IMB Ltd	753,973	3.35%	9/02/2023	5	42
Bendigo	3,000,000	3.30%	20/02/2023	6	45
Suncorp - METWAY	1,500,000	3.43%	21/02/2023	6	36
Westpac	1,204,072	3.31%	22/02/2023	6	25
Bendigo	1,500,000	3.40%	24/02/2023	6	44
Suncorp - METWAY	1,000,000	3.53%	27/02/2023	6	20
Bendigo	1,000,000	3.40%	2/03/2023	6	22
Bendigo	818,452	3.40%	2/03/2023	6	28
NAB	504,169	2.80%	7/03/2023	6	23
Bendigo	1,200,000	3.20%	16/03/2023	7	21
St George	1,006,830	3.05%	18/03/2023	6	31
Westpac	1,005,504	3.78%	20/03/2023	6	43
Westpac	1,206,016	3.78%	21/03/2023	6	39
Bendigo	3,000,000	3.45%	18/05/2023	9	37
	<u>28,751,014</u>				

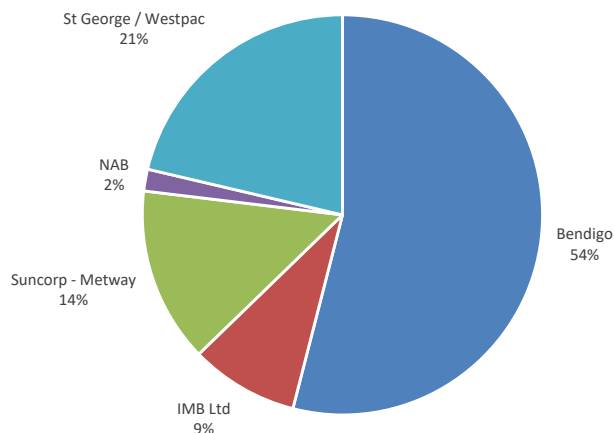
Maturity

All investments comply with the maximum duration set out for each rating category in the *Investment Policy*.

Month	\$	Funds Maturing
September 2022	\$ -	
October 2022	\$ 4,200,000	
November 2022	\$ 750,863	
December 2022	\$ 2,512,053	
January 2023	\$ 2,087,034	
February 2023	\$ 9,460,092	
March 2023	\$ 6,740,971	
April 2023	\$ -	
May 2023	\$ 3,000,000	
June 2023	\$ -	
	<u>\$ 28,751,014</u>	

Counterparties to Investments

Institution	Balance	S&P / Moody's / Fitch	Highest	Limit	% Invested	Compliant
Bendigo	15,520,500	BBB+ / A3 / A-	A	N/A	53.98%	N/A
IMB Ltd	2,516,888	- / Baa1 / BBB+	BBB	10%	8.75%	●
Suncorp - Metway	4,076,297	A+ / A1 / A	A	14%	14.18%	●
NAB	504,169	AA- / Aa3 / A+	AA	30%	1.75%	●
St George / Westpac	6,133,160	AA- / Aa3 / A+	AA	30%	21.33%	●
	<u>28,751,014</u>				<u>100%</u>	



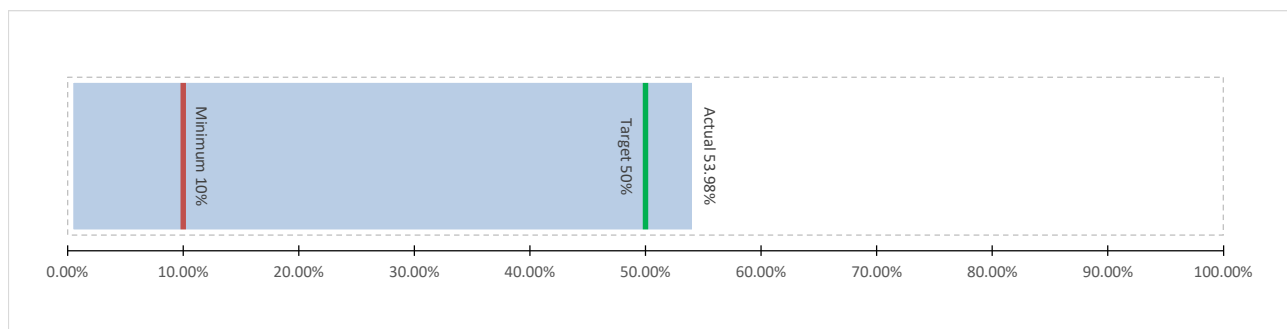
Investment with Coleambally Community Bank

