



**COMMUNITY ENGAGEMENT**

**MONASH PARK, JERILDERIE – NETBALL CHANGE ROOMS**

**Proposed Tree Removal**

**April-May 2023**

**Aim**

To engage with the community about the proposed removal of trees from Monash Park to allow for the construction of new Netball Change Rooms. The engagement process utilises these levels of the IAP2 Public Spectrum: Inform, Consult, Involve and Collaborate.

**Timeframe**

April-May 2023

**Communication Tools and Results**

Social media post - pictured



Communications Channel	Organic Reach	Engagements
Murrumbidgee Council Instagram	205	6 positive reactions 0 negative reactions 0 comments
Murrumbidgee Council Facebook Page	417	5 positive reactions 0 negative reactions 0 comments
Posters in offices, library and around Jerilderie		
'Just Jerilderie' column Southern Riverina News		
Website "On Exhibition" page (includes all documents on public exhibition)	234	

**Written Submissions Received**

1. Joint Submission: Julie Conn and Maree O'Connell (CM: 23/5335)

8 May 2023

Mr J Scarce  
General Manager  
Murrumbidgee Council  
35 Jerilderie Street  
JERILDERIE 2716

Dear John

Thank you for the opportunity to comment on the proposed tree removal at Monash Park Jerilderie.

We are disappointed that removal of trees is considered to be acceptable when Council is designing new buildings. We do understand that there may be a time when all other options have been considered, with no workable alternative, and it may then be deemed that for the build to progress the removal of a tree is essential. However with the space at Monash Park we would have thought that the architects/designers could have been provided with a brief which indicated the preferred location and been asked to design around the environment, not remove 3 trees.

*Extract from Jerilderie Herald & Urana Advertiser 14 July 1938*

*Cr Hanna submitted a scheme for improvements to the Eastern Park by planting an avenue of palm trees from the main entrance gate to the playing arena, and he supplied a list of names of residents who had each consented to care for two trees. The only cost to the Council would be the purchase of the palms, which would cost in the vicinity of £6.*

*Moved by Councillors Hanna and Brownless*

As an avenue which went from the main entrance gate to the playing arena, it appears that some trees have been lost over the last 85 years (perhaps some of the volunteer residents were not overly conscientious about their duties?)

We fully support the need for continuing improvement at Monash Park to provide a sporting venue that meets the ongoing demands of local sporting clubs, however we do not believe that removal of trees should be essential to the progress of the sports ground and facilities.

The new netball change rooms will be a wonderful asset for our (and visiting) teams, now and into the future, but why at the expense of trees which have stood

for 85 years. Is it impossible to have the new build co-exist with the trees? The chosen location for the build may be the perfect spot, so we should be able to make it work without destroying the environment.

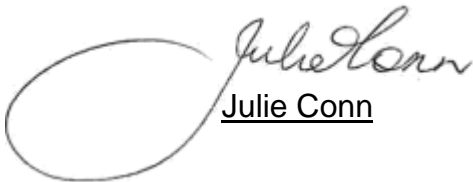
If this project goes ahead as is, what guarantee do residents have that the remaining palm trees also won't be damaged/removed during the process?

As the property is Crown land, with Council as Crown land managers, two principles under the Crown Land Management Act 2016 (1.4) are:

- b) that the natural resources of Crown land including water, soil, flora, fauna and scenic quality, be conserved wherever possible
- e) that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity

Surely a balance between development and protection of the environment is achievable.

Regards



Julie Conn

*Maree O'Connell*

Maree O'Connell



**Murrumbidgee  
COUNCIL**

## COMMUNITY ENGAGEMENT

### LUKE PARK PRECINCT, JERILDERIE

#### Proposed Design for Jerilderie Civic Hall terrace

**April-May 2023**

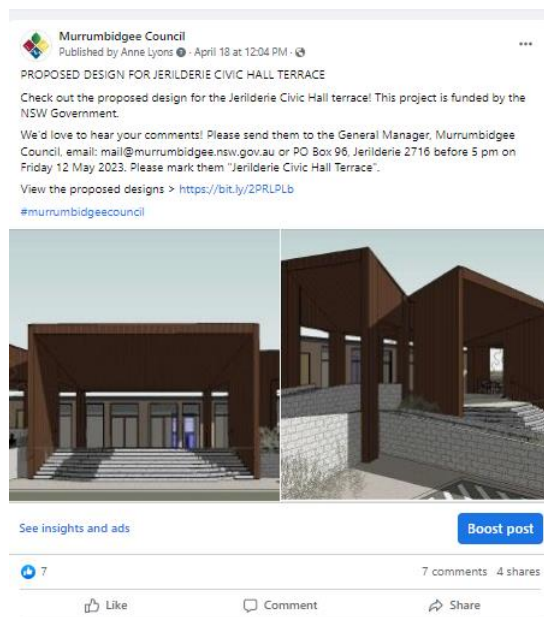
#### Aim

To engage with the community about the proposed design of the Jerilderie Civic Hall terrace. The engagement process utilises these levels of the IAP2 Public Spectrum: Inform, Consult, Involve and Collaborate.

#### Timeframe

April-May 2023

#### Communication Tools and Results



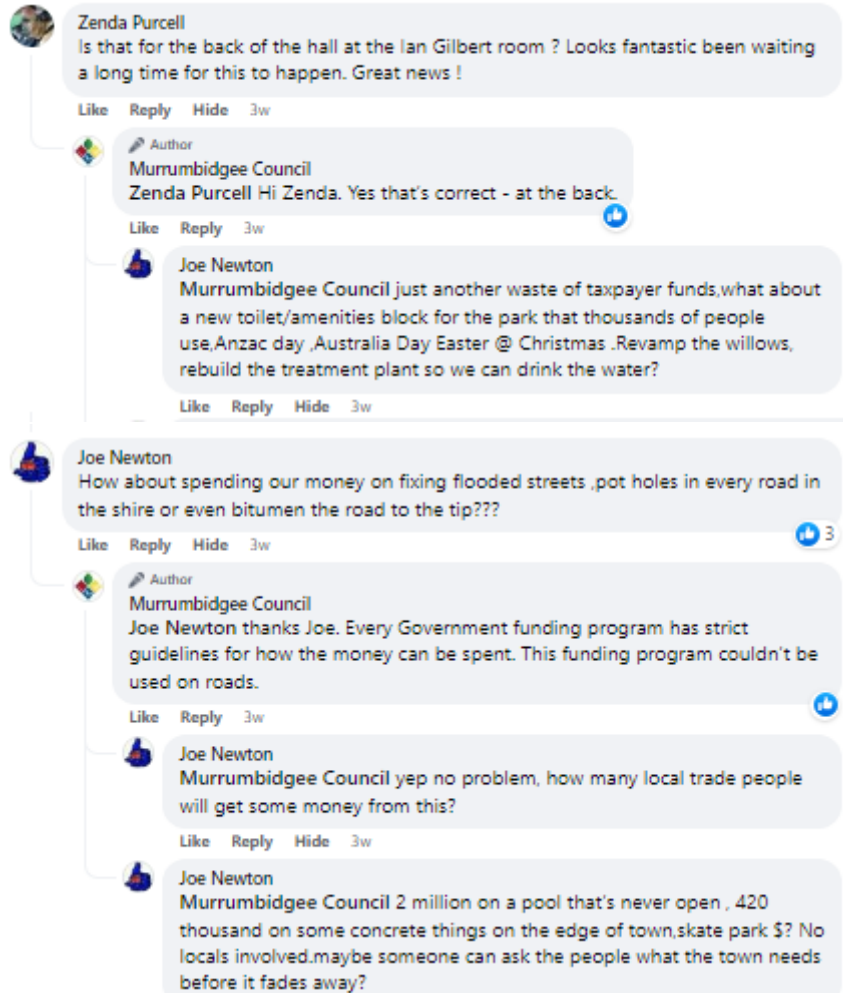
Communications Channel	Organic Reach	Engagements
Murrumbidgee Council Instagram	179	9 positive reactions 0 negative reactions 0 comments
Murrumbidgee Council Facebook Page	2,178	27 positive reactions (ie likes) 0 negative reactions 2 comments – 1 positive, 1 negative 4 shares
Posters in offices, library and around Jerilderie		
'Just Jerilderie' column Southern Riverina News		
Website "On Exhibition" page (includes all documents on public exhibition)	234	



## Written Submissions Received

No formal submissions received.

### 1. Social Media Comments



The image shows a screenshot of a Facebook comment thread. The thread starts with a comment from Zenda Purcell, followed by a reply from Murrumbidgee Council. This is followed by a comment from Joe Newton, a reply from Murrumbidgee Council, and two more comments from Joe Newton.

**Zenda Purcell**  
Is that for the back of the hall at the Ian Gilbert room ? Looks fantastic been waiting a long time for this to happen. Great news !  
Like Reply Hide 3w

**Murrumbidgee Council**  
Zenda Purcell Hi Zenda. Yes that's correct - at the back.  
Like Reply 3w

**Joe Newton**  
Murrumbidgee Council just another waste of taxpayer funds,what about a new toilet/amenities block for the park that thousands of people use,Anzac day ,Australia Day Easter @ Christmas .Revamp the willows, rebuild the treatment plant so we can drink the water?  
Like Reply Hide 3w

**Joe Newton**  
How about spending our money on fixing flooded streets ,pot holes in every road in the shire or even bitumen the road to the tip???  
Like Reply Hide 3w 3

**Murrumbidgee Council**  
Joe Newton thanks Joe. Every Government funding program has strict guidelines for how the money can be spent. This funding program couldn't be used on roads.  
Like Reply 3w

**Joe Newton**  
Murrumbidgee Council yep no problem, how many local trade people will get some money from this?  
Like Reply Hide 3w

**Joe Newton**  
Murrumbidgee Council 2 million on a pool that's never open , 420 thousand on some concrete things on the edge of town,skate park \$? No locals involved.maybe someone can ask the people what the town needs before it fades away?

**Local Government  
Remuneration Tribunal**

# Annual Determination

Report and determination under sections  
239 and 241 of the Local Government Act  
1993

27 April 2023

# Contents

<b>Executive Summary</b>	<b>3</b>
Categories	3
Fees	4
<b>Section 1 – Introduction</b>	<b>5</b>
<b>Section 2 – 2022 Determination</b>	<b>6</b>
<b>Section 3 – 2023 Review</b>	<b>7</b>
2023 Process	7
Categories	8
Submissions Received – Categorisation	12
Request for New Categories	12
Requests for Recategorisation	17
<b>Section 4 – 2023 Fees</b>	<b>21</b>
Time for Fresh Thinking	24
Conclusion	27
<b>Section 5 – Determinations</b>	<b>29</b>
Determination No. 1 – Allocation of councils into each of the categories as per section 239 of the LG Act effective 1 July 2023	29
Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2023	33
<b>Appendices</b>	<b>36</b>
Appendix 1 Criteria that apply to categories	36

# Executive Summary

The *Local Government Act 1993* (the LG Act) requires the Local Government Remuneration Tribunal (the Tribunal) to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

## Categories

Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years.

In accordance with the LG Act the Tribunal undertook a review of the categories and allocation of councils into each category as part of this review.

Accordingly, the revised categories of general purposes councils are determined as follows:

<b>Metropolitan</b>	<b>Non-Metropolitan</b>
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural
Metropolitan Small	Rural Large
	Rural

---

## Fees

The Tribunal determined a 3 per cent per annum increase in the minimum and maximum fees applicable to each category.

For the new categories, the Tribunal has determined fees having regard to the relevant factors and relativities of remuneration ranges for existing categories.

Twenty six (26) councils are recategorised into a higher existing category or placed in a new category.

---

# Section 1 – Introduction

1. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a significant review of the categories and the allocation of councils into each of those categories in 2020.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A(1) of the LG Act requires the Tribunal to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission.
4. The Tribunal can also determine that a council can be placed in another existing or new category with a higher range of fees without breaching the Government's Wages Policy as per section 242A (3) of the LG Act.
5. Natural disasters have a significant impact on the way mayors in particular work. There is an increase on time demands from the community, and media during these events as well as an increase in workloads. Whilst it is worth noting these issues, it is not within the Tribunal's authority to determine additional remuneration in recognition of the increasing demands on a mayor's time for these events.
6. The Tribunal's determination takes effect from 1 July each year.

---

# Section 2 – 2022 Determination

7. In 2022, the Tribunal received eight (8) submissions, which included five (5) requests for recategorisation. Three of these requests sought the creation of new categories.
8. The Tribunal found that the current categories and allocation of councils to these categories remained appropriate but noted that some councils may have a case for recategorisation at the next major review of categories in 2023.
9. The Tribunal determined that fees would increase 2 per cent in the minimum and maximum fees applicable to each category from 1 July 2022.

# Section 3 – 2023 Review

## 2023 Process

10. The Tribunal's annual review commenced in October when it wrote to all councils inviting submissions regarding fees, categorisation and any other general matters. The invitation noted that it is expected that submissions are endorsed by the respective council.
11. The Tribunal also wrote to the President of Local Government NSW (LGNSW) inviting a submission.
12. The Tribunal received 18 written submissions, of which 15 were from individual councils, 1 submission from LGNSW, 1 from Australian National University academic, Associate Professor Tanya Jakimow, and 1 from the United Services Union (USU).
13. The Tribunal notes that 12 of the 15 council submissions were endorsed by the representative councils.
14. The Tribunal acknowledges and thanks all parties for their submissions.
15. Noting its comments in its reports of 2021 and 2022, the Tribunal met Central NSW Joint Organisation member representatives in Orange, and Far South West Joint Organisation member representatives in Broken Hill. The Tribunal also gave an overview of its work to a meeting of the Country Mayors' Association in Newcastle. While in Broken Hill the Tribunal met with LGNSW representatives.
16. The Tribunal and Assessors met as required to discuss submissions, review category criteria and allocation of councils



## Categories

17. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every three years. The Tribunal last reviewed the categories in 2020.
18. In determining categories, the Tribunal is required to have regard to the following matters that are prescribed in Section 240 of the LG Act:
- *the size of areas;*
  - *the physical terrain of areas;*
  - *the population of areas and the distribution of the population;*
  - *the nature and volume of business dealt with by each council;*
  - *the nature and extent of the development of areas;*
  - *the diversity of communities served;*
  - *the regional, national and international significance of the council;*
  - *such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government; and*
  - *such other matters as may be prescribed by the regulations.*
19. The 2020 Determination established the following categories:

<b>Metropolitan</b>	<b>Non-Metropolitan</b>
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Large	Regional Strategic Area
Metropolitan Medium	Regional Centre

Metropolitan Small	Regional Rural
--------------------	----------------

Rural
-------

20. For its 2023 review, the Tribunal undertook an extensive examination of the categories, criteria and allocation of councils into each of the categories.
21. The Tribunal examined statistical and demographical data, with population data sourced from Australian Bureau of Statistics (ABS) 2021 Census (the latest available data).
22. Having regard to section 239 of the LG Act, information examined and provided through submissions, the Tribunal has determined the categories of general purpose councils as follows:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural
Metropolitan Small	Rural Large
	Rural

23. In reviewing the current model, the Tribunal sought to improve consistency of criteria.
24. In examining the criteria for each of the categories, the Tribunal is of the view that non-resident population criteria should also be included for consistency in the following categories:

- 
- Major Strategic Area
  - Regional Strategic Area
  - Regional Centre
  - Regional Rural
25. Three (3) councils will be reclassified as a result of meeting criteria thresholds into an existing category.
  26. The Tribunal has determined the creation of two (2) new categories, being Metropolitan Major and Rural Large.
  27. In determining the 2 new categories the Tribunal gave significant consideration to section 239 of the LG Act, statistical data, the existing categories and relativities between each category.
  28. It was determined that the existing Rural category did not differentiate between large and small rural councils, in population, size, and terrain. Evidence demonstrated that a number of Rural councils are large in geographic area, requiring great distances to be covered. The Tribunal also examined a range of data that it believes goes to the delivery of efficient and effective local government.
  29. Hence a new category Rural Large is created. The determination is amended to reflect the new category and criteria that includes a population greater than ten thousand, and a councillor to resident ratio of 1 to 1200. The Tribunal notes there are a number of Rural councils on the cusp of this new category.
  30. The revised category also shows more clearly the differences for large rural and remote councils. It is becoming apparent these councils require

---

different considerations regarding the role Mayors and Councillors in servicing the community across such large distances.

31. Evidence reviewed established the need to differentiate between some Large Metropolitan councils. Comparison data reviewed included population, operating revenue, and submission evidence relevant to section 239 of the LG Act. This examination further exposed the gap between Metropolitan Large and Major CBD categories, thus resulting in the Tribunal establishing a new category to bridge the gap.
32. The determination is amended to reflect a new category, Metropolitan Major, with a population criteria threshold of 400,000 (including non-resident).
33. Accordingly, the Tribunal has identified a number of councils that will be recategorised into these new categories.
34. Given the relativities in population threshold criteria, the Tribunal is of the view that the population criteria for Regional Strategic Area be adjusted from 200,00 down to 100,000.
35. As a result, three (3) councils will be reclassified as Regional Strategic.
36. Whilst the Tribunal did explore additional criteria points that may go to efficient and effective local government, within the bounds of statutory provisions no further changes to the criteria could be determined in this review.
37. The category County Councils remain unchanged, retaining the categories of Water and Other.

38. **Appendix 1 Criteria that apply to categories** has been amended to reflect changes outlined above.

## Submissions Received – Categorisation

39. Nine (9) submissions received from councils requested recategorisation and five (5) of these requested the creation of new categories.
40. A summary of matters raised in submissions and the Tribunal's consideration of those matters is outlined below

## Request for New Categories

41. Requests were received for the creation of new categories namely, Metropolitan Large Growth Area, Metropolitan Major, Metropolitan Medium Growth and Regional Growth.
42. Blacktown City Council again requested the creation of a new category, Metropolitan Large - Growth Area. Council stated its current categorisation in Metropolitan Large “*does not reflect the complexities of servicing their rapid rate of growth and economic influence*”.
43. Blacktown City Council contends that a new category would allow a criteria to be set that reflects:
- Size
  - Rate of growth
  - Economic influence
  - Operational budget

- Complexities of remaining financially sustainable whilst maintaining services and providing new infrastructure
44. Penrith Council reiterated previous submissions, again requesting the creation of a new category, Metropolitan Large Growth Centre. Council argues they are unique compared to other similar sized councils, providing significant regional services to Greater Western Sydney.
45. Penrith Council contends its claim for creation and inclusion in a new category is enhanced through their leading role in the region demonstrating the exponential growth that will occur in the Penrith Local Government area. Council submits they are playing a leading role in several significant city-shaping projects and initiatives such as:
- Western Sydney Airport
  - Western Sydney Priority Growth Area
  - Penrith Health and Education Precinct
  - The Greater Sydney Commission District planning process
  - National Growth Areas Alliance
  - Sydney Science Park
  - Defence Industries Precinct and
  - South Creek Corridor
46. While the Tribunal understands that areas of Western Sydney are developing rapidly, not least with the new airport and associated infrastructure it is not persuaded to create a new category, Metropolitan Large - Growth Area/Centre. These councils are experiencing growth and will in the future have populations of residents and non-residents that meet the thresholds for recategorisation. It is not within the Tribunal's legislative

---

remit to anticipate growth. However as dealt with earlier in this determination, the Tribunal acknowledges the need for a new Metropolitan category to reflect increasing population and bridge gap between current categories, Metropolitan Large and Major CBD.

47. Canterbury Bankstown Council proposed the creation of a new category, Metropolitan Major, that would sit in between current category of Metropolitan Large and Major CBD.
48. Council based its argument for a new category on the following grounds:
  - Categories need to have consistent criteria
  - A new category of Metropolitan Major would capture increased population and workloads post amalgamation process
  - New criteria should be based on population size and councillor to resident ratio
  - Councils size, with a current population of 372,322 across five wards
  - Population and distribution of population
  - Councils' area and physical terrain
  - Diversity of communities served
  - Nature and volume of business dealt with by Council
49. Council proposed a new criteria could include population threshold and councillor to resident ratio, with thresholds being 350,000 and 1 to 24,000.
50. The Tribunal considered the suggested criteria of a councillor to resident ratio for all categories. Whilst the Tribunal has included this criteria for

---

Rural Large category, it has not included it for all categories. It may warrant further consideration for other categories in future reviews.

51. The Tribunal is persuaded to include a new category, Metropolitan Major, with a population criteria threshold of 400,000 in the determination.
52. Camden Council's submission requests the creation of a growth category for Metropolitan Medium councils. They argue the proposed new category would allow criteria to be established to better reflect their growth rate, economic influence and complexities involved in servicing growth.
53. Council proposes the new category be called Metropolitan Medium – Growth Area. Council submits that its inclusion into this new category is based on the following:
  - Population growth
  - Development corridors
  - Growing assets and major infrastructure
  - Major services and institutions
54. The Tribunal has already determined a new metropolitan category, taking into account population and relatives in population between existing categories. It is not persuaded to include another new metropolitan category.
55. Maitland City Council requested the creation of a new category, Regional Growth Area to bridge the gap between Regional Centre and Regional Strategic.
56. Council based its argument for a new category on the following grounds:



- Maitland is the fastest growing regional city in NSW
- significant role in accommodation growth
- Council being an emerging health centre, with the \$470 million investment in the new Maitland Hospital
- Significant role in delivery of state goals, including Greater Newcastle Metropolitan Plan 2036 and a state partner in infrastructure delivery including roads and facilities

57. Council also contends the current categorisation model for non-metropolitan is inadequate. It argues that the application of the population criteria is flawed as increments initially rise by 20,000 before leaping up by 160,000.

58. The current population criteria thresholds for non-metropolitan councils are outlined in the table below:

Category	Population Criteria
Rural	<20,000
Regional Rural	>20,000
Regional Centre	>40,000
Regional Strategic Area	>200,000
Major Strategic Area	>300,000

59. The Tribunal has considered the issues raised in Council's submission but is not persuaded for reasons noted earlier for anticipation of growth versus actual population, to create a new category, Regional Growth Area.

60. The Tribunal acknowledges the point made in Council's submission regarding incremental increases for non-metropolitan categories population criteria.
61. As outlined earlier the Tribunal has determined to change the population criteria for Regional Strategic from 200,000 to 100,000. This will result in Maitland Council being reclassified.

## Requests for Recategorisation

62. The Tribunal received four (4) requests for recategorisation. Liverpool, Byron, Tweed and Burwood Councils put forward individual cases for recategorisation for the Tribunal's consideration.
63. A summary of council's requests and the Tribunal's findings are outlined in the paragraphs below.
64. Liverpool Council requested to be reclassified from their current classification of Metro Large to Major CBD category. Liverpool Council's case to be included in Major CBD category is based on the following grounds:
  - Population forecast to grow by 59.23% in the next 20 years from 242,817 to 386,646
  - A GDP estimated at \$13.03 billion, with 91,000 jobs in the LGA
  - Significant development in the LGA that includes new council offices and chambers, new city library, childcare facility, and the \$106 million Liverpool Quarter development consisting of retail, commercial, food and beverage spaces

- Liverpool being an integral part of Western Sydney Deal to deliver transformative change
  - Liverpool being home to several significant infrastructure projects, including Western Sydney Airport, Western Sydney Infrastructure plan, Holsworthy Barracks and Liverpool Hospital upgrades
  - Diversity of population
65. The Tribunal notes that the current criteria for Major CBD remains unchanged. It includes being a major provider of business and government services, and secondary CBD to metropolitan Sydney.
66. Having regard to section 239 of the LG Act, the criteria, the submission put forward, and for reasons outlined earlier in regard to anticipated growth versus actual growth, the Tribunal is not persuaded to include Liverpool Council in Major CBD category.
67. Byron Shire Council requested to be reclassified from their current category of Regional Rural into Regional Centre.
68. Council noted, based on ABS 2021 census data, with a population of 36,077, it is on the cusp of reaching the population threshold of 40,000 residents.
69. Council believes they meet several other additional criteria that supports their case for reclassification. Council's request is based on the following grounds:
- Non-resident population of 4,817 travel from surrounding locations to work in the LGA

- 
- A population growth increase of 7.2% over the last 5 years, which is above the state increase of 5.3%
  - Proximity to Gold Coast and Ballina/Byron airports
  - Byron being home to internationally renowned Hinterland region
  - Byron being home to a large number of festivals and events
70. As outlined earlier in this determination, the criteria for Regional Centre has been amended to include non-resident population as a criteria point.
71. This result is Byron Shire Council will be reclassified to Regional Centre.
72. Tweed Shire Council once again requested reclassification from Regional Centre to Regional Strategic Area on the following grounds:
- Proximity to Sydney via Gold Coast airport
  - Proximity to Brisbane and Gold Coast
  - Tweed being a major city centre and population centre for Northern Rivers Joint Organisation
  - Tweed being the largest employer and strongest growth area in the Northern Rivers
  - The construction of new state of the art Tweed Valley Hospital due to open in late 2023
73. Tweed Shire Council will be reclassified as a result of changes to Regional Strategic Area criteria outlined earlier in this determination.
74. Burwood Council requested to be reclassified from their current classification of Metropolitan Small to Metropolitan Medium. Council acknowledged that they do not currently meet the population criteria to be

---

placed into the requested category. The criteria as outlined in the 2022 Determination, Appendix 1 of the criteria that apply to categories states

“Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.”

75. If Burwood Council's non-resident working population was included, the total population would be 53,435 well short of exceeding the population threshold for Metropolitan Medium.
76. Further examination demonstrates that Burwood council does not meet the broader criteria for Metropolitan Medium. Accordingly, Burwood Council will remain in current classification of Metropolitan Small.
77. The matters raised generally in submissions of Berrigan, Cowra, Inner West, Kur-ring-gai, Singleton and Temora Councils are outside of the scope of the Tribunal statutory functions, but in the view of the Tribunal are worthy of further consideration. These matters relate to the current remuneration principles and structures that apply to mayors and councillors in NSW and the potential impacts of these constraints. These are discussed further below.

# Section 4 – 2023 Fees

78. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required by section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
79. Pursuant to section 146C (1) (a) of the IR Act, the current government policy on wages is expressed in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 (IR Regulation). The IR Regulation provides that public sector wages cannot increase by more than 3 per cent per annum and the tribunal therefore has the discretion to determine an increase of up to 3 per cent per annum.
80. Four (4) submissions received addressed the issue of the fees quantum increase. These submissions sought an increase of 2.5% or greater.
81. The LGNSW submission requested that the Tribunal increase fees by the maximum 3 per cent, but further argued that the maximum increase is *“inadequate and does not address the historic undervaluation of work performed by elected representatives and the substantial responsibility associated with local government.”*
82. LGNSW used economic and wage data to support their argument, that included:
  - Consumer Price Index (CPI)
  - National and State Wage cases
  - Market comparability

- 
83. LGNSW in their meeting with The Tribunal and Assessors, further emphasised that remuneration for Councillors and Mayors has been reduced in real terms due to impacts of inflation and capping of remuneration increases.
84. The Tribunal received a late submission from the USU, advocating for the maximum increase to be applied. The USU argued that all work carried out in local government needed to be fairly remunerated and reflect the rise in cost of living.
85. Whilst only five of the eighteen submissions received addressed the issue of quantum increase of fees, more than half of the submissions provided commentary on a range of remuneration issues.
86. Submissions suggested that the current remuneration structure is inadequate and requires further review. It has been suggested that the current remuneration structure does not adequately reflect:
- Role, responsibilities, and commitment required to perform functions successfully
  - Workloads
  - Complexity of role
  - Commitment and skills required
  - Fairness
87. Furthermore, it has been suggested that the low level of remuneration is a barrier to encouraging participation and diversity of candidates that reflects communities.

---

88. Associate Professor Jakimow of the Australian National University provided a detailed submission outlining the negative impacts of inadequate remuneration. The substance of the submission is that current remuneration levels do not adequately reflect the hours and complexity of work. Furthermore, low remuneration is a barrier to participation and diversity.

89. Associate Professor Jakimow argues that:

*“inadequate pay has significant negative consequences: low quality local democracy, an unacceptable burden on councillors and their families, and poor councillor diversity.”*

90. A number of submissions provided comparison data to demonstrate that the current remuneration principles and structure are not reflective of time, skills and competencies required to effectively perform the roles of councillor and mayor.

91. Comparisons were made to State and Federal parliamentary members, councillors and mayors in the Queensland and Victorian local government jurisdictions, average remuneration of a chairperson of a board, not for profit organisations and national minimum wage. The basis of the argument is that NSW mayor and councillors are paid below these organisations.

92. One submission noted that legislative change would be required to change remuneration model.

93. The Tribunal acknowledges issues raised in submissions regarding remuneration principles, structure and potential impacts. Many of these issues are worth serious consideration, they are however not currently



---

within the Tribunal's remit. The Tribunal concludes these matters should be given further investigation and consideration.

94. The Tribunal has considered key economic indicators, including the Consumer Price Index and Wage Price Index, and has determined that the full 3 per cent increase will apply to the minimum and maximum fees applicable to existing categories.
95. As an initial determination, the ranges for new categories are not subject to the wages policy. Future increases in those categories, as is the case for existing categories, will be subject to wages policy in accordance with section 242A(4) of the LG Act.
96. The minimum and maximum fees for the new categories have been determined having regard to the relativities of existing categories

## Time for Fresh Thinking

97. Submissions made to the 2023 review and the Tribunal's own conclusions from evidence it has examined, suggest that there are significant issues underlying the concerns raised about mayor and councillor remuneration. It is apparent to the Tribunal that those issues which include a lack of diversity in representation, changing nature of work required to be undertaken and changed community expectations cannot be easily resolved under the existing framework. In the Tribunal's view, there would be merit in a comprehensive review of the framework for mayor and councillor remuneration.
98. The criteria under which the Tribunal makes these determinations has

---

been in existence since 1994 and at that time NSW had 177 Councils. Much has changed over the past 30 years, but the criteria has not.

99. As noted earlier in this determination the Tribunal and Assessors met with two Joint Organisation member representatives. While much of what was discussed has been dealt with in this determination it is worthy for the record to restate the view of LGNSW of the “*need for major reform*”.
100. Key themes and issues raised during discussions by mayors, councillors and general managers with the Tribunal and Assessors include:
- Changes to ways of working including expectations of increased use of social media and online platforms (“always on” expectations from constituents)
  - Impacts of future development
  - Impact of changes to legislation and regulation on workload
  - Serving constituents in regional centres, country areas regional areas, rural and remote areas
  - Remuneration principles
  - Natural Disasters including floods, fires, mice, locusts and tragedies generally
  - Confusion in roles and responsibilities – need for compulsory and consistent training of candidates prior to election and induction of those elected

- 
- Popularly elected mayors and two-year mayoral terms and the role of the Deputy Mayor when a mayor is absent, as distinct from temporarily unavailable
  - Questioning whether the guidelines by the Office of Local Government for the payment of expenses and the provision of facilities for mayors and councillors that were issued in 2009 are still fit for purpose. There appears to be significant variation in the interpretation of the guidelines and subsequent council policies
  - The optional payment of superannuation being used for political purposes
  - Paid parental leave for councillors
  - Is remuneration holding back quality candidates or are behavioural issues – both in and out of meeting environment
  - Parity in the payment differential in existing categories between councillors and mayors
  - A possible alignment in categories of councillor to resident and ratepayer ratios and rateable property ratios
  - Clarity in the payment of fees for chairpersons and voting members of Joint Organisations for additional workloads

101. Diversity was a strong theme heard by the Tribunal, both diversity of communities served and diversity of representation. We heard that

---

younger people, women, Aboriginal and Torres Strait Islander people and members of culturally and linguistically diverse communities among others, are underrepresented in many councils.

102. The Tribunal acknowledges that it is not within its authority to address many of the issues that were raised in submissions.

103. The Tribunal is not suggesting a fundamental review of the role of councillors and notes that people enter local government representation from a sense of civic service rather than for remuneration.

## Conclusion

104. The Tribunal is of the view that a broader consideration is required of the matters raised in this determination. If the Minister decided to refer these matters under section 238 (2) of the LG Act the Tribunal would be willing to assist noting that it would require considerable consultation with the sector and access to suitable resources from Government.

105. The Tribunal's determinations have been made with the assistance of the Assessors Ms Kylie Yates, Gail Connolly PSM (in her role as Acting Deputy Secretary) and Mr Brett Whitworth.

106. It is the requirement of the Tribunal that in the future all submissions have council endorsement.

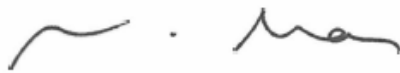
107. Determination 1 outlines the allocation of councils into each of the categories as per section 239 of the LG Act.

108. Determination 2 outlines the maximum and minimum fees paid to

---

councillors and mayors and members and chairpersons of county councils  
as per section 241 of the LG Act.

109. The Tribunal acknowledges and thanks the secretariat for their excellent  
research and support in completing the 2023 determination.



