



# Revised Media and Communication Policy

	Name	Position	Signature	Date
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Authorised By	John Scarce	General Manager		

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## **1. Purpose**

The purpose of this policy is to provide a framework for engaging with Council's internal and external audiences. It shall be implemented through Council's Communication Strategy, Community Engagement Strategy and Community Participation Plan.

## **2. Scope**

The Media and Communication Policy applies to Council officials including Councillors, Council employees, people on work experience, volunteers, committee members, consultants and contractors. The social media section of this policy only relates to Council officials' use of social media in an official capacity or in connection with their role as a Council official.

## **3. Policy Statement**

Murrumbidgee Council is committed to building positive and lasting partnerships with its audiences through effective two-way, transparent communication. The following guidelines must be followed when engaging with audiences through various digital and non-digital communication tools.

## **4. Principles**

### **4.1 Engagement Principles**

These fundamental principles guide all engagement and communication activities. It must be:

- a. Genuine and ongoing
- b. Timely
- c. Simple and accurate
- d. Accessible and inclusive
- e. Collaborative and two-way
- f. Transparent
- g. Responsive
- h. Respectful
- i. Legislatively and ethically compliant

### **4.2 Branding requirements**

All public communication materials must follow and reflect Council's adopted identity as outlined in Murrumbidgee Council's Style Guide.

### **4.3 Records Management**

All communication and engagement activities must comply with record keeping obligations under the *State Records Act 1998* and Council's Records Management Policy.

## **5. Broadcast and Print Media**

### **5.1 Coordinating media statements and media liaison**

The role of the Media and Communications Officer (or another person delegated by the General Manager) is to:

- a. be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph Council staff, facilities or events for news and current affairs purposes
- b. be responsible for preparing all media statements prior to their release
- c. delegate to staff members to respond to media enquiries where appropriate
- d. maintain a register of delegated staff
- e. maintain effective oversight of delegated staff
- f. revoke a staff member's status as a delegated staff member when required
- g. ensure that media statements are approved by the Mayor and/or General Manager prior to their release
- h. develop and/or approve media training and/or induction to be provided to delegated staff and/or Councillors
- i. maintain a record of all media enquiries and responses
- j. ensure that media organisations and their representatives are treated professionally, equally and without bias
- k. ensure that media enquiries are dealt with promptly
- l. provide guidance to Councillors approached by the media for comment to avoid communication of misinformation, and
- m. ensure all media releases are published on Council's website

### **5.2 Authorised Council Spokespeople**

5.2.1 The Mayor is the principal public spokesperson on matters relating to the representative Council, decisions of Council and the community. He/she may delegate the Deputy Mayor or another Councillor to speak on his/her behalf.

5.2.2 The General Manager, in his/her statutory role, is the lead spokesperson on operational and administrative matters relating to Council. He/she may delegate other staff members to act as spokesperson on operational matters.

5.2.3 Councillors have a right to express their own views to the media in their role as a member of the governing body and as a representative of the community. However, they must make it clear their views do not necessarily represent the position of Council. Communications with the media must be in accordance with Council's Code of Conduct for Councillors.

5.2.4 Council employees, service providers, contractors, people on work experience and volunteers must not communicate with the media in an official capacity unless prior approval has been obtained from the General Manager.

5.2.5 Council employees, service providers, contractors, people on work experience and volunteers may communicate with the media as private individuals, with the following restrictions:

- a. they must not comment on Council policies or business, staff, confidential legal advice or commercial-in-confidence matters, nor make predictions as to future actions of Council.
- b. they must not be identified as Council officials.
- c. their comments must not be perceived as representing an official Council position or policy.
- d. Communications with the media must be in accordance with Council's relevant Codes of Conduct.

### 5.3 Standards of conduct when engaging with the media

5.3.1 Council officials must comply with the Council's code of conduct when engaging with the media in an official capacity or in connection with their role as a Council official.

5.3.2 Council officials must not share information or make comments to the media that:

- a. are defamatory, offensive, humiliating, threatening, or intimidating to other Council officials or members of the public or contains profane language or is sexual in nature
- b. constitutes harassment and/or bullying within the meaning of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
- c. is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
- d. contains content about the Council, Council officials or members of the public that is misleading or deceptive
- e. divulges confidential Council information
- f. breaches the privacy of other council officials or members of the public
- g. contains allegations of suspected breaches of the Council's Code of Conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*
- h. could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment
- i. commits the Council to any action
- j. violates an order made by a court
- k. breaches copyright
- l. advertises, endorses, or solicits commercial products or business

### 5.3 Access to information and images by the media

5.3.1 All media enquiries must be referred to the Media and Communications Officer, or in his/her absence, to the General Manager, the Mayor or a member of staff nominated by the General Manager.

5.3.2 All Council documents on the public record are open to perusal by the media, except those relating to staff, confidential legal advice and commercial-in-confidence matters. All file perusals by the media are subject to the provisions of Council policies dealing with access to information, privacy and freedom of information legislation.

5.3.3 All Council and Committee meetings are open to the media, except those dealing with staff, confidential legal advice or commercial-in-confidence matters. All media requests to film or photograph Council staff, facilities or activities must be referred to the Media and Communications Officer.

5.3.4 Unauthorised release of Council documents by Council officials will be referred to Council's Code of Conduct.

## **5.4 Induction and training**

5.4.1 Council officials who engage or are authorised to engage with the media must receive training on media engagement.

5.4.2 Media engagement training will be provided to Councillors as part of their induction or refresher training or as part of their ongoing professional development program. Councillors' questions about media engagement

5.4.3 Councillors must direct any questions about their obligations under this policy to the General Manager.

## **6. Social Media**

### **6.1 Social Media Platforms**

6.1.1 A new social media platform for Council or a Council-related entity can only be established or deleted with the written approval of the General Manager or their delegate.

### **6.2 Social Media Coordinator**

6.2.1 The role of the Media & Communications Officer (or another officer person appointed by the General Manager) is to:

- a. approve and revoke a staff member's status as an authorised user
- b. develop and/or approve the training and/or induction to be provided to authorised users
- c. maintain a register of authorised users
- d. maintain effective oversight of authorised users
- e. moderate Council's social media platforms in accordance with section 6.5 of this policy
- f. ensure Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media (see clause 6.7)
- g. ensure Council adheres to the rules of the social media platform(s)

### **6.3 Authorised Social Media Users**

6.3.1 Members of Council staff may be authorised by the General Manager or Media and Communications Officer to upload content and engage on social media on Council's behalf. This includes designated staff who have responsibility for administering sites related to specific operations of Council, for example Jerilderie Library.

6.3.2 An authorised user must receive a copy of this policy and induction training on social media use and Council's obligations before uploading content on Council's behalf.

6.3.3 The role of an authorised user is to:

- a. ensure, to the best of their ability, that content they upload onto social media platforms is accurate
- b. correct inaccuracies in Council generated content
- c. engage in discussions and answer questions on Council's behalf on social media platforms
- d. keep Council's social media platforms up to date
- e. moderate Council's social media platforms in accordance with section 6.5 of this policy
- f. ensure Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media (see clause 6.7 of this policy)
- g. use language consistent with that function and avoid expressing or appearing to express personal views when undertaking their role
- h. adhere to the Terms of Use of the social media channel being used, as well as copyright, privacy, defamation, discrimination and other laws.

#### **6.4 Councillors' official social media platforms**

This section refers to Councillors who have official social media platforms of individual Councillors to communicate as a Councillor, as opposed to personal pages. The previous sections on Social Media Coordinator and Authorised users do not apply to this section.

6.4.1 Councillors are responsible for the administration and moderation of their own social media platforms and ensuring they comply with the record keeping obligations under the *State Records Act 1998* and Council's records management policy in relation to social media. This also applies to Councillors who have another person administering, moderating or uploading content onto their social media platform.

6.4.2 Councillors must also comply with the rules of the platform when engaging on social media as well as Council's Code of Conduct.

6.4.3 Councillors who engage, or intend to engage, on social media must receive induction training on social media use. Induction training can be undertaken either as part of the Councillor's induction program or as part of their ongoing professional development program.

6.4.4 Council officials must:

- a. attribute work to the original author, creator or source when uploading or linking to content produced by a third party
- b. obtain written permission from a minor's parent or legal guardian before uploading content in which the minor can be identified
- c. exercise caution when sharing, liking, retweeting content as this can be regarded as an endorsement and/or publication of the content.

6.4.5 Council media releases and other content that has been authorised according to the Council's media and communications protocols may be uploaded onto a Councillor's social media platform. They may also upload publicly available Council information onto their social media platforms.

6.4.6 Other requirements are:

- a. Councillors must identify themselves on their social media platforms in the following format: *Councillor "First Name and Last Name"*.
- b. A Councillor's social media platform must include a profile photo which is a clearly identifiable image of the Councillor.
- c. If a Councillor becomes or ceases to be the mayor, deputy mayor, or the holder of another position (for example, chairperson of a committee), this must be clearly stated on the Councillor's social media platforms and updated within 14 days.
- d. Councillor social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform.
- e. A Councillor's social media platform must include a disclaimer to the following effect: *"The views expressed and comments made on this social media platform are my own and not that of Murrumbidgee Council"*.
- f. A Councillor must advise the General Manager/SMC of any social media platforms they administer on which content relating to the Council or Council officials is, or is expected to be, uploaded. The Councillor must do so within 14 days of becoming a Councillor, or of becoming the administrator.

6.4.7 Council officials must not use social media to post or share comments, photos, videos, electronic recordings or other information that:

- a. is defamatory, offensive, humiliating, threatening or intimidating to other Council officials or members of the public
- b. contains profane language or is sexual in nature
- c. constitutes harassment and/or bullying within the meaning of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
- d. is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
- e. contains content about the Council, Council officials or members of the public that is misleading or deceptive
- f. divulges confidential Council information
- g. breaches the privacy of other Council officials or members of the public
- h. contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*
- i. could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment
- j. commits the Council to any action
- k. violates an order made by a court
- l. breaches copyright
- m. advertises, endorses or solicits commercial products or business
- n. constitutes spam
- o. is in breach of the rules of the social media platform.



6.4.8 Council officials must not incite or encourage other persons to act in a way that is contrary to the requirements of this Part.

6.4.9 Councillors must uphold and accurately represent the policies and decisions of the Council's governing body but may explain why they voted on a matter in the way that they did (see section 232(1)(f) of the *Local Government Act 1993*).

## **6.5 Standards of conduct on social media platforms**

### **Moderating social media platforms**

6.5.1 Councils and Council officials should be aware that they may be considered a 'publisher' of any content uploaded onto a social media platform they administer, including content that:

- a. is uploaded by a third party; and/or
- b. appears on their social media platform because they have 'liked', 'shared', or 'retweeted' the content, or similar

6.5.2 Council officials who are responsible for the moderation of the Council's or Councillors' social media platforms may remove content and 'block' or ban a person from those platforms. Such actions must be undertaken in accordance with this Part.

### **House Rules**

6.5.3 Social media platforms must state or provide an accessible link to the 'House Rules' for engaging on the platform.

At a minimum, the House Rules should specify:

- a. the principles of social media engagement referred to in clause 4.1 of this policy
- b. the type of behaviour or content that will result in that content being removed or 'hidden', or a person being blocked or banned from the platform
- c. the process by which a person can be blocked or banned from the platform and rights of review
- d. a statement relating to privacy and personal information (see clause 7.4 of this policy)
- e. when the platform will be monitored (for example weekdays 9 am – 5 pm, during the Council's business hours)
- f. the social media platform is not to be used for making complaints about the Council or Council officials

6.5.4 For the purposes of clause 5.4(b), third parties engaging on social media platforms must not post or share comments, photos, videos, electronic recordings or other information that:

- a. is defamatory, offensive, humiliating, threatening or intimidating to Council officials or members of the public,
- b. contains profane language or is sexual in nature

- c. constitutes harassment and/or bullying within the meaning of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
- d. contains content about the Council, Council officials or members of the public that is misleading or deceptive
- e. breaches the privacy of Council officials or members of the public
- f. contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*,
- g. violates an order made by a court
- h. breaches copyright
- i. advertises, endorses or solicits commercial products or business,
- j. constitutes spam
- k. would be in breach of the rules of the social media platform.

### **Removing or 'hiding' of content**

6.5.5 Where a person uploads content onto a social media platform that, in the reasonable opinion of the moderator, is of a kind specified under clause 6.5.4, the moderator may remove or 'hide' that content.

6.5.6 Prior to removing or 'hiding' the content, the moderator must make a record of it (for example, a screenshot).

6.5.7 If the moderator removes or 'hides' the content under clause 5.6, they must, where practicable, notify the person who uploaded the content that it has been removed and the reason(s) for its removal and their rights of review.

6.5.8 A person may request a review of a decision by a moderator to remove or 'hide' content. The request must be made in writing to the General Manager and state the grounds on which the request is being made.

6.5.9 Where a review request is made under clause 6.5.8, the review is to be undertaken by the General Manager or a member of staff nominated by the General Manager who is suitably qualified and who was not involved in the decision to remove or 'hide' the content.

### **Blocking or banning**

6.5.10 If a person uploads content that is removed or 'hidden' under clause 6.5.5 of this policy on 3 occasions, that person may be blocked or banned from the social media platform/all social media platforms.

6.5.11 A person may only be blocked or banned from a Council social media platform with the approval of the General Manager. This clause does not apply to blocking or banning a person from a Councillor's social media platform.

6.5.12 Prior to blocking or banning a person from a social media platform, the person must, where practicable, be advised of the intention to block or ban them from the platform/all platforms and be given a chance to respond. Any submission made by the person must be considered prior to a determination being made to block or ban them.

6.5.13 The duration of the block or ban is to be determined by the General Manager, or in the case of a Councillor's social media platform, the Councillor.

6.5.14 Where a determination is made to block or ban a person from a social media platform/all social media platforms, the person must, where practicable, be notified in writing of the decision and the reasons for it. The written notice must also advise the person which social media platforms they are blocked or banned from and the duration of the block or ban and inform them of their rights of review.

6.5.15 Despite clauses 6.5.10 to 6.5.14, where a person uploads content of a kind referred to under clause 6.5.14, and the moderator is reasonably satisfied that the person's further engagement on the social media platform poses a risk to health and safety or another substantive risk (such as the uploading of defamatory content), an interim block or ban from the platform/all platforms may be imposed on the person immediately for a period no longer than 6 months.

6.5.16 A person who is blocked or banned from the platform/all platforms under clause 5.16 must, where practicable, be given a chance to respond to the interim block or ban being imposed. Any submission made by the person must be considered when determining whether the interim block or ban is to be removed or retained.

6.5.17 A person may request a review of a decision to block or ban then from a social media platform. The request must be made in writing to the General Manager and state the grounds on which the request is being made.

6.5.18 Where a review request is made, the review is to be undertaken by the General Manager or a member of staff nominated by the General Manager who is suitably qualified and who was not involved in the decision to block or ban the person. Where the decision to block or ban the person was made by the General Manager, the review must be undertaken by another senior and suitably qualified member of staff who was not involved in the decision.

6.5.19 Where a person that is the subject of a block or ban continues to engage on a social media platform(s) using an alternative social media account, profile, avatar, etc., a moderator may block or ban the person from the platform(s) immediately. In these circumstances, clauses 6.5.10 to 6.5.18 do not apply.

## **6.7 Records management and privacy requirements**

### **Records Management**

6.7.1 Social media content created, sent and received by Council officials (including Councillors) acting in their official capacity is a Council record and may constitute open access information or be subject to an information access application made under the *Government Information (Public Access) Act 2009*. These records must be managed in accordance with the requirements of the *State Records Act 1998* and Council's approved records management policies and practices.

6.7.2 You must not destroy, alter, or remove social media content unless authorised to do so. If you need to alter or remove social media content, you must do so in

accordance with this policy, and consult with the Council's records manager and comply with the requirements of the *State Records Act 1998*.

6.7.3 When/if a Councillor's term of office concludes, the Councillor must contact the General Manager to manage/transfer records of social media content created during their term of office and comply with the requirements of the *State Records Act 1998*.

6.7.4 In fulfilling their obligations under clauses 6.7.1 to 6.7.3, Council officials should refer to any guidance issued by the State Archives and Records Authority of NSW relating to retention requirements for Councils' and Councillors' social media content.

### **Privacy considerations and requirements**

6.7.5 Social media communications are in the public domain. Council officials should exercise caution about what personal information, if any, they upload onto social media.

6.7.6 The *Privacy and Personal Information Protection Act 1998* applies to the use of social media platforms by the Council and Councillors. To mitigate potential privacy risks, Council officials will:

- a. advise people not to provide personal information on social media platforms
- b. inform people if any personal information they may provide on social media platforms is to be used for official purposes
- c. moderate comments to ensure they do not contain any personal information
- d. advise people to contact the Council or Councillors through alternative channels if they have personal information they do not want to disclose in a public forum.

6.7.7 Council officials must ensure they comply with the *Health Records and Information Privacy Act 2002* when engaging on and/or moderating social media platforms. In fulfilling their obligations, Council officials should refer to any guidance issued by the Information and Privacy Commission of NSW, such as, but not limited to, the Health Privacy Principles.

### **6.8 Private use of social media**

Note: Activities on social media websites are public activities. Even though privacy settings are available, content can still be shared and accessed beyond the intended recipients. The terms and conditions of most social media sites state that all content becomes the property of the site on which it is posted.

6.8.1 For the purposes of this policy, a Council official's social media engagement will be considered 'private use' when the content they upload:

- a. is not associated with, or does not refer to, the Council, any other Council officials, contractors, related entities or any other person or organisation providing services to or on behalf of the Council in their official or professional capacities, and
- b. is not related to or does not contain information acquired by virtue of their employment or role as a Council official.

6.8.2 If a Council official chooses to identify themselves as a Council official, either directly or indirectly (such as in their user profile), then they will not be deemed to be acting in their private capacity for the purposes of this policy.

### **Use of social media during work hours**

6.8.3 Council staff who access and engage on social media in their private capacity during work hours must ensure it does not interfere with the performance of their official duties.

## **7. Electronic Direct Mail (e-newsletters)**

7.1 Staff working on electronic direct mail campaigns will manage all personal data collected for email marketing in accordance with the Privacy and Personal Information Protection Act.

## **8. Emergency and crisis management**

In the event of an emergency, Council plays a pivotal role in disseminating information to the community via our communication channels.

### **8.1 Working with the media during emergencies**

8.1.1 During emergencies, such as natural disasters or public health incidents, the Media & Communications Officer will be responsible for coordinating media releases and statements on behalf of the Council.

8.1.2 Councillors, Council staff and other Council officials must not provide comment or information to the media that is inconsistent with official advice issued by the Council and any other agency coordinating the emergency response.

8.1.3 Training on media engagement during emergencies will be provided to Councillors and relevant staff and other Council officials.

### **8.2 Use of social media during emergencies**

8.2.1 During emergencies, such as natural disasters or public health incidents Media & Communications Officer, or in his/her absence, someone appointed by the General Manager, will be responsible for the management of content on the Council's social media platforms.

8.2.2 To ensure consistent messaging both during and after an emergency, authorised users and Council officials must not upload content onto Council's or their own social media platforms which contradicts advice issued by the agency coordinating the emergency response, or agencies supporting recovery efforts.

8.2.3 Training on social media use during emergencies should be included in training and/or induction provided to authorised users and Councillors

## 9. Non-compliance with this policy

Failure to comply with this policy may be dealt with in accordance with Council's relevant Code of Conduct, Local Government (State) Award or other laws.

## 10. Definitions

This policy's definitions are:

**Community** means all people who live or work in the Murrumbidgee Council Local Government Area.

**Council** means Murrumbidgee Council.

**Council official** means Councillors, Council staff, volunteers or delegated persons as defined in the Local Government Act 1993.

**Council spokesperson:** A person authorised to communicate with the media on Council's behalf.

**Media:** Relates to all forms of official communication including, but not limited to print and digital media. Digital media can include all forms of online media, including Council's website and presence on social media.

**Media statement or comment:** A verbal or written statement issued by the Council that states its position on a matter of Council business, Council policy or public interest.

**Staff** means all employees of Murrumbidgee Council (full time, part time, casual, contractors and temporary).

**Social media** is the term used for internet and mobile-based channels and tools that allow users to interact with each other and share opinions and content. It refers to user-generated information, opinion and other content shared and discussed over open digital networks.