53.98%



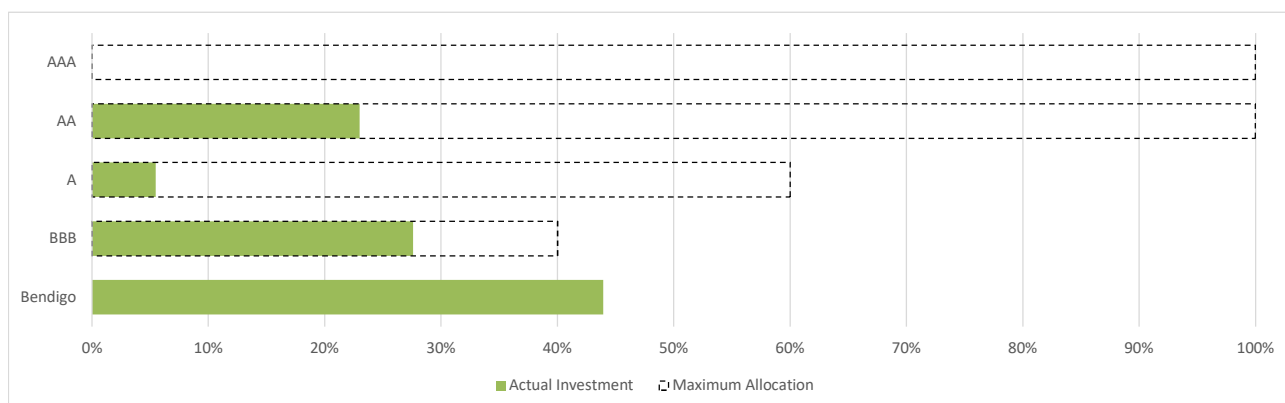
In recognition of the significant community role, support and activities undertaken within the Council area, Council aims to hold 50% of its investment portfolio with the Coleambally Community Bank.

If, when considering a new investment, an equivalently-rated or better-rated institution is offering an interest rate 0.40% p.a. (or more) higher than Coleambally Community Bank with a comparable term to maturity, Council may invest in that institution in preference to Coleambally Community Bank, irrespective of the target set out above. However, Council will hold a minimum of 10% of its portfolio with the Coleambally Community Bank at all times.



Overall Credit Quality Limits

Credit Rating	Maximum	Balance	% Invested	Compliant
AAA	100%	\$ -	0.00%	●
AA	100%	\$ 6,637,329	23.09%	●
A	60%	\$ 4,076,297	14.18%	●
BBB	40%	\$ 2,516,888	8.75%	●
Bendigo	N/A	\$ 15,520,500	53.98%	N/A
Total		\$ 28,751,014	100%	



Monthly investment movements

Redemptions

Institution - No.	Balance (\$)	Comments
IMB - 41	803,226	
	<u>803,226.30</u>	

New Investments

Institution - No.	Balance (\$)	Yield (p.a.)	Term (months)	Comments
Bendigo - 22	1,000,000.00	3.40%	6	
	<u>1,000,000.00</u>			

Rollovers

Institution - No.	Balance (\$)	Yield (p.a.)	Term (months)	Comments
NAB - 23	504,169	2.80%	6	
St George - 27	510,738	2.70%	4	
Bendigo - 28	818,452	3.40%	6	
Westpac - 39	1,206,016	3.78%	6	
IMB - 42	753,973	3.35%	6	
IMB - 43	1,005,504	3.78%	6	
	<u>3,793,347</u>			

Investment performance

	Sep-22	FYTD
Total investment income, including accrued interest	\$59,014	\$141,075
Money-weighted rate of return (% p.a.)	2.51%	2.00%
Bloomberg AusBond Bank Bill Index	1.75%	1.70%
Overperformance/(underperformance)	0.76%	0.31%