Viv May PSM

**Local Government Remuneration Tribunal**

Dated 27 April 2023

# Section 5 – Determinations

Determination No. 1 – Allocation of councils into each of the categories as per section 239 of the LG Act effective 1 July 2023

## General Purpose Councils – Metropolitan

### Principal CBD (1)

- Sydney

### Major CBD (1)

- Parramatta

### Metropolitan Major (2)

- Blacktown
- Canterbury-Bankstown

### Metropolitan Large (10)

- Bayside
- Cumberland
- Fairfield
- Inner West
- Liverpool
- Northern Beaches
- Penrith
- Ryde
- Sutherland
- The Hills

### Metropolitan Medium (8)

- Campbelltown
- Camden
- Georges River
- Hornsby
- Ku-ring-gai
- North Sydney
- Randwick
- Willoughby

### Metropolitan Small (8)

- Burwood
- Canada Bay
- Hunters Hill
- Lane Cove
- Mosman
- Strathfield
- Waverley
- Woollahra

## General Purpose Councils - Non-Metropolitan

### Major Regional City (2)

- Newcastle
- Wollongong

### Major Strategic Area (1)

- Central Coast

### Regional Centre (23)

- Albury
- Armidale
- Ballina
- Bathurst
- Blue Mountains
- Byron
- Cessnock
- Clarence Valley
- Coffs Harbour
- Dubbo
- Eurobodella
- Hawkesbury

### Regional Strategic Area(4)

- Lake Macquarie
- Maitland
- Shoalhaven
- Tweed
  
- Lismore
- Mid-Coast
- Orange
- Port Macquarie-Hastings
- Port Stephens
- Queanbeyan-Palerang
- Shellharbour
- Tamworth
- Wagga Wagga
- Wingecarribee
- Wollondilly

### **Regional Rural (12)**

- Bega
- Broken Hill
- Goulburn Mulwaree
- Griffith
- Kempsey
- Kiama
- Lithgow
- Mid-Western
- Nambucca
- Richmond Valleys
- Singleton
- Snowy Monaro

### **Rural Large (18)**

- Bellingen
- Cabonne
- Cootamundra-Gundagai
- Cowra
- Federation
- Greater Hume
- Gunnedah
- Hilltops
- Inverell
- Leeton
- Moree Plains
- Murray River
- Muswellbrook
- Narrabri
- Parkes
- Snowy Valleys
- Upper Hunter
- Yass

### **Rural (38)**

- Balranald
- Berrigan
- Bland
- Blayney
- Bogan
- Bourke
- Brewarrina
- Carrathool
- Central Darling
- Cobar
- Coolamon
- Coonamble
- Dungog
- Edward River
- Forbes
- Gilgandra



- Glen Innes Severn
- Gwydir
- Hay
- Junee
- Kyogle
- Lachlan
- Liverpool Plains
- Lockhart
- Murrumbidgee
- Narrandera
- Narromine
- Oberon
- Temora
- Tenterfield
- Upper Lachlan
- Uralla
- Walcha
- Walgett
- Warren
- Warrumbungle
- Weddin
- Wentworth

## County Councils

### Water (4)

- Central Tablelands
- Goldenfields Water
- Riverina Water
- Rous

### Other (6)

- Castlereagh-Macquarie
- Central Murray
- Hawkesbury River
- New England Tablelands
- Upper Hunter
- Upper Macquarie

## Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2023

The annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2023 as per section 241 of the *Local Government Act 1993* are determined as follows:

### Table 4: Fees for General Purpose and County Councils

#### General Purpose Councils – Metropolitan

##### Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Principal CBD	29,610	43,440
Major CBD	19,760	36,590
Metropolitan Major	19,760	34,590
Metropolitan Large	19,760	32,590
Metropolitan Medium	14,810	27,650
Metropolitan Small	9,850	21,730

##### Mayor/Chairperson Additional Fee\* (\$) effective 1 July 2023

Category	Minimum	Maximum
Principal CBD	181,210	238,450
Major CBD	41,960	118,210
Metropolitan Major	41,960	106,960
Metropolitan Large	41,960	94,950
Metropolitan Medium	31,470	73,440
Metropolitan Small	20,980	47,390

## General Purpose Councils - Non-Metropolitan

### Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Major Regional City	19,760	34,330
Major Strategic Area	19,760	34,330
Regional Strategic Area	19,760	32,590
Regional Centre	14,810	26,070
Regional Rural	9,850	21,730
Rural Large	9,850	17,680
Rural	9,850	13,030

### Mayor/Chairperson Additional Fee\* (\$) effective 1 July 2023

Category	Minimum	Maximum
Major Regional City	41,960	106,960
Major Strategic Area	41,960	106,960
Regional Strategic Area	41,960	94,950
Regional Centre	30,820	64,390
Regional Rural	20,980	47,420
Rural Large	15,735	37,925
Rural	10,490	28,430

## County Councils

### Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Water	1,960	10,870
Other	1,960	6,490

### Mayor/Chairperson Additional Fee\* (\$) effective 1 July 2023

Category	Minimum	Maximum
Water	4,200	17,850
Other	4,200	11,860

\*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2))



Viv May PSM

**Local Government Remuneration Tribunal**

Dated 27 April 2023

# Appendices

## Appendix 1 Criteria that apply to categories

### **Principal CBD**

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

---

## Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

---

## Metropolitan Major

Councils categorised Metropolitan Major will typically have a minimum residential population of 400,000.

Councils may also be categorised Metropolitan Major if their residential population combined with their non-resident working population exceeds 400,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$300M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Major will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

---

## Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.



---

## **Metropolitan Medium**

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

---

## **Metropolitan Small**

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

## **Major Regional City**

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development

- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

## **Major Strategic Area**

Councils categorised as Major Strategic Area will have a minimum population of 300,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum

- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

## **Regional Strategic Area**

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 100,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum

- 
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
  - a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

## **Regional Centre**

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW

- 
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
  - a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

## **Regional Rural**

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.

---

Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

## **Rural Large**

Councils categorised as Rural Large will have a residential population greater than 10,000, and a councillor to resident ratio of at least 1 to 1200.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

---

## **Rural**

Councils categorised as Rural will typically have a residential population less than 10,000.

## **County Councils - Water**

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

## **County Councils - Other**

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the Biosecurity Act 2015.



## Murrumbidgee Council - General Fund

### Proposed Changes To Budget

Budget Review for the Quarter Ended 31 March 2023

Note	Area		Operating Income (\$)	Operating Expenses (\$)	Capital Funding (\$)	Capital Expenditure (\$)
1	Merger Funding	<p><b>Stronger Communities Fund (SCF) - Water Component</b> Previously, the income component of SCF funding relating to water facility upgrades had been include in the budget for the general fund, with no associated expenditure. This has now been moved to the water fund.</p>			(1,962,557)	
2	Governance & Administration / Merger Funding	<p><b>Stronger Communities Fund (SCF) - Interest Component</b> Council is required to apply interest earned on unexpended SCF funds to its Major Projects fund, to be accounted for with an interest expense to the associated contract liability (for unexpended grants). However, this interest expense has never been booked. Refer to the business papers for further discussion on this point. As in the original budget the SCF funds were projected to be fully expended by the end of the financial year, the entire interest amount would have been recognised as revenue at the point the funds were spent. This is further adjusted at Note 32 to reflect the currently projected expenditure.</p>		142,790	1,011,400	142,790
3	Governance & Administration, Real Estate Development	<p><b>Interest Income</b> Increase total projected interest income from \$150,000 to \$875,000 in line with year to date figures, as a result of interest rate rises during the year. Of this increase \$119,227 is projected to be paid as internal interest to the water and sewer funds. In turn, interest expenditure relating to Wunnamurra Estate is expected to increase by \$1,295</p>	605,773	1,295		1,295

Note	Area		Operating Income (\$)	Operating Expenses (\$)	Capital Funding (\$)	Capital Expenditure (\$)
4	Street Cleaning	<p><b>Street Cleaning</b> Street Cleaning expenditure for the 2023 FYTD is \$153,061 compared to the budgeted \$35,338. This comprises \$60,061 wages and \$92,999 plant hire. Associated plant expenditure for the same period was \$27,879.25 plus \$36,572.51 depreciation = \$64,451.76. It is suggested that the plant hire rate may be set in excess of cost recovery. Additionally, only 15% of the operators' wages were budgeted for street sweeping however time spent has exceeded this. These wages will not have been expended in other areas. Projected expenditure has been revised upwards to \$200,000.</p>		164,662		
5	Welfare & Education	<p><b>Stronger Communities Fund (SCF) - Long Day Care Centre</b> This project was under budget by \$135,675. This amount will be used to cover the amount of the SCF currently oversubscribed, with the balance to be carried forward as an unexpended grant liability to be spent in future years.</p>				(135,675)
6	Housing	<p><b>Housing Replacement Strategy</b> The original budget allowed \$450,00 for the purchase of a residential dwelling. Consistent with Council's resolution a contractor has been engaged to construct a residence at 10 Argoon Avenue which will be commenced prior to the end of the financial year but not fully expended. The sale of residential properties is not expected to proceed prior to the end of the 2023 financial year. A continuance of Council's Housing Replacement Strategy will be included in the 2024 budget.</p>			(300,000)	(417,500)

Note	Area		Operating Income (\$)	Operating Expenses (\$)	Capital Funding (\$)	Capital Expenditure (\$)
7	Governance & Administration	<b>Stronger Communities Fund (SCF) - Caravan Park Management Plan</b> As at 30 June 2022, \$111,915 funds remained in relation to the development of a management plan for the caravan park. The associated expenditure had not previously been included in the budget.		111,915		
8	Governance & Administration	<b>Plant projections</b> Increase projected plant hire income \$100,000; reduce projected fuel tax credits \$53,761; and increase plant running expenses (\$7,954 insurance + \$150,000 other) based on year to date figures.	46,239	157,954		
9	Real Estate Development	<b>Young Street Subdivision - Borrowings</b> Borrowing for the Young Street Subdivision is not expected to be undertaken in the 2023 financial year, and is subject to 2024 budget deliberations. Therefore this funding and associated interest and repayments have been removed from the 2023 budget. This component of Young Street Subdivision expenditure has also been removed from the budget as it is anticipated that the SCF funds will be expended first.		(44,378)	(1,500,000)	(1,600,009)
10	Caravan Parks	<b>Sale of salvaged cabins</b> Nine damaged cabins from the Darlington Point Caravan Park were auctioned subsequent to the recent flooding event. \$90,000 was previously included in the December 2022 QBR in relation to cabin sales. The total proceeds are proposed to be transferred to the Caravan Park Reserve.			46,586	
11	Public Cemeteries	<b>Cemetery Maintenance</b> Increased cemetery maintenance budget in line with year to date expenditure		75,000		
12	Drainage & Stormwater Management	<b>Culvert Replacement</b> \$70,000 was allocated for culvert replacement in the original budget, but is not expected to be spent.				(70,000)

Note	Area		Operating Income (\$)	Operating Expenses (\$)	Capital Funding (\$)	Capital Expenditure (\$)
13	Private Works	<b>Private Works</b> Income and expenditure are both projected to be less than originally budgeted.	(100,000)	(50,000)		
14	Quarries & Pits	<b>Gravel Pits - Maintenance</b> Increase gravel pits maintenance expenditure in line with year to date expenditure.		45,000		
15	Welfare & Education	<b>Coleambally Solar Farm Contribution</b> Reflect timing of prior year contributions made in 2023 financial year	40,000			
16	Public Halls	<b>Public Halls Maintenance</b> Projected expenditure has been increased to \$50,000 in line with year to date costs, which include significant pest control and fence maintenance.		38,635		
17	Caravan Parks, Environmental Protection	<b>Caravan Park Expenses</b> Caravan Park expenditure is in excess of the budget and has been revised \$14,917 upwards. Similarly, levee bank maintenance expenditure has been revised upwards by \$20,000. It is anticipated that some of this expenditure may be related to the recent flood events and claimable under the Disaster Recovery Funding Arrangements, and this will be reviewed.		34,917		
18	Public Cemeteries	<b>Cemetery Fees</b> Increase projected cemetery fees in line with year to date figures.	25,000			
19	Public Conveniences	<b>Public Conveniences Maintenance</b> Increase public conveniences maintenance expenditure in line with year to date expenditure.		21,000		
20	Urban Roads	<b>Capital Grant - CCTV Installation</b> The original budget allowed for a capital grant for CCTV installation however no grant funds were obtained. This has been removed from the 2024 budget but is proposed to be carried forward subject to the availability of future grant funding.			(80,000)	(100,000)

Note	Area		Operating Income (\$)	Operating Expenses (\$)	Capital Funding (\$)	Capital Expenditure (\$)
21	Quarries & Pits	<b>Gravel Pits - Sale of Materials</b> Reduce projected sale of materials from gravel pits in line with current expectations.	(20,000)			
22	Sporting Grounds	<b>Capital Grant - Sporting Grounds</b> The budget allowed for a capital grant of \$20,000 to cover the costs of sporting ground expenditure however no suitable grant funds were received.			(20,000)	
23	Unsealed Rural Roads - Local	<b>Contribution Received</b> Reflect contribution received	12,548			
24	Governance & Administration	<b>Sundry Income - Admin</b> Reduce projected sundry admin income by \$10,000 in line with year to date figures.	(10,000)			
25	Governance & Administration	<b>Rates Income</b> Reduce projected rates interest income by \$10,000 based on year to date figures.	(10,000)			
26	Governance & Administration	<b>Computer Purchases</b> Additional IT equipment and computers have been required as a result of required upgrades and new hires.				10,000
27	Governance & Administration	<b>Engineering Office/Depot Equipment</b> An amount of \$2,000 was budgeted for the year with almost \$8,000 spent to date. Hence it is proposed to increase this budget to \$12,000.				10,000
28	Animal Control	<b>Registration &amp; Impounding Fees</b> Decrease projected registration and impounding fees in line with year to date figures.	(7,778)			
29	Welfare & Education	<b>Additional student scholarships awarded</b> At its April meeting, Council resolved that an additional \$4,000 of student scholarships be granted.		4,000		

Note	Area		Operating Income (\$)	Operating Expenses (\$)	Capital Funding (\$)	Capital Expenditure (\$)
30	Tourism	<p><b>NSW EV Destination Charging Grant</b> Council received an EV Destination Charging Grant to construct an electric vehicle charging station at Coleambally. The grant funds a portion of the charger, installation and software costs. Total installation cost is estimated at \$25,000 with the grant to fund \$11,322.25 of this. The balance is to be expended from the Stronger Country Communities Funds received for Broilga Place. Annual software fees (estimated \$390) are 50% funded for the first two years.</p>	390	780	11,322	11,322
31	Sealed Rural Roads - Local	<p><b>Regional &amp; Local Roads Repair Program</b> This program is awaiting completion of condition assessments by an external consultant, for a program of work to be developed. It is expected to be undertaken in the 2024 financial year and has been carried forward to that budget.</p>	(2,895,871)			(2,895,871)
32	Governance & Administration	<p><b>Stronger Communities Fund (SCF) - Unexpended Amount</b> Of the remaining SCF funds, after the adjustments indicated at other notes, an estimated \$1,220,431.27 (relating to the Young Street subdivision) will remain unspent at the end of the 2023 financial year and hence will not be recognised as income.</p>			(1,220,431)	(1,112,982)
33	Caravan Parks	<p><b>Local Government Recovery Grant</b> Local Government Recovery Grant not anticipated to be expended until 2023 financial year</p>	(1,000,000)	(1,000,000)		
34	Urban Roads	<p><b>Carrington Street Off-Street Works</b> Detailed design is due May and hence these works have been carried forward to the 2024 budget.</p>			(750,000)	(750,000)
35	Environmental Protection	<p><b>Floodplain Management Program Grant</b> These works are not expected to be undertaken prior to the end of this financial year and will be carried forward into the 2024 budget, including the remaining \$92,799 which was to be funded from the Infrastructure Replacement Reserve.</p>			(556,791)	(649,590)

Note	Area		Operating Income (\$)	Operating Expenses (\$)	Capital Funding (\$)	Capital Expenditure (\$)
36	Urban Roads	<b>Fixing Local Roads - Calrose Avenue</b> Stabilising works are anticipated to commence in July 2023 and hence this project and associated funding have been carried forward to the 2024 budget.			(574,700)	(574,700)
37	Sporting Grounds	<b>Coleambally Sports Precinct - Civil Works</b> Detailed design due late May 2023 and hence remaining budget for this project and associated funding have been carried forward to the 2024 budget.			(381,071)	(381,071)
38	Environmental Protection	<b>Disaster Recovery Funding</b> Include YTD expenditure on Disaster Recovery Funding which is substantially expected to be funded by the Disaster Recovery Funding Arrangements.	265,058	265,058		
39	Sporting Grounds	<b>Monash Park Netball Precinct</b> This project is scheduled for completion in August 2023 with some of the costs and associated funding moved forward into the 2024 budget.			(250,000)	(250,000)
40	Governance & Administration	<b>Plant Purchases &amp; Sales</b> Plant purchases for the year, particularly light vehicles, are expected to exceed the originally budgeted amount by \$561,000 however construction plant purchases are project to be below budget by \$350,000. Plant sales for the year are projected to be lower than originally budgeted by \$115,000. The net increase is proposed to be funded from the Plant Replacement Reserve.			(115,000)	211,000

Note	Area		Operating Income (\$)	Operating Expenses (\$)	Capital Funding (\$)	Capital Expenditure (\$)
41	Urban Roads	<b>Bencubbin Avenue Rehabilitation</b> It is proposed to carry forward the estimated cost of the final seal for Bencubbin Avenue for completion in November 2023 via the uncompleted works reserve.				(120,000)
42	Governance & Administration	<b>Contribution to Digital Connectivity</b> This amount is proposed to be carried forward via the uncompleted works reserve as Council awaits receipt of an invoice.				(100,000)
43	Governance & Administration	<b>Traineeships</b> Budgeted staff training costs included \$100,000 for traineeships. In April 2023, three 12-month traineeships were awarded. \$85,250 is proposed to be carried forward to the 2024 budget via the uncompleted works reserve, with an additional allocation of \$24,731 to be included in the budget for the 2024 financial year.		(85,250)		
44	Town Planning	<b>Capital Developer Contributions</b> Council has received developer contributions throughout the year which will be transferred to the Development Contributions Reserve.			64,000	
45	Governance & Administration	<b>Stocktake Adjustment</b> Following the commencement of a dedicated, full-time storeperson at Darlington Point after several years, a comprehensive stocktake was undertaken. Obsolete and missing stock resulted in an unallocatable stocktake adjustment of \$52,084.		52,084		
46	Real Estate Development	<b>Wunnamurra Estate Land Sales</b> Wunnamurra Estate Land sales are anticipated to be in excess of the originally budgeted amount. These funds are expected to be transferred to the Real Estate Development Reserve and hence will not increase unrestricted cash.			50,000	



Note	Area		Operating Income (\$)	Operating Expenses (\$)	Capital Funding (\$)	Capital Expenditure (\$)
47	Other Sports & Recreation	<b>Grant - Lighting of Boat Ramp</b> The original budget allowed for a capital grant for lighting of the Darlington Point boat ramp however no grant funds were obtained. This has been removed from the 2023 budget but is proposed to be carried forward subject to the availability of future grant funding.			(40,000)	(40,000)
48	Governance & Administration	<b>Website Upgrade</b> These works are not anticipated to be completed in the 2023 financial year and are proposed to be carried forward to a future year (with additional funds likely to be required), subject to budget deliberations.		(10,000)		
49	Welfare & Education	<b>Autumn Break Grant</b> Grant funding received and anticipated to be expended prior to the completion of the 2023 financial year.	7,000	7,000		
50	Various	Other minor adjustments of less than \$5,000 each	2,792	31,206	0	4,500
			<b>(3,038,849)</b>	<b>(36,332)</b>	<b>(6,567,242)</b>	<b>(8,806,491)</b>

## Murrumbidgee Council - General Fund

### Income & Expenses

Budget Review for the Quarter Ended 31 March 2023

	Original Budget	Sept Review	Dec Review	Revised Budget	Proposed Changes	Notes	Projected Result	Actual YTD
	('000s)	('000s)	('000s)	('000s)	('000s)		('000s)	('000s)
<b>Operating Income</b>								
Governance & Administration	12,961		16	12,977	635	3, 8, 24, 25, 50	13,612	8,783
Animal Control	11			11	(8)	28	3	2
Fire Control	157		33	190			190	97
Health & Food Control	8			8			8	0
Medical Services	8			8			8	6
Noxious Plants	43		15	58			58	57
Environmental Protection	0		241	241	265	38	506	0
Domestic Waste	398			398	(2)	50	396	388
Welfare & Education	24	7	37	68	50	15, 49, 50	118	79
Housing	176			176			176	117
Public Cemeteries	65			65	25	18	90	56
Street Lighting	46			46			46	0
Town Planning	73			73			73	49
Public Halls	9			9			9	5
Public Library	73		3	76			76	75
Museums				0	1	50	1	1
Sporting Grounds	6			6	(2)	50	4	4
Other Sports and Recreation	10			10			10	8
Building Control	25			25			25	20
Quarries & Pits	45			45	(20)	21	25	0
Footpaths	0	60		60			60	22
State & National Highways	1,473			1,473			1,473	337
Unsealed Rural Roads - Local					13	23	13	13
Sealed Rural Roads - Local	0		3,442	3,442	(2,896)	31	546	95
Sealed Roads - Regional	880		15	895			895	895
Urban Roads	0		75	75			75	0
Roads to Recovery Program	1,512		(504)	1,008			1,008	808
Caravan Parks	12		1,000	1,012	(1,000)	33	12	8
Saleyards & Markets	12		(2)	10			10	8
Tourism	0	150		150		30	150	78
Private Works	450			450	(100)	13	350	176
<b>Total Operating Income</b>	<b>18,478</b>	<b>217</b>	<b>4,371</b>	<b>23,065</b>	<b>(3,039)</b>		<b>20,026</b>	<b>12,187</b>

	Original Budget	Sept Review	Dec Review	Revised Budget	Proposed Changes	Notes	Projected Result	Actual YTD
	('000s)	('000s)	('000s)	('000s)	('000s)		('000s)	('000s)
<b>Capital Income</b>								
Administration	0	50		50			50	0
Merger Funding	0	5,355		5,355	(2,172)	1, 2, 32	3,183	488
Department of Environmental Ser	0	84		84			84	0
Noxious Plants	0	34		34			34	29
Environment Protection	557	0		557	(557)	35	0	0
Domestic Waste	0	0	131	131			131	0
Welfare & Education	0	7	41	48			48	0
Public Conveniences	334	340		674			674	324
Parks & Gardens	0	67		67			67	32
Swimming Pool	0	336		336			336	123
Sporting Grounds	20	1,186	70	1,276	(651)	22, 37, 39	625	234
Other Sports & Recreation	40	0	91	131	(40)	47	91	7
Sealed Rural Roads - Local	1,566	631	318	2,515			2,515	59
Sealed Roads - Regional	150	883	39	1,072			1,072	39
Urban Roads	1,952	1,461	(10)	3,403	(1,405)	20, 34, 36	1,998	138
Caravan Parks	234	0	(234)	0			0	0
Real Estate Development	1,700	(1,400)	(100)	200	50	46	250	176
Tourism & Area Promotion					11	30	11	0
Town Planning					64	44	64	64
<b>Total Capital Income</b>	<b>6,553</b>	<b>9,034</b>	<b>346</b>	<b>15,931</b>	<b>(4,700)</b>		<b>11,233</b>	<b>1,649</b>

	Original Budget	Sept Review	Dec Review	Revised Budget	Proposed Changes	Notes	Projected Result	Actual YTD
	('000s)	('000s)	('000s)	('000s)	('000s)		('000s)	('000s)
<b>Operating Expenses</b>								
Governance & Administration	8,430	483	378	9,291	379	2, 7, 8, 43, 45, 48, 50	9,670	7,249
Animal Control	41			41			41	30
Emergency Services	25			25			25	18
Fire Control	753			753			753	481
Health & Food Control	2			2			2	0
Medical Services	44			44	2	50	46	35
Noxious Plants	225	34		259			259	192
Environmental Protection	120		274	394	285	17, 38	679	644
Domestic Waste	447			447	1	50	448	412
Street Cleaning	35			35	165	4	200	153
Drainage & Stormwater Managen	175			175			175	132
Welfare & Education	100	15	33	148	23	29, 49, 50	171	83
Housing	236			236	2	50	238	127
Public Cemeteries	118			118	75	11	193	145
Public Conveniences	125			125	25	19, 50	150	115
Street Lighting	68			68			68	68
Town Planning	65			65			65	4
Museums	17		15	32			32	21
Parks, Gardens & Lakes	685			685			685	529
Public Halls	160			160	39	16	199	139
Public Library	288			288			288	224
Swimming Pool	437			437			437	387
Sporting Grounds	390		(3)	387			387	306
Other Cultural Services	24	1		25			25	19
Other Sports and Recreation	70		8	78	3	50	81	57
Quarries & Pits	38			38	45	14, 50	83	79
Aerodrome	36			36			36	26
Bridges	92		11	103			103	68
Footpaths	80	60	14	154			154	85
State & National Highways	1,473			1,473			1,473	1,083
Sealed Rural Roads - Local	1,553		869	2,422			2,422	1,595
Sealed Roads - Regional	840	863	221	1,924			1,924	684
Unsealed Rural Roads	1,691		(562)	1,129			1,129	820
Urban Roads	478		227	705			705	507
Car Parking Areas	2			2			2	0
Other Transport	88			88			88	62
Caravan Parks	25		1,000	1,025	(985)	17, 33	40	37
Industrial Developments	4			4	1	50	5	5
Real Estate Development	83			83	(44)	3, 9, 50	39	37
Saleyards & Markets	46			46			46	24
Tourism & Area Promotion	305	150		455	1	30	456	230
Private Works	350			350	(50)	13	300	175
Other Business Undertakings	6			6			6	4
<b>Total Operating Expenses</b>	<b>20,274</b>	<b>1,606</b>	<b>2,484</b>	<b>24,361</b>	<b>(33)</b>		<b>24,328</b>	<b>17,091</b>
<b>Cost of Sales</b>								
Residential Land: Wunnumurra Es	100		100	200	50	46	250	186
Residential Land: Darlington Poin	200		(200)	0			0	0
<b>Total Residential Land - COS</b>	<b>300</b>		<b>(100)</b>	<b>300</b>			<b>250</b>	<b>186</b>
<b>Other Income</b>								
Profit from Sale of Fixed Assets				0	41	10	41	41
<b>Total Other Income</b>				<b>0</b>	<b>41</b>		<b>41</b>	<b>41</b>

	Original Budget	Sept Review	Dec Review	Revised Budget	Proposed Changes	Notes	Projected Result	Actual YTD
	('000s)	('000s)	('000s)	('000s)	('000s)		('000s)	('000s)
Net Operating Result from Continuing Operations	4,457	7,645	2,333	14,335	(7,665)		6,722	(3,255)
Net Operating Result Before Grants and Contributions Provided For Capital Purposes	(2,096)	(1,389)	1,987	(1,596)	(2,965)		(4,511)	(4,904)

## Murrumbidgee Council - General Fund

### Capital Budget

Budget Review for the Quarter Ended 31 March 2023

	Original Budget	Sept Review	Dec Review	Revised Budget	Proposed Changes	Notes	Projected Result	Actual YTD
	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)
<b>Capital Funding</b>								
Capital Grants & Contributions								
As per 'Capital Income' on Income & Expense statement	6,553	9,034	346	15,931	(4,700)		11,233	1,649
<b>Total Capital Grants &amp; Contributions</b>	<b>6,553</b>	<b>9,034</b>	<b>346</b>	<b>15,931</b>	<b>(4,700)</b>		<b>11,233</b>	<b>1,649</b>
Asset Sales								
Plant & Equipment	513			513	(115)		398	275
Residential Properties	300			300	(300)		0	0
Other Structures	0		90	90	47		137	137
<b>Total Asset Sales</b>	<b>813</b>		<b>90</b>	<b>903</b>	<b>(368)</b>		<b>535</b>	<b>411</b>
Loans Received								
Loan - Caravan Park	2,850		(2,850)	0			0	0
Loan - Young Street Subdivision	1,500			1,500	(1,500)		0	0
<b>Total Loans Received</b>	<b>4,350</b>		<b>(2,850)</b>	<b>1,500</b>	<b>(1,500)</b>		<b>0</b>	<b>0</b>
Other Funding								
Prior Year Unexpended Grants		10,577		10,577			10,577	10,577
Transfer from Infrastructure Replacement	93		770	863	(93)		770	770
Transfer from Plant Replacement Reserve					326		326	0
Transfer from Uncompleted Works Reserve		468		468			468	468
<b>Total Other Funding</b>	<b>93</b>	<b>11,045</b>	<b>770</b>	<b>11,908</b>	<b>233</b>		<b>12,141</b>	<b>11,815</b>
<b>Total Capital Funding</b>	<b>11,809</b>	<b>20,079</b>	<b>(1,644)</b>	<b>30,242</b>	<b>(6,335)</b>		<b>23,909</b>	<b>13,875</b>
<b>Capital Expenditure</b>								
Asset Purchases/Renewals								
Contribution to Digital Connectivity	100			100	(100)	42	0	0
Equipment, Furniture & Fittings	29			29			29	4
Computers	15			15	10	26	25	18
Engineering Office/Depot Equipment	2			2	10	27	12	8
Computer/Office Equipment - Env	2			2			2	0
Depot - Workshop Hoist	0	60		60			60	0
Depot - Cover Over Washdown Bay	0	40		40			40	0
Furniture & Fittings - Medical Centre	1	6		7			7	0
Darlington Point Levee Upgrade	650			650	(650)	35	0	0
Big Bins	3			3	5	50	8	7
FOGO Implementation Costs	0		131	131			131	0
Culvert Replacement	70			70	(70)	12	0	0
Kerb & Gutter Reconstruction	50			50			50	16
Reconstruct Public Gates	10			10			10	0
Long Day Care Centre	0	163		163	(136)	5	27	27
Residential Properties	450			450	(418)	6	33	5
Cemetery Masterplans	25			25			25	6
Cemetery - Plinths	5			5			5	13
Darlington Point Lift & Change	334	(9)		324			324	332
Adrian Douglas Park Amenities	0	349		349			349	0
LED Streetlight Upgrades	0		35	35			35	
Upgrades to Playground Softfall	0	60		60			60	28
FRRR - Community Garden	0	7		7			7	4

	Original Budget	Sept Review	Dec Review	Revised Budget	Proposed Changes	Notes	Projected Result	Actual YTD
	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)
Jerilderie Skate Park								2
Darlington Point Shire Hall Upgrade	0	220		220			220	204
Coleambally Community Hall	0	554		554			554	135
Public Library Grant Expenditure	20			20			20	4
Coleambally Pool - Timing Equipment								
Marquees/Storage Reels	0	1		1			1	0
Coleambally Pool Shelters & Amenities Upgrade	0	240		240			240	29
Darlington Point Splash Park	0	94		94			94	138
Sports Fields Capital Expenditure	20			20			20	8
Coleambally Sports Precinct Equipment	0	40	70	110			110	183
Upgrade Coly Sports Precinct				0			0	9
LRCI 3 - Coleambally Sports Precinct Civil Works	0	383		383	(381)	37	2	2
SCCF 4 - Monash Park Netball Precinct	0	750		750	(250)	39	500	27
Darlington Point Oval Sporting Facilities Upgrades	0	179		179			179	32
Monash Park Lighting Upgrade	0	13	3	15			15	15
Sports Equipment	3			3			3	0
Darlington Point Boat Ramp Lighting	40			40	(40)	47	0	0
Jerilderie Gym Modernisation	0		91	91			91	7
Footpath/Cycleway Replacement	20			20			20	5
Sealed Rural Roads - Local - Bitumen Resealing	200		(61)	139			139	0
Reconstruction Expenses - Four Corners Rd	1,566	631		2,197			2,197	58
Bencubbin Avenue Rehabilitation	0	292	618	909	(120)	41	789	753
Channel 9 Road Upgrade	0		380	380			380	1
Regional & Local Roads Repair Program	0		2,896	2,896	(2,896)	31	0	0
Sealed Road Regional - Regional Roads Repair Program Reconstruction Costs	300	20	79	398			398	173
Sealed Road Regional - Bitumen Resealing	357			357			357	0
Unsealed Rural Roads - Local - Gravel Resheeting	500			500			500	124
Unsealed Rural Roads - Local - Grading Renewal	342			342			342	245
Installation of CCTV Cameras	100			100	(100)	20	0	0
Public Spaces Program	1,277	711		1,987			1,987	40
Pedestrian Access Mobility Program	20		(20)	0			0	0
Calrose Avenue Reconstruction	585			585	(575)	36	10	7
LRCI 3 - Carrington St Off Street Works	0	750		750	(750)	34	0	66
Brolga Place Coleambally Shop Entrances	0	1,444		1,444	(14)	30	1,431	25
Roads to Recovery - Sealed Road Reconstruction	392		(142)	250			250	176
Roads to Recovery - Resealing Program	420		(362)	58			58	0
Roads to Recovery - Gravel Resheeting	700			700			700	667
Riverside Caravan Park Expansion	3,084		(3,084)	0			0	0
Residential Land Development - Young St	2,900	(0)		2,900	(2,613)	2, 9, 32	287	87
Tourism Signage & Information Boards	0	49		49			49	1
Community Bus	0		67	67			67	0
Light Vehicles	439			439	561	40	1,000	727
Small Plant	40			40			40	9
Construction Plant	550			550	(350)	40	200	146
Heavy Vehicles	500			500			500	0
EV Charging Station, Coleambally					25	30	25	0
<b>Total Asset Purchases/Renewals</b>	<b>16,119</b>	<b>7,046</b>	<b>699</b>	<b>23,864</b>	<b>(8,851)</b>		<b>15,014</b>	<b>4,573</b>

	Original Budget	Sept Review	Dec Review	Revised Budget	Proposed Changes	Notes	Projected Result	Actual YTD
	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)
Loan Repayments Made								
SCF Loan Interest					143		143	0
Loan - Young Street Subdivision	100			100	(100)		0	0
Internal Loan - Wunnamurra Estate	25			25	1	3	27	0
<b>Total Loan Repayments Made</b>	<b>125</b>			<b>125</b>	<b>44</b>		<b>169</b>	<b>0</b>
<b>Total Capital Expenditure</b>	<b>16,244</b>	<b>7,046</b>	<b>699</b>	<b>23,990</b>	<b>(8,806)</b>		<b>15,183</b>	<b>4,573</b>



## Murrumbidgee Council - Water Fund

### Proposed Changes To Budget

Budget Review for the Quarter Ended 31 March 2023

Note	Area	Operating Income (\$)	Operating Expenses (\$)	Capital Funding (\$)	Capital Expenditure (\$)
1	All				
	<p><b>Stronger Communities Fund (SCF) - Water Component</b> Previously, the income component of SCF funding relating to water facility upgrades had been include in the budget for the general fund, with no associated expenditure. This has now been moved to the water fund but is not expected to be expended prior to the end of the year.</p>				
2	Darlington Point			(1,666,666)	(1,666,666)
	<p><b>Darlington Point Water Facility Upgrade</b> The upgrade of the Darlington Point water facility has been delayed by the development of the Integrated Water Cycle Management Strategy Options Report, which Council is awaiting. The upgrade is not anticipated to take place in the current financial year.</p>				
3	Jerilderie			(1,230,926)	(1,230,926)
	<p><b>Jerilderie Water Facility Upgrade</b> The upgrade of the Jerilderie water facility has been delayed by the development of the Integrated Water Cycle Management Strategy Options Report, which Council is awaiting. The upgrade is not anticipated to take place in the current financial year.</p>				
4	Coleambally & Darlington Point	(190,702)			
	<p><b>Excess Water Sales</b> Water usage charges for Coleambally (\$86,737) and Darlington Point (\$103,965) are projected to be lower than budgeted.</p>				
5	Jerilderie				(70,000)
	<p><b>Jerilderie Capital Expenditure</b> Capital expenditure of \$70,000 on New Mains (Replacement) is not expected to be realised.</p>				