## 11. References and related documents

The following legislation and/or guidelines are applicable to this policy:

### Murrumbidgee Council documents

- Council's Vision
- Code of Conduct for Councillors
- Code of Conduct for staff
- Code of Conduct for Council Committee Members, Delegates of Council and Council Advisors
- Style Guide
- Communication Strategy
- Community Engagement Strategy

- Social Media Register
- Complaints Management Policy
- Internet, Intranet, Email and Computer Use Management Policy
- Privacy Management Policy
- Records Management Policy

### **Legislation and professional guidelines**

- Freedom of Information Act 1982
- Privacy and Personal Information Protection Act 1998
- Local Government Act 1993
- Copyright Act 1968
- Defamation Act 2005
- Government Information (Public Access) Act 2009
- Web Content Accessibility Guidelines version 2 (WCAG 2.1)

## **12. 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**  
**Quarterly Budget Review as at 30 September 2022**

**STATEMENT OF FINANCIAL PERFORMANCE-CONSOLIDATED**

	<b>Original Estimate</b>	<b>Projected to 30/6/23</b>
<b>Revenues from Ordinary Activities</b>		
Rates & Annual Charges	6,393,153	6,393,153
User Charges & Fees	2,845,668	2,845,668
Investment Revenues	192,826	192,826
Grants & Contributions	16,764,330	25,020,147
Rental Income	198,433	198,433
Other Revenues	277,318	277,318
Profit from Disposal of Assets	32,782	32,782
<b>Total Revenues from Ordinary Activities</b>	<u>26,704,510</u>	<u>34,960,327</u>
<b>Expenses from Ordinary Activities</b>		
Employee Costs	7,316,686	7,316,686
Materials & Contracts	3,552,727	5,158,602
Borrowing Costs	323	323
Depreciation & Amortisation	6,451,104	6,451,104
Other Expenses	1,980,774	1,980,774
Loss from Disposal of Assets	32,782	32,782
<b>Total Expenses from Ordinary Activities</b>	<u>19,334,396</u>	<u>20,940,271</u>
<b>Surplus/(Deficit) from Ordinary Activities</b>	<u>7,370,114</u>	<u>14,020,056</u>
Capital Grants & Contributions	9,149,463	17,112,411
<b>Surplus/(Deficit) from Ordinary Activities before Capital Grants</b>	<b>(1,779,349)</b>	<b>(3,092,355)</b>



**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**

**STATEMENT OF FINANCIAL PERFORMANCE-WATER SUPPLY**

	Original Estimate	Projected to 30/6/23
<b>Revenues from Ordinary Activities</b>		
Rates & Annual Charges	762,579	762,579
User Charges & Fees	612,805	612,805
Investment Revenues	18,832	18,832
Grants & Contributions	2,897,592	2,897,592
Rental Income		
Other Revenues	4,227	4,227
Profit from Disposal of Assets		
<b>Total Revenues from Ordinary Activities</b>	<u>4,296,035</u>	<u>4,296,035</u>
<b>Expenses from Ordinary Activities</b>		
Employee Costs	260,000	260,000
Materials & Contracts	593,866	593,866
Borrowing Costs	0	0
Depreciation & Amortisation	308,268	308,268
Other Expenses	183,292	183,292
Loss from Disposal of Assets		
<b>Total Expenses from Ordinary Activities</b>	<u>1,345,426</u>	<u>1,345,426</u>
<b>Surplus/(Deficit) from Ordinary Activities</b>	<u>2,950,609</u>	<u>2,950,609</u>
Capital Grants & Contributions	2,897,592	2,897,592
Surplus/(Deficit) from Ordinary Activities before Capital Grants	53,017	53,017

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**

**STATEMENT OF FINANCIAL PERFORMANCE-SEWER SERVICES**

	Original Estimate	Projected to 30/6/23
<b>Revenues from Ordinary Activities</b>		
Rates & Annual Charges	658,591	658,591
User Charges & Fees	28,886	28,886
Investment Revenues	26,499	26,499
Grants & Contributions	0	0
Rental Income		
Other Revenues	1,430	1,430
Profit from Disposal of Assets		
<b>Total Revenues from Ordinary Activities</b>	<u>715,406</u>	<u>715,406</u>
<b>Expenses from Ordinary Activities</b>		
Employee Costs	222,083	222,083
Materials & Contracts	250,505	250,505
Borrowing Costs	0	0
Depreciation & Amortisation	300,852	300,852
Other Expenses	88,008	88,008
Loss from Disposal of Assets		
<b>Total Expenses from Ordinary Activities</b>	<u>861,448</u>	<u>861,448</u>
<b>Surplus/(Deficit) from Ordinary Activities</b>	<u>(146,042)</u>	<u>(146,042)</u>
Capital Grants & Contributions		
Surplus/(Deficit) from Ordinary Activities before Capital Grants	(146,042)	(146,042)

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**

**STATEMENT OF FINANCIAL PERFORMANCE-GENERAL FUND**

	<b>Original Estimate</b>	<b>Projected to 30/6/23</b>
<b>Revenues from Ordinary Activities</b>		
Rates & Annual Charges	4,971,983	4,971,983
User Charges & Fees	2,203,977	2,203,977
Investment Revenues	147,495	147,495
Grants & Contributions	13,866,738	22,122,555
Rental Income	198,433	198,433
Other Revenues	271,661	271,661
Profit from Disposal of Assets	32,782	32,782
<b>Total Revenues from Ordinary Activities</b>	<u>21,693,069</u>	<u>29,948,886</u>
<b>Expenses from Ordinary Activities</b>		
Employee Costs	6,834,603	6,834,603
Materials & Contracts	2,708,356	4,314,231
Borrowing Costs	323	323
Depreciation & Amortisation	5,841,984	5,841,984
Other Expenses	1,709,474	1,709,474
Loss from Disposal of Assets	32,782	32,782
<b>Total Expenses from Ordinary Activities</b>	<u>17,127,522</u>	<u>18,733,397</u>
<b>Surplus/(Deficit) from Ordinary Activities</b>	<u>4,565,547</u>	<u>11,215,489</u>
Capital Grants & Contributions	6,251,871	14,214,819
<b>Surplus/(Deficit) from Ordinary Activities before Capital Grants</b>	(1,686,324)	(2,999,330)

## FORECAST BALANCE SHEET - Consolidated

	Proposed for 30/6/23 as at	
	2022/23	30/09/2022
<b>CURRENT ASSETS</b>		
Cash & cash equivalents/Investments	19757	12018
Cash/Investments - Externally Restricted	7011	7814
Receivables	1819	1086
Receivables - Externally Restricted	403	412
Inventories	4216	4377
Inventories - Externally Restricted (Water Fund)	25	27
Inventories - Realisable > 12 months	0	0
Contract Assets		0
Other	0	0
Non-current assets held for sale		
<b>TOTAL CURRENT ASSETS</b>	<b>33231</b>	<b>25734</b>
<b>NON-CURRENT ASSETS</b>		
Receivables	0	0
Inventories	1161	791
Infrastructure, Property, Plant & Equipment	273495	309516
Equity accounted investments		
Investment Property		
Intangible Assets	2530	2274
Other		
<b>TOTAL NON-CURRENT ASSETS</b>	<b>277186</b>	<b>312581</b>
<b>TOTAL ASSETS</b>	<b>310417</b>	<b>338315</b>
<b>CURRENT LIABILITIES</b>		
Payables	1425	1623
Contract Liabilities	0	0
Borrowings	123	166
Provisions - Payable > 12 months	0	0
Provisions	3175	3153
<b>TOTAL CURRENT LIABILITIES</b>	<b>4723</b>	<b>4942</b>
<b>NON-CURRENT LIABILITIES</b>		
Payables		
Borrowings	4064	4022
Provisions	70	69
<b>TOTAL NON CURRENT LIABILITIES</b>	<b>4134</b>	<b>4091</b>
<b>TOTAL LIABILITIES</b>	<b>8857</b>	<b>9033</b>
<b>NET ASSETS</b>	<b>301560</b>	<b>329282</b>
<b>EQUITY</b>		
Accumulated Surplus	295232	295973
Revaluation Reserves	6328	33309
Council Equity Interest	301560	329282
Minority Equity Interest		
<b>TOTAL EQUITY</b>	<b>301560</b>	<b>329282</b>

## FORECAST BALANCE SHEET - Water Fund

	Proposed for 30/6/23 as at	
	2022/23	30/09/2022
<b>CURRENT ASSETS</b>		
Cash & cash equivalents/Investments	2898	3348
Cash/Investments - Externally Restricted		
Receivables	279	282
Receivables - Externally Restricted		
Inventories	25	27
Inventories - Externally Restricted (Water Fund)		
Inventories - Realisable > 12 months		
Contract Assets		
Other		
Non-current assets held for sale		
<b>TOTAL CURRENT ASSETS</b>	<b>3202</b>	<b>3657</b>
<b>NON-CURRENT ASSETS</b>		
Receivables		
Inventories		
Infrastructure, Property, Plant & Equipment	11622	8676
Equity accounted investments		
Investment Property		
Intangible Assets	789	1024
Other		
<b>TOTAL NON-CURRENT ASSETS</b>	<b>12411</b>	<b>9700</b>
<b>TOTAL ASSETS</b>	<b>15613</b>	<b>13357</b>
<b>CURRENT LIABILITIES</b>		
Payables		
Contract Liabilities		
Borrowings		
Provisions - Payable > 12 months		
Provisions		
<b>TOTAL CURRENT LIABILITIES</b>	<b>0</b>	<b>0</b>
<b>NON-CURRENT LIABILITIES</b>		
Payables		
Borrowings		
Provisions		
<b>TOTAL NON CURRENT LIABILITIES</b>	<b>0</b>	<b>0</b>
<b>TOTAL LIABILITIES</b>	<b>0</b>	<b>0</b>
<b>NET ASSETS</b>	<b>15613</b>	<b>13357</b>
<b>EQUITY</b>		
Accumulated Surplus	14566	11624
Revaluation Reserves	1047	1733
Council Equity Interest	15613	13357
Minority Equity Interest		
<b>TOTAL EQUITY</b>	<b>15613</b>	<b>13357</b>

## FORECAST BALANCE SHEET - Sewer Fund

	Proposed for 30/6/23 as at	
	2022/23	30/09/2022
<b>CURRENT ASSETS</b>		
Cash & cash equivalents/Investments	4113	4466
Cash/Investments - Externally Restricted		
Receivables	124	130
Receivables - Externally Restricted		
Inventories		
Inventories - Externally Restricted (Water Fund)		
Inventories - Realisable > 12 months		
Contract Assets		
Other	19	19
Non-current assets held for sale		
<b>TOTAL CURRENT ASSETS</b>	<b>4256</b>	<b>4615</b>
<b>NON-CURRENT ASSETS</b>		
Receivables		
Inventories		
Infrastructure, Property, Plant & Equipment	9919	10117
Equity accounted investments		
Investment Property		
Intangible Assets		
Other		
<b>TOTAL NON-CURRENT ASSETS</b>	<b>9919</b>	<b>10117</b>
<b>TOTAL ASSETS</b>	<b>14175</b>	<b>14732</b>
<b>CURRENT LIABILITIES</b>		
Payables		
Contract Liabilities		
Borrowings		
Provisions - Payable > 12 months		
Provisions		
<b>TOTAL CURRENT LIABILITIES</b>	<b>0</b>	<b>0</b>
<b>NON-CURRENT LIABILITIES</b>		
Payables		
Borrowings		
Provisions		
<b>TOTAL NON CURRENT LIABILITIES</b>	<b>0</b>	<b>0</b>
<b>TOTAL LIABILITIES</b>	<b>0</b>	<b>0</b>
<b>NET ASSETS</b>	<b>14175</b>	<b>14732</b>
<b>EQUITY</b>		
Accumulated Surplus	13619	13629
Revaluation Reserves	556	1103
Council Equity Interest	14175	14732
Minority Equity Interest		
<b>TOTAL EQUITY</b>	<b>14175</b>	<b>14732</b>

## FORECAST BALANCE SHEET - General Fund

	Proposed for 30/6/23 as at	
	2022/23	30/09/2022
<b>CURRENT ASSETS</b>		
Cash & cash equivalents/Investments	19757	12018
Cash/Investments - Externally Restricted		
Receivables	1819	1086
Receivables - Externally Restricted		
Inventories	4216	4377
Inventories - Externally Restricted (Water Fund)		
Inventories - Realisable > 12 months		
Contract Assets		
Other		
Non-current assets held for sale		
<b>TOTAL CURRENT ASSETS</b>	<b>25792</b>	<b>17481</b>
<b>NON-CURRENT ASSETS</b>		
Receivables		
Inventories	1161	791
Infrastructure, Property, Plant & Equipment	251954	290,723
Equity accounted investments		
Investment Property		
Intangible Assets	1741	1250
Other		
<b>TOTAL NON-CURRENT ASSETS</b>	<b>254856</b>	<b>292764</b>
<b>TOTAL ASSETS</b>	<b>280648</b>	<b>310245</b>
<b>CURRENT LIABILITIES</b>		
Payables	1425	1623
Contract Liabilities		
Borrowings	142	185
Provisions - Payable > 12 months		
Provisions	3175	3153
<b>TOTAL CURRENT LIABILITIES</b>	<b>4742</b>	<b>4961</b>
<b>NON-CURRENT LIABILITIES</b>		
Payables		
Borrowings	4064	4022
Provisions	70	69
<b>TOTAL NON CURRENT LIABILITIES</b>	<b>4134</b>	<b>4091</b>
<b>TOTAL LIABILITIES</b>	<b>8876</b>	<b>9052</b>
<b>NET ASSETS</b>	<b>271772</b>	<b>301193</b>
<b>EQUITY</b>		
Accumulated Surplus	267047	270720
Revaluation Reserves	4725	30473
Council Equity Interest	271772	301193
Minority Equity Interest		
<b>TOTAL EQUITY</b>	<b>271772</b>	<b>301193</b>

**FORECAST STATEMENT OF CASH FLOWS - CONSOLIDATED**

	Original Estimate	As at 30/6/23
<b>Cash Flows from Operating Activities</b>		
<i>Receipts</i>		
Rates & Annual Charges	6,393,153	6,393,153
User Charges & Fees	2,845,668	2,845,668
Interest Received	192,826	192,826
Grants & Contributions	16,764,330	15,213,434
Rental Income	198,433	198,433
Other Operating Receipts	277,318	277,318
<i>Payments</i>		
Employee Costs	-7,316,686	-7,316,686
Materials & Contracts	-3,552,727	-5,158,602
Borrowing Costs	-323	-323
Other Operating Payments	-1,980,774	-1,980,774
<b>Net cash provided by (or used in) Operating Activities</b>	<u>13,821,218</u>	<u>10,664,447</u>
<b>Cash Flows from Investing Activities</b>		
<i>Receipts</i>		
Proceeds from sale of Property Plant & Equipment	1,013,000	1,013,000
Proceeds from sale of Real Estate	100,000	100,000
<i>Payments</i>		
Purchase of Property Plant & Equipment	-19,378,735	-26,524,629
Provision of Advances & Mortgages	0	0
<b>Net cash provided by (or used in) Investing Activities</b>	<u>-18,265,735</u>	<u>-25,411,629</u>
<b>Cash Flows from Financing Activities</b>		
<i>Receipts</i>		
Proceeds from Borrowings & Advances	4,375,000	4,375,000
<i>Payments</i>		
Repayments of borrowings & advances	-80,631	-80,631
<b>Net cash provided by (or used in) Financing Activities</b>	<u>4,294,369</u>	<u>4,294,369</u>
<b>Net Increase (Decrease) in cash held</b>	<b>-150,148</b>	<b>-10,452,813</b>
Cash Assets at beginning of reporting period	<u>26,702,451</u>	<u>30,285,407</u>
<b>Cash Assets at end of reporting period</b>	<u><u>26,552,303</u></u>	<u><u>19,832,594</u></u>



**FORECAST STATEMENT OF CASH FLOWS - WATER FUND**

	Original Estimate	As at 30/6/23
<b>Cash Flows from Operating Activities</b>		
<i>Receipts</i>		
Rates & Annual Charges	762,579	762,579
User Charges & Fees	612,805	612,805
Interest Received	18,832	18,832
Grants & Contributions	2,897,592	2,897,592
Rental Income		
Other Operating Receipts	4,227	4,227
<i>Payments</i>		
Employee Costs	-260,000	-260,000
Materials & Contracts	-593,866	-593,866
Borrowing Costs	0	0
Other Operating Payments	-183,292	-183,292
<b>Net cash provided by (or used in) Operating Activities</b>	<u>3,258,877</u>	<u>3,258,877</u>
<b>Cash Flows from Investing Activities</b>		
<i>Receipts</i>		
Proceeds from sale of Property Plant & Equipment	0	0
Proceeds from sale of Real Estate	0	0
<i>Payments</i>		
Purchase of Property Plant & Equipment	-3,094,592	-3,094,592
Provision of Advances & Mortgages	0	0
<b>Net cash provided by (or used in) Investing Activities</b>	<u>-3,094,592</u>	<u>-3,094,592</u>
<b>Cash Flows from Financing Activities</b>		
<i>Receipts</i>		
Proceeds from Borrowings & Advances	0	0
<i>Payments</i>		
Repayments of borrowings & advances	0	0
<b>Net cash provided by (or used in) Financing Activities</b>	<u>0</u>	<u>0</u>
<b>Net Increase (Decrease) in cash held</b>	<b>164,285</b>	<b>164,285</b>
Cash Assets at beginning of reporting period	2,733,982	3,184,067
<b>Cash Assets at end of reporting period</b>	<u>2,898,267</u>	<u>3,348,352</u>

**FORECAST STATEMENT OF CASH FLOWS - SEWER FUND**

	Original Estimate	As at 30/6/23
<b>Cash Flows from Operating Activities</b>		
<u>Receipts</u>		
Rates & Annual Charges	658,591	658,591
User Charges & Fees	28,886	28,886
Interest Received	26,499	26,499
Grants & Contributions	0	0
Rental Income		
Other Operating Receipts	1,430	1,430
<u>Payments</u>		
Employee Costs	-222,083	-222,083
Materials & Contracts	-250,505	-250,505
Borrowing Costs	0	0
Other Operating Payments	-88,008	-88,008
<b>Net cash provided by (or used in) Operating Activities</b>	<u>154,810</u>	<u>154,810</u>
<b>Cash Flows from Investing Activities</b>		
<u>Receipts</u>		
Proceeds from sale of Property Plant & Equipment	0	0
Proceeds from sale of Real Estate	0	0
<u>Payments</u>		
Purchase of Property Plant & Equipment	-265,000	-265,000
Provision of Advances & Mortgages	0	0
<b>Net cash provided by (or used in) Investing Activities</b>	<u>-265,000</u>	<u>-265,000</u>
<b>Cash Flows from Financing Activities</b>		
<u>Receipts</u>		
Proceeds from Borrowings & Advances	25,000	25,000
<u>Payments</u>		
Repayments of borrowings & advances	0	0
<b>Net cash provided by (or used in) Financing Activities</b>	<u>25,000</u>	<u>25,000</u>
<b>Net Increase (Decrease) in cash held</b>	<b>-85,190</b>	<b>-85,190</b>
Cash Assets at beginning of reporting period	4,197,926	4,551,319
<b>Cash Assets at end of reporting period</b>	<u>4,112,736</u>	<u>4,466,129</u>

**FORECAST STATEMENT OF CASH FLOWS - GENERAL FUND**

	Original Estimate	As at 30/6/23
<b>Cash Flows from Operating Activities</b>		
<u>Receipts</u>		
Rates & Annual Charges	4,971,983	4,971,983
User Charges & Fees	2,203,977	2,203,977
Interest Received	147,495	147,495
Grants & Contributions	13,866,738	12,315,842
Rental Income	0	198,433
Other Operating Receipts	470,094	271,661
<u>Payments</u>		
Employee Costs	-6,834,603	-6,834,603
Materials & Contracts	-3,201,045	-4,806,920
Borrowing Costs	-323	-323
Other Operating Payments	-1,216,785	-1,216,785
<b>Net cash provided by (or used in) Operating Activities</b>	<u>10,407,531</u>	<u>7,250,760</u>
<b>Cash Flows from Investing Activities</b>		
<u>Receipts</u>		
Proceeds from sale of Property Plant & Equipment	1,013,000	1,013,000
Proceeds from sale of Real Estate	100,000	100,000
<u>Payments</u>		
Purchase of Property Plant & Equipment	-16,019,143	-23,165,037
Provision of Advances & Mortgages	0	0
<b>Net cash provided by (or used in) Investing Activities</b>	<u>-14,906,143</u>	<u>-22,052,037</u>
<b>Cash Flows from Financing Activities</b>		
<u>Receipts</u>		
Proceeds from Borrowings & Advances	4,350,000	4,350,000
<u>Payments</u>		
Repayments of borrowings & advances	-80,631	-80,631
<b>Net cash provided by (or used in) Financing Activities</b>	<u>4,269,369</u>	<u>4,269,369</u>
<b>Net Increase (Decrease) in cash held</b>	<b>-229,243</b>	<b>-10,531,908</b>
Cash Assets at beginning of reporting period	19,770,543	22,550,021
<b>Cash Assets at end of reporting period</b>	<u>19,541,300</u>	<u>12,018,113</u>

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Operating Income & Expenses**

	Total Vote	to 30/09/22	Remaining	Revised Estimate	Variance	% Complete	Note
<b>Operating Income</b>							
Governance & Admin	12,994,228	5,760,032	7,234,196	12,994,228	0	44.33%	
Public Order & Safety	168,194	935	167,259	168,194	0	0.56%	
Health	15,618	0	15,618	15,618	0	0.00%	
Environment	440,615	370,438	70,177	440,615	0	84.07%	
Community Services & Education	24,230	-1,585	32,815	31,230	7,000	-5.07%	
Housing & Community Amenities	359,884	118,787	241,097	359,884	0	33.01%	
Recreation & Culture	98,706	7,177	91,529	98,706	0	7.27%	
Mining, Manufacturing & Construction	70,471	8,421	62,050	70,471	0	11.95%	
Transport & Communication	3,864,866	1,024,914	2,899,952	3,924,866	60,000	26.11%	
Economic Affairs	473,901	74,751	438,115	512,866	38,965	14.58%	
Water Supply	1,398,443	824,490	573,953	1,398,443	0	58.96%	
Sewer Supply	715,406	674,210	41,196	715,406	0	94.24%	
<b>Total Income</b>	<b>20,624,562</b>	<b>8,862,570</b>	<b>11,867,957</b>	<b>20,730,527</b>	<b>105,965</b>		
<b>Operating Expenses</b>							
Governance & Admin	8,353,396	2,838,471	5,997,448	8,835,919	482,523	32.12%	
Public Order & Safety	818,759	174,027	644,732	818,759	0	21.25%	
Health	45,831	13,890	31,941	45,831	0	30.31%	
Environment	1,003,250	324,948	712,302	1,037,250	34,000	31.33%	
Community Services & Education	99,790	14,140	100,854	114,994	15,204	12.30%	
Housing & Community Amenities	612,607	174,932	437,675	612,607	0	28.56%	
Recreation & Culture	2,071,772	526,454	1,546,784	2,073,238	1,466	25.39%	
Mining, Manufacturing & Construction	37,760	72,849	-35,089	37,760	0	192.93%	
Transport & Communication	6,333,770	1,168,423	6,088,203	7,256,626	922,856	16.10%	
Economic Affairs	820,102	130,180	839,748	969,928	149,826	13.42%	
Water Supply	1,345,426	224,527	1,120,899	1,345,426	0	16.69%	
Sewer Supply	861,448	177,848	683,600	861,448	0	20.65%	
<b>Total Expenditure</b>	<b>22,403,911</b>	<b>5,840,690</b>	<b>18,169,097</b>	<b>24,009,786</b>	<b>1,605,875</b>		

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Operating Income & Expenses**