Stronger Communities Fund

		Jerilderie Budget	Expend to date	Coleambally Budget	Expend to date	Darlington Pt Budget	Expend to date	Still to be Expended	% Complete	
Coleambally	Treatment Works Upgrade			600,000.00				600,000.00	0.00%	Works subject to IWCm completion
Darlington Point	Update Water Treatment Facilities					691,787.38		691,787.38	0.00%	Works subject to IWCm completion
Jerilderie	Water Filtration Plant Replacement	685,843.98	15,074.10					670,769.88	2.20%	Partial funding for IWCm sourced from this grant
Coleambally	Community Hall Upgrade			565,000.00	18,200.92			546,799.08	3.22%	Draft plans finalised
Coleambally	Streetscape Upgrade			1,500,000.00	79,212.48			1,420,787.52	5.28%	Tenders for construction & landscaping advertised
Darlington Point	Young Street Subdivision					1,500,000.00	100,343.19	1,399,656.81	6.69%	Engineering plans and costings to be undertaken
Darlington Point	Darlington Point Town Information boards & tourism maps					58,000.00	8,750.00	49,250.00	15.09%	Artwork design purchased. Further signage to be determined.
Darlington Point	Sports Precinct Upgrade to Facilities					367,750.00	188,379.84	179,370.16	51.22%	Upgrade to amenities block completed.
Darlington Point	Upgrade to DP Shire Hall					400,000.00	252,346.18	147,653.82	63.09%	Further works ongoing
Darlington Point	Caravan Park - Management Plan					350,000.00	238,085.31	111,914.69	68.02%	Internal fit out to be completed
Jerilderie	Long Day Care Centre	636,000.00	474,406.25							Purchase undertaken.
Coleambally Pistol Club	Build a clubhouse, range & water tank			46,538.00	41,463.60			161,593.75	74.59%	Masterplan prepared. Further application for grant funds still to be determined
Darlington Point	Waddi Community Centre Demolition/Cultural Garden					80,000.00	74,566.75	5,074.40	89.10%	Works Substantially completed in conjunction with SCCF grant
Darlington Point	Stage 1 & 2 Waddi Education Arts & Cultural Centre					300,000.00	285,485.32	5,433.25	93.21%	Some minor works to be undertaken
Coleambally	Bencubbin Avenue Rehabilitation			750,000.00	739,571.77			14,514.68	95.16%	Works nearing completion
Jerilderie Cricket Club	Install seating, shade & access	21,500.00	21,500.00					10,428.23	98.61%	Works nearing completion
Jerilderie	Kitchen Upgrade	135,963.60	135,963.60					0.00	100.00%	Construction works ongoing
Jerilderie Community Gym	Purchase of gym equipment	43,358.97	43,358.97					0.00	100.00%	
Jerilderie Tennis Club	Construct shed/disabled toilet	45,454.55	45,454.55						100.00%	
Jerilderie Tennis Club	Re-roof Jerilderie Sports Club building	44,708.69	44,708.69						100.00%	
Jerilderie CWA	Upgrade toilet facility	18,003.61	18,003.61						100.00%	

<u>Stronger Communities Fund</u>	Jerilderie Budget	Expend to date	Coleambally Budget	Expend to date	Darlington Pt Budget	Expend to date	Still to be Expended	% Complete
Jerilderie Football Club	39,674.00	39,674.00						100.00% Complete
Jerilderie Pre School	44,098.40	44,098.40					0.00	100.00% Complete
Jerilderie Swimming Club	5,859.73	5,859.73						100.00% Complete
Jerilderie Public School P & C	49,280.00	49,280.00						100.00% Complete
Jerilderie Arts & Talent Society	9,868.22	9,868.22						100.00% Complete
Jerilderie Tennis Club	27,272.73	27,272.73						100.00% Complete
Jerilderie Tennis Club	1,340.00	1,340.00						100.00% Complete
Jerilderie Public School P & C	7,946.36	7,946.36						100.00% Complete
Jerilderie Men's Shed	50,000.00	50,000.00						100.00% Complete
Jerilderie RSL Sub Branch	4,577.27	4,577.27						100.00% Complete
Jerilderie St Joseph's Parents and Friends Inc	35,374.74	35,374.74						100.00% Complete
Coleambally Sweatbox Community Gym			30,340.00	30,340.00				100.00% Complete
Coleambally Clay Target Club			45,260.00	45,260.00				100.00% Complete
Coleambally Pre School			7,233.44	7,233.44				100.00% Complete
Coleambally Pre School			11,412.73	11,412.73				100.00% Complete
Coleambally Lions Club			7,520.00	7,520.00				100.00% Complete
Coleambally Lions Club			4,632.65	4,632.65				100.00% Complete
Coleambally Chamber of Commerce			10,116.20	10,116.20				100.00% Complete
Coleambally Chamber of Commerce			4,250.00	4,250.00				100.00% Complete
Coleambally Chamber of Commerce			21,122.73	21,122.73				100.00% Complete
Coleambally Riverina Vintage Machinery Club			41,000.00	41,000.00				100.00% Complete
Coleambally Community Club			45,454.55	45,454.55				100.00% Complete
Coleambally Central School P & C			50,000.00	50,000.00				100.00% Complete
Coleambally Golf Club Inc			44,600.00	44,600.00				100.00% Complete
Coleambally Golf Club Inc			25,450.00	25,450.00				100.00% Complete
Coleambally St Peters Primary School			28,172.73	28,172.73				100.00% Complete
Coleambally Mens Shed			44,463.19	44,463.19				100.00% Complete
Coleambally Murrumbidgee Experimental Farm			45,454.55	45,454.55				100.00% Complete
Coleambally Pre School			13,594.55	13,594.55				100.00% Complete
Coleambally Pre School			12,272.73	12,272.73				100.00% Complete
Coleambally Lions Club			5,835.00	5,835.00				100.00% Complete
Coleambally Community Club			21,909.09	21,909.09				100.00% Complete