Note	Area		Operating Income (\$)	Operating Expenses (\$)	Capital Funding (\$)	Capital Expenditure (\$)
6	Darlington Point	<b>Darlington Point Capital Expenditure</b> Capital expenditure of \$1,000 on Water Meters (Residences), \$25,000 on Upgrade Water Supply Mains/Valve Replacements, and \$25,000 on Water Main/Dead End Link Ups is not expected to be realised.				(51,000)
7	All	<b>Internal Interest</b> Internal interest income is projected to be in excess of the budgeted amount due to higher interest rates (Coleambally \$3,926; Darlington Point \$19,631; Jerilderie \$20,219).	43,776			
8	Coleambally	<b>Coleambally Capital Expenditure</b> Capital expenditure of \$1,000 on Water Meters (Residences) and \$40,000 on Upgrading Water Supply Mains/Valve Replacements is not expected to be realised.				(41,000)
			(146,926)	0	(2,897,592)	(3,059,592)

## Murrumbidgee Council - Water Fund

### Income & Expenses

Budget Review for the Quarter Ended 31 March 2023

	Original Budget	Sept Review	Dec Review	Revised Budget	Proposed Changes	Projected Result	Actual YTD
	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)
<b>Operating Income</b>							
Coleambally	306			306	(83) 4, 7	223	167
Darlington Point	360			360	(84) 4, 7	276	193
Jerilderie	732		140	873	20 7	893	662
<b>Total Operating Income</b>	<b>1,398</b>		<b>140</b>	<b>1,539</b>	<b>(147)</b>	<b>1,392</b>	<b>1,022</b>
<b>Capital Income</b>							
Darlington Point	1,667			1,667	(1,667) 2	0	0
Jerilderie	1,231			1,231	(1,231) 3	0	0
<b>Total Capital Income</b>	<b>2,898</b>			<b>2,898</b>	<b>(2,898)</b>	<b>0</b>	<b>0</b>
<b>Operating Expenses</b>							
Coleambally	292			292		292	159
Darlington Point	372			372		372	173
Jerilderie	682		156	838		838	513
<b>Total Operating Expenses</b>	<b>1,345</b>			<b>1,501</b>	<b>0</b>	<b>1,502</b>	<b>845</b>
<b>Net Operating Result from Continuing Operations</b>	<b>2,951</b>		<b>(16)</b>	<b>2,935</b>	<b>(3,045)</b>	<b>(110)</b>	<b>177</b>
<b>Net Operating Result Before Capital Items</b>	<b>53</b>		<b>(16)</b>	<b>37</b>	<b>(147)</b>	<b>(110)</b>	<b>177</b>

## Murrumbidgee Council - Water Fund

### Capital Budget

Budget Review for the Quarter Ended 31 March 2023

	Original Budget	Sept Review	Dec Review	Revised Budget	Proposed Changes	Projected Result	Actual YTD
	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)
<b>Capital Funding</b>							
Capital Grants & Contributions							
SCF Program	290			290	(290) 2, 3	0	0
Water Supply Grant	2,608			2,608	(2,608) 2, 3	0	0
<b>Total Capital Grants &amp; Contributions</b>	<b>2,898</b>			<b>2,898</b>	<b>(2,898)</b>	<b>0</b>	<b>0</b>
<b>Total Capital Funding</b>	<b>2,898</b>			<b>2,898</b>	<b>(2,898)</b>	<b>0</b>	<b>0</b>
<b>Capital Expenditure</b>							
Asset Purchases/Renewals							
Coleambally - Water Meters (Residences)	1			1	(1) 8	0	0
Coleambally - Upgrade Water Supply Mains/Valve Replacements	40			40	(40) 8	0	0
DP - Upgrade Water Supply Mains/Valve Replacements	50			50	(25) 6	25	2
DP - Water Meters (Residences)	1			1	(1) 6	0	0
DP - Water Main/Dead End Link Ups	30			30	(25) 6	5	4
DP - New Tower & Treatment Systems	1,667			1,667	(1,667) 2	0	0
Jerilderie - New Mains (Replacement)	70			70	(70) 5	0	0
Jerilderie - Filtration Plant Upgrade	1,231			1,231	(1,231) 3	0	0
Jerilderie - Sprinkler Timer Installation	5			5		5	3
<b>Total Asset Purchases/Renewals</b>	<b>3,095</b>			<b>3,095</b>		<b>35</b>	<b>9</b>
<b>Total Capital Expenditure</b>	<b>3,095</b>			<b>3,095</b>		<b>35</b>	<b>9</b>

## Murrumbidgee Council - Sewer Fund

### Proposed Changes To Budget

Budget Review for the Quarter Ended 31 March 2023

Note	Area	Operating Income (\$)	Operating Expenses (\$)	Capital Funding (\$)	Capital Expenditure (\$)
1	Darlington Point				(185,000)
	<p><b>Darlington Point Capital Expenditure</b> Capital expenditure of \$200,000 on Effluent Re-Use Scheme is not expected to be realised.</p> <p>An additional \$15,000 (on top of the \$15,000 already budgeted) is expected to be expended on sewer pump replacements.</p>				
2	All	75,775			
	<p><b>Internal Interest</b> Internal interest income is projected to be in excess of the budgeted amount due to higher interest rates (Coleambally \$12,564; Darlington Point \$21,594; Jerilderie \$41,617).</p>				
3	Jerilderie				(37,500)
	<p><b>Jerilderie Capital Expenditure</b> Capital expenditure of \$30,000 on new sewer mains and \$7,500 on sewer well pump replacements is not expected to be realised.</p>				
4	Jerilderie		24,500		
	<p><b>Asset Valuation</b> Council is currently undertaking an asset valuation and implementation of an asset management system with the support of Tonkin. The sewer component of these costs is proposed to be charged to the sewer fund.</p>				
		75,775	24,500	0	(222,500)

## Murrumbidgee Council - Sewer Fund

### Income & Expenses

Budget Review for the Quarter Ended 31 March 2023

	Original Budget	Sept Review	Dec Review	Revised Budget	Proposed Changes		Projected Result	Actual YTD
	('000s)	('000s)	('000s)	('000s)	('000s)		('000s)	('000s)
<b>Operating Income</b>								
Coleambally	127			127	13	2	140	139
Darlington Point	234			234	22	2	256	230
Jerilderie	354			354	42	2	396	326
<b>Total Operating Income</b>	<b>715</b>			<b>715</b>	<b>77</b>		<b>792</b>	<b>695</b>
<b>Operating Expenses</b>								
Coleambally	115			115			115	65
Darlington Point	342			342			342	213
Jerilderie	405			405	(25)	4	380	277
<b>Total Operating Expenses</b>	<b>861</b>			<b>861</b>	<b>(25)</b>		<b>861</b>	<b>555</b>
<b>Net Operating Result from Continuing Operations</b>	<b>(146)</b>			<b>(146)</b>	<b>102</b>		<b>(69)</b>	<b>140</b>
<b>Net Operating Result Before Capital Items</b>	<b>(146)</b>			<b>(146)</b>	<b>102</b>		<b>(69)</b>	<b>140</b>

## Murrumbidgee Council - Sewer Fund

### Capital Budget

Budget Review for the Quarter Ended 31 March 2023

	Original Budget	Sept Review	Dec Review	Revised Budget	Proposed Changes	Projected Result	Actual YTD
	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)	('000s)
<b>Capital Funding</b>							
Loan Repayments Received	25			0		0	0
<b>Total Capital Funding</b>	<b>740</b>			<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Capital Expenditure</b>							
<b>Asset Purchases/Renewals</b>							
Coleambally - Sewer Pump Replacement	5			5		5	0
Darlington Point - Sewer Pump Replacements	15			15	15 1	30	14
Darlington Point - Effluent Re-Use Scheme	200			200	(200) 1	0	0
Jerilderie - Sewer Mains Replacement	30			30	(30) 3	0	0
Jerilderie - Sewer Well Pump Replacements	15			15	(8) 3	7	7
<b>Total Asset Purchases/Renewals</b>	<b>265</b>			<b>265</b>	<b>(223)</b>	<b>42</b>	<b>21</b>
<b>Total Capital Expenditure</b>	<b>265</b>			<b>265</b>	<b>(223)</b>	<b>42</b>	<b>21</b>

## Murrumbidgee Council - Consolidated

### Cash & Investments

Budget Review for the Quarter Ended 31 March 2023

	Original Budget ('000s)	Sept Review ('000s)	Dec Review ('000s)	Revised Budget ('000s)	Proposed Changes ('000s)	Projected Result ('000s)	Actual YTD ('000s)
<b>Unrestricted</b>	13,144	(7,313)	(121)	5,709	(2,286)	3,422	6,807
<b>Externally Restricted</b>							
Unexpended Grants - General		5		5	7,092	7,097	10,476
Unexpended Grants - Water					1,963	1,963	1,963
Water Supply Funds (Excluding Unexpended Grants)	2,898	450	(16)	3,333	15	3,348	3,352
Sewerage Funds	4,113	353		4,466	274	4,740	4,670
Domestic Waste Management	74			74	0	74	74
Coleambally Town Development	432			432		432	432
Developer Contributions Reserve	407	79		485	64	549	549
	7,923	887	(16)	8,794	9,408	18,202	21,516
<b>Internally Restricted</b>							
Employee Entitlements	1,095	19		1,114		1,114	1,114
Infrastructure Replacement	2,739	(128)	(770)	1,841	93	1,934	1,841
Plant Replacement	1,522	(404)		1,118	(326)	792	1,118
Real Estate Development	130	150	(100)	180	50	230	180
Caravan Park Reserve		70		70	137	207	70
Uncompleted Works					315	315	
FAG Advance Payment	5,486	(293)	(870)	4,322	269	4,592	4,322
<b>Total Cash and Investments</b>	<b>26,552</b>	<b>(6,720)</b>	<b>(1,007)</b>	<b>18,826</b>	<b>7,391</b>	<b>26,216</b>	<b>32,646</b>

Note: items marked in orange above have been restated due to a clerical error in the December 2023 QBR.



**Murrumbidgee Council**  
**Quarterly Budget Review as at 31 March 2023**  
**Consultancy and Legal Expenses**

<b>Consultancies</b>	<b>Expenditure YTD</b>	<b>Budgeted</b>
Steven Murray Architect	\$20,724	Yes
Connex Group Pty Ltd	\$4,950	Yes
PHL Surveyors	\$6,600	Yes
Staight Lines Designs	\$13,528	Yes
Tonkin Consulting Pty Ltd	\$89,877	Yes
Redbelly Urban Design & Landscape Architecture	\$17,160	Yes
LG Solutions	\$9,955	Yes
Pacesetter Services	\$1,650	Yes
Sue Couttie Media	\$9,000	Yes
Conway Highbury Pty Ltd	\$30,006	Yes
Assembl Digital	\$26,455	Yes
Advanced Environmental Systems	\$7,920	Yes
RSD Audit	\$16,658	Yes
Marvel Engineers	\$29,920	Yes
Early Childhood Quality Services	\$1,705	Yes
Time to Talk	\$3,245	Yes
Accessible Building Solutions	\$550	Yes
Asset Valuer Pro	\$12,620	Yes
Regional Design Service	\$28,280	Yes
CIBIS International	\$28,708	Yes
MIA Valuers	\$3,300	Yes
Matt Beaver Creative	\$19,857	Yes
Genesis Accounting	\$7,012	Yes
Adroit Creations	\$27,500	Yes
Habitat Planning	\$18,183	Yes
Australian Pacific Valuers	\$3,267	Yes
Ozz Building & Design	\$5,402	Yes
Strac Consulting Engineers	\$1,683	Yes
<b>Legal Fees</b>		
Kell Moore Lawyers	\$17,906	Yes

**Murrumbidgee Council  
 Quarterly Budget Review as at 31 March 2023  
 Contracts and Other Expenses**

Contracts entered into during the quarter and yet to be fully performed, excluding contractors that are on Council's 'Preferred Supplier List'

<b>Contractor</b>	<b>Detail and purpose</b>	<b>\$ Value</b>	<b>Commenced</b>	<b>Duration</b>	<b>Budgeted</b>
I W Contracting Pty Ltd	Civil Construction of Brolga Place Streetscape	755,392	31/03/2023		Yes
Asset Corporate Company Pty Ltd	Steel Structure Construction - Brolga Place	1,006,501	31/03/2023		Yes



**Murrumbidgee**  
COUNCIL

## **Draft** Managing Conflicts of Interest for Council-Related Development Policy

	Name	Position	Signature	Date
Responsible Officer	Garry Stoll	Director Planning, Community & Development		
Authorised By	John Scarce	General Manager		

Document Revision History	
Date adopted by Council:	
Minute Number:	
Revision Number:	
Review Date:	See item 10. of this Policy
Date adopted by Council:	
Minute Number:	
Next Review:	
Revision Number:	
Review Date:	
Date adopted by Council:	
Minute Number:	

May 2023

# Contents

PART 1 – PRELIMINARY .....	3
1. Name of the Policy and Purpose .....	3
2. Aim of Policy .....	3
3. Scope .....	3
4. Definitions .....	3
PART 2 – PROCESS FOR IDENTIFYING AND MANAGING POTENTIAL CONFLICTS OF INTEREST .....	4
5. Management controls and strategies: .....	4
6. Identifying whether a potential conflict of interest exists, assessment of level risk and determination of appropriate management controls .....	5
7. Notification of Council-related development applications .....	6
8. Legislation and related matters .....	6
9. Directorate .....	6
10. Policy Review .....	6

## PART 1 – PRELIMINARY

### 1. Name of the Policy and Purpose

This policy is the *Managing Conflicts of Interest for Council-Related Development Policy*. Its purpose is to manage potential conflicts of interest that may arise in conjunction with Council-related Development Applications (DA), because Council is the consent authority.

### 2. Aim of Policy

This policy aims to manage potential conflicts of interest and increase transparency at all stages of the development process for Council-related development.

### 3. Scope

This policy applies to all Council-related development, or development on Council land that requires development consent.

The policy does not apply to:

- development applications that include development on a public road, as defined by the Local Government Act 1993 (unless the development application is lodged by or on behalf of Council); and
- development applications that were lodged, but not finally determined, before the policy commenced.

### 4. Definitions

4.1 In this policy:

**Application** means an application for consent under Part 4 of the Act to carry out development and includes an application for a complying development certificate and an application to modify a development consent.

**Council** means Murrumbidgee Council.

**Council-related development** means development for which the Council is the applicant developer (whether lodged by or on behalf of Council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator or consent authority.

**Development process** means application, assessment, determination, and enforcement.

**The Act** means the *Environmental Planning and Assessment Act 1979*.

4.2 A word or expression used in this policy has the same meaning as it has in the Act, and any instruments made under the Act, unless it is otherwise defined in this policy.

4.3 Notes in this policy do not form part of the policy.

## PART 2 – PROCESS FOR IDENTIFYING AND MANAGING POTENTIAL CONFLICTS OF INTEREST

### 5. Management controls and strategies:

5.1 Management controls may be applied to:

- (a) the **assessment** of an application for Council-related development.
- (b) the **determination** of an application for Council-related development.
- (c) the **regulation and enforcement** of approved Council-related development.

*Note 1: This may include the use of independent consultants and certifiers or entering into a shared services agreement with a neighbouring Council for assessment, regulatory and enforcement or establishing independent panels prior to determination of applications.*

5.2 The management strategy for the following kinds of development is that no management controls need to be applied:

- (a) fit outs and minor changes to the building façade
- (b) internal alterations or additions to buildings that are not a heritage item
- (c) advertising signage
- (d) minor building structures projecting from a building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes, and services)
- (e) development where the Council might receive a small fee for the use of their land.

*Note 2: Controls for dealing with conflict will be based on the level of risk Murrumbidgee Council will deal with the potential conflicts of interest for Council-related development based on:*

- a. *risk category – low, moderate, high, very high*
- b. *types of development – non-controversial small-scale development, development of a certain value with/without a commercial interest, controversial development, or even*
- c. *capital investment value of the proposed development.*

*Note 3: There are a range of management controls that could be applied in particular circumstances; such as:*

- a. *Assessment and determination*
  - i. *The assessment and/or determination of an application are to be undertaken by Council staff under delegation – this might be appropriate if the proposal is considered to be a low-level risk or non-controversial. For more controversial projects, this might only be effective if strict role separation controls are imposed.*
  - ii. *The application could also be referred for external assessment and/or determination to either:*
    - *another Council,*
    - *a local planning panel if one is in place,*
    - *a regional planning panel (may require negotiation – RPPs are not required to accept referrals),*
    - *a consultant.*

*The involvement of an external third party might be appropriate for development where Council has a commercial interest in the land, or the development is seen to be a political priority for the Council.*

- b. *Regulation and enforcement*
  - i. *Engagement of a private certifier ,*
  - ii. *Publication of certificates issued under Part 6 of the Act on the NSW Planning Portal,*
  - iii. *Peer review by a neighbouring Council and/or entering into a shared services arrangement with a neighbouring Council,*
  - iv. *Reporting of key milestones to the full Council.*

## **6. Identifying whether a potential conflict of interest exists, assessment of level risk and determination of appropriate management controls**

6.1 Development applications lodged with the Council that are Council-related development (as defined in clause 1.4) are to be referred to the Director Planning, Community & Development (or a delegate) for a conflict-of-interest risk assessment.

6.2 The Director Planning, Community & Development or delegate must:

- (a) assess whether the application is one in which a potential conflict of interest exists,
- (b) identify the phase(s) of the development process at which the identified conflict of interest arises,
- (c) assess the level of risk involved at each phase of the development process,
- (d) determine what (if any) management controls should be implemented to address the identified conflict of interest (in each phase of the development process if necessary) having regard to any controls and strategies outlined in clause 5 of the policy and the outcome of the general manager's assessment of the level of risk involved as set out clause 6(2)(c) of the policy,

*Note 4: The Director Planning, Community and Development (or delegate) could determine that no management controls are necessary in the circumstances.*

- (e) document the proposed management approach for the proposal in a statement that is published on the NSW Planning Portal.

*Note 5: The following is an example of a statement that will be published by Council to document its proposed management approach in a particular circumstance.*

### **Scenario**

*Murrumbidgee Council seeks to develop one of its assets "Murrumbidgee Civic Place". Council is the landowner and is proposing redevelopment of the site for a mixed-use development with a total capital investment value of \$4.9 million. The development seeks approval for the construction and the use of building for the purpose of a childcare centre, a medical centre, commercial office space and Council's public administration.*

### Example - Management Statement

<b>Council Conflict of Interest Management Statement</b>	
<b>Project Name</b>	<i>Murrumbidgee Civic Place</i>
<b>DA Number</b>	<i>100/2023</i>
<b>Potential Conflict</b>	<i>Murrumbidgee Council is the applicant. Murrumbidgee Civic Place has an estimated capital investment value of \$4.9 million and Council expects to receive revenue through renting commercial office spaces.</i>
<b>Management Strategy</b>	<i>The Council is managing potential conflicts of interest in this matter as follows:</i> <ul style="list-style-type: none"><li>- <i>The application will be referred to the local planning panel to determine the development application.</i></li><li>- <i>Council development assessment staff not involved with preparing the application will assess the DA. The staff will remain separated from the project team.</i></li><li>- <i>A private certifier will be engaged to undertake the certification for the development.</i></li><li>- <i>XXXX Council has agreed to peer review any regulatory decisions should compliance decisions be made</i></li><li>- <i>Key project milestones following the development consent will be reported at a public Council meeting.</i></li></ul>
<b>Contact</b>	<i>Anyone with concerns about Council fulfilling its obligations should report their concerns to the Council.</i>

## PART 3 – OTHER MATTERS

### 7. Notification of Council-related development applications

All Council related development applications will be notified for a minimum period of 28 days in accordance with the Environmental Planning and Assessment Act, 1979.

### 8. Legislation and related matters

The following legislation and related matters were referenced in the drafting of the policy:

- (a) Environmental Planning and Assessment Act, 1979
- (b) Environmental Planning and Assessment Regulation, 2021
- (c) Department of Planning & Environment “*Council-related Development Application Conflict of Interest Guidelines*”

### 9. Directorate

This policy was prepared by Planning, Community and Development Directorate

### 10. 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).



# LIONS PARK

## *Draft Plan of Management*

### 2023-2028

---



**Murrumbidgee**  
COUNCIL

*May 2023*

---

**January 2023**

*Plan of Management prepared for **Murrumbidgee Council***

*Plan of Management prepared by:*

**PARISPLAN Urban & Regional Planning**

63 Hillam Drive

GRIFFITH NSW 2680

Email: [parisplan@icloud.com](mailto:parisplan@icloud.com)

ABN: 66 527 814 168

**Disclaimer:**

*PARISPLAN Urban & Regional Planning has prepared this Plan of Management for Lions Park on behalf of Murrumbidgee Council in good faith relying upon information and/or data supplied by the client or other parties. PARISPLAN Urban & Regional Planning however cannot warrant or verify that information provided is truly accurate and as such expressly disclaims any and all liability to any person or persons in reliance on the report and its contents in part or in whole.*

Copyright © PARISPLAN URP 2022

## Table of Contents

<b>EXECUTIVE SUMMARY .....</b>	<b>5</b>
<b>PART 1: INTRODUCTION AND GENERAL INFORMATION .....</b>	<b>6</b>
1. KEY INFORMATION .....	6
2. ABOUT PLANS OF MANAGEMENT.....	6
2.1 Why is Murrumbidgee Council preparing a Plan of Management? .....	7
2.1 Corporate objectives of Murrumbidgee Council .....	7
2.2 Land to which this plan applies .....	8
2.3 Owner of the land.....	9
2.4 Categorisation of the reserves .....	9
3. RELEVANT LEGISLATION, POLICIES AND PROCEDURES.....	10
3.1 Local Government Act 1993 .....	10
3.2 Crown Land Management Act 2016.....	11
3.3 Other relevant legislation and statutory controls .....	13
3.4 Review of this plan .....	16
3.5 Community consultation .....	16
4. LAND COMPRISING THE HABITAT OF ENDANGERED SPECIES OR THREATENED SPECIES.....	17
5. LAND CONTAINING SIGNIFICANT NATURAL FEATURES.....	18
6. CULTURALLY SIGNIFICANT LAND .....	18
<b>PART 2: DETAILED INFORMATION REGARDING CATEGORIES OF LAND.....</b>	<b>18</b>
7. VISION FOR LIONS PARK.....	18
8. MANAGEMENT DIRECTIONS.....	19
8.1 Statutory guidelines for development of the parks .....	19
8.2 Use of the land and structures at the date of adoption of the plan .....	23
8.3 Condition of the land and structures on adoption of the plan.....	23
8.3 Permitted use and future use.....	27
8.4 Leases, licences and other estates .....	28
9. ADMINISTRATION OF PLAN AND PERFORMANCE TARGETS.....	29
<b>APPENDICIES .....</b>	<b>37</b>
APPENDIX A - DEFINITIONS.....	37
APPENDIX B - COPY OF NOTICE FROM MINISTER ADVISING OF CATEGORISATION OF CROWN LAND.....	39
APPENDIX C – AERIAL IMAGERY OF LIONS PARK.....	40
APPENDIX D - ABORIGINAL HERITAGE INFORMATION MANAGEMENT SYSTEM SEARCH RESULTS.....	41

---

**LIST OF FIGURES & TABLES.....**

*Table 1: Land covered by this plan of management..... 8*

*Table 2: Parks not covered by this plan of management ..... 9*

*Table 3: Land categorization and gazettal date..... 9*

*Table 4: Land categorization ..... 11*

*Table 5: Land zoning..... 15*

*Table 6 - Preferred uses of land categorised as park and general community use ..... 20*

*Table 7: Existing use of reserves and structures ..... 23*

*Table 8 - Objectives and performance targets ..... 30*

*Figure 1: Process of preparing this plan of management..... **Error! Bookmark not defined.***

*Figure 2 - Signage..... 24*

*Figure 3 – Grassed area..... 24*

*Figure 4 – BBQ facilities..... 25*

*Figure 5 – Picnic table and shelter..... 25*

*Figure 6 - Existing older style swings..... 25*

*Figure 7 – Existing older style slippery dip..... 25*

*Figure 8 – Existing newer style swings ..... 25*

*Figure 9 - Existing newer style slide..... 25*

*Figure 10 – Existing climbing equipment..... 26*

*Figure 11 – Existing play equipment..... 26*

*Figure 12 – Existing water tank..... 26*

*Figure 13 – Existing amenities/storage building ..... 26*

---

## EXECUTIVE SUMMARY

Murrumbidgee Council has a broad and diverse network of open space that covers a differing levels of recreation use. In total, Murrumbidgee Council manages and maintains a number of reserves categorised as a *park* including Lions Park. The Plan of Management for Lions Park (the plan) aims to provide a basis for guiding Council's ongoing management of its parks, sportsgrounds and general community use land within the Murrumbidgee Local Government Area in accordance with the requirements of the NSW Local Government Act 1993 (the Act) and the Crown Land Management Act, 2016

The intention of this plan of management is to provide Council with a framework that enables decisions in regard to community land, to be made on an informed, consistent and equitable basis. The plan of management satisfies the requirements of the Local Government Act 1993 as amended by the Local Government Amendment (Community Land Management) Act 1998 and the Crown Land Management Act, 2016

The current use patterns; condition of the existing built and natural assets; emerging needs, constraints and opportunities, have been considered in this plan of management. The plan of management identifies appropriate objectives and actions, as well as measures that enable the successful implementation of key outcomes provided by the plan and a means for the effective ongoing management of the reserve to meet the needs of the three towns.

The plan of management has been prepared with due regard to *Developing Plans of Management for Community Land Crown Reserves—Guideline for Council Crown Land Managers* issued in November 2019 and the sample for a generic Crown reserve plan of management outline, in order achieve a balanced, responsible and ecologically sustainable use of the land and to ensure that it addresses the needs of the local neighbourhood, the broader community, and the environment. It has been prepared to meet the requirements of the Local Government Act, 1993 (LG Act).

The plan aims to serve as a key management tool that is strongly related to other strategic plans of Council such as Council's Management Plan, as well as research obtained in preparation for Council's Recreation and Open Space Maintenance Strategies.

## **PART 1: INTRODUCTION AND GENERAL INFORMATION**

### **1. KEY INFORMATION**

This Plan of Management Plan covers Crown Land Reserve No. 75491 (Lot 121-122 DP 1145260) being Lions Park, Darlington Point. The reserve was gazette on 5 December 1952 for the purpose of public recreation and a children's playground.

The Plan of Management for Lions Park (LPPoM) was adopted on **[insert date]**.

Terms that are *italicised* throughout the document are terms defined by legislation. Where relevant these definitions are included in Appendix A.

### **2. ABOUT PLANS OF MANAGEMENT**

A *plan of management* provides information about public land and its user groups stating what, why, how and by whom the integrity of any particular parcel of community land is to be managed. It establishes the values, uses, management practices and broad intent for the public purpose for which the land has been reserved or dedicated.

All plans of management are prepared in accordance with the provisions of the Crown Land Management Act 2016 for Ministerial approval. A plan of management provides a framework for the future management, use and development of reserved Crown land and should be consistent with the public purpose for the reserve and the principles of Crown land management, as well as other guidelines, policies, and any other legal requirements that may apply to the reserve.

A plan of management can be prepared for more than one parcel of land (generic or geographic) or for a single parcel (significant or specific). The LPPoM is a specific plan of management.

The Crown land covered under this plan of management is a valuable community resource and the key objective of the LPPoM is to provide a clear direction that will enable ongoing use of each of the reserve for both passive and unstructured active outdoor recreation and for the general enjoyment for all members the local community, visitors to the local government areas, and facilitate opportunities for uses appropriate to the land.

---

## **2.1 Why is Murrumbidgee Council preparing a Plan of Management?**

---

Murrumbidgee Council was established on 12 May 2016 following the merger of Murrumbidgee Shire Council and Jerilderie Shire Council and under the provisions of the Crown Land Management Act, 2016 has been identified as a Crown Land Manager. Under the provisions of the aforementioned Act, the responsibilities that fall upon a Crown Land Manager is to ensure that land resources are to be shared equitably in accordance with the principles of environmental protection, conservation and ecological sustainability, public use and enjoyment as well as encouraging multiple use of the land. As Crown Land Manager, Murrumbidgee Council is required to prepare a plan of management for over 30 parcels of Crown land it is responsible for.

A plan of management can fulfil many purposes and a Crown Land Manager may, for example, use a plan of management to:

- Provide a single document that collates information held by Council to enable a single point of reference;
- Expand upon the Council's corporate objectives and direction set out in its Community Strategic Plan;
- Provide an outline the day-to-day use and management of community land;
- Ensure that the environment is properly managed in accordance with the principles of sustainable development;
- Incorporate a masterplan that provides directions for future development, including landscaping and the provision of infrastructure;
- Identify risks associated with the use of the land and incorporate mitigation measures including emergency response actions;
- Explain how the provisions of a local environmental plan or development control plan are to be applied to the particular reserve and if required provide additional guidelines;

It is not intended that the LPPoM will cover all of the items listed above.

---

## **2.1 Corporate objectives of Murrumbidgee Council**

---

The management actions in this Plan of Management are have been formulated so that they align with Murrumbidgee Council's Community Strategic Plan (CSP) that was adopted in 2019, which has been adopted on two guiding tenants, one being the principle of social justice and the other being sustainability.



Social justice principles underpinned the Murrumbidgee Council CSP are:

**Equity** – there should be fairness in decision making, prioritizing and allocation of resources, particularly for those in need. Everyone should have a fair opportunity to participate in the future of the community. The planning process should take particular care to involve and protect the interests of people in vulnerable circumstances.

**Access** – all people should have fair access to services, resources and opportunities to improve their quality of life.

**Participation** – everyone should have the maximum opportunity to genuinely participate in decisions which affect their lives

**Rights** – equal rights should be established and promoted, with opportunities provided for people from diverse linguistic, cultural and religious backgrounds to participate in community life.

## **2.2 Land to which this plan applies**

This Plan of Management Plan includes one of the many open space areas which Murrumbidgee Council manages which has been categorised as a park. The purpose of developing a specific plan of management for Lions Park is to acknowledge its location at the main entrance to Darlington Point and its connection to the adjoining caravan park and natural bushland reserves as a means of meeting the needs of the community and visitors to the town. Land covered by the plan of management is listed in Table 1:

**Table 1: Land covered by this plan of management**

<b>Land</b>	<b>Real property description</b>	<b>Land owner</b>
<i>R75491 Lions Park, Darlington Point</i>	Lots 121-122 DP 1145260	Crown land managed by Murrumbidgee Council.

Land not covered by this plan includes community land covered by specific plans of management listed in Table 2; public open spaces and recreation facility assets within the local government area that are owned and managed by other entities; and privately-owned land that is made available for public use.



**Table 2: Crown reserves classified as a park not covered by this plan of management**

Land	Reason
<i>Adrian Douglas Park, Darlington Point</i>	Part of generic plan of management “Darlington Point Parks”
<i>Chant Street Playground, Darlington Point</i>	Part of generic plan of management “Darlington Point Parks”
<i>White Street Playground, Darlington Point</i>	Part of generic plan of management “Darlington Point Parks”

### 2.3 Owner of the land

For the purpose of Section 37 of the Local Government Act, 1993 column three of Table 1 identifies land that is owned by the Crown and that Murrumbidgee Council has been appointed as Crown Land Manager under the provisions of Division 3.2 of the Crown Land Management Act, 2016. It also identifies land which is owned by Murrumbidgee Council and managed as community land for the purpose of the LG Act, 1993.

The land identified is not subject to any trust, estate, interest, dedication, condition, restriction or covenant referred to in clause 37(b) of the Local Government Act, 1993. Further there is no condition or restriction imposed by the owner in respect to the use of management of the land as referenced in clause 37(c) of the Act.

### 2.4 Categorisation of the reserves

The land covered by this generic plan of management is public land and for the purpose of clause 26 of the Local Government Act, 1993 is classified as community land. Table 3 identifies the purpose of the reserve and the categorization of the land as confirmed by the Department of Planning, Industry and Environment – Crown Lands.

**Table 3: Land categorization and gazettal date**

Land	Purpose(s) & gazettal date	Categorisation
R75491 Lions Park, Darlington Point	Public recreation and children’s playground 5 December 1952	Park

---

### **3. Relevant legislation, policies and procedures**

The statutory framework for the preparation and operation of the Plan of Management for Lions Park (LPPoM) is primarily guided by:

- Local Government Act, 1993
- Local Government (General) Regulation, 2021
- Crown Land Management Act, 2016
- Crown Land Management Regulation, 2018

Other legislation, regulations and environmental planning instruments that may be of relevance to the Plan of Management for Lions Park include:

- Environmental Planning and Assessment Act, 1979;
- Environmental Planning and Assessment Regulation, 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- Murrumbidgee Local Environmental Plan, 2013;
- Companion Animals Act, 1998;
- Disability Discrimination Act, 1992.

#### **3.1 Local Government Act 1993**

Section 3.23(6) of the Crown Land Management Act, 2016 requires Murrumbidgee Council to adopt a Plan of Management for any Crown reserve for which it is the appointed Crown Land Manager, and that is classified as community land under the Local Government Act 1993 (LG Act). These PoMs must be prepared and adopted in accordance with the provisions of Division 2 of Part 2 of Chapter 6 of the LG Act. The core objectives for the management of community land categorized as a park and for general community use are set out in sections 36F, 36G and 36I of the Local Government Act, 1993 and clauses 103, 104 & 106 of the Local Government (General) Regulation 2021 respectively. These core objectives are as follows:

**Table 4: Land categorization**

<b>Land</b>	<b>Guidelines<sup>1</sup></b>	<b>Core Objectives<sup>2</sup></b>
Park	<i>Land which is, or proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that not unduly intrude on the peaceful enjoyment of the land by others.</i>	<i>The core objectives for management of community land categorised as a park are:</i>  <i>a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities.</i> <i>b) to provide for passive recreational activities or pastimes and for the casual playing of games.</i> <i>c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management</i>

While the Local Government Act 1993 (LG Act) contains many provisions that have an impact on the management of the Reserve there is one aspect of particular importance: the approval requirements certain activities specified in the Table from Section 68 of the Act, in particular those listed under Part D Community land.