	Total Vote	to 30/09/22	Remaining	Revised Estimate	Variance	% Complete	Note
<b>Review of Operating Income</b>							
<b>Governance &amp; Admin</b>							
Governance	0	0	0	0	0		
Administration	121,694	26,118	95,576	121,694	0	21.46%	
Merger Funding	0	0	0	0	0		
General Manager	0	0	0	0	0		
General Purpose Revenue	9,623,553	4,895,556	4,727,997	9,623,553	0	50.87%	
Insurance Clearing	0	0	0	0	0		
Overhead Clearing	10,000	895	9,105	10,000	0	8.95%	
Oncost Clearing	0	0	0	0	0		
Disposal of Fixed Assets	32,782	0	32,782	32,782	0	0.00%	
Engineering Admin	0	0	0	0	0		
DES Admin	0	0	0	0	0		
Depots	2,923	59	2,864	2,923	0		
Plant Clearing	3,203,276	837,404	2,365,872	3,203,276	0	26.14%	
	<b>12,994,228</b>	<b>5,760,032</b>	<b>7,234,196</b>	<b>12,994,228</b>	<b>0</b>		
<b>Public Order &amp; Safety</b>							
Animal Control	11,337	935	10,402	11,337	0	8.25%	
Emergency Services	0	0	0	0	0		
Fire Control	156,857	0	156,857	156,857	0	0.00%	
	<b>168,194</b>	<b>935</b>	<b>167,259</b>	<b>168,194</b>	<b>0</b>		
<b>Health</b>							
Health & Food Control	7,618	0	7,618	7,618	0	0.00%	
Medical Services	8,000	0	8,000	8,000	0	0.00%	
	<b>15,618</b>	<b>0</b>	<b>15,618</b>	<b>15,618</b>	<b>0</b>		
<b>Environment</b>							
Noxious Plants	42,500	26,300	16,200	42,500	0	61.88%	
Environment Protection	0	0	0	0	0		
Solid Waste Management	398,115	344,138	53,977	398,115	0	86.44%	
Street Cleaning	0	0	0	0	0		
Drainage & Stormwater Management	0	0	0	0	0		
	<b>440,615</b>	<b>370,438</b>	<b>70,177</b>	<b>440,615</b>	<b>0</b>		

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Operating Income & Expenses**

	Total Vote	to 30/09/22	Remaining	Revised Estimate	Variance	% Complete	Note
<b>Community Services &amp; Education</b>	<b>24,230</b>	<b>-1,585</b>	<b>32,815</b>	<b>31,230</b>	<b>7,000</b>	<b>-5.07%</b>	<b>1</b>
Community Services							
<b>Housing &amp; Community Amenities</b>							
Housing	176,019	66,622	109,397	176,019	0	37.85%	
Public Cemeteries	64,692	23,258	41,434	64,692	0	35.95%	
Public Conveniences	0	0	0	0	0	0.00%	
Street Lighting	46,000	0	46,000	46,000	0	39.51%	
Town Planning	73,173	28,907	44,266	73,173	0		
	<b>359,884</b>	<b>118,787</b>	<b>241,097</b>	<b>359,884</b>	<b>0</b>		
<b>Recreation &amp; Culture</b>							
Museum	0	0	0	0	0		
Parks Gardens & Lakes	0	0	0	0	0		
Public Halls	9,334	2,682	6,652	9,334	0	28.73%	
Public Library	73,417	121	73,296	73,417	0	0.17%	
Swimming Pool	0	0	0	0	0		
Sporting Grounds	5,955	1,555	4,400	5,955	0	26.10%	
Other Cultural Services	0	0	0	0	0		
Other Sports & Recreation	10,000	2,820	7,180	10,000	0	28.20%	
	<b>98,706</b>	<b>7,177</b>	<b>91,529</b>	<b>98,706</b>	<b>0</b>		
<b>Mining, Manufacturing &amp; Construction</b>							
Building Control	25,471	8,421	17,050	25,471	0	33.06%	
Quarries & Pits	45,000	0	45,000	45,000	0	0.00%	
	<b>70,471</b>	<b>8,421</b>	<b>62,050</b>	<b>70,471</b>	<b>0</b>		

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Operating Income & Expenses**

	Total Vote	to 30/09/22	Remaining	Revised Estimate	Variance	% Complete	Note
<b>Transport &amp; Communication</b>							
Aerodrome	0	0	0	0	0		
Bridges	0	0	0	0	0		
Footpaths	0	0	60,000	60,000	60,000		
State & National Highways	1,472,835	145,668	1,327,167	1,472,835		9.89%	2
Sealed Rural Roads Local	0	0	0	0	0		
Sealed Rural Roads Regional	880,000	542,942	337,058	880,000		61.70%	
Unsealed Rural Roads Local	0	0	0	0	0		
Urban Roads	0	0	0	0	0		
Car Parking Areas	0	0	0	0	0		
Roads to Recovery	1,512,031	336,305	1,175,726	1,512,031		22.24%	
Transport Other	0	0	0	0	0		
	<b>3,864,866</b>	<b>1,024,914</b>	<b>2,899,952</b>	<b>3,924,866</b>	<b>60,000</b>		
<b>Economic Affairs</b>							
Caravan Parks	12,360	26,659	-14,299	12,360	0	215.69%	
Industrial Development	0	0	0	0	0		
Real Estate Development	0	0	0	0	0		
Saleyards & Markets	11,541	448	11,093	11,541	0	3.88%	3
Tourism & Area Promotion	0	0	38,965	38,965	38,965		
Sharefarming	0	0	0	0	0		
Private Works	450,000	47,644	402,356	450,000	0	10.59%	
Other Business Undertakings	0	0	0	0	0		
	<b>473,901</b>	<b>74,751</b>	<b>438,115</b>	<b>512,866</b>	<b>38,965</b>		
<b>Water Supply</b>							
Water Supply	1,398,443	824,490	573,953	1,398,443	0	58.96%	
<b>Sewer Supply</b>							
Sewer Supply	715,406	674,210	41,196	715,406	0	94.24%	

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Operating Income & Expenses**

	Total Vote	to 30/09/22	Remaining	Revised Estimate	Variance	% Complete	Note
<b>Review of Operating Expenditure</b>							
<b>Governance &amp; Admin</b>							
Governance	251,523	48,164	203,359	251,523	0	19.15%	4
Administration	1,574,620	457,162	1,312,551	1,769,713	195,093	25.83%	5
Merger Funding	0	0	88,721	88,721	88,721	0.00%	
General Manager's Department	1,111,612	229,849	881,763	1,111,612	0	20.68%	
General Purpose Revenue	0	0	0	0	0		
Insurance Clearing	160,962	490,773	-329,811	160,962	0	304.90%	
Overhead Clearing	524,996	147,970	491,692	639,662	114,666	23.13%	6
Oncost Clearing	-18,207	-22,599	4,392	-18,207	0		
Disposal of Fixed Assets	32,782	0	32,782	32,782	0	0.00%	
Engineering Admin	831,472	325,636	505,836	831,472	0	39.16%	
DES Admin	639,585	100,071	623,557	723,628	84,043	13.83%	7
Depot	442,585	107,124	335,461	442,585	0	24.20%	
Plant Clearing	2,801,466	954,321	1,847,145	2,801,466	0	34.07%	
	<b>8,353,396</b>	<b>2,838,471</b>	<b>5,997,448</b>	<b>8,835,919</b>	<b>482,523</b>		
<b>Public Order &amp; Safety</b>							
Animal Control	40,667	8,666	32,001	40,667	0	21.31%	
Emergency Services	25,488	6,122	19,366	25,488	0	24.02%	
Fire Control	752,604	159,239	593,365	752,604	0	21.16%	
	<b>818,759</b>	<b>174,027</b>	<b>644,732</b>	<b>818,759</b>	<b>0</b>		
<b>Health</b>							
Health & Food Control	1,957	0	1,957	1,957	0	0.00%	
Medical Services	43,874	13,890	29,984	43,874	0	31.66%	
	<b>45,831</b>	<b>13,890</b>	<b>31,941</b>	<b>45,831</b>	<b>0</b>		
<b>Environment</b>							
Noxious Plants	225,237	60,978	198,259	259,237	34,000	23.52%	8
Environment Protection	120,209	32,119	88,090	120,209	0	26.72%	
Solid Waste Management	447,348	103,894	343,454	447,348	0	23.22%	
Street Cleaning	35,338	77,095	-41,757	35,338	0	218.16%	
Drainage & Stormwater Management	175,118	50,863	124,255	175,118	0	29.04%	
	<b>1,003,250</b>	<b>324,948</b>	<b>712,302</b>	<b>1,037,250</b>	<b>34,000</b>		
<b>Community Services &amp; Education</b>							
Community Services	99,790	14,140	100,854	114,994	15,204		9



**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Operating Income & Expenses**

	Total Vote	to 30/09/22	Remaining	Revised Estimate	Variance	% Complete	Note
<b>Housing &amp; Community Amenities</b>							
Housing	236,376	60,044	176,332	236,376	0	25.40%	
Public Cemeteries	118,068	44,087	73,981	118,068	0	37.34%	
Public Conveniences	125,447	48,363	77,084	125,447	0	38.55%	
Street Lighting	67,866	9,548	58,318	67,866	0	14.07%	
Town Planning	64,850	12,891	51,959	64,850	0	19.88%	
	<b>612,607</b>	<b>174,932</b>	<b>437,675</b>	<b>612,607</b>	<b>0</b>		
<b>Recreation &amp; Culture</b>							
Museum	17,478	14,482	2,996	17,478	0	82.86%	
Parks Gardens & Lakes	685,182	132,368	552,814	685,182	0	19.32%	
Public Halls	160,055	57,165	102,890	160,055	0	35.72%	
Public Library	287,834	145,140	142,695	287,834	0	50.42%	
Swimming Pool	436,754	45,543	391,211	436,754	0	10.43%	
Sporting Grounds	390,302	85,766	304,536	390,302	0	21.97%	
Other Cultural Services	23,692	10,193	14,965	25,158	1,466	40.52%	10
Other Sports & Recreation	70,475	35,798	34,677	70,475	0	50.80%	
	<b>2,071,772</b>	<b>526,454</b>	<b>1,546,784</b>	<b>2,073,238</b>	<b>1,466</b>		
<b>Mining, Manufacturing &amp; Construction</b>							
Building Control	0	0	0	0	0		
Quarries & Pits	37,760	72,849	-35,089	37,760	0	192.93%	
	<b>37,760</b>	<b>72,849</b>	<b>-35,089</b>	<b>37,760</b>	<b>0</b>		
<b>Transport &amp; Communication</b>							
Aerodrome	36,190	13,445	22,745	36,190	0	37.15%	
Bridges	92,290	20,252	72,038	92,290	0	21.94%	
Footpaths	80,000	16,800	123,200	140,000	60,000	12.00%	11
State & National Highways	1,472,835	298	1,472,577	1,472,835	0	0.02%	
Sealed Rural Roads Local	1,552,831	403,306	1,149,525	1,552,831	0	25.97%	
Sealed Rural Roads Regional	839,532	184,057	1,518,331	1,702,388	862,856	10.81%	12
Unsealed Rural Roads Local	1,690,990	386,274	1,304,716	1,690,990	0	22.84%	
Urban Roads	478,149	142,583	335,566	478,149	0	29.82%	
Car Parking Areas	2,462	67	2,395	2,462	0	2.72%	
Roads to Recovery	0	0	0	0	0		
Transport Other	88,491	1,383	87,108	88,491	0	1.56%	
	<b>6,333,770</b>	<b>1,168,423</b>	<b>6,088,203</b>	<b>7,256,626</b>	<b>922,856</b>		

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Operating Income & Expenses**

	Total Vote	to 30/09/22	Remaining	Revised Estimate	Variance	% Complete	Note
<b>Economic Affairs</b>							
Caravan Parks	25,360	4,542	20,818	25,360	0	17.91%	
Industrial Development	4,219	0	4,219	4,219	0	0.00%	
Real Estate Development	83,266	37,270	45,996	83,266	0	44.76%	
Saleyards & Markets	46,170	9,736	36,434	46,170	0	21.09%	
Tourism & Area Promotion	304,844	75,914	378,756	454,670	149,826	16.70%	13
Sharefarming	0	243	-243	0	0	#DIV/0!	
Private Works	350,000	0	350,000	350,000	0	0.00%	
Other Business Undertakings	6,243	2,475	3,768	6,243	0	39.65%	
	<b>820,102</b>	<b>130,180</b>	<b>839,748</b>	<b>969,928</b>	<b>149,826</b>		
<b>Water Supply</b>							
Water Supply	1,345,426	224,527	1,120,899	1,345,426	0	16.69%	
<b>Sewer Supply</b>							
Sewer Supply	861,448	177,848	683,600	861,448	0	20.65%	

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Capital Income & Expenses**

	Total Vote	to 30/09/22	Remaining	Revised Estimate	Variance	% Compl ete	Note
<b>Capital Income</b>							
Governance & Admin	513,000	1,137	6,460,483	6,461,620	5,948,620	0.02%	
Public Order & Safety	0	0	0	0	0		
Health	0	0	6,000	6,000	6,000		
Environment Protection	649,590	0	683,590	683,590	34,000		
Community Services & Education	0	0	8,204	8,204	8,204	0.00%	
Housing & Community Amenities	633,580	0	973,233	973,233	339,653	0.00%	
Recreation & Culture	60,000	0	1,649,877	1,649,877	1,589,877	0.00%	
Mining, Manufacturing & Construction	0	0	0	0	0		
Transport & Communication	3,667,500	0	6,641,700	6,641,700	2,974,200	0.00%	
Economic Affairs	6,284,000	54,261	4,940,600	4,994,861	-1,289,139	1.09%	
Water Supply	2,897,592	0	2,897,592	2,897,592	0	0.00%	
Sewer Supply	25,000	6,250	18,750	25,000	0	25.00%	
<b>Total Income</b>	<b>14,730,262</b>	<b>61,648</b>	<b>24,280,029</b>	<b>24,341,677</b>	<b>9,611,415</b>		
<b>Capital Expenses</b>							
Governance & Admin	1,594,707	11,048	1,783,659	1,794,707	200,000	0.62%	
Public Order & Safety	0	0	0	0	0		
Health	1,000	14	6,986	7,000	6,000		
Environmental Protection	782,590	3,012	779,578	782,590	0	0.38%	
Community Services & Education	0	0	162,654	162,654	162,654	0.00%	
Housing & Community Amenities	813,580	13,259	1,139,974	1,153,233	339,653	1.15%	
Recreation & Culture	83,000	101,916	2,522,093	2,624,009	2,541,009	3.88%	
Mining, Manufacturing & Construction	0	0	0	0	0		
Transport & Communication	6,778,473	1,421,314	9,204,830	10,626,144	3,847,671	13.38%	
Economic Affairs	6,194,631	6,250	6,237,288	6,243,538	48,907	0.10%	
Water Supply	3,094,592	7,652	3,086,940	3,094,592	0	0.25%	
Sewer Supply	265,000	0	265,000	265,000	0	0.00%	
<b>Total Expenditure</b>	<b>19,607,573</b>	<b>1,564,465</b>	<b>25,189,002</b>	<b>26,763,467</b>	<b>7,145,894</b>		

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Capital Income & Expenses**

	Total Vote	to 30/09/22	Remaining	Revised Estimate	Variance	% Compl ete	Note
<b>Review of Capital Income</b>							
<b>Governance &amp; Admin</b>							
Governance							
Administration		1,137	293,956	295,093	295,093		14
Merger Funding		0	5,354,818	5,354,818	5,354,818		15
General Manager		0	0	0	0		
General Purpose Revenue		0	0	0	0		
Insurance Clearing		0	0	0	0		
Overhead Clearing		0	114,666	114,666	114,666		16
Oncost Clearing		0	0	0	0		
Disposal of Fixed Assets		0	0	0	0		
Engineering Admin		0	0	0	0		
DES Admin		0	84,043	84,043	84,043		17
Depots		0	100,000	100,000	100,000		18
Plant Clearing	513,000	0	513,000	513,000	0		
	<b>513,000</b>	<b>1,137</b>	<b>6,460,483</b>	<b>6,461,620</b>	<b>5,948,620</b>		
<b>Public Order &amp; Safety</b>							
Animal Control	0	0	0	0	0		
Emergency Services	0	0	0	0	0		
Fire Control	0	0	0	0	0		
	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Health</b>							
Health & Food Control	0	0	6,000	6,000	6,000		19
Medical Services	<b>0</b>	<b>0</b>	<b>6,000</b>	<b>6,000</b>	<b>6,000</b>		
<b>Environment</b>							
Noxious Plants	0	0	34,000	34,000	34,000		20
Environment Protection	649,590	0	649,590	649,590	0		
Solid Waste Management	0	0	0	0	0		
Street Cleaning	0	0	0	0	0		
Drainage & Stormwater Management	0	0	0	0	0		
	<b>649,590</b>	<b>0</b>	<b>683,590</b>	<b>683,590</b>	<b>34,000</b>		

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Capital Income & Expenses**

	Total Vote	to 30/09/22	Remaining	Revised Estimate	Variance	% Compl ete	Note
<b>Community Services &amp; Education</b>							
<b>Community Services</b>	0	0	8,204	8,204	8,204		21
<b>Housing &amp; Community Amenities</b>							
Housing	300,000	0	300,000	300,000	0		
Public Cemeteries	0	0	0	0	0		
Public Conveniences	333,580	0	673,233	673,233	339,653		22
Street Lighting	0	0	0	0	0		
Town Planning	0	0	0	0	0		
	<b>633,580</b>	<b>0</b>	<b>973,233</b>	<b>973,233</b>	<b>339,653</b>		
<b>Recreation &amp; Culture</b>							
Museum	0	0	0	0	0		
Parks Gardens & Lakes	0	0	66,990	66,990	66,990		23
Public Halls	0	0	0	0	0		
Public Library	0	0	0	0	0		
Swimming Pool	0	0	335,717	335,717	335,717		24
Sporting Grounds	20,000	0	1,205,704	1,205,704	1,185,704		25
Other Cultural Services	0	0	1,466	1,466	1,466		26
Other Sports & Recreation	40,000	0	40,000	40,000	0		
	<b>60,000</b>	<b>0</b>	<b>1,649,877</b>	<b>1,649,877</b>	<b>1,589,877</b>		
<b>Mining, Manufacturing &amp; Construction</b>							
Building Control	0	0	0	0	0		
Quarries & Pits	0	0	0	0	0		
	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Capital Income & Expenses**

	Total Vote	to 30/09/22	Remaining	Revised Estimate	Variance	% Complete	Note
<b>Transport &amp; Communication</b>							
Aerodrome	0	0	0	0	0	0	
Bridges	0	0	0	0	0	0	
Footpaths	0	0	0	0	0	0	
State & National Highways	0	0	0	0	0	0	
Sealed Rural Roads Local	1,566,000	0	2,196,660	2,196,660	630,660		27
Sealed Rural Roads Regional	150,000	0	1,032,622	1,032,622	882,622		28
Unsealed Rural Roads Local	0	0	0	0	0	0	
Urban Roads	1,951,500	0	3,412,418	3,412,418	1,460,918		29
Car Parking Areas	0	0	0	0	0	0	
Roads to Recovery	0	0	0	0	0	0	
Transport Other	0	0	0	0	0	0	
	<b>3,667,500</b>	<b>0</b>	<b>6,641,700</b>	<b>6,641,700</b>	<b>2,974,200</b>		
<b>Economic Affairs</b>							
Caravan Parks	3,084,000	0	3,084,000	3,084,000	0	0	
Industrial Development	0	0	0	0	0	0	
Real Estate Development	3,200,000	54,261	1,745,739	1,800,000	-1,400,000		30
Saleyards & Markets	0	0	0	0	0	0	
Tourism & Area Promotion	0	0	110,861	110,861	110,861		31
Sharefarming	0	0	0	0	0	0	
Private Works	0	0	0	0	0	0	
Other Business Undertakings	0	0	0	0	0	0	
	<b>6,284,000</b>	<b>54,261</b>	<b>4,940,600</b>	<b>4,994,861</b>	<b>-1,289,139</b>		
<b>Water Supply</b>							
Water Supply	2,897,592	0	2,897,592	2,897,592	0	0	
<b>Sewer Supply</b>							
Sewer Supply	25,000	6,250	18,750	25,000	0	0	

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Capital Income & Expenses**

	Total Vote	to 30/09/22	Remaining	Revised Estimate	Variance	% Compl ete	Note
<b>Review of Capital Expenditure</b>							
<b>Governance &amp; Admin</b>							
Governance	0	0	0	0	0		
Administration	43,500	11,048	132,452	143,500	100,000		<b>32</b>
Merger Funding	0	0	0	0	0		
General Manager	0	0	0	0	0		
General Purpose Revenue	0	0	0	0	0		
Insurance Clearing	0	0	0	0	0		
Overhead Clearing	0	0	0	0	0		
Oncost Clearing	18,207	0	18,207	18,207	0		
Disposal of Fixed Assets	0	0	0	0	0		
Engineering Admin	2,000	0	2,000	2,000	0		
DES Admin	2,000	0	2,000	2,000	0		
Depots	0	0	100,000	100,000	100,000		<b>33</b>
Plant Clearing	1,529,000	0	1,529,000	1,529,000	0		
	<b>1,594,707</b>	<b>11,048</b>	<b>1,783,659</b>	<b>1,794,707</b>	<b>200,000</b>		
<b>Public Order &amp; Safety</b>							
Animal Control	0	0	0	0	0		
Emergency Services	0	0	0	0	0		
Fire Control	0	0	0	0	0		
	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		
<b>Health</b>							
Health & Food Control	1,000	14	6,986	7,000	6,000		<b>34</b>
Medical Services	<b>1,000</b>	<b>14</b>	<b>6,986</b>	<b>7,000</b>	<b>6,000</b>		
<b>Environment</b>							
Noxious Plants	0	0	0	0	0		
Environment Protection	649,590	0	649,590	649,590	0		
Solid Waste Management	3,000	852	2,148	3,000	0		
Street Cleaning	0	0	0	0	0		
Drainage & Stormwater Management	0	0	0	0	0		
	<b>652,590</b>	<b>852</b>	<b>651,738</b>	<b>652,590</b>	<b>0</b>		

**Murrumbidgee Council  
Quarterly Budget Review as at 30 September 2022  
Capital Income & Expenses**

	Total Vote	to 30/09/22	Remaining	Revised Estimate	Variance	% Complete	Note
<b>Community Services &amp; Education</b>							
<b>Community Services</b>	0	0	162,654	162,654	162,654		35
<b>Housing &amp; Community Amenities</b>							
Housing	450,000	0	450,000	450,000	0		
Public Cemeteries	30,000	10,914	19,086	30,000	0		
Public Conveniences	333,580	0	673,233	673,233	339,653		36
Street Lighting	0	0	0	0	0		
Town Planning	0	0	0	0	0		
	<b>813,580</b>	<b>10,914</b>	<b>1,142,319</b>	<b>1,153,233</b>	<b>339,653</b>		
<b>Recreation &amp; Culture</b>							
Museum	0	0	0	0	0		37
Parks Gardens & Lakes	0	0	66,990	66,990	66,990		38
Public Halls	0	0	773,228	773,228	773,228		
Public Library	20,000	0	20,000	20,000	0		
Swimming Pool	0	84,778	250,939	335,717	335,717		39
Sporting Grounds	20,000	17,138	1,367,936	1,385,074	1,365,074		40
Other Cultural Services	0	0	0	0	0		
Other Sports & Recreation	43,000	0	43,000	43,000	0		
	<b>83,000</b>	<b>101,916</b>	<b>2,522,093</b>	<b>2,624,009</b>	<b>2,541,009</b>		
<b>Mining, Manufacturing &amp; Construction</b>							
Building Control	0	0	0	0	0		
Quarries & Pits	0	0	0	0	0		