Stronger Communities Fund

		Jerilderie Budget	Expend to date	Coleambally Budget	Expend to date	Darlington Pt Budget	Expend to date	Still to be Expended	% Complete
Coleambally Central School P & C	Outdoor Settings			18,840.00	18,840.00				100.00% Complete
Coleambally St Peters Primary School	Multi purpose court			5,000.00	5,000.00				100.00% Complete
Coleambally Darlington Point Country Education Fund	Oral History Book Production			3,000.00	3,000.00				100.00% Complete
Coleambally Motorcycle Club Inc	Construct club house & install watering system to track			50,000.00	50,000.00				100.00% Complete
Coleambally Pony Club	Grounds upgrade & revamp			6,642.86	6,642.86				100.00% Complete
Coleambally Fusion Drop in Centre	Coleambally youth development			4,545.45	4,545.45				100.00% Complete
Coleambally St Peters Catholic Church	Replacement of chairs			6,363.64	6,363.64				100.00% Complete
Coleambally Tennis Club	Replacement of synthetic courts			50,000.00	50,000.00				100.00% Complete
Anglican Parish of Coly/Darlington Point	Install air conditioning to Darlington Point Hall					17,423.59	17,423.59		100.00% Complete
	Construct meeting room & improve stormwater					45,454.55	45,454.55		100.00% Complete
Darlington Point Mens Shed	Addition of BBQ & bench					20,000.00	20,000.00		100.00% Complete
Darlington Point Lions Club	Installation of solar panels					8,547.55	8,547.55		100.00% Complete
Darlington Point Mens Shed	Flag pole installation and fingerling purchase					12,659.00	12,659.00		100.00% Complete
Apex Club of Darlington Point	Bowling green & club grounds								
	Irrigation								
Darlington Point Club Ltd	Workshop for maintenance staff					45,454.55	45,454.55		100.00% Complete
Darlington Point Club Ltd	Machinery storage shed					36,363.64	36,363.64		100.00% Complete
Darlington Point Club Ltd	Classroom board upgrade					25,650.00	25,650.00		100.00% Complete
Darlington Point Public School P & C	throughout the school					43,928.00	43,928.00		100.00% Complete
Jerilderie	Solar Lighting Walkway Project	13,167.00	13,167.00						100.00% Complete
Jerilderie	Nethall Courts Upgrade	204,535.30	204,535.30						100.00% Complete
Jerilderie	South Coree Hall - Upgrade Hall and Play Equipment	45,363.42	45,363.42						100.00% Complete
Jerilderie	Balmringa -Kerbing & sealing of driveway & carpark	41,100.15	41,100.15						100.00% Complete
Jerilderie	Installation of playground at Luke Park	76,516.71	76,516.71						100.00% Complete
Jerilderie	Installation of exercise stations around Lake	53,420.72	53,420.72						100.00% Complete
Jerilderie	Installation of additional seating in Luke Park	29,029.00	29,029.00						100.00% Complete
Jerilderie	Tidy Towns Purchase of equipment/ride on mower	9,552.13	9,552.13						100.00% Complete
Jerilderie	Construction of footpath through Luke Park	20,067.53	20,067.53						100.00% Complete
Jerilderie	Yamma Hall Toilet Block/Kitchen Redevelopment	156,833.64	156,833.64						100.00% Complete
Jerilderie	Independent Living Units Contribution	550,000.00	550,000.00						100.00% Complete
Jerilderie	Purchase of water entitlement	686,470.63	686,470.63						100.00% Complete
Jerilderie	Swimming Pool Restoration	568,306.02	568,306.02					0.00	100.00% Complete

Stronger Communities Fund

	Jerilderie Budget	Expend to date	Coleambally Budget	Expend to date	Darlington Pt Budget	Expend to date	Still to be Expended	% Complete
Jerilderie	70,332.17	70,332.17						
Coleambally			54,057.39	54,057.39				100.00% Complete
Coleambally			282,318.57	282,318.57				100.00% Complete
Coleambally			500,000.00	500,000.00			0.00	100.00% Complete
Darlington Point					6,544.41	6,544.41		100.00% Complete
Darlington Point					858,212.62	858,212.62	0.00	100.00% Complete
Darlington Point					547,012.21	547,012.21	0.00	100.00% Complete
Coleambally			600,000.00	671,833.65			-71,833.65	111.97% Construction complete
Announced to date	15,408,006.82	3,598,455.64	5,562,400.05	3,051,144.47	5,414,787.50	2,815,206.71	5,943,200.00	

Stronger Communities Funding
Interest Received to 30/09/22

14,365,000.00
891,850.00

Less expenditure to date

15,256,850.00
9,464,806.82

Balance unexpended for Int calc
purposes

5,792,043.18
4,900,193.18

Available to date
Interest to date

14,365,000.00
891,850.00

Less announced to date
Available/(Oversubscribed)

15,256,850.00
15,408,006.82
-151,156.82