Section 68 of the Act requires a person, wanting to carry out an activity specified in the Table D, to obtain approval from Council to undertake in any of the following activities:

- 1 Engage in a trade or business*
- 2 Direct or procure a theatrical, musical or other entertainment for the public*
- 3 Construct a temporary enclosure for the purpose of entertainment*
- 4 For fee or reward, play a musical instrument or sing*
- 5 Set up, operate or use a loudspeaker or sound amplifying device*
- 6 Deliver a public address or hold a religious service or public meeting*

The Crown Land Management Act 2016 specifies that approvals of activities under the Local Government Act 1993 must comply with plans of management and that a local council cannot grant an approval for an activity on dedicated or reserved Crown land under Part 1 of Chapter 7 (including Section 68) of the Local Government Act 1993 that contravenes a plan of management for the land.

In considering the activities permitted under Table D of Section 68 of the Local Government Act, Council must be satisfied that they accord with the primary purpose of the reserve that it was dedicated, which

---

<sup>1</sup> NSW Local Government (General) Regulation 2021, Part 4 Division 1, Guidelines for the categorisation of community land.

<sup>2</sup> NSW Local Government Act 1993, Part 2 Division 2, Use and management of community land.

in each particular reserve were for public recreation and children's playground. Council can be reasonably satisfied that the approved categorization of the land as a park or park and general community use is in keeping with the purpose of the reserve and furthermore the temporary uses set out in Table D would not result in material or ongoing harm.

As part of any application for a Section 68 approval, Council will need to consider the circumstances of each application on merit.

### **3.2 Crown Land Management Act 2016**

---

Section 3.23(6) of the Crown Land Management Act, 2016 (CLM Act) requires Murrumbidgee Council to adopt a Plan of Management for any Crown reserve for which it is the appointed Crown Land Manager and that is classified as community land under the Local Government Act 1993 (LG Act).

The objects and principles of Crown Land Management are listed in Sections 1.3 and 1.4 of the CLM Act 2016 provide a legislative starting point for preparation of a plan of management. The principles of Crown Land Management are:

- (a) *that environmental protection principles be observed in relation to the management and administration of Crown land, and*
- (b) *that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible, and*
- (c) *that public use and enjoyment of appropriate Crown land be encouraged, and*
- (d) *that, where appropriate, multiple use of Crown land be encouraged, and*
- (e) *that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and*
- (f) *that Crown land be occupied, used, sold, leased, licensed or otherwise dealt within the best interests of the State consistent with the above principles.*

Crown Land Managers have a statutory responsibility for the care, control and management of the Crown Land for the purposes for which the land is reserved or dedicated or other purposes as authorised by the Act. In this instance the statutory responsibilities assigned to Murrumbidgee Council, as Crown Land Manager, are drawn from Division 3.4 of CLM Act. In this regard Murrumbidgee Council is authorised to:

- Classify and manage its dedicated or reserved Crown land as if it were public land within the meaning of the Local Government Act 1993, subject to this Division (see section 3.21(1)).

- To manage its dedicated or reserved Crown land as if it were community land or operational land, but only as permitted or required by this Division including those functions ascribed to it pursuant to section 3.22 of the CLM Act.
- Assign an initial category or categories to the Crown Land in accordance with sections 3.23(2) & (3) of the CLM Act that Council considers to most closely relate to the purpose for which the land is dedicated or reserved.
- Prepare the first plan of management applicable to the land, either by amending an existing plan of management that applies to the land or adopt a new plan of management in accordance with sections 3.23 (6) & (7) of the CLM Act

On 25 February 2020 Murrumbidgee Council resolved to provide written notice to the Minister of the initial categorisation of the Crown Land pursuant to section 3.23(4) Murrumbidgee Council. The copy of the initial categorisation of Crown and other land managed by Murrumbidgee Council was sent to the Department of Planning, Industry & Environment (Crown Lands) on 4 March 2020. Their response is set out in Appendix B.

Following the Crown Land Management Amendment (Plan of Management) Regulation 2021, a public hearing is no longer required for change to category for Council managed Crown reserves.

### ***3.3 Other relevant legislation and statutory controls***

The following is an overview of any other relevant legislation and statutory controls including the provision of relevant factors listed in an environmental planning instrument, including the provisions of the Native Title Act, 1993 (Commonwealth), Aboriginal Land Rights Act, 1983, Murrumbidgee Local Environmental Plan 2013 and in other council plans, strategies, policies and procedures.

#### ***3.3.1 Native Title Act, 1993***

All activities on the land must address native title. Whilst a successful claim for native title will lead to official recognition of native title rights, native title rights are considered to pre-date such recognition. Native title can therefore be relevant to activities carried out on the land even if no native title claim has been made or registered.

---

The native title process must be considered for each activity on the land and a native title assessment must be undertaken. Almost all activities and public works carried out on the land will affect native title and require validation of the future act procedures in Division 3 of the Native Title Act, 1993 by Council's Native Title Manager.

### ***3.3.2 Aboriginal Land Rights Act, 1983***

---

In New South Wales, Aboriginal Land Rights sits alongside native title and allows Aboriginal Land Councils to claim certain Crown Land. Generally the Aboriginal Land Rights Act, 1983 is directed at allowing local Aboriginal Land Council's to claim Crown land that is unlawfully used or occupied. If a claim is successful, the freehold estate of the land is transferred to the Land Council.

Strategies which allow Council to validly carry out a project or activity under the Native Title Act may not deal with project risks arising in relation to the Aboriginal Land Rights Act, 1983. Council should be mindful that any activity on Crown land is lawful in relation to the reserve purpose of the land, Council should ensure that Crown land under its control is at all times lawfully used and occupied.

When planning an activity of the land such as the issue of a lease or licence or any public works, Council should request a search to determine whether an Aboriginal Land Rights claim has been made in relation to the land. If a claim is registered the activity must be postponed until the claim is resolved.

The authorisation should ensure the proper management and maintenance of the land and the interests of Council and the public are protected.

### ***3.3.3 Environmental planning & assessment act, 1979***

---

The Environmental Planning and Assessment Act, 1979 (EP&A Act) provides the fundamental framework for which planning and development in NSW takes place, with Part 3 of the Act providing the mechanism for how environmental planning instruments are made; Part 4 relating to development assessment and consent; and Part 5 address infrastructure and environmental assessment.

### 3.3.3.1 State environmental planning policies

A state environmental planning policy is an environmental planning instrument made under Part 3 of the EP&A Act that guides development and land use within NSW. There are presently 38 State environmental planning policies in force, not all of which apply to the local government area of Murrumbidgee Council. Those applying to Murrumbidgee Council are:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Resources and Energy) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy No 65—Design Quality of Residential Apartments

It should be noted that not all these would be applied to the development within LPPoM, as many relate to development that is inconsistent with the categorisation of the land and this plan of management.

### 3.3.3.2 Local environmental plans

Murrumbidgee Council administers two (2) local environmental plans being the Jerilderie Local Environmental Plan 2012 (JLEP) and the Murrumbidgee Local Environmental Plan 2013 (MLEP). Both of these environmental planning instruments were made under Part 3 of the EP&A Act that guide development and land use within the Murrumbidgee Council local government area.

**Table 5: Land zoning**

Land	Local environmental plan	Zoning of land
R75491 Lions Park, Darlington Point	Murrumbidgee Local Environmental Plan 2013	RU5 Village

---

### 3.3.3.3 Development Control Plan

---

A development control plan provides detailed planning and design guidelines to support the planning controls in a local environmental plan. Development control plans are prepared in accordance with Section 3.43 of the Environmental Planning and Assessment Act, 1979.

Murrumbidgee Council has two (2) development control plans in force, with DCP No. 1 applying to the land at Coleambally and Darlington Point. These documents are published on the NSW Planning Portal and on Council's website.

### 3.4 Review of this plan

---

This Plan of Management has been prepared pursuant to the provisions of the Crown Land Management Act 2016 to provide an appropriate statutory basis for the continuing improvement and function of Lions Park.

This Plan provides a medium-term strategy for the management and improvement of the reserve. It is anticipated most of the works described will be implemented over a five to ten-year period. Priorities for works and funding are to be addressed on an annual basis to meet development priorities and community needs.

This Plan is to be reviewed approximately every five years or as required to ensure it continues to be relevant to and consistent with government legislation and policy and community expectation.

### 3.5 Community consultation

---

Murrumbidgee Council acknowledges that community participation is essential and how Council engages the community in terms of its legislative requirements and has adopted a *Community Participation Plan (CPP)* and a Communication Strategy. Both documents have been designed to provide the community an understanding of how to participate in planning and other matters, including the management of community land.

The level and extent of community participation will vary depending on the community, the nature of the proposal under consideration and potential impacts of the decision. As a minimum, the CPP and Communication Strategy demand that its statutory obligations are properly met. In this respect Section 38 of the LG Act requires:

- (1) Council must give public notice of a draft plan of management.
- (2) The period of public exhibition of the draft plan must be not less than 28 days.



(3) *The public notice must also specify a period of not less than 42 days after the date on which the draft plan is placed on public exhibition during which submissions may be made to Council.*

(4) *Council must, in accordance with its notice, publicly exhibit the draft plan together with any other matter which it considers appropriate or necessary to better enable the draft plan and its implications to be understood.*

In accordance with section 39 of the LG Act Council must, before giving public notice of the draft plan of management forward a copy of the draft to the Crown, as Council is not the owner of the land.

With regard to the provisions of sections 38 and 39 of the LG Act, Council resolved on **28 February 2023** to endorse the draft plan of management and to:

- Place the draft PoM on public exhibition for 28 days. The exhibition date commenced on **3 March 2023** and ended on **31 March 2023**. The public noticed advised that submissions would be received up until **14 April 2023** which is 42 days after the commencement of the public exhibition period.

The exhibition included advertisement in local newspapers, on Council's website and documents being made available at its administration buildings in Coleambally, Darlington Point and Jerilderie.

Following consideration of submissions, Council resolved on **[insert date]** to adopt the Plan of Management for Lions Park.

#### ***4. Land comprising the habitat of endangered species or threatened species***

The provisions of sections 36A and 36B of the Local Government Act, 1993 do not apply to the reserves listed in Table 3 for the following reasons:

- that no part of the reserve has been declared to be an area critical habitat under the Threatened Species Conservation Act, 1995, and
- that no part of the reserve has been declared to be an area of critical habitat under Part 7A of the Fisheries Management Act, 1994, and
- the reserve is not affected by a recovery plan for the purpose of Part 4 of the Threatened Species Conservation Act, 1995 or Division 5 of Part 7A of the Fisheries Management Act, 1994, and
- the reserve is not affected by a threat abatement plan for the purpose of Part 5 of the Threatened Species Conservation Act, 1995 or Division 5 of Part 7A of the Fisheries Management Act, 1994, and

## **5. Land containing significant natural features**

The provisions of section 36C of the Local Government Act, 1993 does not apply to any of the reserves listed in Table 3 as the land is not subject to a resolution of Murrumbidgee Council that declared the land, being a site of:

- a known natural, geological, geomorphological, scenic or other feature that is considered by the council to warrant protection or special management considerations, or
- a wildlife corridor.

## **6. Culturally significant land**

In 2010 the Office of Environment and Heritage (formerly the Department of Environment, Climate Change and Water) published the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales. This code of practice is aimed at assisting individuals and organisations to exercise due diligence when carrying out activities that may harm Aboriginal objects

As part of its due diligence in preparation of this Plan of Management, a basic search of the NSW Environment & Heritage Aboriginal Heritage Management Information System (AHIMS) for each of lots within the reserves on 28 September 2020 (see Appendix D) was undertaken, indicating that:

- no Aboriginal sites are recorded in or near<sup>3</sup> the above location; and
- no Aboriginal places have been declared in or near the above location

## **PART 2: DETAILED INFORMATION REGARDING CATEGORIES OF LAND**

This Plan of Management applies to Crown Land reserve listed in Table 1 and is owned by the state of New South Wales and Murrumbidgee Council has been appointed the Crown Land Manager. Part 2 provides detailed information regarding the management of Lions Park, Murrumbidgee Council's vision for the reserve, existing site conditions and current use of the land, identification of appropriate development within the reserves and directions of how the land will be managed for and on behalf of the community.

## **7. Vision for Lions Park**

---

<sup>3</sup> The search parameter applied was within 200m of lots 121 & 122 DP 1145260.

The vision for the use of these is best described as:

***“Providing a place that provides opportunities for passive recreation, social gatherings and facilities that meet the needs of the local community and visitors to Darlington Point”***

The vision set out in the plan of management aligns with Murrumbidgee Council’s *Statement of Vision & Priorities – Three Towns One Community* that seeks to promote “community built by an innovative mindset delivering appropriate and reliable services”.

## **8. Management directions**

Murrumbidgee Council acknowledges the park covered by this plan of management provides the local communities with both opportunities for passive and active recreational use of the land. While the current uses of the land meet the basic needs, opportunities exist to provide further benefit to the community through a co-ordinated approach to future development, including obtaining grants for new or upgrade facilities.

This section aims to provide an overview of Murrumbidgee Council’s broad development and management strategies for Lions Park. It will identify the existing condition of the land and structures on the adoption of the plan, identify existing uses of the land as well as additional matters dealing with the day-to-day management and maintenance of the reserve.

In order to realise the potential of the land and provide a greater benefit for the local community the following directions for the management of the reserve are proposed:

- Use of Lions Park as a *recreation area* particularly one that incorporates a children’s playground, public park, reserve or garden or the like including any ancillary buildings.
- To provide a safe and pleasant venue for all, by enable activities identified in Table D under Section 68 of the LG Act.
- To maintain and enhance the visual aesthetics of the reserve through proper maintenance of lawns, gardens and structures.
- To provide spaces for public sculptures.

### **8.1 Statutory guidelines for development of the parks**

The provisions of section 36(3A)(b) of the Local Government Act that apply to site specific plan of management have been considered, and are as follows:

- (i) *specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used*

- (ii) specify the purposes for which any further development of the land will be permitted, whether under lease or license or otherwise
- (iii) describe the scale and intensity of any such permitted use or development.

The current uses of the reserve would fall within the broad definition as a *recreation area*, as defined in the standard instrument and uses that incorporates a children’s playground, public park and other amenities is consistent with the categorisation of the land as a *park*.

The provisions of State Environmental Planning Policy (Transport & Infrastructure) 2021 (SEPP) identifies certain development that is exempt or may be carried out without consent. All other development is legislated in the relevant local environmental planning instrument as being permissible without consent, permitted with consent or otherwise is prohibited. With regard to clause 65(1)(d)(ii) of the SEPP, development for any purpose may be carried out without consent on Crown managed land by or on behalf of the Crown land manager of the land if the development is for the purposes of implementing a plan of management adopted under the Local Government Act 1993 in relation to Crown managed land managed by a Council. Irrespective of the categorisation of the land, the provisions of clause 2.73 and 2.74 allows certain development that may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council.

Table 5 identifies the zoning of the land under Murrumbidgee Local Environmental Plan 2013 of Lions Park. The RU5 Village zone that apply provide a range of permissible land uses, however not all are consistent with the categorization of the land. Table 6 below identifies the uses that are exempt development, permitted with or without the consent in an environmental planning instrument and Council’s plan of management of the Lions Park in terms of what it will permit.

**Table 6 - Preferred uses of land categorised as park**

<b>Land Use</b>	<b>Provisions of an environmental planning instrument</b>	<b>Allowed under LPPoM</b>	<b>Reason</b>
<b><i>Community facilities</i></b>	Permitted with consent.	Not allowed.	<i>Community facilities</i> are inconsistent with the categorization of the land as a <i>park</i> .
<b><i>Environmental protection works</i></b>	Permitted without consent.	Allowed.	<i>Environmental protection works</i> are in keeping with the categorisation of the reserve.

Land Use	Provisions of an environmental planning instrument	Allowed under LPPoM	Reason
<b>Recreation areas</b>	Permitted with consent.	Allowed.	The use of Lions Park as a <i>recreation area</i> is consistent with the purpose of the reserve as public recreation and children's playground categorization of the land as a <i>park</i> .
<b>Recreation facilities (indoor)</b>	Permitted with consent.	Not allowed.	The use of the land as an <i>indoor recreation facility</i> is inconsistent with the purpose of the reserve as public recreation and children's playground and categorization of the land as a <i>park</i> .
<b>Recreation facilities (outdoor)</b>	Permitted with consent.	Not allowed.	The use of the land as an <i>outdoor recreation facility</i> is inconsistent with the purpose of the reserve as public recreation and children's playground and the categorization of the land as a <i>park</i> .
<b>Roads</b>	Permitted without consent.	Not allowed, except for road widening purposes.	The construction of a <i>road</i> is inconsistent with the categorization of the land as a <i>park</i> .

Land Use	Provisions of an environmental planning instrument	Allowed under LPPoM	Reason
<b>SEPP Infrastructure</b>	Exempt development or permitted without consent.	<p>Allowed, subject to satisfying the requirements of clause 2.73 &amp; 2.74 of SEPP (Transport &amp; Infrastructure) including:</p> <ul style="list-style-type: none"> <li>• pedestrian pathways, &amp; cycleways</li> <li>• recreation areas</li> <li>• lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard,</li> <li>• landscaping, including landscape structures or features (such as art work) and irrigation systems,</li> <li>• amenities for people using the reserve, including toilets</li> <li>• demolition of buildings</li> <li>• bicycle-related storage facilities, including bicycle racks and other bicycle parking facilities</li> <li>• play equipment if adequate safety measures (including soft landing surfaces) are provided and, in the case of the construction of such equipment, so long as the equipment is situated at least 1.2m away from any fence, or</li> <li>• seats, picnic tables, barbecues, bins (including frames and screening), shelters or shade structures</li> </ul>	Identified in SEPP (Transport & Infrastructure) 2021 as exempt development or development permitted without consent.
<b>Water reticulation systems</b>	Permitted without consent.	Allowed.	<i>Water reticulation systems</i> are consistent with the categorization of the land as a <i>park</i> .

Land Use	Provisions of an environmental planning instrument	Allowed under LPPoM	Reason
<b>Any other development</b>	Permitted with consent.	Not allowed without an amendment to the Plan of Management.	The RU5 Village zone under MLEP 2013 provides opportunities for a wide range of land uses some of which may or may not be compatible with the categorisation of the land as a <i>park</i> . Should a use be proposed that is consistent with the purpose of the reserve as public recreation and children's playground and the objectives of a <i>park</i> , then Council may consider amending the Plan of Management.

## 8.2 Use of the land and structures at the date of adoption of the plan

In accordance with section 36(3A)(a) of the LG Act include a brief outline of the current usage is reserve, including any details of current leases/licenses or other arrangements for the use of the land.

Table 10 identifies the current use of the land and existing structures that have been erected

**Table 7: Existing use of reserves and structures**

Land	Current use	Existing structures
R75491 Lions Park, Darlington Point	Park with playground equipment	<ul style="list-style-type: none"> <li>▪ Storage shed and amenities building</li> <li>▪ Picnic shelters x 2</li> <li>▪ BBQ facilities x 2</li> <li>▪ Playground equipment including soft-fall area</li> <li>▪ Park benches, tables and bins</li> <li>▪ Shade structure</li> <li>▪ Signage</li> <li>▪ Display building</li> </ul>

The buildings and the associated equipment are consistent with development that falls under the definition of a *recreation area*, the purpose of the reserve as public recreation and children's playground and categorisation of the reserve as a park. Lions Park is being used for its intended purpose.

## 8.3 Condition of the land and structures on adoption of the plan

The provisions of Section 36(3A)(a) of the LG Act requires a plan of management to include a description of the condition of the land and structures on adoption of the plan.

At the date of adoption of the Plan of Management for Lions Park, grass cover within the park are well maintained and existing trees in healthy condition.

Lions Park provides a variety of modern playground equipment including a soft-fall area under a large steel shade structure (see figures 8-11) along with an older metal swing and slippery dip (see figures 6 & 7). Figures 12 & 13 are of a new building featuring storage facilities (for Council's maintenance crews), amenities and a display room featuring a historic fire engine.

The park also features two separate barbeque facilities, featuring timed, gas-powered stainless steel cooktops, and food preparation area; plus, two picnic shelters feature tables and bench seating.

There are no constructed footpaths within the park nor leading to the park, however there are natural pathways from the park which link Lions Park with the adjoining Darlington Point Caravan Park and natural bushland which forms part of Bunyip Hole reserves (both of which are subject to separate plans of management).

*Figure 2 - Signage<sup>4</sup>*



*Figure 3 – Grassed area*



---

<sup>4</sup> Images in Figures 2 to 13 taken on 2 December 2019 © Steven Parisotto Photography



*Figure 4 – BBQ facilities*



*Figure 5 – Picnic table and shelter*



*Figure 6 - Existing older style swings*



*Figure 7 – Existing older style slippery dip*



*Figure 8 – Existing newer style swings*



*Figure 9 - Existing newer style slide*



*Figure 10 – Existing climbing equipment*



*Figure 11 – Existing play equipment*



*Figure 12 – Display & amenities building*



*Figure 13 – Amenities building*





### 8.3 Permitted use and future use

---

Section 36(3A)(b) of the Local Government Act requires that any site-specific plan of management must:

- (iv) *specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used*
- (v) *specify the purposes for which any further development of the land will be permitted, whether under lease or license or otherwise*
- (vi) *describe the scale and intensity of any such permitted use or development.*

Murrumbidgee Council encourages a wide range of uses of community land and intends to facilitate uses which increase the activation of its land, where appropriate. Within buildings and on recreational land in particular, Murrumbidgee Council intends to permit and encourage a broad range of appropriate activities.

The use of community land is often supported by appropriate ancillary development such as playground equipment, amenity blocks or food kiosks. The general types of uses which may occur on community land categorised as a park and the forms of development generally associated with those uses, are set out in Table 8. The facilities on community land may change over time, reflecting the needs of the community.

Lions Park will continue to be used as a *park* and the future improvements may include additional playground equipment which will encourage greater use of the land by the local community and provide a focal point for tourists and visitors to Darlington Point who may also be staying at the nearby Darlington Point Riverside Caravan Park. The reserves will continue to be used in accordance with their categorization and the future improvements may include provision of an amenities' building and replacement or provision of additional playground equipment which will encourage greater use of the land by the local community.

**Table 8 – Permissible uses and activities for land categorized as a park**

<b>Park</b>	
<b>Purpose or use as...</b>	<b>Development to facilitate</b>
<p>The following or uses are permitted by this Plan of Management on land categorized as a <i>park</i> as they are consistent with the purpose of the reserves.</p> <p>a) Recreation areas that enable the following</p> <ol style="list-style-type: none"> <li>i. Active and passive recreation including children’s play and cycling</li> <li>ii. Group recreational use, such as picnics and private celebrations</li> <li>iii. Eating and drinking in a relaxed setting</li> <li>iv. Publicly accessible ancillary areas, such as toilets</li> <li>v. Local festivals, parades, markets, fairs, exhibitions and similar events and gathering</li> <li>vi. Low intensity commercial activities (e.g. recreational equipment hire)</li> <li>vii. Filming and photographic projects</li> <li>viii. Busking</li> <li>ix. Public address (speeches)</li> <li>x. Community gardening</li> </ol> <p>b) Environmental protection works including tree planting and erosion control measures and landscaping commensurate to the reserve.</p>	<p>The Plan of Management will allow and facilitate the following development which would be ancillary to the use of the reserves as recreation area and playground.:</p> <ul style="list-style-type: none"> <li>▪ Development for the purposes of improving access, amenity and the visual character of the park, e.g paths, public art, pergolas;</li> <li>▪ Development for the purposes of active recreation such as play equipment, exercise equipment, bike racks, half-court basketball courts, bocce courts</li> <li>▪ Amenities to facilitate the safe use and enjoyment of the park e.g. picnic tables, BBQs, sheltered seating areas</li> <li>▪ Mobile food vending carts, including kiosks used on a temporary basis;</li> <li>▪ Lighting, seating, toilet facilities, courts, paved areas</li> <li>▪ Hard and soft landscaped areas</li> <li>▪ Storage sheds</li> <li>▪ Car parking and loading areas</li> <li>▪ Community gardens</li> <li>▪ Heritage and cultural interpretation, e.g. signs</li> <li>▪ Advertising structures and signage (such as A-frames and banners of a temporary nature) that relate to approved uses/activities</li> <li>▪ Water saving initiatives such as stormwater harvesting, rain gardens and swales</li> </ul>

Lions Park is not prone to natural hazards such as tidal inundation, subsidence, slip, mass movement, flooding or bushfires. Further the land has not been mapped as being area of high biodiversity, however the site has been mapped as the groundwater system identified as being vulnerable. It is not expected that any future works would have an adverse impact on the groundwater system.

#### **8.4 Leases, licences and other estates**

Leases, licences and other estates formalise the use of community land by groups such as sporting clubs and non-profit organisations, or by commercial organisations and individuals providing facilities and services for public use. Activities should be compatible with the zoning and reservation purpose of the land and provide benefits and services for facilities to the users of the land.

Occupation of the land other than by lease or licence or other estate or for a permitted purpose listed in the Local Government Regulations 2005 is prohibited.

The terms of the authorisation for a lease licence or other estate should include Native Title assessment and validation under the Native Title Act 1993 and should include advice that the land is not subject to a claim under the Aboriginal Land Rights Act 1983. The authorisation should ensure the proper management and maintenance of the land and the interests of Council and the public are protected. A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence or short term licence or hire agreement will be issued.

This Plan of Management expressly authorises the issue of leases, licences and other estates over the reserves covered by this Plan of Management, provided that:

- the purpose is consistent with the core objectives for the category of the land.
- the lease, licence or other estate is for a permitted purpose listed in the Local Government Act 1993 or the Local Government Regulations 2005.
- the issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the Native Title Act 1993.
- the land is not subject to a claim under the Aboriginal Land Rights Act 1983.
- the lease, licence or other estate is granted and notified in accordance with the provisions of the Local Government Act 1993 or the Local Government Regulations 2005.
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Areas held under lease, licence or regular occupancy shall be maintained by the user. The user will be responsible for maintenance and outgoings as defined in the lease or licence or agreement for use.

Presently there are no leases or licenses in force.

## **9. Administration of Plan and Performance Targets**

Section 36(3) of the LG Act requires, as a minimum, for all plans of management, include the following:

- a) category of the land*
- b) objectives and performance targets of the plan with respect to the land*
- c) means by which the council proposes to achieve the plan's objectives and performance targets*
- d) manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets.*

The land has been categorised partly as a park and partly as general community use (see Figure B on page 10).

The following table identifies the management issues; objectives and performance targets; the means in which Council will achieve the stated objectives and the manner in how the performance target is assessed.

**Table 9 - Objectives and performance targets**

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)(c) Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
<b>Access</b>	<p>Provide defined paths for pedestrian access, including where practical assess and facilities for people with disabilities, to and within reserve.</p> <p>Allow an access network for pedestrians and cyclists that contribute to the aesthetic quality of Lions Park with linkages to the Darlington Point Caravan Park and Bunyip Hole Reserve.</p> <p>Except for maintenance and emergency vehicles prohibit vehicular access without permit/ licence.</p>	<p>Appropriate design and construction for pavements, facilities and other structures to comply with relevant Australian Standards.</p> <p>Provision of shared facility where safe and appropriate, including the segregation of cyclists and pedestrians where appropriate.</p> <p>Use of regulatory signs.</p>	<p>Assess useability of Lions Park by wheelchair users through surveys and observation.</p> <p>Record and review all accidents and near misses as a result of inappropriate use.</p> <p>Record all illegal or unauthorised vehicular entry and where necessary take appropriate regulatory action.</p>
<b>Alcohol</b>	<p>Implement controls to prohibit the consumption and/or possession of alcohol, except within designated or leased areas.</p>	<p>Use of regulatory signs and enforcement.</p>	<p>Record all complaints and investigations and where necessary take appropriate regulatory action.</p>
<b>Animal control</b>	<p>Impound all animals that are not under the full control of owner or handler.</p>	<p>Community education and involvement in monitoring.</p> <p>Use of regulatory signs and enforcement.</p>	<p>Record all complaints about loose dogs, attacks and animal waste, and where required take regulatory action.</p>
<b>Anti-Social behaviour</b>	<p>Minimise and manage anti-social behaviour in the park and the general community use areas</p>	<p>Encourage community involvement and surveillance.</p> <p>Implement community health measures.</p> <p>Appropriate design and lighting of common areas.</p>	<p>Record the number of complaints received and undertake investigations, and where necessary take appropriate regulatory action.</p>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
<b>Artworks and monuments</b>	<p>Allow for public and community artworks and monuments in appropriate settings.</p> <p>Maintain existing monuments.</p>	<p>Engage appropriate persons to engage the community to identify, commission &amp; erect artworks.</p> <p>Undertake repairs to existing monuments as required.</p>	<p>Document comments received in respect to artworks.</p> <p>Install artworks based on any budgetary funding or State and Federal grants</p> <p>Record the number incidents of vandalism and damage to artworks and monuments.</p>
<b>Barbeques</b>	<p>Allow the installation and use of gas or electric barbeques.</p> <p>Allow the use of portable barbeques (with the exception of wood fire barbeques).</p>	<p>Design, locate and maintain permanently installed barbeques.</p> <p>Use of regulatory signs regarding the use of barbeque facilities, both permanent and portable.</p>	<p>Record the number of reported failures and accidents, including reported near misses.</p>
<b>Buildings</b>	<p>Allow safe, clean, convenient and hygienic public amenity facilities for persons of all abilities.</p> <p>Allow new buildings, ancillary to the use of the <i>park</i>, are to complement to the design of the Lions Park</p>	<p>Undertake regular cleaning and maintenance of the public amenities within Lions Park.</p> <p>Provision and maintenance of security lighting in an around the amenities' building.</p> <p>Undertaking an appropriate review of environmental factors when considering development listed in State Environmental Planning Policy (Transport and Infrastructure) 2021, where Council is to carry out the works.</p> <p>Assess and determine any development application in accordance with the provisions of the Environmental Planning &amp; Assessment Act, 1979.</p>	<p>Undertake daily cleaning of the public amenities, and identify any new maintenance matters out or incidents of vandalism.</p> <p>Record and respond to complaints about hygiene and maintenance.</p> <p>Undertake regular of maintenance of the amenities in accordance with any operational plan for upkeep of all parks and recreational facilities within the local government area.</p> <p>Record all incidents of accidents and near misses as a result of damage or wear and tear to the amenity facilities.</p>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Buskers	Allow buskers to perform within the <i>park</i> .	Regulation by Council.	Number of comments.  Number of unauthorised buskers/ bands.
Hours of Usage	Allow unrestricted use of the <i>park</i> by individuals.  Allow for the management of <i>park</i> usage times for special events and user groups.	Council approval and regulatory signs for special events and group activities.	Record and investigate the number of unauthorised special events and group activities and where necessary take appropriate regulatory action.
Informal Recreation	Allow games which are suitable within the park.	Allow games which are suitable within the parks.	Number of comments about activity.
Irrigation Systems	Allow watering systems to optimise water usage, minimise maintenance and enable appropriate vegetative growth.	Design, install and operate the system.	Number of incidents of failure of the irrigation system.
Landscaping	Allow use of suitable species and use of landscape materials, including mulching and edge treatments, to achieve the desired landscape character and complement the character of existing plantings.  Allow minor earthworks to provide mounding for aesthetic appeal, space definition and visual barriers.  Provide a positive contribution to the local character both physically and visually. .  Control and protect existing exotic species within Lions Park by minimising weed infestation and associated impacts.	Augment existing indigenous planting. Use exotic species in suitable locations.  Use shade trees for user comfort and protection. And screen planting for visual acoustic and physical buffers.  Preserve and reinforce indigenous planting and identify species endemic to the area.  Application of correct horticultural and tree surgery techniques.  Minimise rubbish dumping within the local area via community education.  Implementation of the Noxious Weeds Act.	Number of comments about public acceptance and level of park usage.  Degree of turf encroachment into planted areas.  Number of comments about maintenance, durability and public acceptance of the landscape character.  Number of reported incidents of infestation of exotic plant species.  Number of comments about quality of vegetation.  Number of reported incidents of sick trees.  Number of reported incidents of rubbish dumping



Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Lighting	<p>Allow security lighting which will enable safe movement of pedestrians along major access routes at night.</p> <p>Prevent excessive lighting impacts on adjoining land uses.</p> <p>Allow for lighting of special events at night.</p> <p>Allow for the lighting of architectural or landscaped features.</p>	<p>Set appropriate illumination levels.</p> <p>Design, site and install light facilities.</p> <p>Regulate times for lighting of special events.</p> <p>Council approval.</p>	<p>Number of comments from adjoining residents and Park users.</p> <p>Number of problems related to inadequate lighting.</p>
Outdoor Furniture	<p>Allow for the provision of adequate furniture, such as bubblers, tables, seats, bins, bollards, cycle racks, tree guards and planter tubs, etc at suitable locations.</p> <p>Create a comfortable setting for users both aesthetically and functionally.</p>	<p>Complement and be consistent with the theme for surrounding Public Open Space Areas.</p> <p>Appropriate design, siting, use of materials and erection of furniture.</p>	<p>Number of comments about acceptance by the community with regard to the suitability of the location and the style.</p> <p>Number of incidents of non-compliance with relevant Council Codes, Policies and Regulations.</p>
Playgrounds	<p>Provide safely designed and sited playgrounds.</p>	<p>Playground design, materials and layout to relevant safety standards.</p> <p>Playgrounds sited away from physical hazards.</p>	<p>Number of accidents and injuries attributed to unsafe design, siting and layout.</p>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Refreshment kiosks (mobile and fixed)	<p>Allow the licensing or leasing of <i>kiosks</i> or <i>food &amp; drink premises</i> as approved by Council.</p> <p>Permissible on area defined in lease or licence agreement.</p> <p>Control and regulate the entry of casual vendors (eg: ice-cream carts) within Parks and pedestrian areas where appropriate.</p> <p>Appropriate control measures. Council approval.</p> <p>Enter into appropriate licensing/leasing Agreements.</p>	<p>Council approval. Licensing/Leasing Agreement.</p> <p>Lease or license holders take precedence over casual street vendors.</p>	<p>Managing and reporting incidence of non-compliance with terms of Council approval, license or lease agreement.</p> <p>Number of licences issued.</p> <p>Number of public comments about vendors in public places.</p> <p>Number of reported illegal or unauthorised entries.</p> <p>Number of licences granted per annum.</p>
Rubbish Dumping and Littering.	<p>Prohibit rubbish dumping and littering.</p>	<p>Regulatory signage at appropriate locations.</p> <p>Community education on the environmental impacts of rubbish dumping.</p>	<p>Number of incidents of illegal dumping</p> <p>Cost of clean-up and litter collection per annum</p>
Shade structures and other shelters	<p>Allow structures which will provide shade and shelter for park users in appropriate areas</p> <p>Allow integration of structures that are harmonious, functional and aesthetically in keeping with the character of the park</p>	<p>Appropriate design, location and erection of structures.</p>	<p>Number of comments about the effectiveness of the structures in all weather conditions.</p> <p>Number of community responses to appearance of the structures.</p> <p>Number of structures erected.</p>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Signage	<p>Allow suitable information, regulatory, identification, interpretive and directional signage relating to the Park.</p> <p>Regulate advertising signage.</p>	<p>Appropriate design and siting of signage in accordance with the relevant DCP for Advertising, Structures &amp; Signs.</p> <p>Council approval.</p>	<p>Number of user comments.</p> <p>Number of ordinance investigations and prosecutions.</p>
Site Utility Services	<p>Allow for the installation of all services as required by site usage.</p>	<p>Approval by the appropriate Statutory Authorities.</p> <p>Construction and installation of all necessary services.</p> <p>Registration of appropriate easements.</p>	<p>All facilities are adequately serviced, identified and located.</p> <p>Number of objections received from service authorities about the location and quality of services.</p> <p>Number of site utility service installations constructed.</p>
Special Events	<p>Allow special events within the <i>park</i> with minimal adverse visual, physical, social and environmental impact.</p>	<p>Council approval as required under Environmental Planning &amp; Assessment Act, 1979 and/or Local Government Act, 1993</p>	<p>Number of comments about special events.</p> <p>Attendance levels at special events.</p>
Vandalism	<p>Minimise vandalism within the Park and or playgrounds.</p>	<p>Appropriate landscape design techniques.</p> <p>Appropriate use of materials.</p> <p>Encouragement of community involvement and education.</p> <p>Appropriate use of signage. Prompt repair of vandalised areas.</p>	<p>Number of reported incidents of vandalism</p>