**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Capital Income & Expenses**

	Total Vote	to 30/09/22	Remaining	Revised Estimate	Variance	% Complete	Note
<b>Transport &amp; Communication</b>							
Aerodrome	0	0	0	0	0		
Bridges	0	0	0	0	0		
Footpaths	20,000	0	20,000	20,000	0		
State & National Highways							
Sealed Rural Roads Local	1,766,000	756,936	1,931,590	2,688,526	922,526		41
Sealed Rural Roads Regional	657,468	65,677	611,557	677,234	19,766		42
Unsealed Rural Roads Local	841,774	100,606	741,168	841,774	0		
Urban Roads	1,981,200	23,673	4,862,906	4,886,579	2,905,379		43
Car Parking Areas	0	0	0	0	0		
Roads to Recovery	1,512,031	474,422	1,037,609	1,512,031	0		
Transport Other							
	<b>6,778,473</b>	<b>1,421,314</b>	<b>9,204,830</b>	<b>10,626,144</b>	<b>3,847,671</b>		
<b>Economic Affairs</b>							
Caravan Parks	3,084,000	0	3,084,000	3,084,000	0		
Industrial Development	0	0	0	0	0		
Real Estate Development	3,110,631	6,250	3,104,038	3,110,288	-343		44
Saleyards & Markets	0	0	0	0	0		
Tourism & Area Promotion	0	0	49,250	49,250	49,250		45
Sharefarming	0	0	0	0	0		
Private Works	0	0	0	0	0		
Other Business Undertakings							
	<b>6,194,631</b>	<b>6,250</b>	<b>6,237,288</b>	<b>6,243,538</b>	<b>48,907</b>		
<b>Water Supply</b>							
Water Supply	3,094,592	7,652	3,086,940	3,094,592	0		
<b>Sewer Supply</b>							
Sewer Supply	265,000	0	265,000	265,000	0		

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Report on recommended changes to Budget**

Income variations	Financial Performance	Cash Flow	Item No
<i>Additional grant funding</i>			
Spring Break Youth Grant	7,000	7,000	1
Get NSW Active Grant	60,000	60,000	2
Heritage Grant - Hero or Outlaw (Additional Component)	30,000	15,000	3
	<u>97,000</u>	<u>82,000</u>	
<i>Grant funding now recognised as income</i>			
Reconnecting Regional NSW Grant (Additional Component)	119,826	23,965	3
SCCF 4 - Adrian Douglas Park Amenities	348,930	209,358	22
LRCIP 2 - Softfall Renewal	60,294	60,294	23
SCCF 3 - DP Splash Park	93,911	63,306	24
SCCF 3 - Coly Pool Equipment	1,316	1,316	24
LRCI 3 - Coly Pool Shelters & Upgrades	240,490	125,000	24
SCCF 3 - Coly Sporting Equipment	40,312	32,228	25
SCCF 4 - Monash Park Netball Precinct	750,000	450,000	25
LRCIP 3 - Coly Sports Precinct Civil Works	382,804	192,691	25
LRCIP 3 - Four Corners Road Reconstruction	630,660	315,330	27
Repair Program Grant - Regional Roads	9,883	9,883	28
LRCIP 3 - Carrington St Off Road Works	750,000	375,000	29
Public Spaces Grant	710,918	-576,500	29
SCCF 3 - Monash Park Lighting	12,588		25
SCF	5,291,119		15
Planning Portal Grant	84,043		17
Murray LLS Weeds Grant	34,000		20
Youth Winter Break Grant	7,000		21
	<u>9,568,094</u>	<u>1,281,871</u>	
<i>Decreased grant funding</i>			
LRCIP Grant - Lift & Change	-9,277	-9,277	22
	<u>-9,277</u>	<u>-9,277</u>	

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Report on recommended changes to Budget**

	Financial Performance	Cash Flow	Item No
<i>Correction to original budget:</i>			
SCF Grant Funds - Young St Development	-1,400,000	-1,400,000	30
	<u>-1,418,554</u>	<u>-1,418,554</u>	
<i>Funds received in previous year</i>			
Fixing Local Roads - Four Corners Road	-1,096,200	-1,096,200	27
Fixing Local Roads - Calrose Ave	-409,290	-409,290	29
	<u>0</u>	<u>-1,505,490</u>	
Total income variations	<u>8,237,263</u>	<u>-1,569,450</u>	
<b>Expenditure variations</b>			
<i>Expenditure related to new grants</i>			
Cycleways/Footpath Strategy Expenses	-60,000	-60,000	11
Spring Break Youth Grant	-7,000	-7,000	9
Heritage Grant Expenses - Hero or Outlaw	-30,000	-30,000	13
	<u>-97,000</u>	<u>-97,000</u>	
<i>Expenditure related to existing grants</i>			
Crown Lands Management Plans	-50,093	-50,093	4
Merger Implementation Costs	-63,699	-63,699	5
SCF - Waddi Programs	-19,948	-19,948	5
SCF - Community Grant Program	-5,074	-5,074	5
Planning Portal Grant Expenses	-84,043	-84,043	7
Murray LLS Weeds Grant Expenses	-34,000	-34,000	8
Youth Holiday Break Grant Expenses	-7,000	-7,000	9
Regional Roads Maintenance Expenses	-862,856	-862,856	12
Reconnecting Regional NSW Grant Expenses	-119,826	-119,826	13
	<u>-1,246,539</u>	<u>-1,246,539</u>	

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Report on recommended changes to Budget**

	Financial Performance	Cash Flow	Item No
<i>Unexpended works carried over from previous years</i>			
Asset Revaluation Costs	-145,000	-145,000	4
Website Upgrade	-10,000	-10,000	6
Risk Management Costs	-104,666	-104,666	6
DP Landcare Community Grant Expenses	-1,204	-1,204	9
Show n Shine Art Show Expenses	-1,466	-1,466	10
	<u>-262,336</u>	<u>-262,336</u>	
<i>Capital expenditure/savings related to existing grants:</i>			
Jerilderie Early Learning Centre Costs		-162,654	35
Adrian Douglas Park Amenities		-348,930	36
FRRR - Community Garden Exps		-6,696	37
Upgrade playground softfall		-60,294	37
Darlington Point Hall Upgrade		-219,583	38
Coleambally Community Hall Upgrade		-553,645	38
Coly Pool Equipment		-1,316	39
Coly Pool Shelters & Upgrades		-240,490	39
Darlington Point Splash Park		-93,911	39
Coleambally Sports Precinct Equipment Upgrades		-40,312	40
Monash Park Netball Precinct		-750,000	40
Coleambally Sports Precinct Civil Works		-382,804	40
DP Sports Facility Upgrades		-179,370	40
Monash Park Lighting Upgrade		-12,588	40
Four Corners Road Reconstruction		-630,660	41
Bencubbin Avenue Rehabilitation		-291,866	41
Regional Road Repair Programme Upgrades		-19,766	42
Public Spaces Capital Expenditure		-710,918	43
Carrington Street Off Road Works		-750,000	43
Brolga Place Upgrade Works		-1,444,461	43
Tourism Signage & Information Boards		-49,250	45
Carrington Street Lift & Change Facilities		9,277	36
Young Street Land Development		343	44
		<u>-6,939,894</u>	

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Report on recommended changes to Budget**

	Financial Performance	Cash Flow	Item No
<i>Other capital expenditure:</i>			
Contribution to Digital Connectivity		-100,000	32
Cover over washdown bay		-40,000	33
Workshop Hoist		-60,000	33
Medical Centre - Accreditation Requirements		-6,000	34
		<u>-206,000</u>	
Total expenditure variations	<u>-1,605,875</u>	<u>-8,751,769</u>	
<b>Total variation</b>	<u><b>6,631,388</b></u>	<u><b>-10,321,219</b></u>	
<b>Funded from Reserves</b>			
Uncompleted Works Reserve - Asset Revaluation Costs	145,000		14
Uncompleted Works Reserve - Digital Connectivity Costs	100,000		14
Uncompleted Works Reserve - Risk Management Costs	104,666		16
Uncompleted Works Reserve - Website Upgrade	10,000		16
Uncompleted Works Reserve - Cover over Wash down area	40,000		18
Uncompleted Works Reserve - Workshop Hoist	60,000		18
Uncompleted Works Reserve - Medical Centre Accreditation Re	6,000		19
Uncompleted Works Reserve - Community Grant DP Landcare	1,204		21
Uncompleted Works Reserve - Show n Shine Art Show	1,466		26
Unexpended Grants Reserve - Crown Lands Mgt Plans	50,093		14
Unexpended Grants Reserve - NCIF	63,699		15
Unexpended Grants Reserve - FRRR - Community Garden	6,696		23
Unexpended Grants Reserve - Regional Roads Block Grant	872,739		28
	<u>1,461,563</u>		

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Cash and Investments**

	Original Budget 2022/23	Actual to Date	Remaining	Revised Estimate	Variance
<b>Unrestricted</b>	<b>12,976,854</b>	<b>7,974,471</b>	<b>-2,144,408</b>	<b>5,830,063</b>	<b>-7,146,791</b>
<b>Externally Restricted</b>					
RTA Contributions			0	0	
Unexpended Grants		5,726,003	-5,721,403	4,600	4,600
Unexpended Grants-SCF	166,667	4,900,193	-4,900,193	0	-166,667
Unexpended Grants-NCIF		46,514	-46,514	0	
Water Supply Funds	2,898,267	2,687,541	660,811	3,348,352	450,085
Sewerage Funds	4,112,736	4,560,573	-94,444	4,466,129	353,393
Domestic Waste Management	73,804	73,804	0	73,804	
Coleambally Town Development	431,703		431,703	431,703	
Contributions Reserve Sec 94a	406,630	485,469	0	485,469	78,839
<b>Included in liabilities</b>					
Unexpended loans			0	0	
Other			0	0	
	<b>8,089,807</b>	<b>18,480,097</b>	<b>-9,670,040</b>	<b>8,810,057</b>	<b>720,250</b>
<b>Internally Restricted</b>					
Employee Entitlements	1,094,884	1,095,781	18,207	1,113,988	19,104
Infrastructure Replacement	2,738,655	2,703,655	-92,799	2,610,856	-127,799
Plant Replacement	1,522,039	1,117,630	0	1,117,630	-404,409
Residential Housing Replacement	0		0	0	
Real Estate Development	130,000	150,000	130,000	280,000	150,000
Caravan Park Reserve		70,000	0	70,000	70,000
Uncompleted Works			0	0	
FAG Advance Payment					
	<b>5,485,578</b>	<b>5,137,066</b>	<b>55,408</b>	<b>5,192,474</b>	<b>-293,104</b>
<b>Total Restricted Funds</b>	<b>13,575,385</b>	<b>23,617,163</b>	<b>-9,614,632</b>	<b>14,002,531</b>	<b>427,146</b>
<b>Total Cash and Investments</b>	<b>26,552,239</b>	<b>31,591,634</b>	<b>-11,759,040</b>	<b>19,832,594</b>	<b>-6,719,645</b>

**Murrumbidgee Council**  
**Quarterly Budget Review as at 30 September 2022**  
**Cash and Investments**

Restricted funds are invested in accordance with Council's investment policies.

Restricted funds have been invested as at 30 September 2022 as presented at meeting of 18 October 2022.

A reconciliation of cash with the bank statement to 30 September 2022 has been made as per meeting of 18 October 2022.

Cash and investments were reconciled with funds invested and cash at bank to 30 September 2022 as per item presented at meeting of 18 October 2022.

**Murrumbidgee Council  
Quarterly Budget Review as at 30 September 2022  
Key Performance Indicators Statement**

All current statutory financial requirements have been met.



**Murrumbidgee Council  
 Quarterly Budget Review as at 30 September 2022  
 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>
Bucher Municipal	Supply of Waste Side Loader	425,853			Yes

**Murrumbidgee Council  
 Quarterly Budget Review as at 30 September 2022  
 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	\$825	Yes
<b>Legal Fees</b>		
Kell Moore Lawyers	\$6,257	Yes



**Murrumbidgee**  
COUNCIL

## Revised Business Continuity Policy

	Name	Position	Signature	Date
Responsible Officer	Kaitlin Salzke	Chief Financial Officer		
Authorised By	John Scarce	General Manager		

<b>Document Revision History</b>	
Date adopted by Council:	21 September 2017
Minute Number:	203/09/17
Revision Number:	1
Review Date:	November 2022
Date adopted by Council:	
Minute Number:	
Next Review:	See item 6 of this Policy
Revision Number:	
Review Date:	
Date adopted by Council:	
Minute Number:	

November 2022

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DRAFT

Murrumbidgee Council adopts Business Continuity Management (BCM) as a core obligation of good governance and strives to utilise best practice methodology in developing its business continuity framework. ~~utilises the methodology specified in the AS/NZS 5050:2010 Business Continuity – Managing Disruption Related Risk. It is to be read in conjunction with Murrumbidgee Council’s Business Continuity Plan, which is a separate operational document.~~

Council recognises that business continuity is an integral part of good management practice and fully supports Business Continuity Management as an important element in its governance framework.

~~The purpose of this policy is to establish the systems and processes required to ensure the uninterrupted availability of all key resources necessary to support Council’s identified Critical Business Functions during an Outage.~~

The purpose of this policy is to clearly document Council’s commitment to implementing, overseeing and continuously improving Business Continuity Management, recognising the importance of business resilience and long-term performance.

This policy protects the interests of Council and stakeholders by employing a rigorous process to develop a Business Continuity Management System (BCMS) for the effective management and mitigation of potential disruption risks to Council’s identified Critical Business Functions, and to identify resources and capabilities required to ensure the uninterrupted availability of all key resources necessary to support Council’s identified Critical Business Functions during an outage.

## 1. Purpose and Scope

### 1.1 Policy Objectives

Murrumbidgee Council aims to:

- maintain the highest possible integrity and continuity for services provided by the Council;
- safeguard the Council’s assets, including people, property and financial resources;
- Ensure **plan for** the uninterrupted availability of resources so that Council can continue to perform the Critical Business Functions that support its critical objectives;
- ensure that Council can appropriately deal with **any** disruption **and restore operations as soon as practicable**;
- demonstrate responsible Business Continuity Management processes that align with ~~applicable Australian Standards~~, accepted best practice standards and methods; and
- Ensure **support** the accurate and timely provision of information to staff, the community, business partners, stakeholders and other relevant levels of Government during an outage event.

## 1.2 Scope of Policy

This policy applies to all areas of Council's operations.

## 2. Policy Statement

Council will:

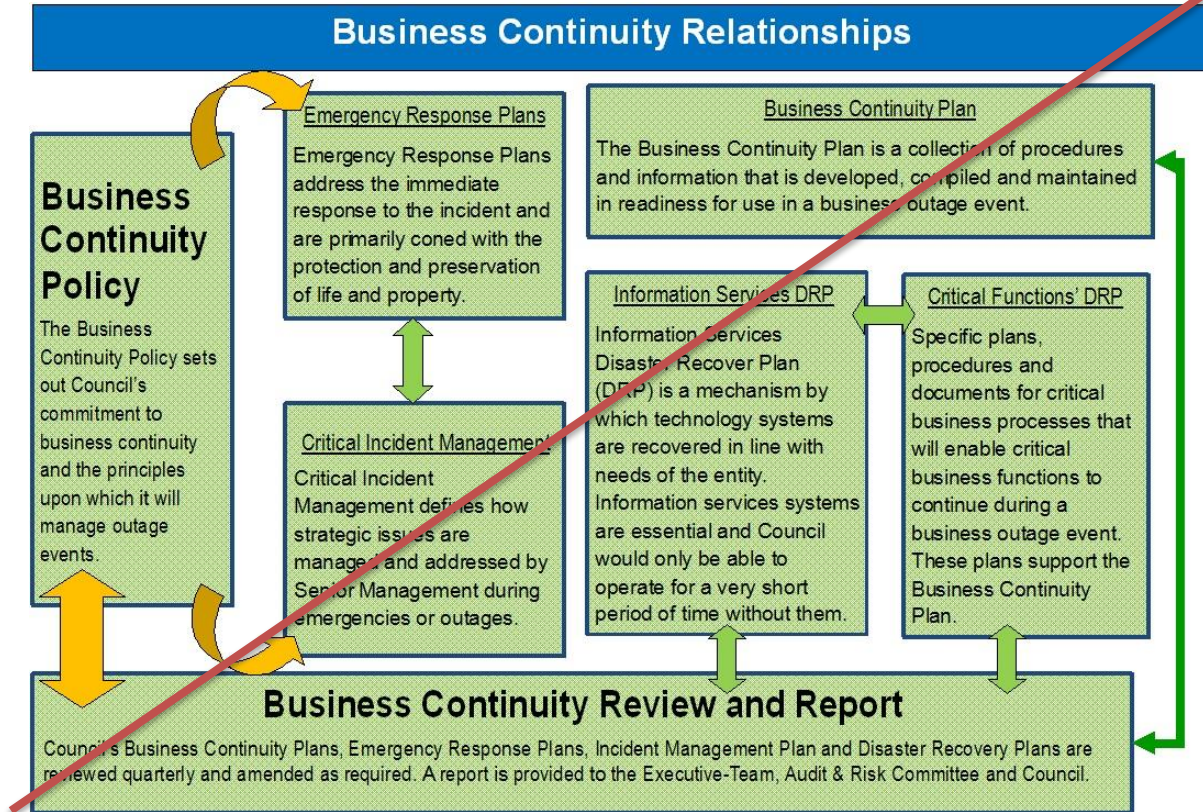
- manage business continuity based upon ~~AS/NZS 5050:2010 Business Continuity~~ and other relevant guidelines and standards;
- maintain a Business Continuity Plan for key business processes;
- update its Business Continuity Plan, Emergency Response Plans, Disaster Recover Plans and Critical Business Function Subplans quarterly at least annually;
- ensure that relevant and appropriate exercising of plans is undertaken at least annually on a regular basis;
- ensure the accurate and timely provision of information, as it concerns the an outage event, to staff, the community, business partners, stakeholders and other relevant levels of Government;
- make informed judgements concerning the level of management and costs involved in achieving effective outcomes.

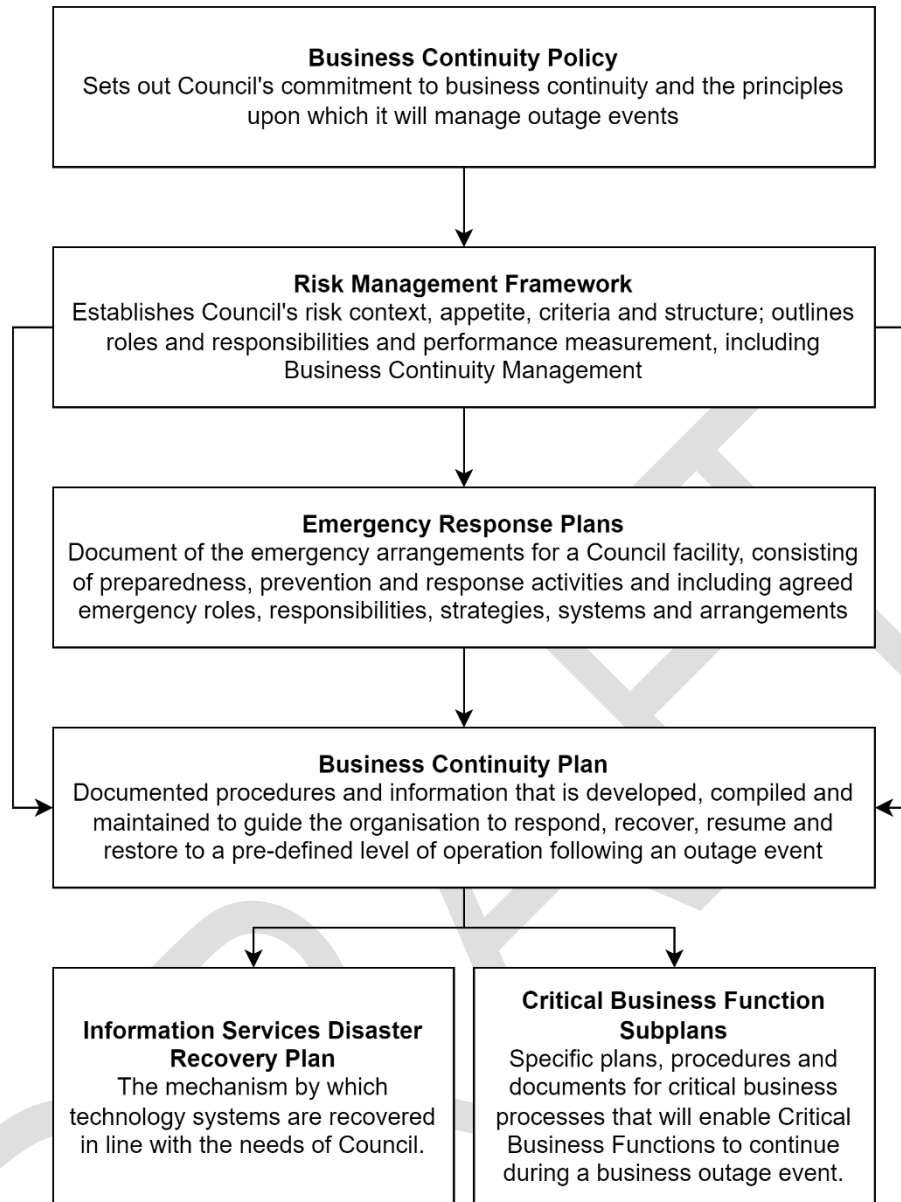
Council recognises the following benefits of Business Continuity Management:

- demonstrates to internal and external stakeholders, their dependability and good governance;
- ensures the continued delivery of critical services to the community;
- effective response to a business outage minimises damage to the organisation;
- enhances Council's ability to proactively identify the consequences of an business outage;
- effective management of uninsurable risks, and compliance with insurance policies;
- an opportunity to better understand the organisation – sometimes thereby revealing opportunities to improve efficiency, governance and treatment of other risks;
- remain compliant with relevant legislative and other obligations;
- increases the awareness of the potential for disruption;
- development of general skills, as well as specific capacities which facilitate operating in a non-standard mode;
- allows Council to maintain a strong focus on critical functions, thereby achieving critical objectives during an outage;
- building resilience that facilitates managing and recovering from a business outage event.