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)(c) Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
Waste Management	Minimise litter within the Park. Encourage recycling.	<p>Provide and service enough waste management facilities in strategic locations.</p> <p>Provide a recycling station for glass, aluminium, PET plastics etc.</p> <p>Community education.</p>	<p>Number of garbage and recycling bins provided.</p> <p>Number of comments in relation to inadequate waste facilities.</p>

## APPENDICIES

### APPENDIX A - Definitions

<b>Term</b>	<b>Legislative definition</b>
<b>community land</b>	<p>means –</p> <p>land that is classified as community land under Division 1 of Part 2 of Chapter 6. (Local Government Act, 1993)</p>
<b>community participation plan</b>	<p>means –</p> <p>a community participation plan prepared and published under Division 2.6. (Environmental Planning and Assessment Act, 1979)</p>
<b>environmental planning instrument</b>	<p>means –</p> <p>an environmental planning instrument (including a SEPP or LEP but not including a DCP) made, or taken to have been made, under Part 3 and in force. (Environmental Planning and Assessment Act, 1979)</p> <p>Note. SEPP is an acronym for State Environmental Planning Policy, a LEP is a Local Environmental Plan, and a DCP is a Development Control Plan.</p>
<b>plan of management</b>	<p>means –</p> <p>a plan of management adopted by a council under Division 2 of Part 2 of Chapter 6 and in force in relation to an area of public land. (Local Government Act, 1993)</p>
<b>public reserve</b>	<p>means –</p> <ul style="list-style-type: none"><li>(a) a public park, or</li><li>(b) any land conveyed or transferred to the council under section 340A of the <a href="#">Local Government Act 1919</a>, or</li><li>(c) any land dedicated or taken to be dedicated as a public reserve under section 340C or 340D of the <a href="#">Local Government Act 1919</a>, or</li><li>(d) any land dedicated or taken to be dedicated under section 49 or 50, or</li><li>(e) any land vested in the council, and declared to be a public reserve, under section 37AAA of the <a href="#">Crown Lands Consolidation Act 1913</a>, or</li><li>(f) any land vested in the council, and declared to be a public reserve, under section 76 of the <a href="#">Crown Lands Act 1989</a>, or</li><li>(g) Crown managed land that is dedicated or reserved—<ul style="list-style-type: none"><li>(i) for public recreation or for a public cemetery, or</li><li>(ii) for a purpose that is declared to be a purpose that falls within the scope of this definition by means of an order</li></ul></li></ul>

*published in the Gazette by the Minister administering the [Crown Land Management Act 2016](#),*

*being Crown managed land in respect of which a council has been appointed as its Crown land manager under that Act or for which no Crown land manager has been appointed, or*

- (h) land declared to be a public reserve and placed under the control of a council under section 52 of the [State Roads Act 1986](#), or*
- (i) land dedicated as a public reserve and placed under the control of a council under section 159 of the [Roads Act 1993](#),*

*and includes a public reserve of which a council has the control under section 344 of the [Local Government Act 1919](#) or section 48, but does not include a common.*

**recreation area**

*means a place used for outdoor recreation that is normally open to the public, and includes –*

- (a) a children's playground, or*
- (b) an area used for community sporting activities, or*
- (c) a public park, reserve or garden or the like,*

*and any ancillary buildings but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).*

**APPENDIX B - Copy of Notice from Minister advising of categorisation of Crown land**

**Attachment 1: Schedule of Crown reserves categorisation consistent with reserve purpose**

<b>Reserve No.</b>	<b>Purpose(s)</b>	<b>Category</b>
R9984	Public Recreation	Sportsground
R31393	Public Recreation	Natural Area
R33953	Refuge in time of Flood	Natural Area
R55431	Access	General Community Use, Natural Area
R55928	Racecourse and Showground	Sportsground, General Community Use
R60373	Public recreation	General Community Use, Natural Area
R62157	Preservation of Graves	Area of Cultural Significance, Natural Area
R68938	Public Recreation	Natural Area
R72160	Public Recreation	Sportsground
R75491	Public Recreation; Children's playground	Park
R82340	Public Recreation	Natural Area
R85679	Plantation	General community Use
R88058	Museum	Area of Cultural Significance
R88451	Public Recreation	Sportsground
R88754	Public Recreation	Sportsground
R89633	Museum	Area of Cultural Significance
R90713	Home of the Aged	General Community Use
R94084	Children's Playground, Public Recreation	Park, General Community Use
R97197	Children's Playground, Public Recreation	Park
R97198	Children's Playground, Public Recreation	Park, General Community Use
R98071	Public Recreation	General Community Use
R150042	Community Purposes, Heritage Purposes	General Community Use, Area of Cultural Significance
R1010748	Community Purposes	General Community Use
R1021768	General Cemetery	General Community Use

**Attachment 2: Schedule of Crown reserves directed for categorisation**

Council is directed to re-categorise the reserve as outlined below in accordance with section 3.23(5) of the Act so as not to cause, or be likely to cause, material harm to the land.

<b>Reserve No.</b>	<b>Purpose(s)</b>	<b>Direction</b>
R9983	Public Recreation	Park

**APPENDIX C – Aerial imagery of Lions Park**







**AHIMS Web Services (AWS)**  
**Search Result**

Purchase Order/Reference : 20-C01-MC Lions Park 200m

Client Service ID : 538502

---

Steven Parisotto

Date: 28 September 2020

63 Hillam Dr

Griffith New South Wales 2680

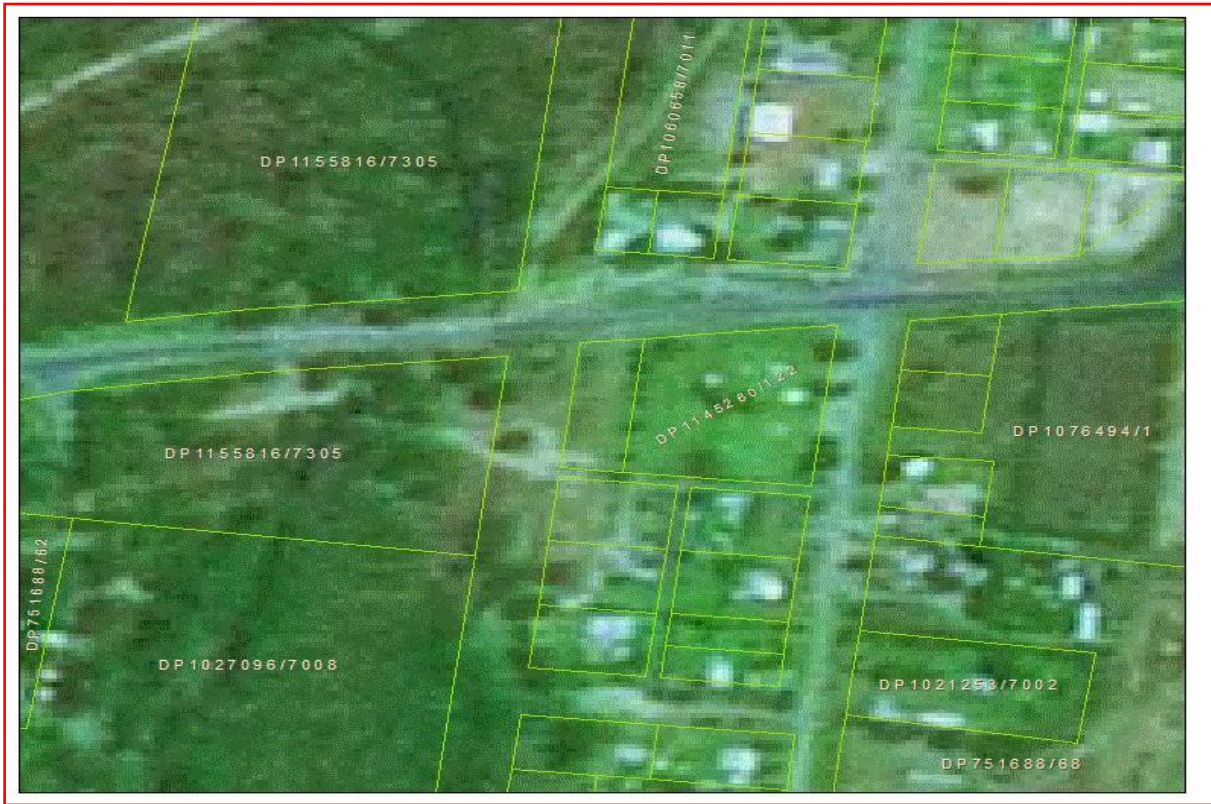
Attention: Steven Parisotto

Email: parisplan@icloud.com

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 121, DP:DP1145260 with a Buffer of 200 meters, conducted by Steven Parisotto on 28 September 2020.**

***The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.***



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

<b>0</b>	<b>Aboriginal sites are recorded in or near the above location.</b>
<b>0</b>	<b>Aboriginal places have been declared in or near the above location. *</b>

**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.

You can get further information about Aboriginal places by looking at the gazettal notice that declared it.

- Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](http://www.nsw.gov.au/gazette) (<http://www.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;

- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

---

33 Marist Place, Parramatta NSW 2150  
Locked Bag 5020 Parramatta NSW 2220  
Tel: (02) 9585 6380 Fax: (02) 9873 8599

ABN 30 841 387 271  
Email: [ahims@environment.nsw.gov.au](mailto:ahims@environment.nsw.gov.au)  
Web: [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)



## **AHIMS Web Services (AWS) Search Result**

Purchase Order/Reference : 20-C01-MC Lions Park 200m

Client Service ID : 538504

---

Steven Parisotto

Date: 28 September 2020

63 Hillam Dr

Griffith New South Wales 2680

Attention: Steven Parisotto

Email: [parisplan@icloud.com](mailto:parisplan@icloud.com)

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 122, DP:DP1145260 with a Buffer of 200 meters, conducted by Steven Parisotto on 28 September 2020.**

**The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.**





A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

<b>0</b>	<b>Aboriginal sites are recorded in or near the above location.</b>
<b>0</b>	<b>Aboriginal places have been declared in or near the above location. *</b>

***If your search shows Aboriginal sites or places what should you do?***

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.

You can get further information about Aboriginal places by looking at the gazettal notice that declared it.

- Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](http://www.nsw.gov.au/gazette) (<http://www.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

***Important information about your AHIMS search***

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and

*Heritage and Aboriginal places that have been declared by the Minister;*

- *Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,*
- *Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.*
- *Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.*
- *This search can form part of your due diligence and remains valid for 12 months.*

---

*33 Marist Place, Parramatta NSW 2150*

*Locked Bag 5020 Parramatta NSW 2220*

*Tel: (02) 9585 6380 Fax: (02) 9873 8599*

*ABN 30 841 387 271*

*Email: [ahims@environment.nsw.gov.au](mailto:ahims@environment.nsw.gov.au)*

*Web: [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)*

# JERILDERIE RACECOURSE & SHOWGROUND

*Draft Plan of Management  
2023-2028*



**Murrumbidgee**  
COUNCIL

*JANUARY 2023*

---

**January 2023**

Plan of Management prepared for **Murrumbidgee Council**

Plan of Management prepared by:

**PARISPLAN Urban & Regional Planning**

63 Hillam Drive

GRIFFITH NSW 2680

Email: [parisplan@icloud.com](mailto:parisplan@icloud.com)

ABN: 66 527 814 168

**Disclaimer:**

*PARISPLAN Urban & Regional Planning has prepared this Plan of Management for the Jerilderie Racecourse and Showground on behalf of Murrumbidgee Council in good faith relying upon information and/or data supplied by the client or other parties. PARISPLAN Urban & Regional Planning however cannot warrant or verify that information provided is truly accurate and as such expressly disclaims any and all liability to any person or persons in reliance on the report and its contents in part or in whole.*

Copyright © PARISPLAN URP 2023

## Table of Contents

<b>EXECUTIVE SUMMARY .....</b>	<b>5</b>
<b>PART 1: INTRODUCTION AND GENERAL INFORMATION .....</b>	<b>6</b>
1. KEY INFORMATION .....	6
2. ABOUT PLANS OF MANAGEMENT.....	7
2.1 Why is Murrumbidgee Council preparing a Plan of Management? .....	7
2.1 Corporate objectives of Murrumbidgee Council .....	8
2.2 Land to which this plan applies .....	9
2.3 Owner of the land.....	9
2.4 Categorisation of the reserves .....	9
3. RELEVANT LEGISLATION, POLICIES AND PROCEDURES.....	11
3.1 Local Government Act 1993 .....	11
3.2 Crown Land Management Act 2016.....	13
3.3 Other relevant legislation and statutory controls .....	15
3.4 Review of this plan .....	17
3.5 Community consultation .....	18
4. LAND COMPRISING THE HABITAT OF ENDANGERED SPECIES OR THREATENED SPECIES.....	19
5. LAND CONTAINING SIGNIFICANT NATURAL FEATURES.....	19
6. CULTURALLY SIGNIFICANT LAND .....	19
<b>PART 2: DETAILED INFORMATION REGARDING CATEGORIES OF LAND.....</b>	<b>20</b>
7. VISION FOR THE JERILDERIE RACECOURSE AND SHOWGROUND.....	20
8. MANAGEMENT DIRECTIONS .....	20
8.1 Statutory guidelines for development of the sportsgrounds .....	21
8.2 Use of the land and structures at the date of adoption of the plan .....	24
8.3 Condition of the land and structures on adoption of the plan.....	24
8.3 Permitted use and future use.....	27
8.4 Leases, licences and other estates .....	29
9. ADMINISTRATION OF PLAN AND PERFORMANCE TARGETS.....	30
<b>APPENDICIES .....</b>	<b>38</b>
APPENDIX A - DEFINITIONS.....	38
APPENDIX B - COPY OF NOTICE FROM MINISTER ADVISING OF CATEGORISATION OF CROWN LAND.....	40
APPENDIX C - ABORIGINAL HERITAGE INFORMATION MANAGEMENT SYSTEM SEARCH RESULTS.....	41



**LIST OF FIGURES & TABLES.....**

*Figure 1: Jerilderie racecourse and showground..... 6*

*Table 1: Land covered by this plan of management..... 9*

*Table 2: Reserve purpose, gazettal date and categorisation ..... 10*

*Figure 2: Land categorisation ..... 10*

*Table 3: Guidelines and core objectives of sportsground and general community use land..... 12*

*Table 4: Zoning of reserve ..... 17*

*Table 6 - Preferred uses of the reserve ..... 22*

*Table 7: Existing use of reserves and structures..... 24*

*Figure 2 – Grandstand and control tower ..... 25*

*Figure 3 – Clubhouse and bar area ..... 25*

*Figure 4 – Amenities building ..... 25*

*Figure 5 – Betting ring and shelter..... 25*

*Figure 6 – Stewards building ..... 26*

*Figure 7 – Marshalling area and stables..... 26*

*Figure 8 – Stables and pen ..... 26*

*Figure 9 – Stalls in stable ..... 26*

*Figure 10 – Sheds..... 26*

*Figure 11 – Entrance..... 26*

*Figure 12 – Home straight of race track..... 27*

*Figure 13 – Infield area..... 27*

*Table 8 - Objectives and performance targets ..... 31*

## EXECUTIVE SUMMARY

Murrumbidgee Council has a broad and diverse network of open space that covers a differing levels of recreation use, of which the Jerilderie Racecourse and Showgrounds is one. The Plan of Management for Jerilderie Racecourse and Showground (the plan) aims to provide a basis for guiding Council's ongoing management of its this facility within the Murrumbidgee Local Government Area in accordance with the requirements of the NSW Local Government Act 1993 (the Act) and the Crown.

The intention of this plan of management is to provide Council with a framework that enables decisions in regard to community land, to be made on an informed, consistent and equitable basis. The plan of management satisfies the requirements of the Local Government Act 1993 as amended by the Local Government Amendment (Community Land Management) Act 1998.

The current use patterns; condition of the existing built and natural assets; emerging needs, constraints and opportunities, have been considered in this plan of management. The plan of management identifies appropriate objectives and actions, as well as measures that enable the successful implementation of key outcomes provided by the plan and a means for the effective ongoing management of the reserve to meet the needs of the three towns.

The plan of management has been prepared with due regard to *Developing Plans of Management for Community Land Crown Reserves—Guideline for Council Crown Land Managers* issued in November 2019 and the sample for a generic Crown reserve plan of management outline, in order achieve a balanced, responsible and ecologically sustainable use of the land and to ensure that it addresses the needs of the local neighbourhood, the broader community, and the environment. It has been prepared to meet the requirements of the Local Government Act, 1993 (LG Act), as amended by the Local Government Amendment (Community Land Management) Act 1998.

The plan aims to serve as a key management tool that is strongly related to other strategic plans of Council such as Council's Management Plan, as well as research obtained in preparation for Council's Recreation and Open Space Maintenance Strategies.

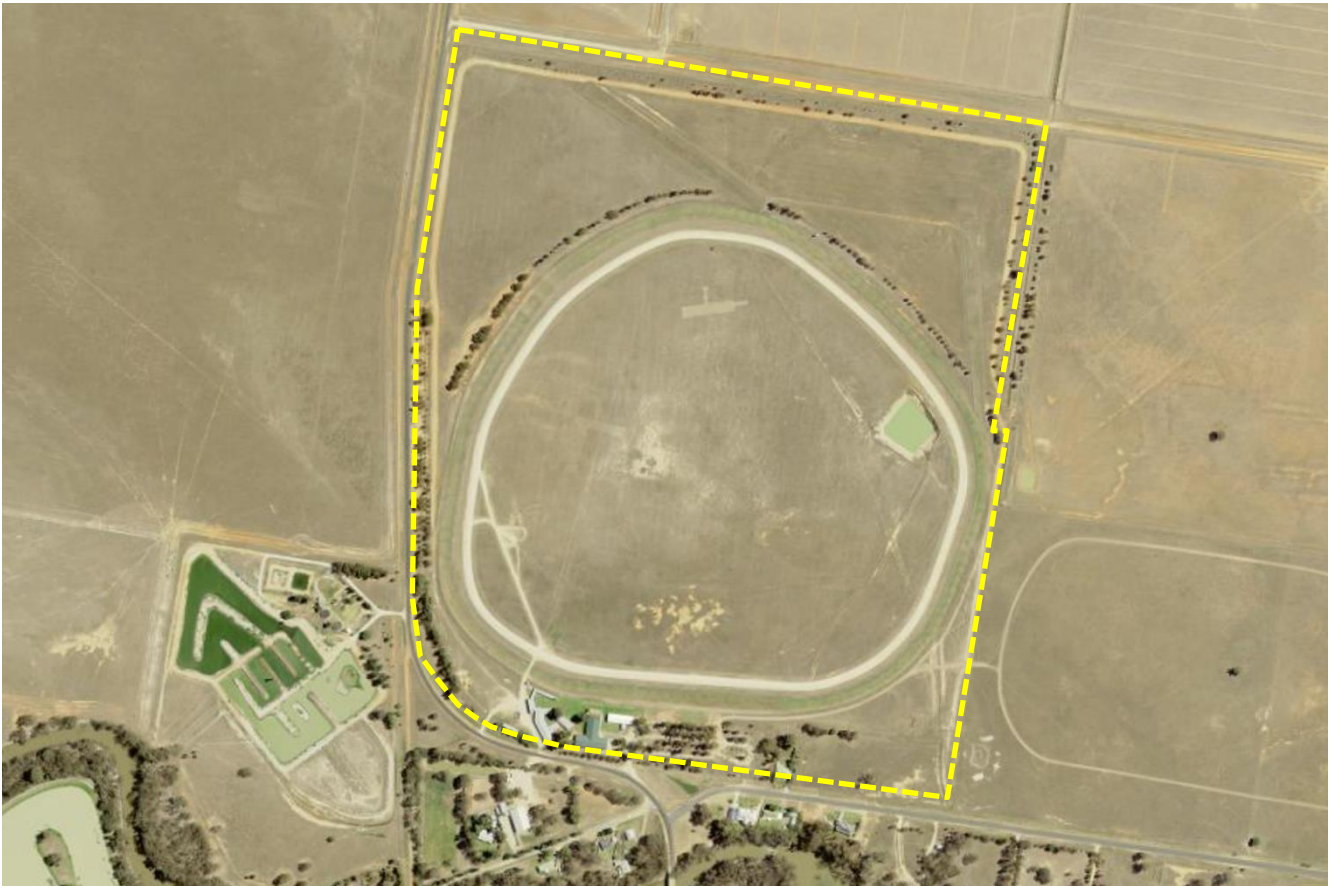
## PART 1: INTRODUCTION AND GENERAL INFORMATION

### 1. KEY INFORMATION

This Plan of Management Plan covers the following:

- Lot 162 DP 756425 and Lot 7005 DP 1126812 being Crown Land Reserve No. 55928, being the K (gazetted on 22 December 1922 as racecourse and showground ) being the Jerilderie Racecourse and Showground as shown in Figure 1 below:

*Figure 1: Jerilderie racecourse and showground<sup>1</sup>*



The Plan of Management for the Jerilderie Racecourse and Showground (JRSPoM) was adopted on **[insert date]**.

---

<sup>1</sup> Department of Planning, Industry & Environment, Six Maps

Terms that are *italicised* throughout the document are terms defined by legislation. Where relevant these definitions are included in Appendix A.

## **2. ABOUT PLANS OF MANAGEMENT**

A *plan of management* provides information about public land and its user groups stating what, why, how and by whom the integrity of any particular parcel of community land is to be managed. It establishes the values, uses, management practices and broad intent for the public purpose for which the land has been reserved or dedicated.

All plans of management are prepared in accordance with the provisions of the Crown Land Management Act 2016 for Ministerial approval. A plan of management provides a framework for the future management, use and development of reserved Crown land and should be consistent with the public purpose for the reserve and the principles of Crown land management, as well as other guidelines, policies, and any other legal requirements that may apply to the reserve.

A plan of management can be prepared for more than one parcel of land (generic or geographic) or for a single parcel (significant or specific). The JRSPoM is a specific plan of management.

The Crown land covered under this plan of management is a valuable community resource and the key objective of the JRSPoM is to provide a clear direction that will enable ongoing use of each of the reserve for both passive and unstructured active outdoor recreation and for the general enjoyment for all members the local community, visitors to the local government areas, and facilitate opportunities for uses appropriate to the land.

### **2.1 Why is Murrumbidgee Council preparing a Plan of Management?**

Murrumbidgee Council was established on 12 May 2016 following the merger of Murrumbidgee Shire Council and Jerilderie Shire Council and under the provisions of the Crown Land Management Act, 2016 has been identified as a Crown Land Manager. Under the provisions of the aforementioned Act, the responsibilities that fall upon a Crown Land Manager is to ensure that land resources are to be shared equitably in accordance with the principles of environmental protection, conservation and ecological sustainability, public use and enjoyment as well as encouraging multiple use of the land. As Crown Land Manager, Murrumbidgee Council is required to prepare a plan of management for over 30 parcels of Crown land it is responsible for.

A plan of management can fulfil many purposes and a Crown Land Manager may, for example, use a plan of management to:

- Provide a single document that collates information held by Council to enable a single point of reference;
- Expand upon the Council's corporate objectives and direction set out in its Community Strategic Plan;
- Provide an outline the day-to-day use and management of community land;
- Ensure that the environment is properly managed in accordance with the principles of sustainable development;
- Incorporate a masterplan that provides directions for future development, including landscaping and the provision of infrastructure;
- Identify risks associated with the use of the land and incorporate mitigation measures including emergency response actions;
- Explain how the provisions of a local environmental plan or development control plan are to be applied to the particular reserve and if required provide additional guidelines;

It is not intended that the JRSPoM will cover all of the items listed above.

## **2.1 Corporate objectives of Murrumbidgee Council**

---

The management actions in this Plan of Management are have been formulated so that they align with Murrumbidgee Council's Community Strategic Plan (CSP) that was adopted in 2019, which has been adopted on two guiding tenants, one being the principle of social justice and the other being sustainability. The social justice principles underpinned the Murrumbidgee Council CSP are:

**Equity** – there should be fairness in decision making, prioritizing and allocation of resources, particularly for those in need. Everyone should have a fair opportunity to participate in the future of the community. The planning process should take particular care to involve and protect the interests of people in vulnerable circumstances.

**Access** – all people should have fair access to services, resources and opportunities to improve their quality of life.

**Participation** – everyone should have the maximum opportunity to genuinely participate in decisions which affect their lives

**Rights** – equal rights should be established and promoted, with opportunities provided for people from diverse linguistic, cultural and religious backgrounds to participate in community life.

## 2.2 Land to which this plan applies

This Plan of Management Plan includes one of the many open space areas which Murrumbidgee Council manages which has been categorised as a *sportsground* and *general community use*. The purpose of developing a specific plan of management for the Jerilderie Racecourse and Showground is to acknowledge the significance of the site in terms of a sporting facility and a public venue for the local community and the wider area. Land covered by the plan of management is listed in Table 1:

**Table 1: Land covered by this plan of management**

Land	Real property description	Land owner
R55928 Jerilderie Racecourse and Showground	Lot 162 DP 756425 and Lot 7005 DP 1126812	Crown land managed by Murrumbidgee Council.

## 2.3 Owner of the land

For the purpose of Section 37 of the Local Government Act, 1993 column three of Table 1 identifies land that is owned by the Crown and that Murrumbidgee Council has been appointed as Crown Land Manager under the provisions of Division 3.2 of the Crown Land Management Act, 2016. It also identifies land which is owned by Murrumbidgee Council and managed as community land for the purpose of the LG Act, 1993.

The land identified is not subject to any trust, estate, interest, dedication, condition, restriction or covenant referred to in clause 37(b) of the Local Government Act, 1993. Further there is no condition or restriction imposed by the owner in respect to the use of management of the land as referenced in clause 37(c) of the Act.

## 2.4 Categorisation of the reserves

The land covered by this plan of management is public land and for the purpose of clause 26 of the Local Government Act, 1993 is classified as community land. Table 2 identifies the purpose of the



reserve and the categorisation of the land as confirmed by the Department of Planning, Industry and Environment – Crown Lands.

**Table 2: Reserve purpose, gazettal date and categorisation**

Land	Purpose(s) & gazettal date	Categorisation
R55928 Jerilderie Racecourse and Showground	Racecourse and showground 22 December 1922	Sportsground and general community use

**Figure 2: Land categorisation**



Legend

Sportsground

General community use

### **3. Relevant legislation, policies and procedures**

The statutory framework for the preparation and operation of the Plan of Management for Jerilderie Racecourse and Showground (JRSPoM) is primarily guided by:

- Local Government Act, 1993
- Local Government (General) Regulation, 2021
- Crown Land Management Act, 2016
- Crown Land Management Regulation, 2018
- Native Title Act, 1993 (Commonwealth)
- Aboriginal Land Rights Act, 1983

Other legislation, regulations and environmental planning instruments that may be of relevance to the Plan of Management for Jerilderie Racecourse and Showground include:

- Environmental Planning and Assessment Act, 1979;
- Environmental Planning and Assessment Regulation, 2021;
- State Environmental Planning Policy (Transport & Infrastructure) 2021;
- Jerilderie Local Environmental Plan, 2012;
- Companion Animals Act, 1998;
- Disability Discrimination Act, 1992.

#### **3.1 Local Government Act 1993**

Section 3.23(6) of the Crown Land Management Act, 2016 requires Murrumbidgee Council to adopt a Plan of Management for any Crown reserve for which it is the appointed Crown Land Manager, and that is classified as community land under the Local Government Act 1993 (LG Act).

These PoMs must be prepared and adopted in accordance with the provisions of Division 2 of Part 2 of Chapter 6 of the LG Act. The core objectives for the management of community land categorized as a sportsgrounds and for general community use are set out in sections 36F and 36I of the Local Government Act, 1993 and clauses 103 & 106 of the Local Government (General) Regulation 2021 respectively.



The core objectives for *sportsgrounds* and *general community use* are explained in Table 3 on the following page.

**Table 3: Guidelines and core objectives of sportsground and general community use land**

Land	Guidelines <sup>2</sup>	Core Objectives <sup>3</sup>
<i>Sportsground</i>	Land should be categorised as 'Sportsground' if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.	The core objectives for management of community land categorised as a sportsground are:  a) to encourage, promote and facilitate recreational pursuits in the community involving active recreation involving organised sports and informal sporting activities and games.  b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.
<i>General community use</i>	Land that may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public.	The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:  a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and  b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities)

While the Local Government Act 1993 (LG Act) contains many provisions that have an impact on the management of the reserve there is one aspect of particular importance: the approval requirements

---

<sup>2</sup> NSW Local Government (General) Regulation 2021, Part 4 Division 1, Guidelines for the categorisation of community land.

<sup>3</sup> NSW Local Government Act 1993, Part 2 Division 2, Use and management of community land.

certain activities specified in the Table from Section 68 of the Act, in particular those listed under Part D Community land.

Section 68 of the Act requires a person, wanting to carry out an activity specified in the Table D, to obtain approval from Council to undertake in any of the following activities:

- 1 *Engage in a trade or business*
- 2 *Direct or procure a theatrical, musical or other entertainment for the public*
- 3 *Construct a temporary enclosure for the purpose of entertainment*
- 4 *For fee or reward, play a musical instrument or sing*
- 5 *Set up, operate or use a loudspeaker or sound amplifying device*
- 6 *Deliver a public address or hold a religious service or public meeting*

The Crown Land Management Act 2016 specifies that approvals of activities under the Local Government Act 1993 must comply with plans of management and that a local council cannot grant an approval for an activity on dedicated or reserved Crown land under Part 1 of Chapter 7 (including Section 68) of the Local Government Act 1993 that contravenes a plan of management for the land.

In considering the activities permitted under Table D of Section 68 of the Local Government Act, Council must be satisfied that they accord with the primary purpose of the reserve that it was dedicated, which in each particular reserve were for public recreation and children's playground. Council can be reasonably satisfied that the approved categorization of the land as a sportsground and general community use is in keeping with the purpose of the reserve and furthermore the temporary uses set out in Table D would not result in material or ongoing harm.

As part of any application for a Section 68 approval, Council will need to consider the circumstances of each application on merit.

### **3.2 Crown Land Management Act 2016**

---

Section 3.23(6) of the Crown Land Management Act, 2016 (CLM Act) requires Murrumbidgee Council to adopt a Plan of Management for any Crown reserve for which it is the appointed Crown Land Manager and that is classified as community land under the Local Government Act 1993 (LG Act).

The objects and principles of Crown Land Management are listed in Sections 1.3 and 1.4 of the CLM Act 2016 provide a legislative starting point for preparation of a plan of management. The principles of Crown Land Management are:

- (a) *that environmental protection principles be observed in relation to the management and administration of Crown land, and*
- (b) *that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible, and*
- (c) *that public use and enjoyment of appropriate Crown land be encouraged, and*
- (d) *that, where appropriate, multiple use of Crown land be encouraged, and*
- (e) *that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and*
- (f) *that Crown land be occupied, used, sold, leased, licensed or otherwise dealt within the best interests of the State consistent with the above principles.*

Crown Land Managers have a statutory responsibility for the care, control and management of the Crown Land for the purposes for which the land is reserved or dedicated or other purposes as authorised by the Act. In this instance the statutory responsibilities assigned to Murrumbidgee Council, as Crown Land Manager, are drawn from Division 3.4 of CLM Act. In this regard Murrumbidgee Council is authorised to:

- Classify and manage its dedicated or reserved Crown land as if it were public land within the meaning of the Local Government Act 1993, subject to this Division (see section 3.21(1)).
- To manage its dedicated or reserved Crown land as if it were community land or operational land, but only as permitted or required by this Division including those functions ascribed to it pursuant to section 3.22 of the CLM Act.
- Assign an initial category or categories to the Crown Land in accordance with sections 3.23(2) & (3) of the CLM Act that Council considers to most closely relate to the purpose for which the land is dedicated or reserved.
- Prepare the first plan of management applicable to the land, either by amending an existing plan of management that applies to the land or adopt a new plan of management in accordance with sections 3.23 (6) & (7) of the CLM Act

On 25 February 2020 Murrumbidgee Council resolved to provide written notice to the Minister of the initial categorisation of the Crown Land pursuant to section 3.23(4) Murrumbidgee Council. The copy of the initial categorisation of Crown and other land managed by Murrumbidgee Council was sent to the Department of Planning, Industry & Environment (Crown Lands) on 4 March 2020. Their response is set out in Appendix B.

This JRSPoM, is based on the initial categorisation of the reserves which was approved by Minister. The Crown Land Management Amendment (Plan of Management) Regulation 2021 no longer requires a public hearing for Crown reserves.

### **3.3 Other relevant legislation and statutory controls**

---

The following is an overview of any other relevant legislation and statutory controls including the provision of relevant factors listed in an environmental planning instrument, including the provisions of the Native Title Act, 1993 (Commonwealth), Aboriginal Land Rights Act, 1983, Jerilderie Local Environmental Plan 2012 and in other council plans, strategies, policies and procedures.

#### **3.3.1 Native Title Act, 1993**

---

All activities on the land must address native title. Whilst a successful claim for native title will lead to official recognition of native title rights, native title rights are considered to pre-date such recognition. Native title can therefore be relevant to activities carried out on the land even if no native title claim has been made or registered.

The native title process must be considered for each activity on the land and a native title assessment must be undertaken. Almost all activities and public works carried out on the land will affect native title and require validation of the future act procedures in Division 3 of the Native Title Act, 1993 by Council's Native Title Manager.

#### **3.3.2 Aboriginal Land Rights Act, 1983**

---

In New South Wales, Aboriginal Land Rights sits alongside native title and allows Aboriginal Land Councils to claim certain Crown Land. Generally the Aboriginal Land Rights Act, 1983 is directed at allowing local Aboriginal Land Council's to claim Crown land that is unlawfully used or occupied. If a claim is successful, the freehold estate of the land is transferred to the Land Council.

Strategies which allow Council to validly carry out a project or activity under the Native Title Act may not deal with project risks arising in relation to the Aboriginal Land Rights Act, 1983. Council should be mindful that any activity on Crown land is lawful in relation to the reserve purpose of the land, Council should ensure that Crown land under its control is at all times lawfully used and occupied.

When planning an activity of the land such as the issue of a lease or license or any public works, Council should request a search to determine whether an Aboriginal Land Rights claim has been made in relation to the land. If a claim is registered the activity must be postponed until the claim is resolved.

The authorisation should ensure the proper management and maintenance of the land and the interests of Council and the public are protected.

### ***3.3.3 Environmental planning & assessment act, 1979***

---

The Environmental Planning and Assessment Act, 1979 (EP&A Act) provides the fundamental framework for which planning and development in NSW takes place, with Part 3 of the Act providing the mechanism for how environmental planning instruments are made; Part 4 relating to development assessment and consent; and Part 5 address infrastructure and environmental assessment.

#### ***3.3.3.1 State environmental planning policies***

---

A state environmental planning policy is an environmental planning instrument made under Part 3 of the EP&A Act that guides development and land use within NSW. There are presently 38 State environmental planning policies in force, not all of which apply to the local government area of Murrumbidgee Council. Those applying to Murrumbidgee Council are:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Resources and Energy) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy No 65—Design Quality of Residential Apartments

It should be noted that not all these would be applied to the development within JRSPoM, as many relate to development that is inconsistent with the categorisation of the land and this plan of management.

### 3.3.3.2 Local environmental plans

Murrumbidgee Council administers two (2) local environmental plans being the Jerilderie Local Environmental Plan 2012 (JLEP) and the Murrumbidgee Local Environmental Plan 2013 (MLEP). Both of these environmental planning instruments were made under Part 3 of the EP&A Act that guide development and land use within the Murrumbidgee Council local government area.

**Table 4: Zoning of reserve**

Land	Local environmental plan	Zoning of land
R55928 Jerilderie Racecourse and Showground	Jerilderie Local Environmental Plan 2012	RE1 Public recreation

### 3.3.3.3 Development Control Plan

A development control plan provides detailed planning and design guidelines to support the planning controls in a local environmental plan. Development control plans are prepared in accordance with Section 3.43 of the Environmental Planning and Assessment Act, 1979.

Murrumbidgee Council has two (2) development control plans in force, with the Jerilderie Development Control Plan 2012 (DCP) being relevant to the land. This document is published on the NSW Planning Portal and on Council's website.

## 3.4 Review of this plan

This Plan of Management has been prepared pursuant to the provisions of the Crown Land Management Act 2016 to provide an appropriate statutory basis for the continuing improvement and function of the Jerilderie Racecourse and Showground.

This Plan provides a medium-term strategy for the management and improvement of the reserve. It is anticipated most of the works described will be implemented over a five to ten-year period. Priorities for works and funding are to be addressed on an annual basis to meet development priorities and community needs.

This Plan is to be reviewed approximately every five years or as required to ensure it continues to be relevant to and consistent with government legislation and policy and community expectation.

### 3.5 Community consultation

---

Murrumbidgee Council acknowledges that community participation is essential and how Council engages the community in terms of its legislative requirements and has adopted a *Community Participation Plan (CPP)* and a Communication Strategy. Both documents have been designed to provide the community an understanding of how to participate in planning and other matters, including the management of community land.

The level and extent of community participation will vary depending on the community, the nature of the proposal under consideration and potential impacts of the decision. As a minimum, the CPP and Communication Strategy demand that its statutory obligations are properly met. In this respect Section 38 of the LG Act requires:

- (1) Council must give public notice of a draft plan of management.*
- (2) The period of public exhibition of the draft plan must be not less than 28 days.*
- (3) The public notice must also specify a period of not less than 42 days after the date on which the draft plan is placed on public exhibition during which submissions may be made to Council.*
- (4) Council must, in accordance with its notice, publicly exhibit the draft plan together with any other matter which it considers appropriate or necessary to better enable the draft plan and its implications to be understood.*

In accordance with section 39 of the LG Act Council must, before giving public notice of the draft plan of management forward a copy of the draft to the Crown, as Council is not the owner of the land.

With regard to the provisions of sections 38 and 39 of the LG Act, Council resolved on **28 February 2023** to endorse the draft plan of management and to:

- Place the draft PoM on public exhibition for 28 days. The exhibition date commenced on **3 March 2023** and ended on **31 March 2023**. The public noticed advised that submissions would be received up until **14 April 2023** which is 42 days after the commencement of the public exhibition period.

The exhibition included advertisement in local newspapers, on Council's website and documents being made available at its administration buildings in Coleambally, Darlington Point and Jerilderie.

Following consideration of submissions, Council resolved on **[insert date]** to adopt the Plan of Management for the Jerilderie Racecourse and Showground.

#### ***4. Land comprising the habitat of endangered species or threatened species***

The provisions of sections 36A and 36B of the Local Government Act, 1993 do not apply to the land listed in Table 2 for the following reasons:

- that no part of the reserve has been declared to be an area critical habitat under the Threatened Species Conservation Act, 1995, and
- that no part of the reserve has been declared to be an area of critical habitat under Part 7A of the Fisheries Management Act, 1994, and
- the reserve is not affected by a recovery plan for the purpose of Part 4 of the Threatened Species Conservation Act, 1995 or Division 5 of Part 7A of the Fisheries Management Act, 1994, and
- the reserve is not affected by a threat abatement plan for the purpose of Part 5 of the Threatened Species Conservation Act, 1995 or Division 5 of Part 7A of the Fisheries Management Act, 1994.

#### ***5. Land containing significant natural features***

The provisions of section 36C of the Local Government Act, 1993 does not apply to any of the reserve listed in Table 2 as the land is not subject to a resolution of Murrumbidgee Council that declared the land, being a site of:

- a known natural, geological, geomorphological, scenic or other feature that is considered by the council to warrant protection or special management considerations, or
- a wildlife corridor.

#### ***6. Culturally significant land***

In 2010 the Office of Environment and Heritage (formerly the Department of Environment, Climate Change and Water) published the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales. This code of practice is aimed at assisting individuals and organisations to exercise due diligence when carrying out activities that may harm Aboriginal objects.

As part of its due diligence in preparation of this Plan of Management, a basic search of the NSW Environment & Heritage Aboriginal Heritage Management Information System (AHIMS) for each of lots within the reserves on 24 September 2020 (see Appendix C) was undertaken, indicating that:



- no Aboriginal sites are recorded in or near<sup>4</sup> the above location; and
- no Aboriginal places have been declared in or near the above location

While there are no sites or places recorded or declared in grounds of the Jerilderie Racecourse and Showground, this does not mean they are not present. Should any Aboriginal artefacts, other cultural artefacts, archaeological relics or any object having interest due to its age or association with the past be located during the course of works, all works are to cease immediately and notification shall be provided to the Office of Environment and Heritage in accordance with the National Parks and Wildlife Act, 1974.

## **PART 2: DETAILED INFORMATION REGARDING CATEGORIES OF LAND**

This Plan of Management applies to Crown Land reserve listed in Table 1 and is owned by the state of New South Wales and Murrumbidgee Council has been appointed the Crown Land Manager. Part 2 provides detailed information regarding the management of the Jerilderie Racecourse and Showground, Murrumbidgee Council's vision for the reserve, existing site conditions and current use of the land, identification of appropriate development within the reserves and directions of how the land will be managed for and on behalf of the community.

### **7. Vision for the Jerilderie Racecourse and Showground**

The vision for the use of these is best described as:

***“Providing a venue that provides opportunities for, social gatherings and facilities that meet the ongoing demands for organised equestrian events and community events”***

The vision set out in the plan of management aligns with Murrumbidgee Council's *Statement of Vision & Priorities – Three Towns One Community* that seeks to promote “community built by an innovative mindset delivering appropriate and reliable services”.

### **8. Management directions**

Murrumbidgee Council acknowledges the land covered by this plan of management provides the local communities with both opportunities for passive and active recreational use of the land. While the current uses of the land meet the basic needs, opportunities exist to provide further benefit to the

---

<sup>4</sup> The search parameter applied was within 200m to 1000m of lots 162 DP 756425 & 7005 DP 1126812

community through a co-ordinated approach to future development, including obtaining grants for new or upgrade facilities.

This section aims to provide an overview of Murrumbidgee Council's broad development and management strategies for the Jerilderie Racecourse and Showground. It will identify the existing condition of the land and structures on the adoption of the plan, identify existing uses of the land as well as additional matters dealing with the day-to-day management and maintenance of the reserve.

In order to realise the potential of the land and provide a greater benefit for the local community the following directions for the management of the reserve are proposed:

- Use of the Jerilderie Racecourse and Showground as a *recreation area* particularly one that incorporates facilities for horse racing and special events requiring a large area of open space.
- To provide a safe and pleasant venue for all, by enable activities identified in Table D under Section 68 of the LG Act.
- To maintain and enhance the visual aesthetics of the reserve through proper maintenance of buildings, race track surfaces and ancillary structures, lawns and gardens.

### **8.1 Statutory guidelines for development of the sportsgrounds**

---

The provisions of section 36(3A)(b) of the Local Government Act that apply to site specific plan of management have been considered, and are as follows:

- (i) *specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used*
- (ii) *specify the purposes for which any further development of the land will be permitted, whether under lease or license or otherwise*
- (iii) *describe the scale and intensity of any such permitted use or development.*

The current uses of the reserve would fall within the broad definition as a *recreation area*, as defined in the standard instrument and uses that incorporates a sporting facilities (being a racecourse, including barriers, observation towers, betting ring, grandstand, club house, stables and marshalling areas) and a showground (including sheds for display) plus canteens and other amenities is consistent with the categorisation of the land as a either a *sportsground* or *general community use*.

The provisions of State Environmental Planning Policy (Transport & Infrastructure) 2021 (SEPP) identifies certain development that is exempt or may be carried out without consent. All other development is legislated in the relevant local environmental planning instrument as being permissible without consent, permitted with consent or otherwise is prohibited. With regard to clause 2.73(2)(c)(ii)

of the SEPP, development for any purpose may be carried out without consent on Crown managed land by or on behalf of the Crown land manager of the land if the development is for the purposes of implementing a plan of management adopted under the Local Government Act 1993 in relation to Crown managed land managed by a Council. Irrespective of the categorisation of the land, the provisions of clause 2.73(3)(a) and 2.74(1) allows certain development that may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council.

Table 4 identifies the zoning of the land under Murrumbidgee Local Environmental Plan 2013 of each of the three reserves. The RE1 Public Recreation zone that applies to the Jerilderie Racecourse and Showground is a closed zone and the number of land uses permitted are limited, however the current land use, being a recreation facilities and community facilities are both permissible.

**Table 6 - Preferred uses of the reserve**

<b>Land Use</b>	<b>Provisions of an environmental planning instrument</b>	<b>Allowed under JRSPoM</b>	<b>Reason</b>
<b><i>Building identification signs</i></b>	Permitted with consent.	Allowed for the purpose of way finding.	<i>A building identification sign</i> is not inconsistent with the categorisation of the land as a <i>sportsground</i> and <i>general community use</i> .
<b><i>Community facilities</i></b>	Permitted with consent.	Allowed on that part of the reserve classified as <i>general community use</i> .	<i>Community facilities</i> are consistent with the categorization of that part of the land as a <i>general community use</i> . In terms of s36G & 36I of the Local Government Act, 1993 <i>community facilities</i> would meet the future needs of the community, in terms of general welfare of the public (through cultural, social and educational pastimes and activities) and therefore would accord with the purpose of the reserve.
<b><i>Emergency services facilities</i></b>	Permitted with consent.	Except for the temporary use of land, not allowed.	<i>Emergency service facilities</i> is inconsistent with the categorisation of the reserve.
<b><i>Environmental protection works</i></b>	Permitted without consent.	Allowed.	<i>Environmental protection works</i> are not inconsistent with the categorisation of the reserve.

<b>Land Use</b>	<b>Provisions of an environmental planning instrument</b>	<b>Allowed under JRSPoM</b>	<b>Reason</b>
<b>Kiosks</b>	Permitted with consent.	Allowed	A <i>kiosk</i> , when used in conjunction with the racecourse and showground would not be inconsistent with the categorization or purpose of the reserve.
<b>Recreation areas</b>	Permitted with consent.	Allowed.	The use of the Jerilderie Racecourse and Showground as a <i>recreation area</i> is consistent categorisation of the land as a <i>sportsground</i> and <i>general community use</i> .
<b>Recreation facilities (indoor)</b>	Permitted with consent.	Allowed.	The use of the land as an <i>indoor recreation facility</i> is consistent with the purpose of the reserve and categorization of the land as <i>sportsground</i> and <i>general community use</i> .
<b>Recreation facilities (major)</b>	Permitted with consent.	Allowed	The use of the land as a <i>recreation facilities (major)</i> is consistent with the purpose of the reserve, as racecourse and showground, and categorization of the land as <i>sportsground</i> and <i>general community use</i> .
<b>Recreation facilities (outdoor)</b>	Permitted with consent.	Allowed	<i>Recreation facilities (outdoor)</i> is consistent with the purpose of the reserve and the categorisation of the land as a <i>sportsground</i> and <i>general community use</i> .
<b>Roads</b>	Permitted without consent.	Not allowed.  In the event that road widening is required Council would be required to acquire the land.	The construction of a <i>road</i> is inconsistent with the purpose and categorisation of the reserve.
<b>SEPP Infrastructure</b>	Exempt development or permitted without consent.	Allowed, subject to satisfying the requirements of clause 65 & 66 of SEPP (Infrastructure).	Identified in SEPP (Infrastructure) 2007 as exempt development or development permitted without consent.
<b>Water reticulation systems</b>	Permitted without consent.	Allowed.	<i>Water reticulation systems</i> are consistent with the categorisation of the reserve.

## 8.2 Use of the land and structures at the date of adoption of the plan

In accordance with section 36(3A)(a) of the LG Act include a brief outline of the current usage is reserve, including any details of current leases/licenses or other arrangements for the use of the land.

Table 7 identifies the current use of the land and existing structures that have been erected

**Table 7: Existing use of reserves and structures**

Land	Current use	Existing structures
R55928 Jerilderie Racecourse and Showground	Racecourse and showground	<ul style="list-style-type: none"><li>▪ Grandstand</li><li>▪ Control and observation towers</li><li>▪ Stables and stalls</li><li>▪ Marshall area &amp; fence</li><li>▪ Race track barrier fencing</li><li>▪ Betting ring awnings</li><li>▪ Sheds</li><li>▪ Manager's residence</li><li>▪ Club room and bar facilities</li><li>▪ Ticket booth</li><li>▪ Amenities</li><li>▪ Perimeter fencing</li></ul>

The buildings and the associated equipment are consistent with development that falls under the definition of a *recreation area*, the categorisation of the reserve as a *sportsground* and *general community use*. The Jerilderie Racecourse and Showground is being used for its intended purpose.

## 8.3 Condition of the land and structures on adoption of the plan

The provisions of Section 36(3A)(a) of the LG Act requires a plan of management to include a description of the condition of the land and structures on adoption of the plan.

At the date of adoption of the Plan of Management for the Jerilderie Racecourse and Showground, grass cover within the main public area, including was well maintained and existing trees in healthy condition. The racetrack turf was in good condition. The infield was maintained in a natural and tidy state.

Jerilderie Racecourse and Showground includes a number of buildings used for a range of activities, including a manager's residence, a grandstand, facilities associated with equestrian racing (incorporating stables and horse stalls, marshalling areas, a control tower, an observation tower and betting ring). There are a number of older style sheds, a modern clubhouse (bar area) and a recently constructed amenities building. All buildings are in good condition and appear to be well maintained.

There are no constructed footpaths within the reserve and there is an informal gravel car park (ie not line-marked). The barriers defining the racecourse proper, fencing of the marshalling areas and general perimeter fencing of the site were in good condition.

**Figure 2 – Grandstand and control tower<sup>5</sup>**



**Figure 3 – Clubhouse and bar area**



**Figure 4 – Amenities building**



**Figure 5 – Betting ring and shelter**



---

<sup>5</sup> Images in Figures 2 to 13 taken on 2 December 2019 © Steven Parisotto Photography



*Figure 6 – Stewards building*



*Figure 7 – Marshalling area and stables*



*Figure 8 – Stables and pen*



*Figure 9 – Stalls in stable*



*Figure 10 – Sheds*



*Figure 11 – Entrance*



**Figure 12 – Home straight of race track**



**Figure 13 – Infield area**



### **8.3 Permitted use and future use**

Section 36(3A)(b) of the Local Government Act requires that any site-specific plan of management must:

- (iv) *specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used*
- (v) *specify the purposes for which any further development of the land will be permitted, whether under lease or license or otherwise*
- (vi) *describe the scale and intensity of any such permitted use or development.*

Jerilderie Racecourse and Showground will continue to be used as a *sportsground* and for *general community use*.

While the future improvements may involve permanent structures being erected, there is no perceived harm as ultimately can be reversed. The extent of these work would generally fall within the category of exempt development as set out in State Environmental Planning Policy (Transport and Infrastructure) 2021 and as such would not involve irreversible harm to the land.

Jerilderie Racecourse and Showground is not prone to natural hazards such as tidal inundation, subsidence, slip, mass movement, flooding or bushfires. Further the land has not been mapped as being area of high biodiversity, however the site has been mapped as the groundwater system identified as being vulnerable. It is not expected that any future works would have an adverse impact on the groundwater system.



**Table 8 – Permissible uses and activities for land categorized as a park**

<b>Sportsground</b>	
<b>Purpose or use as...</b>	<b>Development to facilitate</b>
<p>The following uses are permitted by this Plan of Management on land categorized as a <i>sportsground</i> as they are consistent with the purpose of the reserves.</p> <p>a) Recreation areas that enable the following</p> <ul style="list-style-type: none"> <li>i. Active and passive recreational and sporting activities compatible with the nature of the particular land and any relevant facilities;</li> <li>ii. Organised and unstructured recreation activities;</li> <li>iii. Community events and gatherings; and</li> <li>iv. Commercial uses associated with sports facilities</li> </ul> <p>b) Environmental protection works including re-turfing and erosion control measures and landscaping commensurate to the reserve.</p>	<p>The Plan of Management will allow and facilitate the following development which would be ancillary to the use of the reserves as racecourse and showground</p> <ul style="list-style-type: none"> <li>▪ Development for the purpose of conducting and facilitating organised sport (both amateur and professional), for example: <ul style="list-style-type: none"> <li>▪ An equine racecourse.</li> <li>▪ Professional rooms for hire</li> <li>▪ Change room/locker area</li> <li>▪ Shower/toilet facilities</li> <li>▪ Car parking and loading areas</li> <li>▪ Ancillary areas (staff rooms, meeting rooms, recording rooms, equipment storage areas)</li> <li>▪ Shade structures</li> </ul> </li> <li>▪ Storage ancillary to recreational uses, community events or gatherings, and public meetings</li> <li>▪ Facilities for equine training, e.g. enclosures,, pens, corrals and the like</li> <li>▪ Provision of amenities to facilitate use and enjoyment of the community land including seating, change rooms, toilets, storage, first aid areas</li> <li>▪ Café/kiosk facilities and uses</li> <li>▪ Equipment sales/hire areas</li> <li>▪ Compatible, small scale commercial uses, e.g. sports tuition</li> <li>▪ Advertising structures and signage (such as A-frames and banners) that relate to approved uses/activities; are discreet and temporary, and are approved by the council</li> <li>▪ Water saving initiatives such as stormwater harvesting, rain gardens and swales.</li> <li>▪ Energy saving initiatives such as solar lights and solar panels</li> <li>▪ Locational, directional and regulatory signage</li> </ul>

**Table 9 – Permissible uses and activities for land categorized as general community use**

<b>General Community Use</b>	
<b>Purpose or use as...</b>	<b>Development to facilitate</b>
<p>The following purpose or uses are permitted by this Plan of Management on land categorized as a <i>general community use</i>.</p> <p>a) Land that is suitable for</p> <p>i. The gathering of groups for a range of social, cultural or recreational purposes.</p> <p>ii. Providing multi-purpose buildings with broad based community uses such as:</p> <ul style="list-style-type: none"> <li>▪ casual or informal recreation</li> <li>▪ meetings (including for social, recreational, educational or cultural purposes)</li> <li>▪ functions</li> <li>▪ concerts, including all musical genres</li> <li>▪ performances (including film and stage)</li> <li>▪ exhibitions</li> <li>▪ fairs and parades</li> <li>▪ workshops</li> <li>▪ leisure or training classes</li> </ul> <p>b) Environmental protection works including tree planting and erosion control measures and landscaping commensurate to the reserve.</p>	<p>The Plan of Management will allow and facilitate development for the purposes that would benefit the social, community, and cultural welfare of the community, including:</p> <ul style="list-style-type: none"> <li>▪ Development for the purposes of social, community, cultural and recreational activities – such as pavilions for the display of items, grandstands, awnings, stages and the like</li> <li>▪ Amenities, kiosks/cafes</li> <li>▪ Advertising structures and signage (such as A-frames and banners) that relate to approved uses/activities; are discreet and temporary, and are approved by the council</li> <li>▪ Water saving initiatives such as stormwater harvesting, rain gardens and swales.</li> <li>▪ Energy saving initiatives such as solar lights and solar panels</li> <li>▪ Locational, directional and regulatory signage</li> </ul>

#### **8.4 Leases, licenses and other estates**

Leases, licenses and other estates formalise the use of community land by groups such as sporting clubs and non-profit organisations, or by commercial organisations and individuals providing facilities and services for public use. Activities should be compatible with the zoning and reservation purpose of the land and provide benefits and services for facilities to the users of the land.

Occupation of the land other than by lease or license or other estate or for a permitted purpose listed in the Local Government (General) Regulation 2021 is prohibited.

The terms of the authorisation for a lease license or other estate should include Native Title assessment and validation under the Native Title Act 1993 and should include advice that the land is not subject to a claim under the Aboriginal Land Rights Act 1983. The authorisation should ensure the proper management and maintenance of the land and the interests of Council and the public are protected. A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a license or short term license or hire agreement will be issued.

This Plan of Management expressly authorises the issue of leases, licenses and other estates over the reserves covered by this Plan of Management, provided that:

- the purpose is consistent with the core objectives for the category of the land.
- the lease, license or other estate is for a permitted purpose listed in the Local Government Act 1993 or the Local Government (General) Regulation 2021.
- the issue of the lease, license or other estate and the provisions of the lease, license or other estate can be validated by the provisions of the Native Title Act 1993.
- the land is not subject to a claim under the Aboriginal Land Rights Act 1983.
- the lease, license or other estate is granted and notified in accordance with the provisions of the Local Government Act 1993 or the Local Government (General) Regulation 2021.
- the issue of the lease, license or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Areas held under lease, license or regular occupancy shall be maintained by the user. The user will be responsible for maintenance and outgoings as defined in the lease or license or agreement for use.

### **9. Administration of Plan and Performance Targets**

Section 36(3) of the LG Act requires, as a minimum, for all plans of management, include the following:

- a) *category of the land*
- b) *objectives and performance targets of the plan with respect to the land*
- c) *means by which the council proposes to achieve the plan's objectives and performance targets*
- d) *manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets.*

The land has been categorised partly as a sportsground and partly as general community use (see Figure B on page 10).

The following table identifies the management issues; objectives and performance targets; the means in which Council will achieve the stated objectives and the manner in how the performance target is assessed.

**Table 10 - Objectives and performance targets**

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)(c) Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
<b>Access</b>	<p>Provide defined paths for pedestrian access, including where practical assess and facilities for people with disabilities, to and within reserve.</p> <p>Allow an access network for pedestrians and cyclists that contribute to the aesthetic quality of The Jerilderie Racecourse and Showground with linkages to the Darlington Point Caravan Park and Bunyip Hole Reserve.</p> <p>Except for maintenance and emergency vehicles prohibit vehicular access without permit/ licence.</p>	<p>Appropriate design and construction for pavements, facilities and other structures to comply with relevant Australian Standards.</p> <p>Provision of shared facility where safe and appropriate, including the segregation of cyclists and pedestrians where appropriate.</p> <p>Use of regulatory signs.</p>	<p>Assess useability of The Jerilderie Racecourse and Showground by wheelchair users through surveys and observation.</p> <p>Record and review all accidents and near misses as a result of inappropriate use.</p> <p>Record all illegal or unauthorised vehicular entry and where necessary take appropriate regulatory action.</p>
<b>Alcohol</b>	<p>Implement controls to prohibit the consumption and/or possession of alcohol, except within designated or leased areas.</p>	<p>Use of regulatory signs and enforcement.</p>	<p>Record all complaints and investigations and where necessary take appropriate regulatory action.</p>
<b>Animal control</b>	<p>Impound all animals that are not under the full control of owner or handler.</p>	<p>Community education and involvement in monitoring.</p> <p>Use of regulatory signs and enforcement.</p>	<p>Record all complaints about loose dogs, attacks and animal waste, and where required take regulatory action.</p>
<b>Anti-Social behaviour</b>	<p>Minimise and manage anti-social behaviour in the park and the general community use areas</p>	<p>Encourage community involvement and surveillance.</p> <p>Implement community health measures.</p> <p>Appropriate design and lighting of common areas.</p>	<p>Record the number of complaints received and undertake investigations, and where necessary take appropriate regulatory action.</p>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
<b>Artworks and monuments</b>	<p>Allow for public and community artworks and monuments in appropriate settings.</p> <p>Maintain existing monuments.</p>	<p>Engage appropriate persons to engage the community to identify, commission &amp; erect artworks.</p> <p>Undertake repairs to existing monuments as required.</p>	<p>Document comments received in respect to artworks.</p> <p>Install artworks based on any budgetary funding or State and Federal grants</p> <p>Record the number incidents of vandalism and damage to artworks and monuments.</p>
<b>Barbeques</b>	<p>Allow the installation and use of gas or electric barbeques.</p> <p>Allow the use of portable barbeques (with the exception of wood fire barbeques).</p>	<p>Design, locate and maintain permanently installed barbeques.</p> <p>Use of regulatory signs regarding the use of barbeque facilities, both permanent and portable.</p>	<p>Record the number of reported failures and accidents, including reported near misses.</p>
<b>Buildings</b>	<p>Allow safe, clean, convenient and hygienic public amenity facilities for persons of all abilities.</p> <p>Allow new buildings, ancillary to the use of the <i>sportsground</i>, are to complement to the design of the Jerilderie Racecourse and Showground</p>	<p>Undertake regular cleaning and maintenance of the public amenities within The Jerilderie Racecourse and Showground.</p> <p>Provision and maintenance of security lighting in an around the amenities' building.</p> <p>Undertaking an appropriate review of environmental factors when considering development listed in State Environmental Planning Policy (Transport and Infrastructure) 2021, where Council is to carry out the works.</p> <p>Assess and determine any development application in accordance with the provisions of the Environmental Planning &amp; Assessment Act, 1979.</p>	<p>Undertake daily cleaning of the public amenities, and identify any new maintenance matters out or incidents of vandalism.</p> <p>Record and respond to complaints about hygiene and maintenance.</p> <p>Undertake regular of maintenance of the amenities in accordance with any operational plan for upkeep of all parks and recreational facilities within the local government area.</p> <p>Record all incidents of accidents and near misses as a result of damage or wear and tear to the amenity facilities.</p>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Buskers	Allow buskers to perform within the <i>general community use</i> area of the reserve.	Regulation by Council.	Number of comments.  Number of unauthorised buskers/ bands.
Hours of Usage	Allow for the management of racecourse and showground usage times for special events and user groups.	Council approval and regulatory signs for special events and group activities.	Record and investigate the number of unauthorised special events and group activities and where necessary take appropriate regulatory action.
Irrigation Systems	Allow watering systems to optimise water usage, minimise maintenance and enable appropriate vegetative growth.	Design, install and operate the system.	Number of incidents of failure of the irrigation system.
Landscaping	<p>Allow use of suitable species and use of landscape materials, including mulching and edge treatments, to achieve the desired landscape character and complement the character of existing plantings.</p> <p>Allow minor earthworks to provide mounding for aesthetic appeal, space definition and visual barriers.</p> <p>Provide a positive contribution to the local character both physically and visually. .</p> <p>Control and protect existing exotic species within The Jerilderie Racecourse and Showground by minimising weed infestation and associated impacts.</p>	<p>Augment existing indigenous planting. Use exotic species in suitable locations.</p> <p>Use shade trees for user comfort and protection. And screen planting for visual acoustic and physical buffers.</p> <p>Preserve and reinforce indigenous planting and identify species endemic to the area.</p> <p>Application of correct horticultural and tree surgery techniques.</p> <p>Minimise rubbish dumping within the local area via community education.</p> <p>Implementation of the Noxious Weeds Act.</p>	<p>Number of comments about public acceptance and level of park usage.</p> <p>Degree of turf encroachment into planted areas.</p> <p>Number of comments about maintenance, durability and public acceptance of the landscape character.</p> <p>Number of reported incidents of infestation of exotic plant species.</p> <p>Number of comments about quality of vegetation.</p> <p>Number of reported incidents of sick trees.</p> <p>Number of reported incidents of rubbish dumping</p>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Lighting	<p>Allow security lighting which will enable safe movement of pedestrians along major access routes at night.</p> <p>Prevent excessive lighting impacts on adjoining land uses.</p> <p>Allow for lighting of special events at night.</p> <p>Allow for the lighting of architectural or landscaped features.</p>	<p>Set appropriate illumination levels.</p> <p>Design, site and install light facilities.</p> <p>Regulate times for lighting of special events.</p> <p>Council approval.</p>	<p>Number of comments from adjoining residents and Park users.</p> <p>Number of problems related to inadequate lighting.</p>
Outdoor Furniture	<p>Allow for the provision of adequate furniture, such as bubblers, tables, seats, bins, bollards, cycle racks, tree guards and planter tubs, etc. at suitable locations.</p> <p>Create a comfortable setting for users both aesthetically and functionally.</p>	<p>Complement and be consistent with the theme for surrounding Public Open Space Areas.</p> <p>Appropriate design, siting, use of materials and erection of furniture.</p>	<p>Number of comments about acceptance by the community with regard to the suitability of the location and the style.</p> <p>Number of incidents of non-compliance with relevant Council Codes, Policies and Regulations.</p>
Playgrounds	<p>Provide safely designed and sited playgrounds.</p>	<p>Playground design, materials and layout to relevant safety standards.</p> <p>Playgrounds sited away from physical hazards.</p>	<p>Number of accidents and injuries attributed to unsafe design, siting and layout.</p>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Refreshment kiosks (mobile and fixed)	<p>Allow the licensing or leasing of <i>kiosks</i> or <i>food &amp; drink premises</i> as approved by Council.</p> <p>Permissible on area defined in lease or licence agreement.</p> <p>Control and regulate the entry of casual vendors (egg: ice-cream carts) within Parks and pedestrian areas where appropriate.</p> <p>Appropriate control measures. Council approval.</p> <p>Enter into appropriate licensing/leasing Agreements.</p>	<p>Council approval. Licensing/Leasing Agreement.</p> <p>Lease or license holders take precedence over casual street vendors.</p>	<p>Managing and reporting incidence of non-compliance with terms of Council approval, license or lease agreement.</p> <p>Number of licences issued.</p> <p>Number of public comments about vendors in public places.</p> <p>Number of reported illegal or unauthorised entries.</p> <p>Number of licences granted per annum.</p>
Rubbish Dumping and Littering.	<p>Prohibit rubbish dumping and littering.</p>	<p>Regulatory signage at appropriate locations.</p> <p>Community education on the environmental impacts of rubbish dumping.</p>	<p>Number of incidents of illegal dumping</p> <p>Cost of clean-up and litter collection per annum</p>
Shade structures and other shelters	<p>Allow structures which will provide shade and shelter for park users in appropriate areas</p> <p>Allow integration of structures that are harmonious, functional and aesthetically in keeping with the character of the park</p>	<p>Appropriate design, location and erection of structures.</p>	<p>Number of comments about the effectiveness of the structures in all weather conditions.</p> <p>Number of community responses to appearance of the structures.</p> <p>Number of structures erected.</p>



Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Signage	<p>Allow suitable information, regulatory, identification, interpretive and directional signage relating to the facilities.</p> <p>Regulate advertising signage.</p>	<p>Appropriate design and siting of signage in accordance with the relevant DCP for Advertising, Structures &amp; Signs.</p> <p>Council approval.</p>	<p>Number of user comments.</p> <p>Number of ordinance investigations and prosecutions.</p>
Site Utility Services	<p>Allow for the installation of all services as required by site usage.</p>	<p>Approval by the appropriate Statutory Authorities.</p> <p>Construction and installation of all necessary services.</p> <p>Registration of appropriate easements.</p>	<p>All facilities are adequately serviced, identified and located.</p> <p>Number of objections received from service authorities about the location and quality of services.</p> <p>Number of site utility service installations constructed.</p>
Special Events	<p>Allow special events within the racecourse and showground with minimal adverse visual, physical, social and environmental impact.</p>	<p>Council approval as required under Environmental Planning &amp; Assessment Act, 1979 and/or Local Government Act, 1993</p>	<p>Number of comments about special events.</p> <p>Attendance levels at special events.</p>
Vandalism	<p>Minimise vandalism within the Jerilderie Racecourse and Showground</p>	<p>Appropriate landscape design techniques.</p> <p>Appropriate use of materials.</p> <p>Encouragement of community involvement and education.</p> <p>Appropriate use of signage. Prompt repair of vandalised areas.</p>	<p>Number of reported incidents of vandalism</p>

<b>Management Issues</b>	<b>s.36(3)(b) Objectives and Performance Targets</b>	<b>s.36(3)(c) Means of achievement of objectives</b>	<b>s.36(3)(d) Manner of assessment of performance</b>
Waste Management	Minimise litter within the reserve. Encourage recycling.	Provide and service enough waste management facilities in strategic locations.  Provide a recycling station for glass, aluminium, PET plastics etc.  Community education.	Number of garbage and recycling bins provided.  Number of comments in relation to inadequate waste facilities.