### 3. Policy Implementation

This policy will be implemented through Murrumbidgee Council's Business Continuity Plan, Emergency Response Plans, and Disaster Recovery Plans and Critical Business Function Subplans as shown below:





#### 4. Related Documents

- Business Continuity Plan
- Emergency Response Plans
- Disaster Recovery Plan
- Critical Business Function Subplans



## 5. Definitions

Business Continuity	Capability of the organisation to continue delivery of services and products at acceptable pre-defined levels following a disruptive incident.
Business Continuity Management (BCM)	The development, implementation and maintenance of policies, frameworks and programs to assist an entity to manage a business outage. It is the capability that assists in the preventing, preparing for and responding to, managing and recovering from the impacts of an outage event.
<del>Business Continuity Plan (BCP)</del>	<del>A collection of procedures and information that is developed compiled and maintained in readiness for use during a business outage event.</del>
Critical Business Functions	A business function or part thereof identified as essential for the survival of the organisation and achievement of its critical objectives.
<del>Disaster Recovery Plans (DRPs)</del>	<del>Specific plans, procedures and documents for critical business processes that will enable those functions to continue during a business outage event. These plans support the Business Continuity Plan.</del>
Outage	An event that has an effect on the critical business functions of the entity, and inhibits the achievement of its objectives. It may be an acute, creeping or sustained event.

## 6. Review

This Policy:

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



**Murrumbidgee**  
COUNCIL

## Revised Fraud and Corruption Control Policy

	Name	Position	Signature	Date
Responsible Officer	Kaitlin Salzke	Chief Financial Officer		
Authorised By	John Scarce	General Manager		

<b>Document Revision History</b>	
Original Policy Name:	Fraud and Corruption Prevention Policy
Date adopted by Council:	27 July 2017
Minute Number:	150/07/17
Revision Number:	1
Name Change:	Fraud and Corruption Control Policy
Review Date:	November 2022
Date adopted by Council:	
Minute Number:	
Next Review:	See item 11 of this Policy
Revision Number:	
Review Date:	
Date adopted by Council:	
Minute Number:	

November 2022

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## **1. Policy Scope**

This policy applies to all Councillors, staff, volunteers, delegates, consultants, contractors and outsourced service providers performing work for Murrumbidgee Council.

## **2. Policy Objectives**

To state Murrumbidgee Council's commitment to the prevention of fraud and corruption, and to outline the methodology to deter and detect fraudulent behaviour and corrupt conduct.

## **3. Policy Statement**

Murrumbidgee Council will not tolerate any form of fraudulent or corrupt conduct by its Councillors, staff, contractors, consultants, volunteers, delegates or outsourced service providers.

Murrumbidgee Council is committed to the:

- Development and maintenance of a sound ethical culture, supported by appropriate policies, procedures and strategies that prevent fraudulent and corrupt behaviour.
- Regular conduct and review of fraud and corruption risk assessments to identify circumstances in which fraud and corruption could occur.
- Implementation of fraud and corruption prevention and mitigation procedures in day-to-day operations.
- Use of formal procedures for the investigation of allegations of corrupt and fraudulent behaviour.
- Maintenance of processes and procedures that encourage all business dealings with tenderers, suppliers, consultants and contractors to be conducted in an ethical manner.
- Ongoing education and training of all Council officers and elected members in relation to their obligations in combating dishonest and fraudulent behaviour.

## **4. Responsibilities**

### **4.1 All Council officials**

All Council officials are responsible for:

- Performing their functions and duties with diligence, honesty, integrity and impartiality.
- Following diligently Council's policies and procedures to prevent and mitigate fraud and corruption.
- Complying with this policy and all legislative requirements to ensure they are not participating in corrupt or fraudulent behaviour.

- Reporting any suspicion of fraudulent or corrupt behaviour to the General Manager, the appropriate Director, or, if such behaviour concerns the General Manager, the Mayor. Council officers may also make use of the procedures outlined in Council's *Internal Reporting Policy*.
- Reporting any identified weaknesses in internal controls that could potentially facilitate a fraudulent or corrupt act.

Council officials should read Council's *Internal Reporting Policy* in relation to the protection afforded officials who report or disclose information for specified matters (such as fraud and corruption) internally or to external agencies.

#### **4.2 People & Culture Officer**

The People & Culture Officer will be responsible for co-ordinating Fraud And Corruption Awareness Training in accordance with section 6 of this Policy.

#### **4.3 Directors, Chief Financial Officer, and Managers**

Directors, the Chief Financial Officer, and Managers are also responsible for the prevention, detection and reporting of fraud and corrupt conduct by ensuring:

- There are mechanisms in place within their area of control to assess the risk of fraud and corrupt conduct and to manage such risks by appropriate internal controls.
- The promotion of employee awareness and training/education on the prevention of fraud and corruption.
- Compliance with all relevant policies and practices.
- Reporting of any fraud or corruption matters to the General Manager.
- That reasonable steps are undertaken to ensure that Council contractors within their area of control adhere to the provisions of this policy.

The Chief Financial Officer is the owner of this policy and is responsible for coordinating and documenting Murrumbidgee Council's overall fraud and corruption control framework.

#### **4.4 The Audit Risk and Improvement Committee**

The Audit Risk and Improvement Committee is responsible for giving advice to the General Manager about this policy and monitoring the fraud and corruption control framework.

#### **4.5 General Manager**

The General Manager is ultimately responsible for the prevention, detection and reporting of fraud and corruption through the implementation of appropriate and effective internal control systems. The General Manager must report "possible" corrupt conduct to the Independent Commission Against Corruption (ICAC) pursuant to the ICAC Act 1988.

The General Manager should model the highest standards of ethical behaviour and ensure compliance with all relevant legal obligations.

## **5. Fraud and Corruption Risk Assessment Process**

Council's main objective is to minimise the occurrence of fraud and corruption within the Council by identifying fraud and corruption risks and determining strategies to control these risks.

The General Manager will ensure that periodic and comprehensive risk assessments are conducted by the relevant Director or Manager of each area of operation, pursuant to Council's *Enterprise Risk Management Policy*.

Based on this risk assessment, and in consultation with those Managers and Directors, the Chief Financial Officer will develop a *Fraud Control Plan*.

The Chief Financial Officer will instigate a review of Council's fraud and corruption risk and control strategies, including the *Fraud Control Plan*, in line with the review of this policy.

Regular internal audits will be conducted to test the fraud and corruption control framework.

## **6. Fraud and Corruption Prevention Training**

Murrumbidgee Council acknowledges that a high level of awareness amongst all Council officers in relation to fraud and corruption issues is an essential element in identifying and combatting such behaviours. Awareness training will be implemented through the following programs:

- At induction for all new employees.
- At the induction program for all new Councillors.
- Regular refreshers.
- Fraud and corruption prevention information through meetings, memos and other internal publications.
- Follow up meetings with staff after internal and external audits where relevant.

## **7. Discipline and Investigation**

Murrumbidgee Council has zero tolerance for corrupt or fraudulent behaviour. Council staff found guilty of such matters will face disciplinary matters pursuant to the Code of Conduct and the *Local Government (State) Award*. Other (non-staff) Council officers will be disciplined pursuant to Council's *Code of Conduct*.

Further, as stated above, all "possible" corruption matters, involving Council officers, have a mandatory statutory reporting requirement to the ICAC. The ICAC or Council itself can also seek criminal prosecutions by reporting fraud and other corruption matters to the NSW Police Service.

The General Manager must make an initial determination as to whether the matter in question concerns or may concern corrupt conduct. This may entail his or her own analysis of the circumstances surrounding the matter or utilising another staff member or an investigator to carry out preliminary enquiries on which to base the determination.

After formal notification by the General Manager, the ICAC will normally determine if they will investigate the alleged corruption matter. Alternatively, the ICAC may instruct Council to carry out their own investigation and report the findings to the ICAC. In such circumstances Council should engage an experienced and suitably qualified investigator for the process.

## 8. Definitions

Fraud	Dishonestly obtaining a benefit, or causing a loss, by deception or other means.
Corruption	Deliberate, serious wrongdoing that involves dishonest or partial conduct, a breach of public trust or the misuse of information or material. (A more detailed definition is found in s 7, s 8, and s 9 of the <i>Independent Commission Against Corruption Act 1988</i> .)
Council Official	Includes Councillors, members of staff, volunteers, delegates, consultants, contractors and outsourced service providers performing work for Murrumbidgee Council.

## 9. Examples of Fraudulent and Corrupt Activity

Theft	<ul style="list-style-type: none"> <li>• Stationery and office supplies</li> <li>• Construction and maintenance equipment and tools</li> <li>• Laptop computers</li> <li>• Mobile phones</li> <li>• Technical equipment (mobile GPS, cameras, etc.)</li> <li>• Cash</li> <li>• Intellectual property, including documents and data</li> </ul>
Misuse of Council Resources	<ul style="list-style-type: none"> <li>• Unauthorised use of corporate credit cards, petrol cards, Cabcharge or vouchers.</li> <li>• Staff undertaking secondary paid work during work hours.</li> <li>• Staff using telephones excessively for private purposes without appropriate reimbursement of costs.</li> <li>• Internet service being used extensively for non-work purposes.</li> <li>• "Left-over" materials being taken by Council officers.</li> <li>• Plant being used by staff for private use.</li> </ul>
Gifts, Benefits and Bribes	<ul style="list-style-type: none"> <li>• Breaches of the <i>Gifts and Benefits Policy</i>, including the acceptance of bribes or non-token gifts or benefits.</li> </ul>

Zoning and Development	<ul style="list-style-type: none"> <li>• Coercion, intimidation and harassment of Council planning staff dealing with development applications (DAs).</li> <li>• Inducement from developers to modify DA conditions imposed.</li> </ul>
Procurement, Tendering, and Contract Management	<ul style="list-style-type: none"> <li>• Order splitting to avoid tendering provisions or quotes.</li> <li>• Collusion with suppliers (dummy quotes).</li> <li>• Fraudulent contract variations.</li> <li>• False invoices.</li> </ul>
Human Resources and Payroll	<ul style="list-style-type: none"> <li>• Creation of false employees on the payroll system.</li> <li>• Job applicants falsifying career background details.</li> <li>• Direct recruitment of friends and relatives breaching the legislative requirement of merit-based employment.</li> <li>• Claiming unworked overtime on timesheets.</li> </ul>
Information Technology	<ul style="list-style-type: none"> <li>• Unauthorised electronic transfer of funds.</li> <li>• Unauthorised alteration of input data.</li> <li>• Alteration or misuse of software.</li> <li>• Unauthorised sale or provision of information to third parties.</li> </ul>

## 10. Related Legislation and Policies

- *Local Government Act 1993*
- *Independent Commission Against Corruption Act 1988*
- *Public Interest Disclosure Act 1994 NSW*

### Murrumbidgee Council

- *Codes of Conduct*
- *Statement of Business Ethics*
- *Enterprise Risk Management Policy*
- *Internal Reporting Policy*
- Other specific policies and procedures, such as the *Corporate Credit Card Procedures*, *Procurement Policy*, *Disposal of Assets Policy*, and *Gifts and Benefits Policy*

## 11. 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

# DEVELOPMENT CONTRIBUTIONS PLAN

## SECTION 7.12 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

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November 2022

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# 1. Administration & operation of the plan

## 1.1 What is the name of this development contributions plan?

This development contributions plan is called the *Murrumbidgee Council S7.12 Development Contributions Plan 2017 (Revision 1)* (“the development contributions plan”).

## 1.2 Application of this development contributions plan

The development contributions plan applies to all land within the Local Government Area of Murrumbidgee Council.

## 1.3 When does this development contributions plan commence?

The development contributions plan commences on 25 May 2017.

## 1.4 The purpose of this contributions plan

The primary purpose of the development contributions plan is:

- to authorise the imposition of a condition on certain development consents and complying development certificates requiring the payment of a levy pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act); and
- to assist Murrumbidgee Council (“Council”) in providing the appropriate public facilities that are required to maintain and enhance amenity and service delivery within the Murrumbidgee local government area; and
- to publicly identify the purposes for which the levies are required; and
- to ensure Council’s management of levies complies with relevant legislation, guidelines and practice notes.

## 1.5 When is the levy applicable?

The levy is applicable to applications for development consent and applications for complying development certificates under Part 4 of the EP&A Act, except where exempt under Section 1.7 below.

## 1.6 What is the levy amount?

The amount to be levied is:

- nil where the proposed cost of carrying out the development is \$100,000 or less; or
- 0.5% of the development cost where the proposed cost of carrying out the development is between \$100,000 and \$200,000; or
- 1.0% of development cost where the proposed cost of carrying out the development is more than \$200,000.

### 1.7 Are there any exemptions to the levy?

The following development is exempted from a levy under this development contributions plan:

- development where the proposed cost of carrying out the development is \$100,000 or less; or
- development for the purposes of a single dwelling house; or
- development for the purposes of creating disabled access; or
- affordable housing as defined by the EP&A Act; or seniors housing as defined by State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (other than self-contained dwellings forming part of seniors housing development); or
- works undertaken for charitable purposes or by a registered charity; or
- places of public worship, public hospitals and emergency services; or
- recreational facilities, community, cultural or educational facilities provided by or on behalf of the Council or another public authority; or
- development for the sole purpose of adaptive reuse of an item identified in Council's Heritage Schedule in the LEP or
- development exempted from Local Infrastructure Contributions by way of a Direction made by the Minister for Planning under section 7.17 of the EP&A Act; or
- development, apart from subdivision, where a condition of section 7.11 of the EP&A Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed to be carried out

In addition, Council will not impose a levy in respect of development:

- for the sole purpose of Building Code of Australia Class 10 structures except for class 10 structures involving wind farms, frost fans; or solar panels and battery installations associated with wind farms or solar farms or battery **storage facilities** ; or
- for which Council considers by formal ratification at a full Council meeting as an exemption. For such claims to be considered, any such development will need to include a comprehensive submission justifying the case for exemption.

### 1.8 Relationship with other plans and policies

The development contributions plan repeals the *Darlington Point Section 94 Plan*.

The development contributions plan supplements the provisions of the *Jerilderie Local Environmental Plan 2012*, *Murrumbidgee Local Environmental Plan 2013* and any amendment or local environmental plan/s which may supersede these plans.

Council may also levy contributions towards the provision of water and sewerage infrastructure, which are not part of this development contributions plan. Such contributions will be charged in accordance with the requirements of Section 64 of the *Local Government Act 1993* and the *Water Management Act 2000*.

## 1.9 Pooling of levies

The development contribution plan expressly authorises money obtained from section 7.12 levies paid for different purposes to be pooled and applied (progressively or otherwise) for the public facilities listed in the works program at Schedule 1 and in accordance with any staging set out in that Schedule.

## 1.10 Construction certificates and the obligation of accredited certifiers

In accordance with clause 156 of the *Environmental Planning and Assessment Regulation 2021* (“the EP&A Regulation”), a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of levies has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that levies have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 156(2) of the EP&A Regulation.

Failure to follow this procedure may render such a certificate invalid.

## 1.11 Complying development certificates and the obligations of accredited certifiers

In accordance with section 7.21(1) of the EP&A Act, a certifying authority (Council or an accredited certifier) must impose a condition requiring payment of the levy in accordance with the development contributions plan and which satisfies the following criteria:

- Pursuant to section 4.17(1) of the EP&A Act and the development contributions plan, a levy calculated in accordance with Section 1.12 below.
- The amount to be paid is to be adjusted in accordance with Section 1.15 below.

## 1.12 How will the levy be calculated?

The levy will be calculated as follows:

**Levy payable = L x \$C** Where:

**L** is 0.005 where the cost of development is between \$100,001 and \$200,000 or 0.01 where the cost of development is more than \$200,000; and

**\$C** is the cost of carrying out the proposed development (calculated in accordance with Section 1.13 below).

## 1.13 How will the cost of carrying out the proposed development be calculated?

A development application or an application for complying development certificate must submit an estimated cost of development that has been calculated in accordance with clause 208 of the EP&A Regulation.

That clause provides as follows:

**“208 Determination of proposed cost of development—the Act, s 7.12(5)(a)**

- (1) *The proposed cost of carrying out development must be determined by the consent authority by adding up all the costs and expenses that have been or will be incurred by the applicant in carrying out the development.*
- (2) *The costs of carrying out development include the costs of, and costs incidental to, the following—*
  - (a) *if the development involves the erection of a building or the carrying out of engineering or construction work—*
    - (i) *erecting the building or carrying out the work, and*
    - (ii) *demolition, excavation and site preparation, decontamination or remediation,*
  - (b) *if the development involves a change of use of land—doing anything necessary to enable the use of the land to be changed,*
  - (c) *if the development involves the subdivision of land—preparing, executing and registering—*
    - (i) *the plan of subdivision, and*
    - (ii) *the related covenants, easements or other rights.*
- (3) *In determining the proposed cost, a consent authority may consider an estimate of the proposed cost that is prepared by a person, or a person of a class, approved by the consent authority to provide the estimate.*
- (4) *The following costs and expenses must not be included in an estimate or determination of the proposed cost—*
  - (a) *the cost of the land on which the development will be carried out,*
  - (b) *the costs of repairs to a building or works on the land that will be kept in connection with the development,*
  - (c) *the costs associated with marketing or financing the development, including interest on loans,*
  - (d) *the costs associated with legal work carried out, or to be carried out, in connection with the development,*
  - (e) *project management costs associated with the development,*
  - (f) *the cost of building insurance for the development,*
  - (g) *the costs of fittings and furnishings, including refitting or refurbishing, associated with the development, except if the development involves an enlargement, expansion or intensification of a current use of land,*
  - (h) *the costs of commercial stock inventory,*
  - (i) *the taxes, levies or charges, excluding GST, paid or payable in connection with the development by or under a law,*
  - (j) *the costs of enabling access by people with disability to the development,*
  - (k) *the costs of energy and water efficiency measures associated with the development,*
  - (l) *the costs of development that is provided as affordable housing,*
  - (m) *the costs of development that is the adaptive reuse of a heritage item.*
- (5) *The proposed cost may be adjusted before payment of a development levy, as specified in a contributions plan, to reflect quarterly or annual variations to readily accessible index figures adopted by the plan between the day on which the proposed*

*cost was determined by the consent authority and the day by which the development levy must be paid.*

**Example—**

*A contributions plan may adopt the Consumer Price Index.*

*(6) To avoid doubt, this section does not affect the determination of the fee payable for a development application.”*

Without limitation to the above, Council may review the estimated cost of development and may seek the services of an independent person to verify the costs. In these cases, all costs associated with obtaining such advice will be at the expense of the applicant.

#### **1.14 When is the levy payable?**

A levy must be paid to Council at the time specified in the condition on the development consent that imposes the levy. If no such time is specified, the levy must be paid prior to the issue of a construction certificate or complying development certificate.

#### **1.15 How will the levy be adjusted?**

Levies required as a condition of consent under the provisions of the development contributions plan will be adjusted at the time of payment in accordance with the following formula:

**Levy at time of payment = \$L + \$A** Where:

**\$L** is the original levy as set out in the consent condition; and **\$A** is the adjustment amount which is:

**$\$L \times (\text{Current Index} - \text{Base Index})$**

**Base Index**

where:

the **Current Index** is the most recent quarterly Consumer Price Index for Sydney as published by the Australian Bureau of Statistics (Ref:6401.0) at the time the levy is paid; and the **Base Index** is the quarterly Consumer Price Index for Sydney as published by the Australian Bureau of Statistics (Ref:6401.0) for the period immediately prior to the date of the development consent.

Note: In the event that the Current Index is less than the Base Index, the contribution payable shall be that stated in the consent condition.

#### **1.16 Can deferred or periodic payments be made?**

Council does not allow deferred or periodic payment of levies authorised by the development contributions plan.

#### **1.17 Refunds of levies**

Council's policy is that there are generally no refunds of section 7.12 levy payments made under the development contributions plan.

Should someone seek a refund of levies, a formal request must be made in writing to Council outlining the reasons for the requested refund.

### **1.18 Savings and transitional provisions**

A development application which has been submitted prior to the adoption of the development contributions plan but not yet determined shall be determined in accordance with the provisions of the plan which applied at the date of making the application.

### **1.19 Accountability and access to information**

Council is required to comply with a range of financial accountability and public access to information requirements in relation to community infrastructure contributions. These are addressed in **Divisions 4 of Part 9** of the EP&A Regulation and include:

- maintenance of, and public access to, a levies register;
- maintenance of, and public access to, accounting records for contributions receipts and expenditure;
- annual financial reporting of levies; and
- public access to contributions plans and supporting documents.

These records are available for inspection free of charge at the Council's administration office.

## **2. Expected development and demand for public facilities**

The relationship between expected development and the demand for public facilities is established through:

- population growth in parts of the local government area;
- the future population will require the provision of additional public facilities; and
- the future population will diminish the existing population's enjoyment and standards of public facilities unless additional facilities are provided.

Council is committed to providing the equitable distribution of public facilities for the benefit and well-being of all residents. Council's works program (Schedule 1) identifies the public amenities or services to be provided, recouped, extended or augmented by contribution monies derived by this plan.

This development contributions plan applies to all land within the local government area of Murrumbidgee. The levies will be used towards meeting the cost of provision or augmentation of public facilities that have been or will be provided across the entire local government area in accordance with the works program (Schedule 1).

Department of Planning (DoP) Circular PS 05-003 states that: there does not have to be a connection between the subject of the levy and the object any monies derived are spent on.

Accordingly, monies derived by this plan may be used to embellish public facilities in a location remote from that which the levy was derived (e.g. in another town).



### **3. Works program**

The works program (Schedule 1) identifies the public facilities for which section 7.12 levies under the EP&A Act will be required.

Levies paid to Council under a condition authorised by the development contributions plan will be applied towards meeting the cost of provision or augmentation of public facilities that have been or will be provided. Schedule 1 provides a summary of public facilities, which have been or will be provided by Council over the next five years, as well as the estimated cost of provision and timing.