## APPENDICIES

### APPENDIX A - Definitions

<b>Term</b>	<b>Legislative definition</b>
<b>community land</b>	<p>means –</p> <p>land that is classified as community land under Division 1 of Part 2 of Chapter 6. (Local Government Act, 1993)</p>
<b>community participation plan</b>	<p>means –</p> <p>a community participation plan prepared and published under Division 2.6. (Environmental Planning and Assessment Act, 1979)</p>
<b>environmental planning instrument</b>	<p>means –</p> <p>an environmental planning instrument (including a SEPP or LEP but not including a DCP) made, or taken to have been made, under Part 3 and in force. (Environmental Planning and Assessment Act, 1979)</p> <p>Note. SEPP is an acronym for State Environmental Planning Policy, a LEP is a Local Environmental Plan, and a DCP is a Development Control Plan.</p>
<b>plan of management</b>	<p>means –</p> <p>a plan of management adopted by a council under Division 2 of Part 2 of Chapter 6 and in force in relation to an area of public land. (Local Government Act, 1993)</p>
<b>public reserve</b>	<p>means –</p> <ul style="list-style-type: none"><li>(a) a public park, or</li><li>(b) any land conveyed or transferred to the council under section 340A of the <a href="#">Local Government Act 1919</a>, or</li><li>(c) any land dedicated or taken to be dedicated as a public reserve under section 340C or 340D of the <a href="#">Local Government Act 1919</a>, or</li><li>(d) any land dedicated or taken to be dedicated under section 49 or 50, or</li><li>(e) any land vested in the council, and declared to be a public reserve, under section 37AAA of the <a href="#">Crown Lands Consolidation Act 1913</a>, or</li><li>(f) any land vested in the council, and declared to be a public reserve, under section 76 of the <a href="#">Crown Lands Act 1989</a>, or</li><li>(g) Crown managed land that is dedicated or reserved—<ul style="list-style-type: none"><li>(i) for public recreation or for a public cemetery, or</li><li>(ii) for a purpose that is declared to be a purpose that falls within the scope of this definition by means of an order</li></ul></li></ul>

*published in the Gazette by the Minister administering the [Crown Land Management Act 2016](#),*

*being Crown managed land in respect of which a council has been appointed as its Crown land manager under that Act or for which no Crown land manager has been appointed, or*

- (h) land declared to be a public reserve and placed under the control of a council under section 52 of the [State Roads Act 1986](#), or*
- (i) land dedicated as a public reserve and placed under the control of a council under section 159 of the [Roads Act 1993](#),*

*and includes a public reserve of which a council has the control under section 344 of the [Local Government Act 1919](#) or section 48, but does not include a common.*

**recreation area**

*means a place used for outdoor recreation that is normally open to the public, and includes –*

- (a) a children's playground, or*
- (b) an area used for community sporting activities, or*
- (c) a public park, reserve or garden or the like,*

*and any ancillary buildings but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).*

**Attachment 1: Schedule of Crown reserves categorisation consistent with reserve purpose**

<b>Reserve No.</b>	<b>Purpose(s)</b>	<b>Category</b>
R9984	Public Recreation	Sportsground
R31393	Public Recreation	Natural Area
R33953	Refuge in time of Flood	Natural Area
R55431	Access	General Community Use, Natural Area
R55928	Racecourse and Showground	Sportsground, General Community Use
R60373	Public recreation	General Community Use, Natural Area
R62157	Preservation of Graves	Area of Cultural Significance, Natural Area
R68938	Public Recreation	Natural Area
R72160	Public Recreation	Sportsground
R55928	Public Recreation; Children's playground	Park
R82340	Public Recreation	Natural Area
R85679	Plantation	General community Use
R88058	Museum	Area of Cultural Significance
R88451	Public Recreation	Sportsground
R88754	Public Recreation	Sportsground
R89633	Museum	Area of Cultural Significance
R90713	Home of the Aged	General Community Use
R94084	Children's Playground, Public Recreation	Park, General Community Use
R97197	Children's Playground, Public Recreation	Park
R97198	Children's Playground, Public Recreation	Park, General Community Use
R98071	Public Recreation	General Community Use
R150042	Community Purposes, Heritage Purposes	General Community Use, Area of Cultural Significance
R1010748	Community Purposes	General Community Use
R1021768	General Cemetery	General Community Use



**AHIMS Web Services (AWS)**  
**Search Result**

Purchase Order/Reference : 20-C01-MC Racecourse

Client Service ID : 538122

Steven Parisotto

Date: 24 September 2020

63 Hillam Dr

Griffith New South Wales 2680

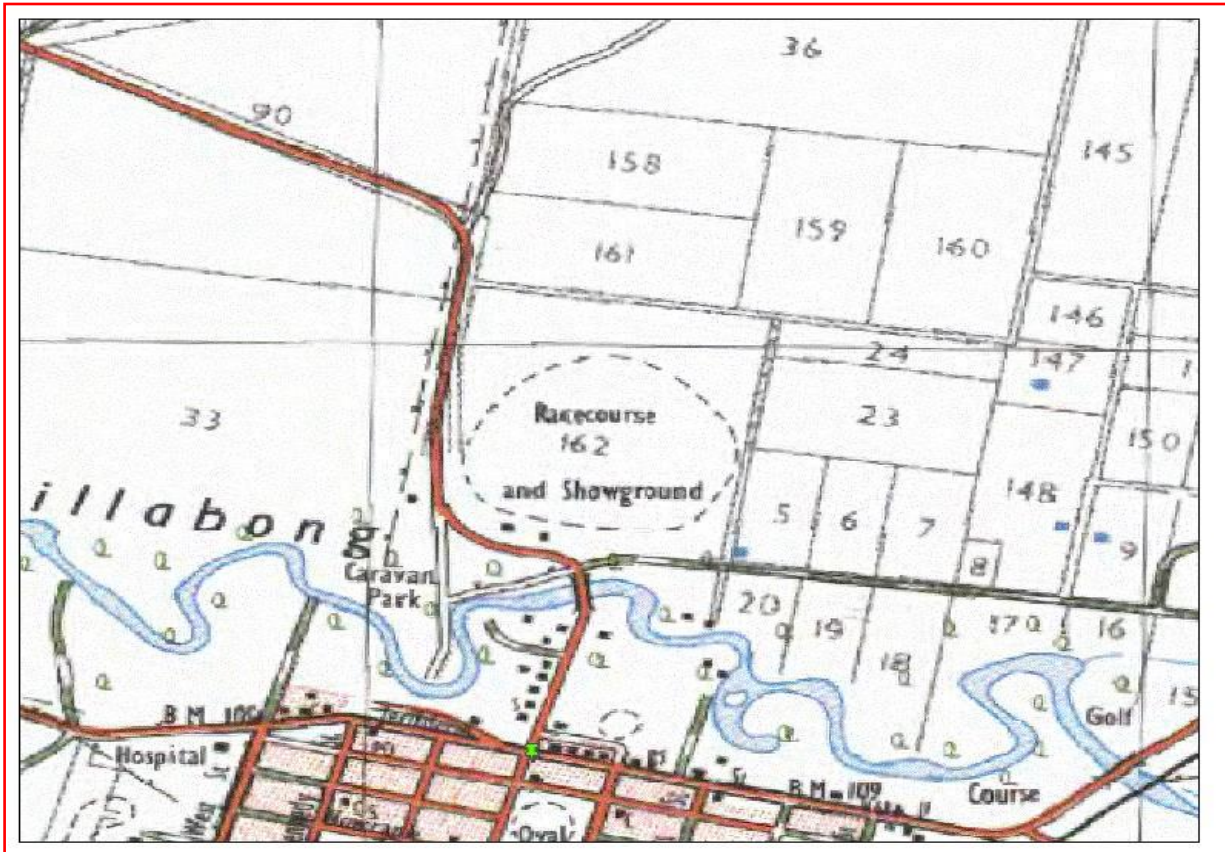
Attention: Steven Parisotto

Email: [parisplan@icloud.com](mailto:parisplan@icloud.com)

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 162, DP:DP756425 with a Buffer of 1000 meters, conducted by Steven Parisotto on 24 September 2020.**

***The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.***



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

<b>0</b>	<b>Aboriginal sites are recorded in or near the above location.</b>
<b>0</b>	<b>Aboriginal places have been declared in or near the above location. *</b>

**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.

You can get further information about Aboriginal places by looking at the gazettal notice that declared it.

- Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.  
AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;

- *Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,*
- *Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.*
- *Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.*
- *This search can form part of your due diligence and remains valid for 12 months*

---

*33 Marist Place, Parramatta NSW 2150  
Locked Bag 5020 Parramatta NSW 2220  
Tel: (02) 9585 6380 Fax: (02) 9873 8599*

*ABN 30 841 387 271  
Email: [ahims@environment.nsw.gov.au](mailto:ahims@environment.nsw.gov.au)  
Web: [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)*



Steven Parisotto

Date: 24 September 2020

63 Hillam Dr

Griffith New South Wales 2680

Attention: Steven Parisotto

Email: [parisplan@icloud.com](mailto:parisplan@icloud.com)

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 7005, DP:DP1126812 with a Buffer of 200 meters, conducted by Steven Parisotto on 24 September 2020.**

**The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.**



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

<b>0</b>	<b>Aboriginal sites are recorded in or near the above location.</b>
<b>0</b>	<b>Aboriginal places have been declared in or near the above location. *</b>

**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.

You can get further information about Aboriginal places by looking at the gazettal notice that declared it.

- Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.  
*AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;*
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months



**Murrumbidgee**  
COUNCIL

# Development Control Plan Young Street Precinct

May 2023

# Part 1 - Introduction

---

## 1. Name of this plan

This Development Control Plan shall be cited as “Young Street Precinct Development Control Plan.”

## 2. Commencement of Development Control Plan

In pursuance of Council’s resolution of 23 May 2023, Minute # ..... this Development Control Plan shall be in force from 27 June 2023.

## 3. Aims of the Development Control Plan

The aims of this plan are:

- (1) To provide appropriate development control principles for the development of the Young Street Precinct;
- (2) To guide the development of residential uses within the Young Street Precinct by providing site planning and design controls for housing; and
- (3) That this DCP be incorporated into any future comprehensive DCP for the whole Local Government Area.

## 4. Land to which this Plan applies

This plan applies to Lot 2 DP 1081623 (and the lots created as a consequence of the subdivision of land approved viz DA 18-12/13).

## 5. Local Environmental Plan applying to the land

The Murrumbidgee Local Environmental Plan 2013, as amended applies to the land the subject of this Plan.

## **6. Relationship to other policies**

This DCP may reference other Council policies, including the following:

- (1) Murrumbidgee Council Section 7.12 Development Contribution Plan
- (2) Darlington Point Floodplain Risk Management Study and Plan (October 2021)
- (3) Murrumbidgee River at Darlington Point and Environs Flood Study (2018)

## **Part 2 - Residential Controls**

---

### **7. Desired Future Character Statement**

The Young Street Precinct is a greenfield development associated with DA 18-12/13 which resulted in the creation of 56 lots.

The Young Street Precinct is located on the western edge of Darlington Street off Young Street and is bounded by the Darlington Point Common to the north.

Council's vision for the future character of the Young Street precinct is one of low density, single story detached dwellings and associated outbuildings. Secondary dwellings (with a gross floor area of 60m<sup>2</sup>) and two storey dwellings in appropriate locations are also considered to fit the desired future character of the precinct as they would provide affordable housing opportunities.

As this is a greenfield development, there is an expectation that residential development be of a high standard, and as such the relocatable or transportable dwellings are not envisaged for the precinct and would not be supported.

Dual occupancy development, along with medium density development, may be considered, provided it is for the purposes of affordable housing and that the floor space ratio requirements are adhered to.

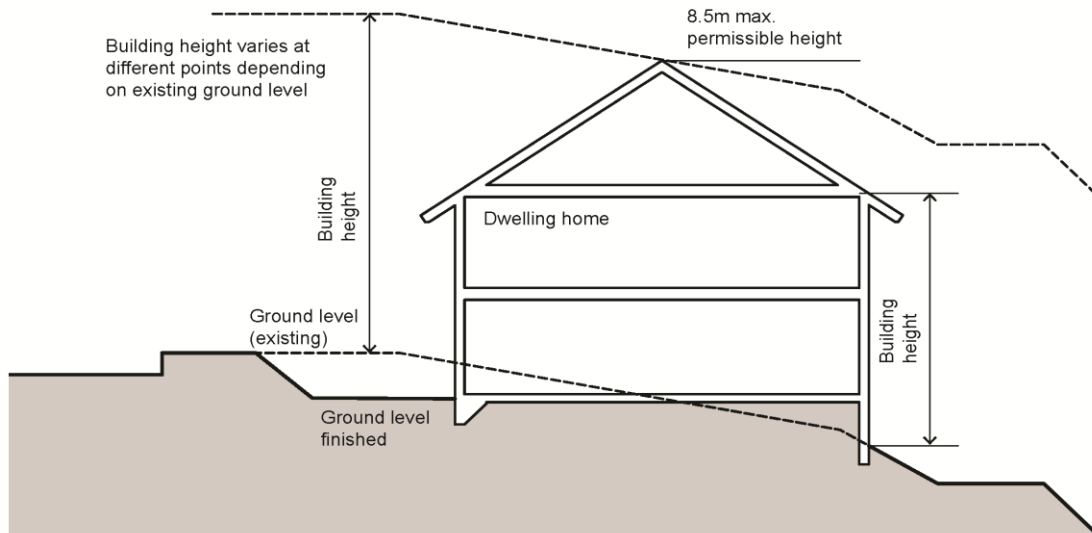
### **8. Dwellings**

This subsection applies to future residential development in the precinct. Single detached dwellings represent the dominant housing variety in Darlington Point. Dwellings should be sited and designed to meet the objectives of this section and the desired future character statement.

## (1) Maximum building height

In order to maintain a consistent residential character and maximise privacy, solar access and views, development should have a maximum height for a dwelling house of 8.5 metres above existing ground levels.

**Figure 1: Maximum building height<sup>1</sup>**



### a) Two storey dwellings

The design, setbacks and heights of two story dwellings are to meet the requirements of Part 3D Inland Code State Environmental Planning Policy (Exempt & Complying Development Codes) 2008.

Two storey residential development may be considered on lots if the lot has an area of greater than 1050m<sup>2</sup> and a street frontage of 23.5 metres or greater. These lots are identified in the subdivision as:

- Lot 2, 3, 4, 5 and 6

### b) Sheds and outbuildings

The maximum height for outbuildings (sheds and the like) are set out in clause 8(12).

<sup>1</sup> State Environmental Planning Policy (Exempt & Complying Development (clause 3.8)

## (2) Floor space ratio

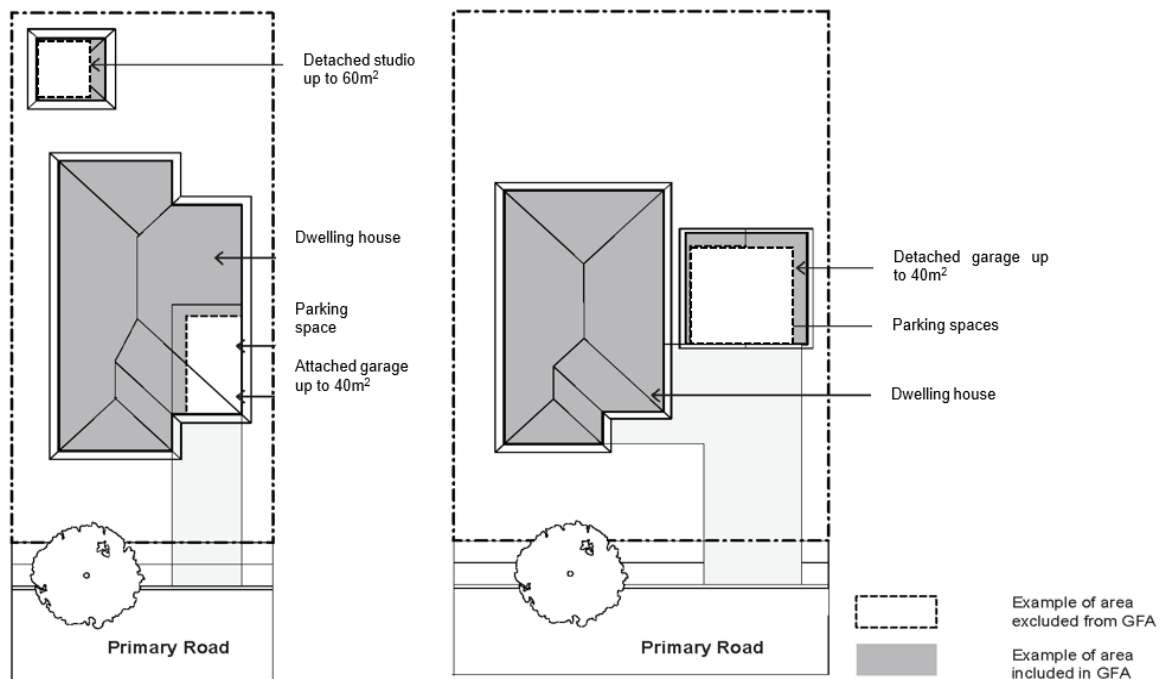
Floor space ratio (which is the gross floor area of a building or buildings in relation to the size of a site that it is being built on)<sup>2</sup>, when combined with other built form controls, are a means to ensure that new development is responsive to its site and the characteristics of an area.

The **maximum allowable floor space ratio** for development in the Young Street Precinct is **0.5:1**, with the following excluded from the floor space ratio calculations:

- (i) A secondary dwelling with a floor area not exceeding 60m<sup>2</sup>;
- (ii) An unenclosed structure, such as a carport that is open on three sides or the area under an awning or verandah;
- (iii) A garage (whether attached or detached) up to 40m<sup>2</sup> in area.

In this instance the maximum allowable floor space ratio means 0.5m<sup>2</sup> of building footprint requires 1m<sup>2</sup> of undeveloped land.

**Figure 2: Floor area include in floor space ratio calculations<sup>3</sup>**



<sup>2</sup> For example, a site with an area of 900m<sup>2</sup> would allow a floor area (of all buildings) of up to 450m<sup>2</sup>.

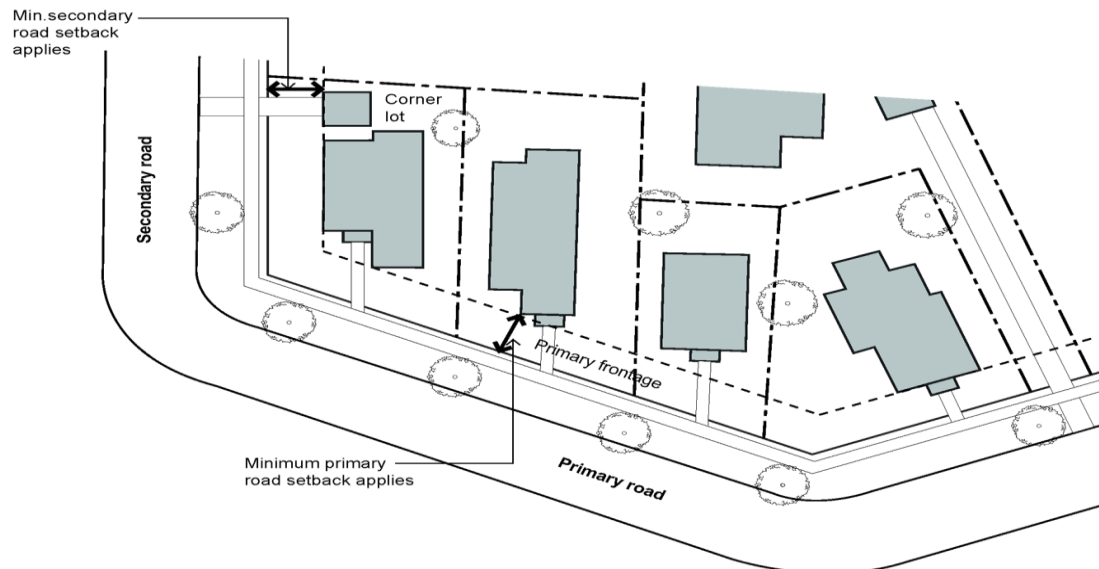
<sup>3</sup> State Environmental Planning Policy (Exempt & Complying Development) (clause 3.9)

### (3) Building lines, setbacks and articulation zones

The siting of dwellings and outbuildings within a building envelope on a site through the use of setbacks controls is a means of enhancing the streetscape, improving visual amenity and protecting the privacy of and sunlight to adjacent dwellings. The setback requirements are set out in the following table:

Design element	Setback requirement <sup>4</sup>
Building line or front setback (primary)	
- Dwelling	4.5 metres
- Garage (attached or detached)	5.5 metres
- Carport (attached or detached)	5.5 metres
- Outbuildings	5.5 metres
- Swimming pool	Not allowed forward of the building line.
Secondary street setback (corner lots)	
- Dwelling	3.0 metres
- Garage (attached or detached)	5.5 metres
- Carport (attached or detached)	5.5 metres
- Outbuildings	5.5 metres
- Swimming pool	2.0 metres

Figure 3: Floor area include in floor space ratio calculations<sup>5</sup>



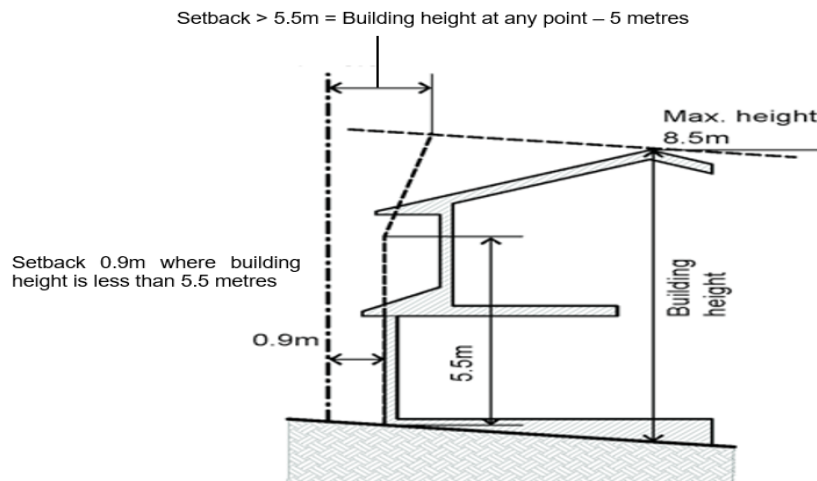
<sup>4</sup> Unless otherwise permitted by a Council policy, no building is to be constructed within any easement that burdens a lot. Where an easement burdens a lot, the setback requirements are to be measured from the easement.

<sup>5</sup> State Environmental Planning Policy (Exempt & Complying Development) (clause 3.10)



Design element	Setback requirement <sup>6</sup>
Side setback <ul style="list-style-type: none"> <li>- Dwelling (up to 5.5m in height)</li> <li>- Dwelling (&gt; 5.5m in height)</li> <li>- Outbuildings</li> <li>- Swimming pools</li> </ul>	0.9 metre Height of building – 5 metres = setback <sup>7</sup> 0.9 metre

**Figure 4: Side setbacks<sup>8</sup>**



Rear setback <ul style="list-style-type: none"> <li>- Dwelling</li> <li>- Secondary dwelling</li> <li>- Outbuildings</li> <li>- Swimming pools</li> </ul>	8.0 metres 4.0 metres See clause 8(12) 3.0 metres
---	--

The building articulation zone is an area of a lot forward of the building line, within which building elements which add articulation to the development are permitted. The building articulation zone permits an encroachment of 1.5 metres to the building line (front setback) and 500mm to the secondary street setback.

<sup>6</sup> Unless otherwise permitted by a Council policy, no building is to be constructed within any easement that burdens a lot. Where an easement burdens a lot, the setback requirements are to be measured from the easement.

<sup>7</sup> Example of side setback requiring use of formula. If a building seeks has a height of 6.5m then the required set back is 1.5m (ie 6.5m-5m = 1.5m).

<sup>8</sup> State Environmental Planning Policy (Exempt & Complying Development (clause 3.10)

#### **(4) Streetscape**

Streetscapes create a sense of identity and help form the character of a precinct and it encompasses all buildings, landscape design, fencing, driveways, paving and street surfaces. To create a precinct that is visually appealing, the following controls are to guide development:

- (i) Dwellings on corner blocks must be designed to address both street frontages;
- (ii) Garages shall not dominate the street frontage. Garages shall be sited behind the primary building elevation and shall not exceed 30% of the width of the site;
- (iii) Landscaping should be used to enhance the appearance of the development and the surrounding area, including the road reserve.

#### **(5) Building design**

Development within the Young Street precinct seeks to promote housing design that will establish a character and amenity which reflects the prevailing topography and its setting on the edge of Darlington Point.

##### **a) External appearance**

- (i) The building design, roof form, details and material should be appropriately scaled to enable differentiation and visual interest between the dwellings when viewed from public streets;
- (ii) Front walls of any dwelling visible from the street shall not exceed 5 metres in length without a physical change. The side walls in any one dwelling visible from the street or public place shall not exceed 10 metres in length without a physical change;
- (iii) External building materials such as brick, masonry, weatherboard with tile or colorbond roofing materials, are to be used. Small amounts of other materials may be used subject to relevant authority approval;
- (iv) Windows and doors in facades facing the street shall be provided in a balanced manner and respond to the orientation and internal uses;
- (v) Colours to be used should be earthen type hues, and reflective material is not permitted;
- (vi) Transportable or relocated or second hand dwellings are not permitted;
- (vii) No structure of a temporary character such as tent, trailer, camper or caravan or any other outbuilding shall be used at any time or occupied as a temporary dwelling house.

b) Sustainable building design

Development Applications for new housing proposals and specified alterations and additions must be accompanied by a BASIX Certificate, issued by the NSW Government.

The design of new dwellings should adopt the following principles which promote sustainable building practices and incorporate the following:

- (i) Maximising solar access to habitable rooms and private open space;
- (ii) Supplement natural lighting through the use of skylights, where required;
- (iii) Orientate living spaces to the north or east where possible;
- (iv) Use shading devices such as eaves, awnings, colonnades, balconies, pergolas, external louvres and planting;
- (v) Facilitate natural cross ventilation by minimising interruptions in air flow through dwellings and grouping rooms with similar usage together; and
- (vi) Limit the use of mechanical ventilation.

**(6) Visual and acoustic privacy**

To provide future residents with visual and acoustic privacy in their dwellings and with areas of private open spaces and to enhance perceptions of community safety, new dwellings are to meet the following requirements:

- (i) Dwellings, including additions, should be designed so that windows, and decks are not situated directly opposite windows of primary (living, kitchen, dining) rooms of any adjoining dwellings, unless privacy issues can be addressed;
- (ii) Habitable room windows should be offset by a suitable distance to limit views between windows; or should have sill heights of 1.7 metres above floor level, or should have fixed translucent glazing in any part of the window within 1.7 metres of the floor level, or use other means to obscure the view between windows; and
- (iii) Noise generating areas of development (e.g. air conditioning plant, swimming pool areas and the like) should be adequately screened or located away from the bedroom areas of neighbouring properties to minimise their impact.

## (7) Private open space

Private open space shall incorporate an area of 25m<sup>2</sup> and include minimum dimensions of 4 metres x 4 metres which is directly accessible from a primary living area at the rear of the dwelling.

Private open space shall not include driveways, turning areas, car spaces, narrow elongated curtilage areas and service areas.

Private open space forward of the front building line is not supported.

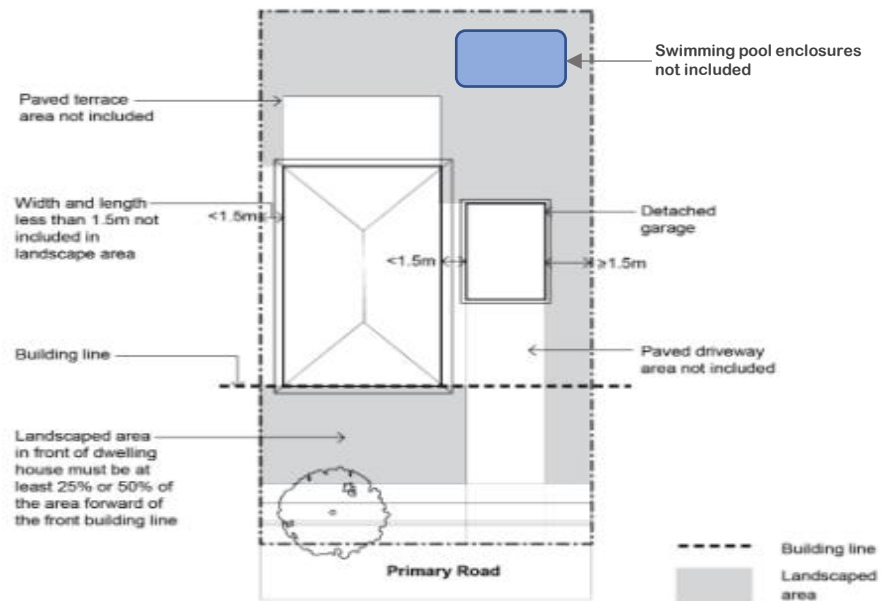
## (8) Landscaped area

A minimum of 40% of the total site area is to be landscaped, of which 30% is to be available for soft or deep soil planting.

The landscaped area may include decorative paving, but it does not include the following:

- (i) Paving along the side of the dwelling within the site setback area;
- (ii) Driveways, manoeuvring or areas used for the parking of vehicles; and
- (iii) Swimming pool enclosures.

**Figure 5: Floor area include in floor space ratio calculations<sup>9</sup>**



<sup>9</sup> State Environmental Planning Policy (Exempt & Complying Development) (clause 3.13)

Where a development application involves the erection of a dwelling house, a detailed landscaped plan is not required, however the site plan shall demonstrate that compliance with the landscaped area can be satisfied.

Landscaping shall include a suitable proportion of trees, other than palms, capable of reaching a mature height of 6 metres or more in order to: reduce the visual impact of buildings; shade their western elevations from the hot afternoon summer sun; promote privacy between sites; and

- (iv) Incorporate drought-resistant and native plant species wherever possible or appropriate;
- (v) Landscaping should include a mixture of trees, shrubs and ground cover, establishing a microclimate;
- (vi) Ensure trees do not and will not in the future interfere with underground and overhead utilities; and
- (vii) Landscaped area should establish adequate drainage, including the retention of stormwater on site and prevention of discharge runoff onto adjoining properties

#### **(9) Vehicle access parking**

Parking shall be provided at the following ratios based on the number of bedrooms in the dwelling:

- (i) 2 spaces per dwelling (except for single bedroom dwellings, where only 1 space is required)
- (ii) 1 space per secondary dwelling

Parking and access facilities shall be designed in accordance with the requirements of AS-2890.1 and be constructed of concrete with a decorative finish.

Parking or storage for caravans, camper trailers, trailers, boats and the like should be design so they are located behind the front building setback.

#### **(10) Site facilities**

Each property is to be provided with the following facilities:

- (i) Storage for waste, recycling and green waste bins so that they are not visible from the street or public area unless out for collection.

- (ii) The provision of open air clothes drying facilities, screen from the street or public areas.
- (iii) The provision of a mailbox in accordance with the requirements of Australia Post.

## **(11) Fences**

The design of fences has an impact on the real and perceived safety and security of residents, as well as on the amenity of the public domain and streetscape character. The visual impact, scale and design of fences all need to be carefully considered. Fences in the Young Street Precinct shall be designed in accordance with the following:

(a) Front and side return fences<sup>10</sup> are to be:

- (i) no greater than 0.9 metres, if having a solid design or
- (ii) no greater than 1.2 metres, if having an open design, and

Front boundary fences are not to be constructed of powder coated metal (colorbond), zincalume or like materials.

(b) Side and Rear Fences are to be:

- (i) Side fences behind the building line and rear fences are to be a maximum height of 1.8 metres above ground level. If the fence is on a sloping site and stepped to accommodate the fall in land, it must not be higher than 2.1 metres above existing ground level at each step;
- (ii) Powder coated metal (colorbond), zincalume and like fences are not permitted on the secondary street frontage of corner allotments;
- (iii) All fencing is to be constructed of new materials of the same colour, especially those fences that are visible from a public road.

## **(12) Garages, carports and sheds**

The purpose of this clause is to ensure that ancillary structures associated with the dwelling are of a scale appropriate to the size of the land and to the streetscape, and contribute to the character of the precinct.

---

<sup>10</sup> A side return fence is that part of the side boundary fencing measured from the boundary of the property to the building line.

a) General Controls

- (i) All detached outbuildings, garages and carports shall have a maximum wall height of 3.0 metres and 3.5 metres to the ridge;
- (ii) All attached garages and carports shall be integrated into the overall design and character of the dwelling;
- (iii) Detached outbuildings shall be set back as per the following table:

<b>Design element</b>	<b>Setback requirement<sup>11</sup></b>
Rear setback	
- An outbuilding with a wall height of 2.4m or less (and ridge height of < 3.0m	0.9 metres
- An outbuilding with a wall height of up to 3.0m (and a ridge height of 3.5m)	1.5 metres

- (iv) Detached outbuildings shall be restricted in floor area as per the following table:

<b>Lot size</b>	<b>Floor area of shed</b>
- Less than 800m <sup>2</sup>	60m <sup>2</sup>
- 800m <sup>2</sup> to less than 950m <sup>2</sup>	85m <sup>2</sup>
- >950m <sup>2</sup>	A maximum of 10% of the site area

- (v) Outbuildings cannot be used as a dwelling, notwithstanding that a mud-room (comprising a toilet, wash basin and/or shower may be installed;

b) Garage and carport controls

- (i) Garages shall be set back a minimum of 5.5 metres from both the primary and secondary street frontages in accordance with clause 8(3);

---

<sup>11</sup> Unless otherwise permitted by a Council policy, no building is to be constructed within any easement that burdens a lot. Where an easement burdens a lot, the setback requirements are to be measured from the easement.