### **4. References**

The following reference documents have been utilised in the preparation of the development contributions plan:

- Environmental Planning & Assessment Act 1979
- Environmental Planning & Assessment Regulation 2021
- Department of Planning Circular PS 05-003 - Changes to the Development Contributions System in NSW - June 2004
- Murrumbidgee Local Environmental Plan 2013
- Jerilderie Local Environmental Plan 2012

## Dictionary

In this plan, unless the context or subject matter otherwise indicates or requires, the following definitions apply:

**Council** means Murrumbidgee Council

**Development Contributions Plan** means:

- *Murrumbidgee Council S7.12*
- *Development Contributions Plan 2017*

**EP&A Act** means the *Environmental Planning and Assessment Act 1979*

**EP&A Regulation** means the *Environmental Planning and Assessment Regulation 2021*

**Levy** means a financial contribution under section 7.12 of the EP&A Act authorised by the development contributions plan

**Public Facility** means a public amenity or public service

## Schedule 1 – Works Program

Public facilities to be funded/ embellished through S7.12 levies are listed in the following Schedule and their location identified on the associated map attached.

ITEM NO.	DESCRIPTION	ESTIMATED COST	ESTIMATED TIME FRAME	PRIORITY
<b>COMMUNITY FACILITIES</b>				
1	Monash Park Upgrades Jerilderie Hall upgrade works as required	\$232,000 \$450,000	2019/2020 2023-2026	Low
2	Complete Restoration of Police Stables Jerilderie	\$25,000	2018/2019	Medium
3	Upgrade Jerilderie Swimming Pool	\$1,800,000	2019/2020	Medium
4	Yamma Hall Upgrade	\$70,000	2018/2019	High
5	Upgrades to Lions Park Coleambally Parks as required	\$35,000	2020/2021	Low
6	Upgrades to Lions Park Darlington Point	\$304,000	2020/2021	Low
7	Upgrade works to Willows Museum	\$120,000	2019/2020	Medium
8	Upgrade works to Coleambally Sports Precinct	\$1,000,000	2020/2021	Low
9	Upgrade works to Darlington Point Sports Grounds as required	\$1,000,000	2019/2020	Medium
10	Civic Hall Upgrade Jerilderie – Kitchen	\$175,000	2019/2020	Medium
11	Splash Park – Darlington Point	\$300,000	2020/2021	Low
12	Civic Hall Darlington Point Upgrades	\$250,000	2019/2020	Medium
13	Coleambally Community Hall Upgrades	\$185,000	2020/2021	Low
14	Town Medical centres in Jerilderie	\$2,250,000 \$5,000,000	2023/2024	High
15	Pre-schools at Coleambally	\$1,750,000 \$3,500,000	2023/2024	High
16	Pre-school at Darlington Point	\$1,750,000	2023/2024	High

ITEM NO.	DESCRIPTION	ESTIMATED COST	ESTIMATED TIME FRAME	PRIORITY
<b>ROAD WORKS</b>				
	Roads on Council regulated Roads as determined by Council as medium priority.	\$1,500,000	2023-2026	Medium
1	Donald Ross Drive	\$1,200,000	2019/2020	Medium
2	Bencubbin Avenue	\$2,300,000	2018/2019	Medium
3	Harvey Wells Road	\$400,000	2019/2020	Low
4	Upgrade to Boyd Street Intersection	\$250,000	2017/2018	Medium
5	Upgrade works to Brolga Place	\$450,000	2018/2019	Medium
6	Morundah Road	\$557,000	2020/2021	Low
7	Greens Road	\$292,000	2020/2021	Low
8	Britts Road	\$300,000	2020/2021	Low



**Murrumbidgee**  
COUNCIL

## Draft Liquid Trade Waste Regulation Policy

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

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## Policy Statement

This policy sets out how Murrumbidgee Council will regulate liquid trade waste discharges to its sewerage system in accordance with the NSW Framework for Regulation of Liquid Trade Waste (Appendix F).

Sewerage systems are generally designed to cater for liquid waste from domestic sources that are essentially of predictable strength and quality. Council **may** accept liquid trade waste into its sewerage system as a **service** to businesses and industry.

Liquid trade wastes may exert much greater demands on sewerage systems than domestic sewage and, if uncontrolled, can pose serious problems to public health, worker safety, Council's sewerage system and the environment.

This Policy is consistent with the *Liquid Trade Waste Management Guidelines 2021* developed by the Water Utilities branch of the NSW Department of Planning, Industry and Environment.

[https://www.industry.nsw.gov.au/\\_data/assets/pdf\\_file/0010/147088/trade-waste-management-guidelines.pdf](https://www.industry.nsw.gov.au/_data/assets/pdf_file/0010/147088/trade-waste-management-guidelines.pdf)

*Note that the term 'Department' in this Policy refers to the state agency responsible for granting concurrence to Council's approval to discharge liquid trade waste to Council's sewerage system (under Clause 28 of the Local Government (General) Regulation 2021). Currently, it is the Department of Planning and Environment.*

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# 1 Introduction

This Policy has been developed to ensure the proper control of liquid trade waste and hence protection of public health, worker safety, the environment and Council's sewerage system. The policy also promotes waste minimisation, water conservation, water recycling and biosolids reuse.

In addition, the approval, monitoring and enforcement processes for liquid trade wastes discharged to Council's sewerage system and the levying of commercial sewerage and liquid trade waste fees and charges are described in this document. The procedure for liquid trade waste approval is governed by Chapter 7 of the Local Government Act.

Under section 68 of the *Local Government Act 1993* a person wishing to discharge liquid trade waste to the sewerage system must obtain prior approval from Council. Discharge of liquid waste other than domestic sewage without prior approval is an offence under section 626 of the Act.

## 1.1 What is liquid trade waste?

Liquid trade waste is defined in the Local Government (General) Regulation 2021 as below:

***Liquid trade waste means all liquid waste other than sewage of a domestic nature.***

Liquid trade waste discharges to the sewerage system include liquid wastes from:

- industrial premises
- business/commercial premises (e.g. beautician, florist, hairdresser, hotel, motel, restaurant, butcher, supermarket, etc.)
- community/public premises (including clubs, school, college, university, hospital and nursing home)
- any commercial activities carried out at residential premises
- saleyards, racecourses and stables and kennels that are not associated with domestic households
- tankered human waste, ship-to-shore waste from marina pump-out facilities, portable toilet waste and established sites for the discharge of pan contents from mobile homes/caravans
- any other waste tankered to the sewerage facilities, e.g. commercial or industrial waste from un-sewered areas.

Liquid trade waste excludes:

- toilet, hand wash basin (used for personal hygiene only), shower and bath wastes derived from all the premises and activities mentioned above
- wastewater from residential toilets, kitchens, bathrooms or laundries (i.e. domestic sewage)
- wastewater from common laundry facilities in caravan parks (discharges from common kitchen facilities in caravan parks are liquid trade waste)
- residential pool backwash.

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## 1.2 Objectives

The objectives<sup>1</sup> of this policy are:

- to protect public and workers health and safety and the environment
- to protect council's assets from damage
- to minimise adverse impacts on the sewage treatment processes
- to assist Council meeting regulatory and licence compliance
- to promote water conservation, waste minimization, cleaner production, effluent recycling and biosolids reuse
- to provide an environmentally responsible liquid trade waste service to the non-residential sector
- to ensure commercial provision of services and full cost recovery through appropriate sewerage and liquid trade waste fees and charges.

## 2 Structure of the Policy

This policy comprises three parts:

- Part 1 specifies the circumstances in which a person is exempt from the necessity to apply for an approval to discharge liquid trade waste to Council's sewerage system
- Part 2 specifies the criteria which Council will take into consideration in determining whether to give or refuse a liquid trade waste approval
- Part 3 specifies the application procedure and approval process, liquid trade waste discharge categories and applicable fees and charges, the NSW Framework for Regulation of Liquid Trade Waste, alignment with the *National Framework for Wastewater Source Management* and other relevant information

### 2.1 Part 1 – Exemptions

The list of discharges exempt from obtaining Council's approval is provided in Appendix B. These discharges are known as 'Deemed to be approved'. Each such discharger must meet the standard requirements specified in Appendix B.

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<sup>1</sup> The above objectives are consistent with the *National Framework Wastewater Quality Management*.

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## **2.2 Part 2 - Criteria for approval to discharge liquid trade waste into council's sewerage system**

### **2.2.1 Factors for consideration**

Council's decision to accept liquid waste into its sewerage system will be based on the discharger satisfying Council's requirements. Therefore, when determining an application to discharge liquid waste to the sewerage system, Council will consider the following factors:

- The potential impacts of the proposed discharge on Council's ability to meet the objectives outlined in s. 1.2 of this document.
- The adequacy of the pre-treatment process(es) to treat the liquid trade waste to a level acceptable for discharge to the sewerage system, including proposed contingency measures in an event of the pre-treatment system failure
- The capability of the sewerage system (reticulation and treatment components) to accept the quantity and quality of the proposed liquid waste
- The adequacy of chemical storage and handling facilities and the proposed safeguards for prevention of spills and leaks entering to the sewerage system
- The adequacy of the proposed due diligence program and contingency plan, where required.
- Proposed management of prohibited substances and other liquid waste not planned to be discharged to the sewerage system and safeguards to avoid any accidental discharge
- The potential for stormwater entering the sewerage system and adequacy of proposed stormwater controls
- The potential for growth of the community

### **2.2.2 Discharge quality**

Council's acceptance limits for liquid trade waste discharges are set out in Table 1. These limits are consistent with the acceptance limits specified in the *Liquid Trade Waste Management Guidelines, 2021* by the Department.

**Table 1: Acceptance limits for liquid trade waste into the sewerage system**

Parameter	Limits
Flow Rate	The maximum daily and instantaneous rate of discharge (kL/h or L/s) is determined based on the available capacity of the sewer. Large discharges are required to provide a balancing tank to even out the load on the sewage treatment works.
BOD <sub>5</sub>	Normally approved at 300 mg/L. Concentrations up to 600 mg/L may be accepted.
Suspended solids	Normally approved at 300 mg/L. Concentrations up to 600 mg/L may be accepted.
COD	Normally, not to exceed BOD <sub>5</sub> by more than three times. This ratio is given as a guide only to prevent the discharge of non-biodegradable waste.
Total Dissolved Solids	Up to 4000 mg/L may be accepted. The acceptance limit may be reduced depending on available effluent disposal options and may be subjected to a mass load limit.
Temperature	Less than 38°C.
pH	Within the range 7.0 to 9.0.
Oil and Grease	100 mg/L if the volume of the discharge does not exceed 10% of the design capacity of the treatment works and 50 mg/L if the volume is greater than 10%.
Detergents	All detergents are to be biodegradable. A limit on the concentration of 50 mg/L (as MBAS) may be imposed on large liquid trade wastes discharges.
Colour	Colour must be biodegradable. No visible colour when diluted to the equivalent dilution afforded by domestic sewage flow.  Specific limits may be imposed on industrial discharges where colour has a potential to interfere with sewage treatment processes and the effluent management.
Radioactive Substances	If expected to be present (e.g. Iodine 131 from ablation), acceptance requirements will be set on a case-by-case assessment.

Acceptance limits for inorganic and organic compounds		Maximum concentration (mg/L)
Inorganic compounds	Ammonia (as N)	50
	Boron	5
	Bromine	5
	Chlorine	10
	Cyanide	1
	Fluoride	30
	Nitrogen (total Kjeldahl)	100
	Phosphorus (total)	20
	Sulphate (as SO <sub>4</sub> )	500
	Sulphide (as S)	1
Organic compounds	Benzene	< 0.001
	Toluene	0.5
	Ethylbenzene	1
	Xylene	1
	Formaldehyde	30
	Phenolic compounds non-halogenated	1
	Petroleum Hydrocarbons <sup>2</sup>	
	• C <sub>6</sub> -C <sub>9</sub> (flammable)	5
	• Total Recoverable Hydrocarbons (TRH)	30
Pesticides general (except organochlorine and organophosphorus)	0.1	
Polynuclear Aromatic Hydrocarbons (PAH)	5	

<sup>2</sup> Always ask a laboratory to carry out a silica gel clean up, if other than petroleum products are expected to be present in a liquid trade waste sample, e.g. animal fats, plant oil, soil, etc.

Acceptance limits for metals	Maximum concentration (mg/L)	Allowed daily mass limit (g/d)
Aluminium	100	-
Arsenic	0.5	2
Cadmium	1	5
Chromium <sup>3</sup>	3	10
Cobalt	5	15
Copper	5	15
Iron	100	-
Lead	1	5
Manganese	10	30
Mercury	0.01	0.05
Molybdenum	5	15
Nickel	1	5
Selenium	1	5
Silver	2	5
Tin	5	15
Zinc	1	5
Total heavy metals excluding aluminium, iron and manganese	Less than 30 mg/L and subject to total mass loading requirements	

**Notes:**

1. Acceptance limits for substances not listed in the above Tables will be determined on a case by case basis.
2. The quality of liquid trade waste from some low risk commercial activities in Classification A and B will exceed acceptance limits listed in above Table. As a higher level of pre-treatment is not cost-effective, such waste is acceptable if the discharger installs, maintains and properly operates the required on-site pre-treatment. Similarly, septic and pan waste may exceed some acceptance limits.

### 2.2.3 Prohibited or restricted substances and waste

Substances prohibited from being discharged into the sewerage system unless they are specifically approved under section 68 of the Act are listed in

<sup>3</sup> Where hexavalent chromium (Cr<sup>6+</sup>) is present in the process water, pre-treatment will be required to reduce it to the trivalent state (Cr<sup>3+</sup>), prior to discharge into the sewer



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Table 2. In addition, s 2.2.3.1 lists the discharges either prohibited or restricted. Refer to Appendix C for detailed description of substances and discharges either prohibited or restricted.

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**Table 2 Waste prohibited from discharge to the sewerage system**

- |   |
|---|
| <ul style="list-style-type: none"><li>• Organochlorine weedicides, fungicides, pesticides, herbicides and substances of a similar nature and/or wastes arising from the preparation of these substances</li><li>• organophosphorus pesticides and/or waste arising from the preparation of these substances</li><li>• per- and poly-fluoroalkyl substances (PFAS)</li><li>• any substances liable to produce noxious or poisonous vapours in the sewerage system</li><li>• organic solvents and mineral oil<sup>#</sup></li><li>• any flammable or explosive substance<sup>#</sup></li><li>• discharges from 'Bulk Fuel Depots'</li><li>• discharges from chemicals and/or oil storage areas</li><li>• natural or synthetic resins, plastic monomers, synthetic adhesives, rubber and plastic emulsions</li><li>• roof, rain, surface, seepage or ground water, unless specifically permitted (clause 137A of the Local Government (General) Regulation 2021)</li><li>• solid matter<sup>#</sup></li><li>• disposable products including wet wipes, cleaning wipes, colostomy bags, cat litter and other products marketed as flushable</li><li>• any substance assessed as not suitable to be discharged into the sewerage system</li><li>• any other substances listed in a relevant regulation</li></ul> |
|---|

<sup>#</sup> In excess of the approved limit

### **2.2.3.1 Other substances/discharges either prohibited or restricted**

- Stormwater from open areas
- Contaminated groundwater
- Landfill leachate
- Discharge from float tanks
- Discharge from new service station forecourts and other refuelling points
- Discharge of liquid waste arising from liquefaction and/or pulverisation of solid waste by physical or chemical processes (e.g. garbage grinders/in-sinkerators, macerators, alkaline hydrolysis).
- Discharge from solid food waste processing units (digesters/composters, etc.)
- Use of additives in pre-treatment systems

For further details on limitations and restrictions applicable to above discharges, refer to Appendix C of this policy, Chapter 3 of the *NSW Liquid Trade Waste Management Guidelines, 2021*.

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## **2.3 Part 3 – Matters relating to liquid trade waste approvals**

### **2.3.1 Application procedures and approval process**

Under s.68 of the Local Government Act 1993 Council's written approval is required prior to commencing the discharge of liquid trade waste to its sewerage system. Application forms are available from Council.

The applicant must lodge a trade waste application and provide all requested information.

A trade waste application is not required to discharge liquid trade waste from 'Deemed to be approved' activities listed in Appendix B.

### **2.3.2 Who can make the application?**

S. 78 of the Local Government Act states that an application may be made by the person seeking to carry out the activity or, if the application applies to a particular land, the owner of the land or a person who has the consent of the owner.

If the proposed business activities generate liquid trade waste and relate to a development application (i.e. new premise, alterations to a premise or change of building use) the proposed pre-treatment system will be assessed for compliance with Part 2 of this Policy as part of the development application process. Where the Development is classed as Exempt or Complying, an application to discharge liquid trade waste to sewer will need to be submitted to Council along with details of the proposed pre-treatment system prior to any works being conducted.

### **2.3.3 Council's process in determination of applications**

Council may request an applicant to provide further information to enable it to determine the application.

### **2.3.4 Approval of applications**

Where an application is approved, Council will notify the applicant including any conditions of the approval and reasons for such conditions. The duration of the approval will be as stated in the approval.

An applicant may make a minor amendment or withdraw an application before it is processed by Council. An applicant may also apply to Council to renew or extend an approval, in accordance with section 107 of the Local Government Act.

### **2.3.5 Refusal**

If an application is refused, Council will notify the applicant of the grounds for refusal.

Under section 100 of the Act the applicant may request the review of council's determination. Under section 176 of the Act, the applicant dissatisfied with Council's determination may appeal to the Land and Environment Court within 12 months.

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### **2.3.6 Change of approval holder**

An approval to discharge liquid trade waste to Council's sewerage system is not transferable. A new application must be lodged and a new approval must be obtained if there is a change of the approval holder. Council must be notified of change of ownership and/or occupier in all cases, whether a new approval is required or not, to allow updating of records.

### **2.3.7 Validity of an existing approval**

A new approval is required where there is a change of:

- approval holder (either owner or occupier can be an approval holder)
- activity generating the waste
- the quantity or the nature of liquid trade waste
- approval conditions.

### **2.3.8 Modification and revocation of approvals**

Council reserves the right to modify or revoke an approval to discharge liquid trade waste to the sewerage system under the circumstances described in s.108 of the *Local Government Act 1993*:

### **2.3.9 Concurrence**

If Council supports an application and has a notice stating that concurrence of the Secretary, NSW Department can be assumed for the liquid trade waste relevant to the application, Council will approve the application. Otherwise, Council will seek concurrence to its approval.

For concurrence purposes, liquid trade waste discharges are divided into four classifications.

- Concurrence Classification A – liquid trade waste for which Council has been authorised to assume concurrence to the approval subject to certain requirements
- Concurrence Classification B – liquid trade waste for which Council may apply for authorisation to assume concurrence to the approval subject to certain requirements
- Concurrence Classification S – the acceptance of septic tank, pan waste and ship-to-shore pump-out etc. Council may apply for authorisation to assume concurrence to the approval subject to certain conditions
- Concurrence Classification C – all other liquid trade waste that do not fall within Concurrence Classification A, B or S, and therefore require Council to forward the application for concurrence.

Refer to Appendix E which lists the type of discharges that Council can approve under their assumed concurrence (i.e. that Council can approve without seeking concurrence from the Department).

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### 2.3.10 Liquid trade waste from existing premises/dischargers

At Council's discretion, a period of time may be granted for an **existing** discharger to install liquid trade waste pre-treatment equipment or perform other works required to achieve compliance with the conditions of a liquid trade waste approval. The period of time granted will generally not exceed 12 months and will be assessed on a case by case basis taking into account the capacity of the receiving sewage treatment plant to accept the discharger's liquid trade waste and the cost and/or difficulty of works to be undertaken. The scope of works required, results to be achieved and timetable for completion shall be laid out by the discharger and agreed to by Council.

Existing dischargers who have nil or inadequate liquid trade waste pre-treatment equipment at their current premises are generally required to improve their discharge quality by installing or upgrading pre-treatment equipment to the current standards.

Where installation of the prescribed liquid trade waste pre-treatment equipment is not considered by Council as feasible or reasonable in order to treat an **existing** discharge, an exception from installing such equipment may apply.

At premises where liquid trade waste pre-treatment equipment is undersized and it is not considered by Council or the Department as feasible or reasonable to upgrade the pre-treatment equipment to treat the **existing** discharge, an exception from upgrading the equipment may apply.

Existing premises undergoing refurbishment/renovation must allow for the installation of the appropriate liquid trade waste pre-treatment equipment.

Where Council considers an application for exception should be approved, the application will need to be forwarded to the Department for consideration and concurrence.

In the event the business is sold (new documentation requirements supporting an exception may apply) or if renovations/refurbishments are carried out then Council may require the appropriate prescribed pre-treatment equipment to be installed.

Where the prescribed liquid trade waste pre-treatment equipment (or alternative acceptable to Council and the Department) cannot be installed or the effluent quality is not improved to a standard satisfying Council and the Department, the non-compliance liquid trade waste usage charge will be applied.

Details to be provided with the application for an exception from installing prescribed liquid trade waste pre-treatment equipment:

- An explanation from the applicant requesting an exception and on what grounds this exception is sought;
- A letter from a hydraulic consultant, plumber or the company that provides the pre-treatment equipment stating that the pre-treatment installation required by Council is not feasible and the reason(s) why;
- Details of the proposed frequency of cleaning, maintenance and the nominated licensed contractor undertaking these functions;
- A site plan.

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Upon receiving the application, Council will carry out:

- An inspection in order to assess the feasibility of installing the prescribed pre-treatment equipment. This inspection report is to be signed off by a senior Council officer with appropriate delegated authority.
- An assessment of the sewerage system capacity to accept the proposed untreated waste load and that the modifications, alterations or undersized pre-treatment equipment will not adversely impact on the sewage treatment process, sewage transportation system, by-product management and the environment.

### **3 Sewerage and liquid trade waste fees and charges**

Council provides sewerage and liquid trade waste services on a commercial basis to non-residential dischargers, with full cost recovery through sewerage and liquid trade waste fees and charges. Council implements best practice pricing for non-residential sewerage and liquid trade waste services to ensure that dischargers bear a fair share of the cost of providing sewerage services and to facilitate appropriate pre-treatment, waste minimisation and water conservation.

The current sewerage and liquid trade waste fees and charges are provided on Council's website [www.murrumbidgee.nsw.gov.au](http://www.murrumbidgee.nsw.gov.au).

Council's liquid trade waste fees and charges may include:

- general fees and charges (application fee, annual liquid trade waste fee, inspection and/or re-inspection fees and renewal fee)
- category specific charges (trade waste usage charges for Charging Category 2 discharges, excess mass charges for Charging Category 3 discharges, charges for Charging Category 2S discharges and non-compliance charges)
- other charges related to the nature of waste (eg. charges for the discharge of stormwater from large areas)

Detailed description of the liquid trade waste fees and charges and the methodology of calculating them are provided in Appendix D.

#### **3.1 Liquid trade waste charging categories**

For charging purposes there are 4 liquid trade waste charging categories:

- Category 1 – discharges requiring minimal pre-treatment or prescribed pre-treatment but low impact on the sewerage system. These dischargers will only pay an annual fee. If pre-treatment equipment is not provided or maintained, non-compliance charges will be applied.
- Category 2 – discharges with prescribed pre-treatment<sup>4</sup> and other activities listed under this charging category in Appendix D. These dischargers will pay a trade waste usage charge and an annual trade waste fee. If pre-

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<sup>4</sup> Excludes activities in Category 1.

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treatment equipment is not provided or not maintained, then such dischargers will be required to pay non-compliance usage charges

- Category 2S – transporters who tanker human waste to council's STWs, owners/operators of ship-to-shore pump out facilities and owners/operators of 'dump points' directly connected to sewer
- Category 3 – large (>20 kL/d) and industrial discharges (excluding shopping centres and institutions). Such dischargers will pay excess mass charges. If the discharge fails to comply with council's acceptance limits, dischargers will be required to pay non-compliance excess mass charges and pH charges

Note that these charging categories are different to four classifications that have been established for concurrence purposes (i.e. Classification A, B, C and S). The relationship between Concurrence Classifications and Charging Categories are shown in Figure 1 in Appendix D.

### **3.2 Non-compliance liquid trade waste charges**

In order to encourage compliance, council may apply non-compliance trade waste charges. Refer to Appendix D for further details of non-compliance charges for different charging categories.

Council will continue to apply non-compliance charges until the discharge meets the approved acceptance limits within the timeframe determined by Council for remedying the problem. If the discharger fails to rectify the problem within an agreed timeframe, the discharger may be required to cease discharging liquid trade waste into Council's sewerage system. Council may also consider issuing a penalty infringement notice to a non-compliant discharger or may prosecute the discharger.

### **3.3 Other applicable liquid trade waste charges**

Additional fees and charges may be levied by council if wastewater is discharged to council's sewerage system from the following equipment and or processes, with council's approval.

- Food waste disposal units (ie. garbage grinders/insinkerators) <sup>5</sup>
- Solid food waste processing unit
- Discharge of stormwater to the sewerage system from large open areas or large quantities of groundwater

Refer to Appendix D for further details.

### **3.4 Charges for premises with multiple liquid trade waste streams**

Examples of premises with multiple waste streams include:

- shopping centres
- commercial strata units
- institutions, e.g. hospitals, tertiary educational facilities and correctional centres
- other premises with multiple waste streams,

Refer to Appendix D and *Trade Waste Management Guidelines 2021* for further details.

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<sup>5</sup> For existing installations only. New installations are not permitted.

### 3.5 Summary of category specific fees and charges

The summary of fees and charges are indicated in Table 3 below:

**Table 3 Summary of fees and charges**

Fee/Charge	Category 1	Category 2	Category 3	Category 2S
Application fee	Yes <sup>6</sup>	Yes	Yes	Yes
Annual non-residential sewerage bill with appropriate sewer usage charge/kL	Yes	Yes	Yes	No
Annual liquid trade waste fee	Yes <sup>7</sup>	Yes	Yes	Variable <sup>8</sup>
Re-inspection fee (when required)	Yes	Yes	Yes	Optional <sup>9</sup>
Trade waste usage charge/kL	No	Yes	No	No
Human waste disposal charge/kL	No	No	No	Yes
Excess mass charges/kg	No	No	Yes	No
Non-compliance trade waste usage charge/kL	Yes <sup>10</sup>	Yes <sup>10</sup>	No	No
Non-compliance excess mass/kg and pH charges/kL (if required)	No	No	Yes	No

Note: Refer to Appendix D for other applicable charges not included in this Table.

#### Responsibility for payment of fees and charges

Property (land) owners are responsible for the payment of fees and charges for water supply, sewerage and liquid trade waste services. This includes property owners of marinas, caravan parks, etc.

Where another party (lessee) leases premises, any reimbursement of the lessor (property owner) for such fees and charges is a matter for the lessor and the lessee.

In relation to tankered human waste, transporters who collect and discharge waste at the STW are responsible for the payment. A waste transporter who tankers liquid trade waste to the STW may pay only the liquid trade waste fees and charges as non-residential sewerage fees are not applicable.

Note that a liquid trade waste discharger (except for tankered waste) pays both the non-residential sewerage charges and liquid trade waste fees and charges.

<sup>6</sup> Not applicable for discharges listed as Deemed to be Approved

<sup>7</sup> May not be applicable for discharges listed as 'Deemed to be Approved'.

<sup>8</sup> Refer to Appendix D for guidance on applying annual fees to Category 2S discharges.

<sup>9</sup> Applicable if re-inspection of facilities is required, e.g. ship-to-shore pump-out facility.

<sup>10</sup> Non-compliance trade waste usage charge, if the discharger fails to install or properly maintain appropriate pre-treatment equipment. Refer to council's Management Plan



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## **4 The NSW framework for regulation of sewerage and trade waste and alignment of with the national framework.**

The NSW framework for regulation of sewerage and trade waste and the alignment with the national framework for wastewater source management are listed in Appendix F.

## **5 Liquid trade waste service agreement**

In addition to its approval under the Local Government Act, Council may require certain dischargers, including those who wish to discharge liquid trade waste in large volumes (discharge >20 kL/d) or industrial waste (Concurrence Classification C discharges) or some Classification S discharges into its sewerage system to execute a liquid trade waste services agreement. The agreement will set out the conditions associated with the discharge and execution of the agreement will be a condition of the approval issued by Council.

## **6 Enforcement of approvals and agreements**

If the discharge is not approved or fails to comply with the approval conditions, the discharger is subject to prosecution and imposition of fines under the *Local Government Act 1993* (under s. 626 and s. 627).

Above offences are also prescribed as penalty notice offences under the Act and Council may issue a penalty infringement notice (i.e. on the spot fine) to such discharger (Refer to Schedule 12 of the Local Government (General) Regulation 2021).

In addition to fines, council may recover costs of damages and fines incurred by council as a result of an unauthorised liquid waste discharge. Temporally suspension or ceasing the discharge may also be required.

Note that sections 628 and 634 to 639 also list other offences related to water, sewerage and stormwater drainage.

Polluting of any waters by a discharger of liquid trade waste who does not have a Council approval or who fails to comply with the conditions of the approval is also an offence under section 120 (1) of the *Protection of the Environment Operations Act 1997*. In addition, under section 222 of this Act, Council may issue a penalty infringement notice to such a discharger.

## **7 Prevention of waste of water**

Water must be used efficiently and must be recycled where practicable. It is an offence under section 637 of the *Local Government Act 1993* and its Regulation (refer to Appendix G) to waste or misuse water.

Dilution of liquid trade waste with water from any non-process source including Council's water supply, bore water, groundwater, stormwater as a means of reducing pollutant concentration is therefore strictly prohibited.

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## **8 Effluent improvement plans**

Where the quality of liquid trade waste discharged does not meet Council's requirements, the applicant may be required to submit an Effluent Improvement Plan setting out how Council's requirements will be met. The proposed plan must detail the methods/actions proposed to achieve the discharge limits and a timetable for implementation of the proposed actions. Such actions may include more intensive monitoring, improvements to work practices and/or pre-treatment facilities to improve the effluent quality and reliability.

## **9 Due diligence programs and contingency plans**

A discharger may be required to submit a due diligence program and a contingency plan for some liquid trade waste discharges (generally in Concurrence classification C, Charging Category 3) where it is considered that the discharge may pose a potential threat to the sewerage system. If required, a due diligence program and contingency plan must be submitted to Council within the time specified in the liquid trade waste approval.

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## Appendix A - Glossary

**Authorised assumed concurrence**—councils with significant experience in liquid trade waste regulation are encouraged to apply to the Secretary, Department of Planning, Industry and Environment seeking to obtain concurrence for council's approval for Classification B and Classification S discharges. If granted, Council will no longer need to forward such applications to the department for concurrence, provided that council complies with the conditions outlined in the notice of concurrence.

**Automatic assumed concurrence**—council has been granted assumed concurrence for approval for Classification A discharges, provided that council complies with conditions outlined in the notice of concurrence. Such applications may be approved by council without forwarding the application to the department for concurrence.

**Biochemical Oxygen Demand (BOD<sub>5</sub>)** —the amount of oxygen utilised by micro-organisms in the process of decomposition of organic material in wastewater over a period of five days at 20°C. In practical terms, BOD is a measure of biodegradable organic content of the waste.

**Biosolids**—primarily organic solids produced by sewage processing. Until such solids are suitable for beneficial use, they are defined as wastewater solids or sewage sludge.

**Blackwater**—wastewater containing human excrement (i.e. faeces, urine).

**Bunding**—secondary containment provided for storage areas, particularly for materials with the propensity to cause environmental damage.

**Chemical Oxygen Demand (COD)** —a measure of oxygen required to oxidise organic and inorganic matter in wastewater by a strong chemical oxidant. Wastewaters containing high levels of readily oxidised compounds have a high COD.

**Chemical toilet**—toilets in which wastes are deposited into a holding tank containing deodorizing or other chemicals. Stored wastes must be pumped out periodically.

**Commercial retail discharge:** commercial discharges can be described as wastes that are discharged from businesses dealing directly with the public.

**Commercial caterer**—a commercial caterer is typically a stand-alone operation and prepares food for consumption off-site. These types of businesses typically cater to wedding functions, conferences, parties, etc. This definition does not apply to a food processing factory supplying pre-prepared meals to a third party.

**Council**—for the purpose of this document, “council” refers to a local government body (including Local Water Utility) which provides water supply and sewerage services in regional NSW

**Contingency plan**—a set of procedures for responding to an incident that will affect the quality of liquid trade waste discharged to the sewerage system. The plan also encompasses procedures to protect the environment from accidental and unauthorised discharges of liquid trade waste, leaks and spillages from stored products and chemicals.

**Concurrence**—under s. 90(1) of the *Local Government Act 1993* and cl. 28 of the Local Government (General) Regulation 2021, council must obtain the written concurrence of the Secretary of the Department of Planning Industry and Environment prior to approving the discharge of liquid trade waste to council's sewerage system. The department's Water Utilities Branch provides concurrence on behalf of the Secretary.

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**Due Diligence Program**—a plan that identifies potential health and safety, environmental or other hazards (e.g. spills, accidents or leaks) and appropriate corrective actions aimed at minimising or preventing the hazards.

**Effluent**—the liquid discharged following a wastewater treatment process.

**Effluent Improvement Plan (EIP)**—the document required to be submitted by a discharger who fails to meet the acceptance limits set down in council's approval conditions and/or liquid trade waste agreement. The document sets out measures taken by a discharger in order to meet the acceptance limits within the agreed timeframe.

**Fast food outlet** —a food retailing business featuring a very limited menu, precooked or quickly prepared food, and take-away operations. Premises of this nature include KFC, McDonalds, Red Rooster, Pizza Hut, Hungry Jack's, Burger King, etc.

**Galley waste** —liquid waste from a kitchen or a food preparation area of a vessel; not including solid wastes.

**Greywater**—wastewater from showers, baths, spas, hand basins, laundry tubs, washing machines, dishwashers or kitchen sinks.

**Heavy Metals** —metals of high atomic weight which in high concentrations can exert a toxic effect and may accumulate in the environment and the food chain. Examples include mercury, chromium, cadmium, arsenic, nickel, lead and zinc.

**Housekeeping**—a general term, which covers all waste minimisation activities connected within the premises as part of its operation.

**Industrial Discharges**—industrial liquid trade waste is defined as liquid waste generated by industrial or manufacturing processes. Examples are provided in Trade Waste Management Guidelines 2021.

**Liquid Trade Waste**—all liquid waste other than sewage of a domestic nature discharged to the sewerage system.

**Mandatory Concurrence**—for the liquid waste in Classification C, councils need to obtain concurrence for approval of each discharge. The Water Utilities Branch of the Department provides concurrence on behalf of the department's Secretary.

**Methylene Blue Active Substances (MBAS)** —anionic surfactants. Their presence and concentration are detected by measuring colour change in a standard solution of methylene blue dye.

**Minimal Pre-treatment**—for the purpose of this document this means sink strainers, basket arrestors for sink and floor waste, plaster arrestors and fixed or removable screens.

**Mixed Business**—a general store that sells a variety of goods and may also prepare some food.

**Open Area**—any unroofed process, storage, washing or transport area where rainwater potentially can be contaminated.

**Pan**—any moveable receptacle kept in a closet and used for the reception of human waste.

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**PFAS**—group of manufactured chemicals, containing a component with multiple fluorine atoms, with many specialty applications. Examples are perfluoro octane sulfonate (PFOS) and perfluorooctanoic acid (PFOA). They are used in a range of products, such as textiles, leather, cosmetics, non-stick coatings in cookware, food packaging, and in some types of fire-fighting foam. These chemicals take a long time to break down in humans and the environment and their persistence and bioaccumulation potential pose concerns for the environment and for human health.

**Pit latrines/long-drop toilet/pit toilet** —a type of toilet that collects faeces and urine directly into a tank or a hole in the ground

**Portable Toilet**—toilet in which wastes are deposited into a holding tank used on construction sites, caravans, motor homes, boats, trains and at outdoor gatherings. If chemicals are used to control odours, it is referred to as a chemical toilet.

**pH**—a measure of acidity or alkalinity of an aqueous solution, expressed as the logarithm of the reciprocal of the hydrogen ion (H<sup>+</sup>) activity in moles per litre at a given temperature; pH 7 is neutral, below 7 is acidic and above 7 is alkaline.

**Premises**—has the same meaning as defined in the Local Government Act Dictionary and includes any of the following:

- a building of any description or any part of it and the appurtenances to it
- land, whether built on or not
- a shed or other structure
- a tent
- a swimming pool
- a ship or vessel of any description (including a houseboat)
- a van.

**Prescribed Pre-treatment Equipment**—standard non-complex equipment used for pre-treatment of liquid trade waste, e.g. a grease arrestor, an oil arrestor/separator, solids arrestor, cooling pit.

**Regional NSW**—the areas of the state that are not serviced by the Sydney Water Corporation or the Hunter Water Corporation.

**Regulation**—Local Government (General) Regulation 2021 under the *Local Government Act 1993*.

**Secretary**—the head of the Department.

**Septage**—material pumped out from a septic tank during desludging; contains partly decomposed scum, sludge and liquid.

**Septic Tank**—wastewater treatment device that provides a preliminary form of treatment for wastewater. It provides sedimentation of settleable solids, flotation of oils and fats, and anaerobic digestion of sludge.

**Septic Tank Effluent**—the liquid discharged from a septic tank after treatment.

**Sewage Management Facility**—a human waste storage facility or a waste treatment device intended to process sewage and includes a drain connected to such a facility or device.

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**Sewage of a Domestic Nature**—human faecal matter and urine and wastewater associated with ordinary kitchen, laundry and ablution activities of a household, but does not include waste in or from a sewage management facility.

**Sewerage System**—the network of sewage collection, transportation, treatment and by-products (effluent and biosolids) management facilities.

**Sewage treatment works**—this is the facility designed to treat sewage. The level of treatment will vary based on the expected quality of the effluent.

**Ship-to-Shore Pump-out**—liquid waste from a vessel that may be considered for disposal to the sewerage system. This includes on-board toilet wastes, galley wastes and dry dock cleaning waste from maintenance activities.

**Sludge**—the solids that are removed from wastewater by treatment.

**Stormwater Run-off**—run-off resulting from rainfall.

**Surfactants**—the key active ingredient of detergents, soaps, emulsifiers, wetting agents and penetrants. Anionic surfactants react with a chemical called methylene blue to form a blue-chloroform-soluble complex. The intensity of colour is proportional to concentration.

**Suspended Solids (SS)** —the insoluble solid matter suspended in wastewater that can be separated by laboratory filtration and is retained on a filter.

**Total Dissolved Solids (TDS)** —total amount of dissolved material in the water.

**Total Recoverable Hydrocarbons (TRH)**— Both biological and petroleum hydrocarbons which have been extracted (recovered) from a sample. TRH are equivalent to the previously reported Total Petroleum Hydrocarbons (TPH). TRH is reported in fractions with Carbon chain (C<sub>6</sub> – C<sub>40</sub>). TRH with carbon chain C<sub>6</sub> – C<sub>10</sub> are flammable.

**Waste Minimisation**—procedures and processes implemented by industry and business to modify, change, alter or substitute work practices and products that will result in a reduction in the volume and/or strength of waste discharged to sewer

## Appendix B – Deemed to be Approved Activities

The list of discharges exempts from obtaining of Council’s approval (ie considered as Deemed to be approved) is shown in Table B1. Each such discharger must meet standard requirements specified in this Table.

**Table B 1 Discharges deemed to be approved**

Activity generating waste	Requirements
Beautician	Solvents not to be discharged to sewer
Bed and Breakfast (not more than 10 persons including proprietor)	Sink strainers in food preparation areas Housekeeping practices (see Note 4)
Cooling tower <500L/h	No chromium-based products to be discharged to the sewer
Crafts ceramic, pottery, etc. (including hobby clubs) <ul style="list-style-type: none"> <li>• flows &lt;200 L/d</li> <li>• flows 200-1,000 L/d</li> </ul>	Nil
	Plaster arrestor required
Delicatessen (no hot food prepared)	Sink strainers in food preparation areas Housekeeping practices (see Note 4)
Dental technician	Plaster arrestor required
Dental mobile (no amalgam waste)	Nil
Dog/cat grooming/animal wash only	Dry basket arrestor for floor waste outlets and sink strainer required (see Note 3) Animal litter and any disposable waste products must not be discharged to sewer Organophosphorus pesticides are prohibited to be discharged to sewer
Florist	Dry basket arrestor for floor waste outlet and sink strainer required Herbicides/pesticides are not permitted to be discharged to sewer
Fruit and vegetable – retail	Dry basket arrestor for floor waste outlet and sink strainer required (see Notes 3 and 5)

Hairdressing	Dry basket arrestor for floor waste outlet and sink strainer, hair trap
Jewellery shop	Miniplater vessel to contain no more than 1.5 L of precious metal solution
<ul style="list-style-type: none"> <li>• miniplater</li> </ul>	Nil
<ul style="list-style-type: none"> <li>• ultrasonic washing</li> </ul>	Nil
<ul style="list-style-type: none"> <li>• precious stone cutting</li> </ul>	If: < 1000 L/d plaster arrestor required > 1000 L/d general purpose pit required
*Medical centre/doctor surgery/physiotherapy *(Only if plaster cast are made onsite)	Plaster arrestor required, if plaster of paris casts are used
Mobile cleaning units	20-micron filtration system fitted to a mobile unit
<ul style="list-style-type: none"> <li>• carpet cleaning</li> </ul>	20-micron filtration system fitted to a mobile unit
<ul style="list-style-type: none"> <li>• garbage bin washing</li> </ul>	Dry basket arrestor for floor waste outlet required. Discharge via grease arrestor (if available)
Motel (no hot food prepared and no laundry facility)	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3) Housekeeping practices (see Note 4)
Nut shop	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3)
Optical service - retail	Solids settlement tank/pit required
Pet shop – retail	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 2) Animal litter and any disposable waste products must not be discharged to sewer Organophosphorus pesticides are prohibited to be discharged to sewer
Pizza reheating for home delivery	Housekeeping practices (see Note 4)
Venetian blind cleaning	Nil (see Note 2)

Notes:

1. Where “required” is used, it means as required by council.
2. If activity is conducted outdoors, the work area is to be roofed and bunded to prevent stormwater ingress into the sewerage system.
3. Dry basket arrestors must be provided for all floor waste outlets.
4. Food preparation activities need to comply with sound housekeeping practices including:
  - (a) floor must be dry swept before washing
  - (b) pre-wiping of all utensils, plates, bowls etc. to the scrap bin before washing up



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5. Use of a food waste disposal unit (garbage grinder) and/or a food waste processing unit (food waste digester, composter etc) is not permitted.

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## **Appendix C - Prohibited or restricted substances and wastes from discharge to sewer**

This Appendix provides additional information regarding substances and waste either prohibited or restricted from being discharged to sewer (as indicated in Table 2 of this Policy).

### **C1 Stormwater from open areas**

The ingress of stormwater into the sewerage system can cause operational problems and result in sewer overflows, as the sewerage system does not have the capacity for such flows. Under clause 137A of the Regulation, the discharge of roof, rain, surface, seepage or groundwater to a sewerage system is prohibited unless specifically approved.

However, it may not be practical or feasible to totally prevent stormwater contamination and ingress into a sewerage system from some non-residential premises.

The discharge of limited quantities of stormwater (generally, 10 mm of rain) from sealed areas can be considered when roofing cannot be provided due to safety or other important considerations. In such instances, the applicant should take measures to minimise the contamination of stormwater and the volume of stormwater entering the sewerage system (e.g. first flush systems, flow separation, bunding, on-site detention, etc.). The discharge from unsealed areas is not permitted.

Refer to Trade Waste Management Guidelines 2021 for further information.

### **C2 Contaminated groundwater**

Similar to stormwater, discharge of groundwater or seepage water to a sewerage system is prohibited under clause 137A of the Regulation. Accordingly, groundwater extracted during construction activities (e.g. building/road construction activities, vacuum excavation, mining/exploration works, etc.) is not permitted to be discharged to Council's sewerage system directly or indirectly.

However, groundwater previously contaminated by human activities (e.g. service station remediation sites) may be considered for discharge to the sewerage system. Limited quantities of groundwater from remediation projects may be accepted under controlled conditions after appropriate pre-treatment for a limited period.

### **C3 Discharge of landfill leachate**

The discharge of leachate from municipal waste landfills to the sewerage system may be considered under controlled conditions, if there is no other viable option of managing this waste and the discharge is within the Council's acceptance limits.

The proponent when seeking approval to discharge leachate to sewer needs to demonstrate that a sound stormwater management plan has been developed and implemented. The plan needs to address:

- segregation of potentially contaminated areas from uncontaminated areas

- 
- prevention of surface runoff entering leachate collection ponds/dams and to Council sewerage system.
  - appropriate pre-treatment to meet Council's acceptance limits

Only the excess leachate after on-site management within the premise will be considered for sewer discharge, if it meets Council's acceptance criteria. On-site pre-treatment to reduce ammonia levels (and other substances, e.g. PFAS) may also be required.