- (ii) Garages shall not dominant the street frontage. Garages shall be sited behind the primary building elevation and shall not exceed 30% of the width of the site;
- (iii) Carports shall be set back a minimum of 5.5 metres from both the primary and secondary street frontages in accordance with clause 8(3).

## **9. Dual occupancies and multi-dwelling residential development**

This subsection applies to future residential development in the precinct for the purposes of dual occupancy or multi-dwelling residential development. Dwellings should be sited and designed to meet the objectives of this section and the desired future character statement.

### **(1) General controls**

The controls set out in clause 8 relating to dwellings apply in the same way to dual occupancy or multi-dwelling residential development, except where specified under this clause.

### **(2) Specific site controls for dual occupancy development**

Dual occupancy development may be considered on corner lots if the lot has an area of greater than 900m<sup>2</sup> which are identified in the plan of subdivision as:

- Lot 1
- Lot 7
- Lot 28
- Lot 29

### **(3) Site specific controls for multi-dwelling residential development**

Multi-dwelling residential development may be considered on lots if the lot has an area of greater than 1050m<sup>2</sup> and a street frontage of 23.5 metres or greater. These lots are identified in the subdivision as:

- Lot 2, 3, 4, 5 and 6

The **maximum allowable floor space ratio** for development in the Young Street Precinct for the purpose of multi-dwelling residential is **0.5:1** except if



the development is for the purposes of affordable housing or housing for seniors.

Where development is for the purposes of affordable housing<sup>12</sup> an additional 0.1:1 floor space ratio will be provided in the following circumstances

- (i) A minimum of two dwellings in the proposed development are limited to one or two bedrooms.
- (ii) The maximum number of dwellings on the site does not exceed four (4).
- (iii) One visitor parking space is provided.

Where development is for the purposes of seniors housing<sup>13</sup> an additional 0:1 floor space ratio will be provided in the following circumstances:

- (i) All dwellings are limited to one or two bedrooms.
- (ii) 1 visitor parking space is provided for every 4 dwellings

#### **(4) Private open controls for multi-dwelling residential development**

Private open space shall incorporate an area of 16m<sup>2</sup> and include a minimum dimensions of 3 metres x 3 metres which is directly accessible from a primary living area at the rear of the dwelling.

## **Part 3 – Notification requirements**

---

### **10. How Development Applications are to be notified**

The provisions of the Environmental Planning and Assessment Act 1979, the Environmental Planning and Assessment Regulation 2000 and Murrumbidgee Community Participation Plan set down concurrence and advertising requirements for specific types of development applications and taking into consideration any submissions received in response to the notification process.

---

<sup>12</sup> The applicant shall make it clear in their statement of environmental effects and plans that the proposed development is for the purpose of affordable housing and address the provisions of Chapter 2 of State Environmental Planning Policy (Housing) 2021

<sup>13</sup> The applicant shall make it clear in their statement of environmental effects and plans that the proposed development is for the purpose of affordable housing and address the provisions of Chapter 3 Part 5 of State Environmental Planning Policy (Housing) 2021.

Council's CPP mandates that a development consent be notified in the following circumstances including where a variation to a prescribed standard in a DCP or Council policy is proposed.

Council's CPP provides discretion in terms of what development applications are required to be notified, and identifies issues which could trigger the requirement for neighbour notification including:

- Potential **overshadowing** of surrounding land;
- Potential loss of **privacy**;
- **Traffic** generation and site **access**;
- The **visual impact** of the proposed building on relation to the streetscape;
- Potential impact on the amenity of neighbours in terms of **noise, odour or other pollution**;
- Potential impact from **stormwater and drainage issues**; and
- The **public interest**

## Part 4 – Variations to controls

---

### 11. Dealing with variations

Council has prepared the controls within this plan as a means of guiding future development and what it envisages from the Young Street Precinct. Variations will not generally be supported.

If a variation to either a numerical control or design requirement is proposed, it is encouraged that you contact Council to arrange a pre-DA meeting.

Any variation to the controls or design requirements will need to be justified and it demonstrated that the variation will not result in an impact on the streetscape character of the precinct, or have an impact on the amenity of the neighbourhood as result of overshadowing, loss of privacy (both visual and acoustic) and loss of views to natural bushland which adjoins the site.

Variations will result in the application being reported to a meeting of Council, unless staff have delegation to deal with such matters.



**Murrumbidgee**  
COUNCIL

## REVISED Place Naming Policy

	Name	Position	Signature	Date
Responsible Officer	Garry Stoll	Director Planning, Community & Development		
Authorised By	John Scarce	General Manager		

<b>Document Revision History</b>	
Previous Policy:	2012 - 2.05 Jerilderie Shire Council Place Naming Policy - Street, Road and Public Place Naming Policy (Minute 229/11/12 )
Revision Number:	1
Review Date:	March/May 2023
Date adopted by Council:	
Minute Number:	
Next Review:	See item 6 of this Policy
Revision Number:	
Review Date:	
Date adopted by Council:	
Minute Number:	

May 2023

## Contents

1. Purpose .....	3
2. Definitions .....	3
3. Scope .....	3
4. Policy .....	3
5. Legislation and Compliance.....	4
6. Related Documents .....	4
7. Policy Review .....	4

DRAFT

## 1. Purpose

To ensure a consistent and coordinated approach to road and park naming within Murrumbidgee Council, following guidelines set by the NSW Geographical Names Board and to meet the below objectives:

- i) To have clearly recognisable street names and public places
- ii) To enable easy travel within the LGA
- iii) To facilitate access to all properties by emergency vehicles
- iv) To clearly identify public places
- v) To recognise places and people with historic, scenic, sporting or cultural significance
- vi) To reduce conflict

## 2. Definitions

The Policy's definitions are:

**Council** means Murrumbidgee Council.

**GNB** means Geographical Names Board

## 3. Scope

This policy applies to all Council managed roads, open spaces and parks.

## 4. Policy

Murrumbidgee Council, under the Roads Act 1993, is the authority for all public roads within the Local Government boundary. As such, Council may exercise its power to name all public roads, subject to the Geographical Names Board (GNB) NSW Addressing User Manual.

The following principles will apply to naming roads:

- i) Street and public places should be named after persons or places with historic, scenic, sporting or cultural significance
- ii) Streets in Coleambally will continue with the current bird name theme
- iii) Streets with the same name should be continuous
- iv) Any existing streets with physical divisions should have sections renamed only following public consultation and consideration of submissions
- v) The section of the street with the most properties should retain the existing name
- vi) Streets in new subdivisions will be named by Council following developer input
- vii) Public places will be named by Council after seeking community input

Where a request is received to rename a road, consideration will only be given in exceptional circumstances, and where doing so will comply with GNB Guidelines.

Determination will be made on an individual basis and without precedent.

Regardless of the nature and origin of a naming or renaming request, the naming of public roads and parks shall only be approved by way of adoption of a resolution of Council.

The following standards are to be followed when erecting street signs:

- i) Clearly visible street signs are to be erected in accordance with the relevant standards
- ii) Other public places are to be clearly identified at a compatible standard dependent on the specific conditions of the site
- iii) Road signs are to be erected in accordance with the relevant standards

## **5. Legislation and Compliance**

- *The Roads Act 1993 - Section 162* - provides the authority for the naming of roads
- Roads (General) Regulation 2000
- AS/NZS 4819:2003 Geographic Information – Rural and Urban Addressing

## **6. Related Documents**

- Geographical Names Board NSW Addressing User Manual
- Geographical Names Board NSW Online Road Naming System – Road Naming Authority User Guide

## **7. 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).



**Murrumbidgee**  
COUNCIL

## Draft Companion Animal Management Policy

	Name	Position	Signature	Date
Responsible Officer	Garry Stoll	Director Planning, Community & Development		
Authorised By	John Scarce	General Manager		

<b>Document Revision History</b>	
Date adopted by Council:	
Minute Number:	
Next Review:	See item 8 of this Policy
Revision Number:	
Review Date:	
Date adopted by Council:	
Minute Number:	
Next Review:	See item 8 of this Policy
Revision Number:	
Review Date:	
Date adopted by Council:	
Minute Number:	

May 2023

## Contents

1. Introduction .....	3
2. Statement and Objectives .....	3
Statement.....	3
Objectives .....	3
3. Companion Animals .....	4
Permanent Identification and Registration .....	4
4. Community .....	7
4.1 Public Safety .....	7
Straying Dogs .....	7
Dog Attacks .....	7
Dangerous/Menacing/Restricted Dogs .....	8
Hunting Dogs .....	8
Education.....	8
Secure Confinement & Environment Enrichment .....	9
Socialisation & Training .....	9
Dog Exercise Areas .....	9
4.2 Enforcement.....	10
5. Environment.....	11
6. Monitoring and Review of Animal Management.....	11
7. Relevant Acts and Legislation.....	12
8. Policy Review.....	12



## **1. Introduction**

The Companion Animal Management Policy provides the framework for the provision of an effective animal management service and procedural functions under the Companion Animals Act 1998 (the Act).

The Act and the Companion Animals Regulation is the legislation that gives effect to the way local authorities manage dogs and cats. The principle object of the Act is to provide for the effective and responsible care and management of companion animals.

The term Companion Animal refers to all dogs and cats and any other animal that is prescribed by the regulations as a companion animal.

The main items relevant to the Companion Animal Management Policy are to:

- Acknowledge general duties and responsibilities for the management of domestic dogs and cat animal issues in Murrumbidgee Council.
- Ensure that Council meets its responsibilities under the Companion Animals Act 1998 and Companion Animal Regulation 2008.
- Achieve a balance between the needs of pet owners and non-pet owners.
- Provide pet owners with support, education, regulation and facilities to accommodate their pets within the broader community and environment.

## **2. Statement and Objectives**

### **Statement**

To balance community amenity, animal welfare and environmental preservation while promoting the benefits of responsible pet ownership alongside effective companion animal management.

### **Objectives**

Council's main objectives include:

1. Encouraging residents and visitors to properly care for all companion animals.
2. Encouraging companion animal owners to provide appropriate physical and mental challenges for their animals, to improve animal welfare without effecting the comfort of others.
3. Identify and prioritise companion animal management issues particularly in managing dangerous, nuisance, restricted type dog breeds and cat behaviour.
4. Encouraging the permanent microchip identification and lifetime registration of all companion animals, including dogs classified as 'working dogs'.
5. Provide care and animal pound facilities that comply with the requirements of the Prevention of Cruelty to Animals Act 1979 and the requirements of New South Wales Department of Primary Industries.
6. Minimise the number of unwanted animals that are euthanised.
7. Provide adequate off leash areas for dogs to exercise throughout the LGA that are safe as possible for dogs and humans.

The statement and objective of the Policy are detailed under three key performance areas:

1. Animal matters
2. Community matters
3. Environmental matters

### **3. Companion Animals**

#### **Permanent Identification and Registration**

Permanent identification, otherwise known as microchipping, is a method that involves a small microchip being inserted by an authorised implanter into either the dog or cat. Both registration and permanent identification is a requirement of law. This assists in the return of seized animals to their owner at the earliest opportunity.

The Companion Animals Act 1998 requires the owner to:

- Permanently identify their cat and/or dog from the age of 12 weeks of age or at the time in which the animal is sold or given away prior to the age of 12 weeks.
- Register their cat and/or dog from the age of 6 months or upon sale of the dog and/or cat by the age of 6 months (if sold prior to 12 weeks of age); and
- Advise any Council within the state of New South Wales or the NSW Pet Registry when there is a change in either the identification or registration information for the animal, or the animal has been missing for more than 72 hours and in the event the animal is deceased.

The NSW Pet Registry is maintained by the NSW Government and accessible via online. All existing Companion Animals that were recorded on the Companion Animals Registry are available via the Registry.

The intent of the Registry is to provide Councils and other authorised persons relevant information regarding a Companion Animal to ensure it is returned to its lawful owner.

In addition to the access made available to Councils, the Registry enables Companion Animal owners to:

- Update their contact details such as a telephone number or address.
- Transfer ownership of a Companion Animal.
- Report a Companion Animal missing or deceased
- Pay most lifetime registration fees online.

#### Exemptions

Companion Animals generally exempt from Registration under the Act, unless release from a pound are:

- Working dogs
- Greyhound racing dogs
- Assistance animals

## Benefits

- Lost animals can be identified and reunited with their owner reducing stress on both the animal and owner alike.
- Expedites the return of the animal with their owners and reduces the potential to extended confinement of the animal, associated costs of collection, kennelling and the potential of euthanasia of the animal.
- The legal owner of the animal is able to be established easier in the event the animal is alleged to have been in contravention of the Act.
- Provides the opportunity for Council to educate and or take enforcement action where necessary.

## Goals

- Encouragement of microchipping and lifetime registration of all dogs and cats in the Murrumbidgee Council LGA.
- Improve rehoming rates for lost and/or stray dogs or cats.

## **Companion Animal Holding Facility**

The Companion Animals holding facilities (the pound) are managed by Council and are located at Darlington Point and Jerilderie.

Council will take the required measures to establish and maintain all requirements as per NSW Department of Primary Industries, Prevention of Cruelty to Animals Act 1979 and the expectations of the community.

## **Seizure and Impounding**

Where a Companion Animal has been seized by Council or a member of the community, all reasonable attempts to establish contact with the owner will take place. In circumstances where the owner is not able to be identified, the animal will be housed at the pound in accordance with the Act.

The Act provides that an identified Companion Animal should be held for a period of no less than 14 days, whereas a non-identified animal should be kept for a period no less than 7 days, unless claimed by its owner prior to the expiry of the required time period.

At the expiration of the prescribed periods any unclaimed animal may be sold, rehomed or euthanised.

## **Rehoming**

Council will maintain agreements with at least two approved rehoming organisations to aid in rehoming unclaimed animals that exceed the prescribed holding period.

## **Release of Companion Animal**

Where a Companion Animal is being held by Council, Council may charge the owner upon collection of the animal for expenses, such as: accommodation, sustenance, veterinary services. Companion Animal/s not permanently identified or registered as

required by the Act, must be done so prior to the animal's release including Working, Assistance and Racing Greyhounds.

### Goals

- Facilitate the prompt return of a seized Companion Animal to its owner and reduce the number of animals that need to be housed at the pound.
- Establish and maintain broader links with professional bodies such as Animal Welfare League, RSPCA, NSW Police and veterinary practices to promptly manage incidents, health issues, and increase the rehousing of animals.
- Minimise the number of animals euthanised.

### **Management of Injured animals**

Council retains the right to euthanise injured or wounded companion animals requiring urgent veterinary treatment should the animal either not be registered, or if registered the owner is uncontactable, or if the owner cannot be identified and contacted, where it is an animal welfare issue to delay veterinary treatment.

### **Management of Infant or Feral Animals**

Pursuant to Section 64(2) of the Companion Animals Act 1998, infant and feral companion animals seized or surrendered to Murrumbidgee Council Pounds may be able to be destroyed prior to the standard holding period as set out in Section 64(1) of the Act.

Such destruction may occur if it is the opinion of Council compliance staff that such animals are unsuitable or unlikely to be re-homed.

Infant animals may be suitable for fostering arrangements, which will be coordinated by compliance staff. This process will be in accordance with a Memorandum of Understanding between Council and foster caring groups or individuals.

In this instance, infant Companion Animal relates to puppies and kittens less than 12 weeks of age, and a feral animal is a domestic animal in a wild state.

### **Animal Welfare and Responsible Pet Ownership**

The health and social benefits of owning pets are well understood. Pet ownership comes with responsibility to manage the welfare of animals. Both the owner and person in charge of an animal has an obligation to take reasonable care of the animal and to prevent any adverse impacts on the community from improper or negligent control.

Potential problems may be addressed by:

- Attending to pet health and welfare including exercise, training and socialising as appropriate to the breed and age of the animal.
- Ensuring dogs are confined to the perimeter of the property it is ordinary kept at or the property in which it is visiting.

- Minimising any adverse effects towards neighbours, such as excessive barking.
- Complying with relevant legislation, in particular leashed dogs, removal of faeces from public places and maintaining dog under effective control.

## **4. Community**

Conflict between people, dogs and cats are increasing due to population growth and the tolerance levels of community members lessening towards one another. This is more prevalent in urban areas as the proximity to neighbouring properties is reduced in comparison to large rural holdings. Frequent issues experienced include barking, roaming dogs/cats, animal numbers, straying animals and dog attacks on both humans and livestock.

### **4.1 Public Safety**

Members of the community and their visitors should be able to move freely throughout public areas without loss of amenity due to dogs and cats not being under effective control, and furthermore dog owners have access to a suitable off leash area for their pets.

Dogs and cats are important companions to their owners and the rights of owners to enter public places with their pets needs to be protected. It is equally important that the general rights to enjoy community and open spaces, free of dog and cat nuisances, are enforced.

It is essential that owners keep their pets under effective control when they exercise their rights to enter the public domain, and immediately pick up and dispose of faeces in an appropriate manner.

#### Straying Dogs

Section 13 of the Act requires all dogs to be restrained at all times unless the dog is involved in the droving of stock, within the boundaries of a property which the animal has lawful access to, or is within the confines of an area declared to be an “off leash” by the Council.

Council continues to receive complaints of straying dogs, with an increase in the warmer seasons such as spring and summer. It is essential that Council, in the interest of public education and safety, enforces the requirements of the Act. It is envisioned that by doing so it will reduce the potential of attacks on both livestock and humans, as dogs that are confined or under effective control are less likely to contravene the Act.

Further information may be found under the heading of “Secure Confinement and Environmental Enrichment”.

#### Dog Attacks

Dog attacks in the Murrumbidgee Council LGA generally relate to attacks on livestock such as grazing sheep, however, due to increasing growth in population, Council and NSW Police continue to receive complaints regarding dog attacks involving humans,

predominately through the warmer seasons such as spring and summer.

Offences relating to dog attacks are broadly defined under the Act. The Act defines an attack to occur if a dog rushes at, bites, harasses or chases any person or animal (other than vermin), whether or not injury is caused. There are significant penalties associated with dog attack incidents, clearly reflective of broader community concern across NSW.

It is important to understand that it is not an offence under Clause 16 (2) of the Companion Animals Act if the attack occurred when a dog is provoked by teasing, is mistreated or attacked, or as a result of the person or animal trespassing on the property on which the dog was being kept, or as a result of the dog acting in the reasonable defence of a person or person's property or in the course of legitimate hunting or in the course of the dog working stock.

All confirmed dog attacks will be reported to the Office of Local Government within 72 hours, as prescribed.

#### Dangerous/Menacing/Restricted Dogs

The Act (Part 5) includes provisions that impose stringent controls on dogs that pose a threat to the safety of humans and other animals through attacks or menacing behaviours. Where it is brought to the attention of Council that a dangerous/restricted or menacing dog is within the community, Council will undertake enquires in accordance with the law to substantiate those claims. Where it is determined that a dog should be classified as dangerous, restricted or menacing, Council will communicate any requirements that the owner of such dog is to comply with, including any appeal mechanisms available to them.

In the interest of public safety, Council will enforce, in accordance with law, any conditions set out by the Act or Regulation concerning declared dangerous, restricted or menacing dogs.

There are significant penalties for owners of dogs declared as dangerous, restricted or menacing for breaches of the Act.

#### Hunting Dogs

Dogs identified for the use of hunting will be dealt with as per the requirements of the Act. Abandoned or lost hunting dog/s cause considerable risk to livestock and have been known to cause expense to stock owners where dogs have attacked or killed livestock. Whilst Council does not have a position on the use of dogs in the course of hunting, it does require owners or person/s in charge of the animal to comply with the requirements of the Act. Council takes a proactive approach in educating and enforcing the Act in relation to the use of dogs when hunting. This includes liaison with NSW Police where enforcement actions are required.

#### Education

Council staff will engage with various community members on a regular basis covering topics such as: legislation, general animal husbandry and personal responsibilities of pet ownership. In addition to this, Council provides press releases

that are distributed throughout social media and local newspapers.

Information surrounding Companion Animals will also focus on:

- Appropriate per selection. Problems that can be avoided by selecting the type of animal, breed, and sex to suit the owner's lifestyle and circumstances.
- Basic health and welfare principles. Regular exercise, proper nutrition, water and shelter are crucial to the maintenance of animal health. Health care practices, such as worming and vet check-ups must be maintained.
- Permanent identification (microchipping) and registration.

### Secure Confinement & Environment Enrichment

Confining an animal reduces its risk of causing harm. For example, almost all dog attack incidents are as a consequence of a dog having escaped its owner's property.

In addition, effective confinement reduces the risk of the animal suffering serious harm or death by misadventure (e.g. struck by vehicle). Cat owners must endeavour to keep their cat confined to their property.

While for dogs there is a legal requirement for confinement, there is the consideration of combating the boredom and frustrations that animals may feel while their owner is absent.

Environmental enrichment is the inclusion of cognitive, dietary, physical, sensory and social stimuli to relieve boredom and frustration. If an animal is kept busy, it is less frustrated, less reactive and less of a potential nuisance (barking, roaming and attacking).

### Socialisation & Training

Early socialisation and training of animals is important to allow exposure to different stimuli in the local environment (children/elderly people, other animals, noise, movement etc). Dog training is encouraged to ensure that owners have control of their pets in public or private places.

### Goals

- To improve community awareness of the importance of safety around animals.
- To encourage further education regarding responsible pet ownership.
- Improve community awareness of the value of microchipping and registration.
- To promote the de-sexing of animals.
- To encourage animal owners to provide mental and physical challenges for their animals, improving the welfare of their animals and reducing negative impacts on the community.

### Dog Exercise Areas

There are a number of locations where the Act (sections 13 and 30) prohibit cats and dogs, including:

- In or within 10 meters of a children's play area

- Food preparation or consumption areas (unless it is in a public thoroughfare such as a road, footpath or pathway)
- Recreation and public bathing area where dogs are declared to be prohibited
- School grounds and childcare centres (unless with the permission of the controlling school/centre)
- Shopping centres (unless secured in a vehicle, with the permission of the person controlling the place or going to or from a veterinary practice or pet shop)
- Wildlife protection area.

Dogs and cats are prohibited in all National Parks and from some recreational areas such as sporting fields or other public places.

Council is required to provide at least 1 off leash area in each town and notify the locations of each off leash area on its website. All the areas will be accessible 24 hours per day.

### Goals

- To promote and provide opportunities for dogs to socialise with other dogs and humans.
- Increase exercise opportunities for the benefit and health of dogs and dog owners.
- Increase the awareness of dog training and keeping dogs under effective control.
- To monitor dangerous, restricted and menacing dogs throughout the Murrumbidgee Council.

## **4.2 Enforcement**

Council has an active role in ensuring animal owners comply with the Act. Council staff values the opportunity to engage and educate Companion Animal owners in relation to their responsibility as pet owners. Council resources are prioritised by severity, especially in cases of public safety e.g. aggressive dog behaviour and dog attacks.

Whilst education and voluntary compliance is a high priority, some things should be taken as common practice. These should include, microchipping and registering your dog or cat, walking your dog on a leash when in a public area that is an off leash area and not letting your dog stray. Failure to comply with these basic requirements will result in the high probability of a penalty infringement notice/s being issued.

The community is consistently reminded through various forms of communication including social media, word of mouth and press releases of these basic laws surrounding pet ownership and responsibility that comes with the honour of owning a pet.

### Goals

- To promote the responsibilities of being an owner of a Companion Animal.
- To promote and enforce appropriate usage of dog exercise areas and responsible pet ownership.
- To maintain links with professional animal industries and to organise activities.



## **5. Environment**

### **Noise**

The predominant form of noise complaints relating to Companion Animals is from barking dogs. While all dogs bark, it is those dogs that excessively bark that require management. Barking dogs account for a large percentage of noise complaints received by Council.

Barking dogs are a significant community problem and dog owners are responsible for ensuring that their dog does not create a nuisance by barking. However, an animal barking may be due to: territorial behaviour, boredom, separation anxiety, illness, visual stimuli or teasing.

The noise of cats fighting during the night is reported less frequently, but is still a limited source of complaints. Confining cats inside their residence at night to prevent cat fights, noise roaming and hunting is recommended.

Noise complaints, if not addressed by owners of animals, can be dealt with by Council through the declaration of an Animal Nuisance Order. Under the Protection of the Environment Operations Act 1997 (for more serious matters) or the Companion Animals Act 1998, penalties may be issued for non-compliance.

Council will investigate any animal noise complaint after the complainant has made efforts to speak with the owner/s of the alleged offending animal or sought mediation through the Community Justice Centre. This approach of seeking mediation between the affected parties reduces the requirement of formal regulatory intervention by Council and dramatically reduces vexatious complaints being made where a neighbour dispute is occurring.

### Goals

- To educate the community in an endeavour to reduce incidents of nuisance barking.
- To raise awareness of the strategies to reduce dog and cat noise pollution.
- To address community dog and cat noise complaints
- To encourage improvement to neighbourhood relationships

## **6. Monitoring and Review of Animal Management**

Ongoing monitoring and review of animal management is required. This will ensure strategies and focus will remain relevant, sustainable and in-line with statutory obligations and community expectations.

### Goals

- To analyse, to indicate performance and consider alternative or future strategies.
- To seek feedback, via customer service surveys, from animal owners.
- To network with other Local Government areas and animal welfare organisations.

## **7. Relevant Acts and Legislation**

- Companion Animals Act 1998
- Companion Animals Regulations
- 2017 POCTA Act 1979

## **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).

DRAFT

**SCHEDULE OF INVESTMENTS - 30 APRIL 2023****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.
Suncorp - METWAY	1,017,408.22	4.31%	28/08/2023	6	20
Bendigo	1,222,198.36	4.00%	16/09/2023	6	21
Bendigo	1,016,860.27	4.40%	1/09/2023	6	22
Bendigo	500,000.00	4.00%	20/06/2023	3	23
IMB Ltd	1,027,274.89	4.00%	19/06/2023	6	24
Westpac	1,224,163.07	4.07%	22/05/2023	3	25
Bendigo	510,652.60	4.25%	10/07/2023	5	26
St George	515,346.86	3.41%	3/06/2023	4	27
Bendigo	832,251.32	4.40%	2/08/2023	5	28
IMB Ltd	765,744.68	4.10%	2/06/2023	3	29
Westpac	600,000.00	4.41%	21/09/2023	5	30
St George	1,022,057.90	4.05%	18/12/2023	9	31
Bendigo	1,513,376.71	4.15%	27/06/2023	5	33
Suncorp - METWAY	1,603,232.06	4.20%	8/06/2023	5	34
Bendigo	1,016,241.10	4.30%	27/07/2023	4	35
Bendigo	1,500,000.00	4.25%	27/07/2023	5	36
Bendigo	3,000,000.00	3.45%	18/05/2023	9	37
IMB Ltd	1,500,000.00	4.11%	29/05/2023	3	38
Westpac	1,228,622.63	4.23%	21/07/2023	4	39
Bendigo	1,500,000.00	4.00%	29/05/2023	3	40
IMB Ltd	764,607.55	3.90%	10/05/2023	3	42
Westpac	500,000.00	4.24%	20/06/2023	3	41
Westpac	1,024,425.08	4.23%	21/07/2023	4	43
Bendigo	1,525,430.14	4.25%	24/07/2023	5	44
Bendigo	3,000,000.00	4.35%	21/08/2023	6	45
	<u>29,929,893</u>				

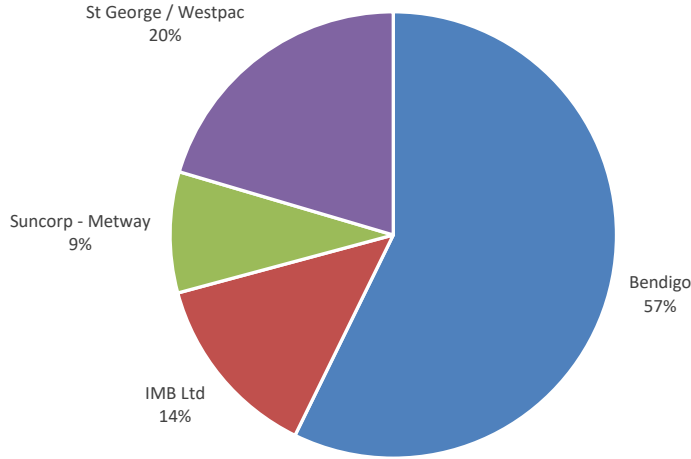
**Maturity**

All investments comply with the maximum duration set out for each rating category in the *Investment Policy*.

Month	\$ Funds Maturing
April 2023	\$ -
May 2023	\$ 7,988,771
June 2023	\$ 6,424,975
July 2023	\$ 6,805,372
August 2023	\$ 4,849,660
September 2023	\$ 2,839,059
October 2023	\$ -
November 2023	\$ -
December 2023	\$ 1,022,058
	<u>\$ 29,929,893</u>

**Counterparties to Investments**

Institution	Balance	S&P / Moody's / Fitch	Highest	Limit	% Invested	Compliant
Bendigo	17,137,011	BBB+ / A3 / A-	A	N/A	57.26%	N/A
IMB Ltd	4,057,627	- / Baa1 / BBB+	BBB	10%	13.56%	●
Suncorp - Metway	2,620,640	A+ / A1 / A	A	14%	8.76%	●
St George / Westpac	6,114,616	AA- / Aa3 / A+	AA	30%	20.43%	●
	<u>29,929,893</u>				<u>100%</u>	

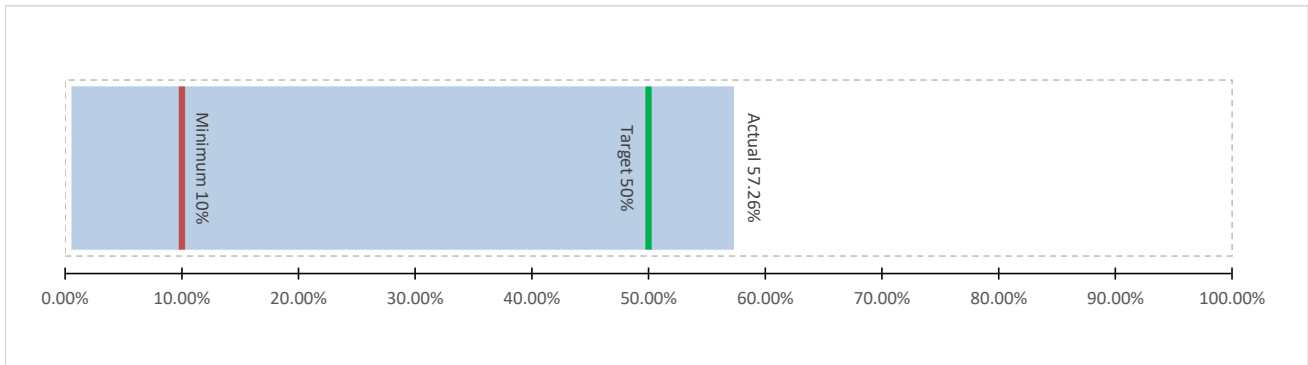


*Investment with Bendigo Bank*

57.26% ●

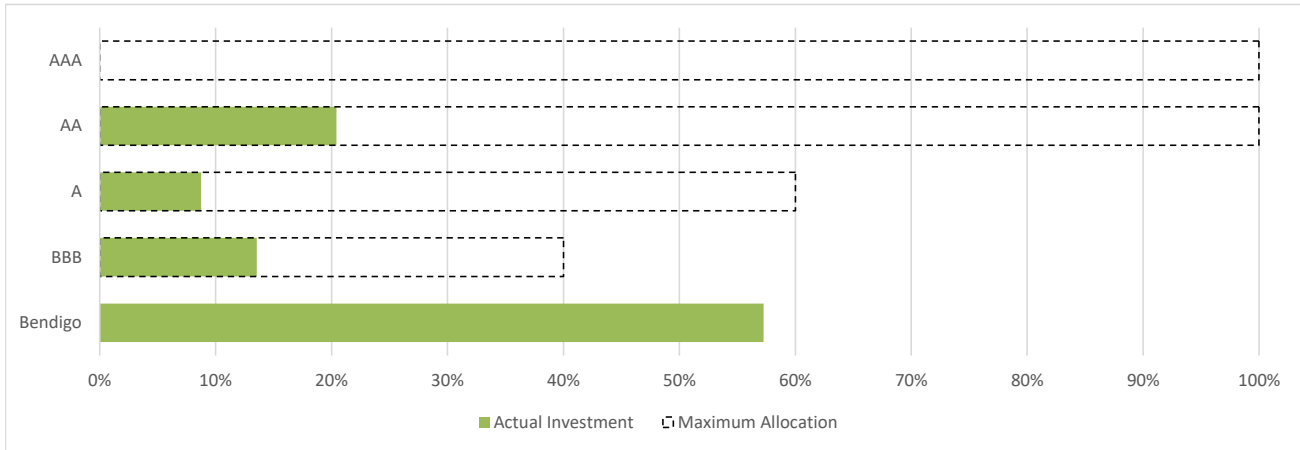
In recognition of the significant community role, support and activities undertaken within the Council area, Council aims to hold 50% of its investment portfolio with the Coleambally Community Bank.

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%	\$ 6,114,616	20.43%	●
A	60%	\$ 2,620,640	8.76%	●
BBB	40%	\$ 4,057,627	13.56%	●
Bendigo	N/A	\$ 17,137,011	57.26%	N/A
<b>Total</b>		<b>\$ 29,929,893</b>	<b>100%</b>	



**Monthly investment movements**

**Redemptions**

Institution - No.	Balance (\$)	Comments
Westpac - 30	623,743	
Westpac - 32	1,223,743	
	<u>1,847,486</u>	

**New Investments**

Institution - No.	Balance (\$)	Yield (p.a.)	Term (months)	Comments
	<u>0</u>			

**Rollovers**

Institution - No.	Balance (\$)	Yield (p.a.)	Term (months)	Comments
Westpac - 30	600,000	4.41%	5	
	<u>600,000</u>			

**Investment performance**

	Apr-23	FYTD
Total investment income, including accrued interest	\$110,132	\$720,714
Money-weighted rate of return (% p.a.)	4.46%	3.80%
Bloomberg AusBond Bank Bill Index	3.65%	2.74%
Overperformance/(underperformance)	0.81%	1.06%