## C4 Discharge from float tanks

Float tanks, often referred to as floatation pods, iso-pods (isolation tank), sensory deprivation systems, or REST tanks (restricted environmental stimulation therapy tanks) are typically small, enclosed pods containing about 1,000 litres of water. This water usually contains large quantities of Epsom salts (300 - 700 kg of magnesium sulphate), resulting in total dissolved solids concentration up to 700,000 mg/L.

Discharge of such water to sewer is not permitted due to potential adverse impacts associated with the high salt content on the sewer infrastructure and treatment processes. It is also not appropriate to dispose of such waste to septic tanks or on-site soak wells.

If wastewater is proposed to be transported away for off-site management, the operator of such facilities must provide details of liquid waste transporters and written verification from the receival facilities acknowledging and agreeing to receive such wastewater.

## C5 Discharge from service station forecourts and other refuelling points

### C5.1 New premises

The discharge of wastewater from service station forecourts and other refuelling points (e.g. at bus depot, etc.) is not permitted.

Refer to NSW EPA Practice Note, titled *Managing Run-off from Service Station Forecourts*, June 2019, for options for managing such wastewater.

### C5.2 Existing premises

The discharge from existing service stations and other refuelling areas may be permitted, provided appropriate pre-treatment and discharge control requirements are adhered to. Further information is provided in Chapter 3 and Appendix F of the Liquid Trade Waste Management Guidelines 2021.

If a refuelling area is refurbished, then the discharge from this area must be disconnected from the sewerage system.

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## C6 Discharges from liquefaction and/or pulverisation of solid waste by physical or chemical processes

The wastewater arising from liquefaction or pulverisation of solid waste by physical (e.g. pulping, macerating) or chemical means (e.g. dissolving solid waste in highly acidic or alkaline solutions) is not permitted to be discharged to the sewerage system.

Accordingly, discharges from the following devices/processes are not permitted.

- **Macerators** or similar devices that pulverising of solid waste. Solid waste includes, but not limited to sanitary napkin, placenta, surgical waste, disposable nappy, mache bedpan/urine containers, food waste, disposable products and animal waste (dog/cat faeces, cat litter).
- **Food waste disposal units**, also known as in-sink food waste disposers or garbage grinders in commercial premises. Discharges from existing installations in hospitals and nursing homes may be permitted, provided that wastewater is discharged through an adequately sized grease arrestor (additional charges will be applied).

If the kitchen is refurbished, the food waste disposal unit must be removed.

- **Alkaline hydrolysis waste**, process where a human or animal tissue is broken down using alkaline solutions at elevated temperatures and pH. The process may be used in animal care facilities, veterinary premises, animal research laboratories, funeral parlours etc. The generated wastewater is of a high strength and may exhibit high loadings on the sewerage system. Accordingly, the wastewater generated by this process is **not** permitted to be discharged to the sewerage system.

### C6.1 Discharge from Solid Food Waste Processing Units (digesters/composters, etc.)

Discharge from a solid food waste processing unit (digesters/composters, etc) to a Council's sewerage system is a Concurrence Classification C discharge (ie. Charging Category 3), hence Council needs to obtain concurrence to its approval from the department for individual applications.

The quality of wastewater from this equipment depends on the type of solid waste feed into it and the effectiveness of the on-site pre-treatment, hence frequent sampling will be required for monitoring and charging purposes. Sampling needs to be undertaken by either a council officer or an independent party acceptable to council.

Appropriate on-site pre-treatment needs to be provided prior to combining with any other liquid waste stream that discharges to the Council's sewerage system.

Each application will be assessed on a case by case basis.

## C7 Use of additives in pre-treatment systems

The use of bacterial, enzyme and/or odour controlling agents in pre-treatment equipment (eg. in grease arrestors) is prohibited unless specifically approved by Council with the department's concurrence.

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## C8 Discharge of disposable products marketed as flushable

Any disposable solid products including those marketed as “flushable” (eg. wet wipes, cleaning wipes, cat litter, etc.) is not permitted to flush down the sewerage system.

Contrary to manufacturers’ claims, flushable wet wipes do not breakdown in the sewerage system similarly to a toilet paper and may cause blockages within the premises or in the Council’s sewerage system and may cause raw sewage overflow to the environment.

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## Appendix D - Non-residential sewerage and liquid trade waste fees and charges

This Appendix provides information on Council's charging criteria for liquid trade waste customers. Some guidance is also provided on the applicable non-residential sewerage charges.

The best practice pricing for non-residential sewerage and liquid trade waste services are to ensure that liquid trade waste dischargers pay a fair share of the cost of sewerage services provided by Council. Appropriate pricing is essential to provide relevant pricing signals to non-residential and liquid trade waste customers to use water and sewerage system efficiently.

### D1 Non-residential sewerage pricing<sup>11</sup>

A non-residential sewerage bill is based on a cost-reflective two-part tariff with an annual access charge and a uniform sewer usage charge per kL. The total discharged volume to the sewerage system can be either measured (by a flow meter) or estimated using the customer's total water consumption multiplied by a sewer discharge factor.

The sewerage bill for a non-residential customer is calculated as follows:

$$B = SDF \times (AC + C \times UC)$$

Where: B = Annual non-residential sewerage bill (\$)  
C = Customer's water annual consumption (kL)  
AC = Annual non-residential sewerage access charge as shown below (\$)  
SDF = Sewer discharge factor  
UC = Sewer usage charge (\$/kL)

#### Access charge

The sewerage access charge is proportional to the square of the size of the water supply service connection.

$$AC = \left( AC_{20} \times \frac{D^2}{400} \right)$$

Where: AC<sub>20</sub> = Annual non-residential sewerage access charge for 20 mm water service connection (\$)  
D = Water supply service connection size (mm)

#### Sewer Usage charge

The sewer usage charge (\$/kL) is applied for the total volume of wastewater discharged to the sewerage system.

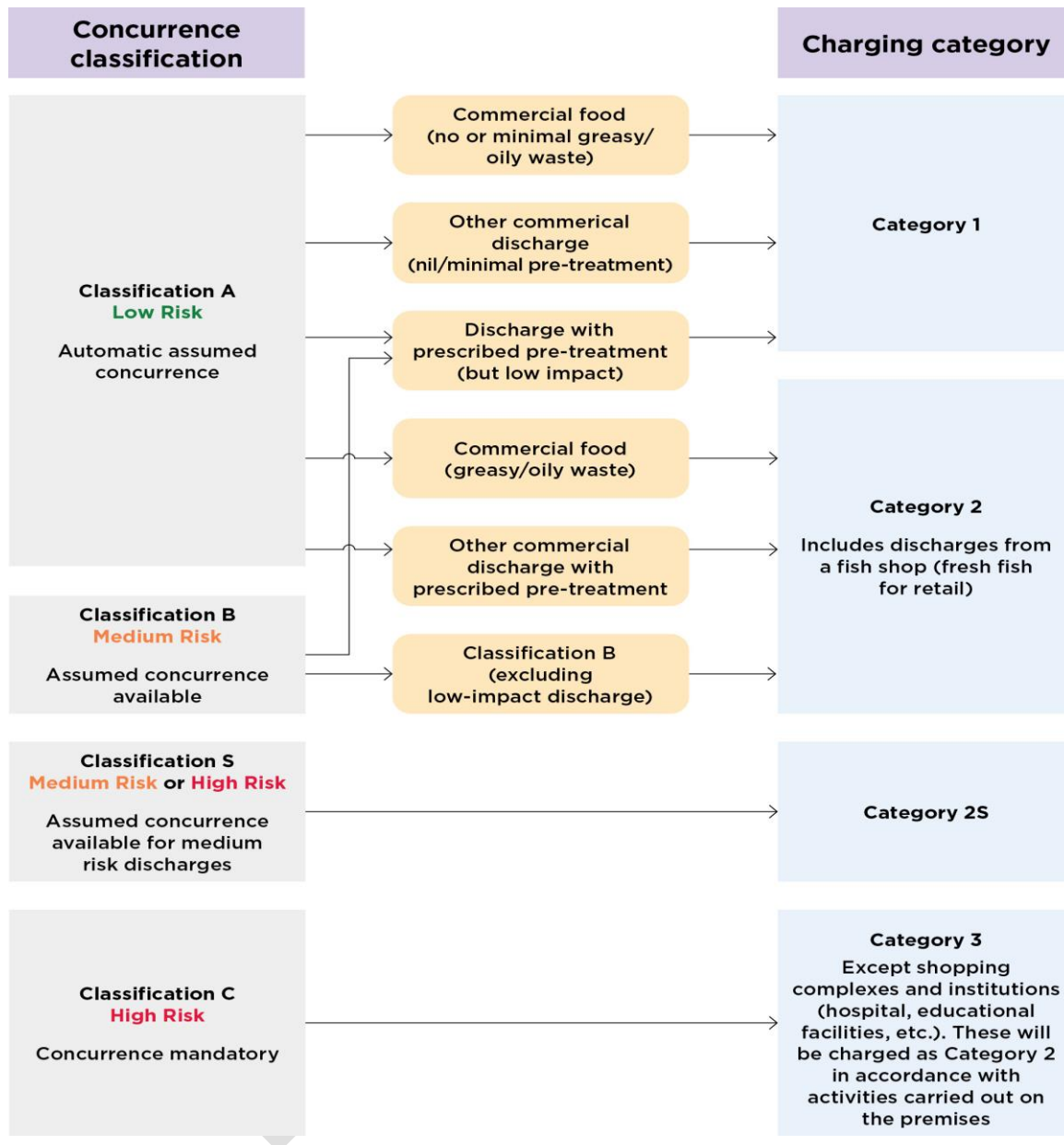
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<sup>11</sup> Detailed guidance for calculation of non-residential sewerage prices are provided in the Department's Water Supply, Sewerage and Trade Waste Pricing Guidelines, 2002, Department of Land and Water Conservation

## D2 Liquid Trade Waste fees and charges

This section describes various fees and charges associated with liquid trade waste and fees and charges applicable to charging categories. Figure 1 shows the relationship between concurrence classifications and charging categories.

**Figure 1 Charging categories for liquid trade waste**



In summary, Classification A discharges fall into Charging Category 1 or Category 2. Classification B discharges fall into Charging Category 2, except for a few discharges with low impact on the sewerage system which fall into Category 1. Classification S discharges fall into Charging Category 2S and Classification C discharges fall into Charging Category 3.

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## D2.1 Description of various trade waste fees and charges

Followings sections describe various trade waste fees and charges and the methodology of calculating them.

### D2.1.1 Application fee

The application fee recovers the costs of administration and technical services provided by Council in processing a liquid trade waste application. This fee varies for different charging categories to reflect the complexity of processing the application.

### D2.1.2 Annual trade waste fee

The purpose of this fee is to recover the costs incurred by council for ongoing administration and scheduled inspections, in order to ensure that the discharge complies with the approval conditions.

As part of an inspection, Council may undertake monitoring which may include, but is not limited to, flow measurement and the sampling. In general, cost of one inspection is included in the annual fee, in particular for Category 1 and 2 discharges.

Annual liquid trade waste fee varies for different charging categories in order to reflect the complexity of their inspection and administration requirements. In particular, for Category 3 discharges, Council may opt to set the annual fee on a case by case basis to reflect the complexity of monitoring requirements and the extent of inspection.

Refer to section D8.4 with regard to annual fees applicable to premises with **multiple activities**.

Council may require a discharger to pay for monitoring (quantity and quality) based on full cost recovery.

### D2.1.3 Inspection fee/re-inspection fee

Cost of one inspection is usually included in annual liquid trade waste fee for charging categories 1 and 2.

However, it may be required to conduct un-planned inspections or re-inspections of a premise (e.g. non-compliance with approved conditions, investigating an accident, etc.). Also, more frequent inspections may be necessary for large and industrial discharges.

Where **more than one inspection** is undertaken in a financial year and/or the cost of inspections is not included in the annual fee, the cost may be recovered from the discharger as the re-inspection fee.

Council may recover the cost of sample analysis from the discharger, in addition to the re-inspection fee.

### D2.1.4 Renewal fee

Council may apply a renewal fee if an existing approval needs to be renewed or modified.



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### D2.1.5 Category specific charges

The following sections describe the charging categories and relevant fees and charges. If a discharge is not listed, council will determine (with the consultation of the department) the relevant charging category, based on the quality and the quantity of discharge.

## D3 Category 1 discharger

This charging category includes:

- Classification A discharges (both commercial retail non-oily/greasy food preparation and other commercial discharges, listed below)
- Classifications B discharges identified as low risk.

Some of the above discharges may require prescribed pre-treatment to be installed however, the treated effluent is considered to have a low impact on the sewerage system.

**Classification A discharges – commercial retail food preparation activities that do not generate or generate minimal oily/greasy waste:** bakery (only bread baked on-site), bistro (sandwiches, coffee only), boarding/hostel < 10 persons, café/coffee shop/coffee lounge (no hot food), canteen/cafeteria (no hot food), community hall/civic centre (minimal food), day care centre (minimal hot food), delicatessen (minimal or no hot food), fruit and vegetable shop, hotel/motel (minimal hot food), ice cream parlour (take away only), juice bar, mobile food van (no hot food), mixed business (minimal hot food), nightclub (no hot food), nut shop, pie shop (re-heating only), pizza no cooking/reheating (pizza heated and sold for consumption off-site), potato peeling (small operation), sandwich shop/salad bar/snack bar (no hot food), take away food outlet (no hot food), school canteen with minimal hot food.

**Classification A discharges from other commercial activities:** animal wash, beautician/tanning booths/hairdressing, crafts ≤ 1,000 L/d, dental surgery/dental technician (plaster casts), dry cleaning, florist, funeral parlour, jewellery shop, medical centre/physiotherapy (plaster casts), mobile cleaning units, morgue, optical service, pet shop, plants retail (no nursery), non-residential swimming pool/hydrotherapy, veterinary.

**Classification A or B discharges with prescribed pre-treatment and low impact on the sewerage system:** boiler blowdown, cooling tower, industrial boilers, laboratory (analytical/pathology/tertiary institution), laundry/laundromat, primary and secondary school<sup>12</sup>, vehicle washing/detailing (excluding truck washing).

### D3.1 Category 1 discharger - Liquid trade waste charges

#### D3.1.1 “Deemed to be approved” discharges

For “Deemed to be approved discharges” (refer to Appendix B), the annual liquid trade waste fee for a category 1 discharger will be applicable.

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<sup>12</sup> If significant hot food preparation is carried out, Category 2 charges may be levied by council.

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### D3.1.2 Category 1 discharger, other than “deemed to be approved”

Category 1 discharger who installs recommended appropriate pre-treatment equipment and maintains them regularly will be required to pay **only** the annual fee nominated for Category 1.

Liquid trade waste bill for Category 1 discharger ( $TW_1$ )

$$TW_1 = A_1$$

$A_1$  = Annual liquid trade waste fee (\$) for Category 1

## D4 Category 2 discharger

Category 2 liquid trade waste dischargers are those discharging waste generated by an activity listed below:

**Classification A discharges – commercial retail food preparation/serving activities that generate oily/greasy waste:** bakery (pies, sausage rolls, quiches, cakes, pastries with creams or custards), bistro, boarding house/hostel kitchen (exceeding 10 persons), butcher, café/coffee shop/coffee lounge (with hot food), cafeteria/ canteen (with hot food), chicken/poultry shop –fresh/roast, retail BBQ/charcoal chicken, day care centre with hot food, club, civic centre/community hall<sup>13</sup>, commercial kitchen/caterer, delicatessen with hot food, fast food outlet, fish shop (retail and cooking on-site), function centre, hotel, ice cream parlour, mixed business (hot food), mobile food van (base), motel, nightclub, nursing home, patisserie, pizza cooking, restaurant, sandwich shop/salad bar/snack bar (with hot food), supermarket, take away food outlet with hot food, school canteen with hot food.

**Classification A discharges – other commercial discharges:** car detailing, craft activities > 1000 L/d, lawnmower repairs, mechanical workshop, stone working, surfboard manufacture (wet process only).

**Classification B discharges:** auto dismantler, bus/coach depot, bakery (wholesale), butcher (wholesale) construction equipment maintenance and cleaning, boutique or artisan foods, engine reconditioning, equipment hire, maintenance and cleaning, fish co-op, graphic arts, hospital, micro-brewery, oyster processing – shucking, panel beating, radiator repairer, screen printing, service station forecourt, shopping complex, truck washing (platforms/flat beds) and truck washing (external).

### D4.1 Category 2 discharger - Liquid trade waste charges

Category 2 discharger who installs appropriate pre-treatment equipment and maintains them will pay annual fee nominated for Category 2 plus the trade waste usage charge.

Liquid trade waste bill for Category 2 discharger ( $TW_2$ ),

$$TW_2 = A_2 + Q_{TW} \times C_2$$

$A_2$  = Annual liquid trade waste fee (\$) for Category 2

$Q_{TW}$  = Total liquid trade waste discharge volume (kL)

$C_2$  = Trade waste usage charge (\$/kL)

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<sup>13</sup> If the type and size of kitchen fixtures installed enable catering for large functions.

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The liquid trade waste discharge volume is generally estimated by applying a Trade Waste Discharge Factor (TWDF) to the total water consumption unless a discharge meter is installed.

## D5 Category 2S discharger

Category 2S dischargers include:

- **transporters who tanker human waste** to council's STWs - septic tank waste (effluent and septage), ablution block waste (blackwater and greywater), portable toilet waste, sludge from on-site aerated wastewater treatment systems (AWTS) for **single households**, waste from pit toilets, night soil.
- **ship-to-shore pump out facility owners/operators** - toilet waste and/or grey water
- **owners/operators of 'dump points'** directly connected to the sewer for disposal toilet waste and/or grey water from a bus or a recreation vehicle (RV), e.g. caravan, motor home.

### D5.1 Category 2S discharger - Liquid trade waste charges

#### D5.1.1 Transported human waste

The transporters of human waste will be required to pay waste disposal charge (\$/kL).

Liquid trade waste bill for Category 2S waste transporter ( $TW_{TW}$ ),

$$TW_{TW} = A_{TW} + Q_{TW} \times C_{TW}$$

$A_{TW}$  = Annual fee (\$) for transported waste

$Q_{TW}$  = Transported human waste volume (kL)

$C_{TW}$  = Charging rate (\$/kL) for the transported waste (may vary based on the type of waste transported)

**Note:** Charging rate  $C_{TW}$  can be varied for different type of waste, i.e. septic waste, ablution block waste, sludge from AWTS, pit toilets etc. Refer to Council's annual Management Plan.

#### D5.1.2 Ship-to-shore waste pump-out facility

The owner/operator of a ship-to-shore waste receival facility will be required to pay an annual fee and waste disposal charge based on the discharge volume (\$/kL), if practical to estimate the discharge volume. If the discharge volume cannot be established, council may negotiate the waste disposal charge based on the expected discharge volume.

Liquid trade waste bill for ship-to-shore pump out facility owner ( $TW_{STS}$ ),

$$TW_{STS} = A_{STS} + Q_{TW} \times C_{STS}$$

$A_{STS}$  = Annual fee (\$)

$Q_{TW}$  = Discharge volume (kL) (measured or negotiated)

$C_{STS}$  = Charging rate (\$/kL)

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**Note:** The above charges are applicable to owners/operators of ship-to-shore pump out facility discharging such waste directly to council's sewerage system and **not** to individual or commercial boat owners using the facility. This policy does not provide information on how to charge individual boat owners using a facility to dispose of their wastewater.

### D5.1.3 Waste dump points

Dump points are often located in public places (roadside), hence the monitoring of discharge volumes is not practical. Accordingly, only an annual fee is applied for stand-alone dump points.

Liquid trade waste bill for dump point operator ( $TW_{DP}$ ) (if applicable),

$$TW_{DP} = A_{DP}$$

$A_{DP}$  = Annual fee for dump point (\$)

## D6 Category 3 discharger

Category 3 liquid trade waste dischargers are those conducting an activity which is of an industrial nature and/or which results in the discharge of large volumes of liquid trade waste to the sewerage system. Any Category 1 or 2 discharger whose volume exceeds the limits shown below becomes a Category 3 discharger (excluding shopping centres and institutions):

Classification A discharge > 20 kL/d

Classification B discharge – as shown in Chapter 5 of the Guidelines.

**Classification C discharges include:** abattoir, acid pickling, adhesive/latex manufacture, agricultural and veterinary drugs, anodising, bitumen and tar, bottle washing, brewery, cardboard and carton manufacture, carpet manufacture, caustic degreasing, chemicals manufacture and repackaging, contaminated site treatment, cooling towers, cosmetics/perfumes manufacture, cyanide hardening, dairy processing\* (milk/cheese/yoghurt/ice cream, etc.), detergent/soaps manufacture, drum washing, egg processing, electroplating, extrusion and moulding (plastic/metal), feather washing, fellmonger, felt manufacture, fertilisers manufacture, fibreglass manufacture, filter cleaning, foundry, food processing\* (cereals/cannery/condiments/confectionary/edible oils/fats/essence/flavours/fish/fruit juice/gelatine/honey/meat/pickles/smallgoods/tea and coffee/vinegar/yeast manufacture, etc.), food waste processing unit (digester/composter), fruit and vegetable processing, flour milling, galvanising, glass manufacture, glue manufacturer, ink manufacture, laboratories (excluding those in Category 1 & 2), liquid wastewater treatment facility (grease trap receipt depot and other pump-out waste depot), metal finishing, metal processing (refining/rolling/non-cyanide heat treatment/phosphating/photo engraving/printed circuit etching/sheet metal fabrication etc.), mirrors manufacture, oil recycling (petrochemical) and refinery, paint stripping, paint manufacture, paper manufacture, pet food processing, plants nursery (open areas), pharmaceuticals manufacture, plaster manufacture, powder coating, potato processing, poultry processing, printing (newspaper, lithographic), saleyards, sandblasting, seafood processing, slipway, soft drink/cordial manufacture, starch

manufacture, sugar refinery, tanker washing, tannery, timber processing (joinery and furniture/plywood/hardwood), textile manufacture (wool dyeing/spinning/scouring), tip leachate, transport depot/ terminal, truck washing (internal), waxes and polishes, water treatment backwash, wholesale meat processing, winery, distillery, wine/spirit bottling.

\* Excluding small boutique, craft or artisan food industries not exceeding the discharge volume shown in the *Liquid Trade Waste Management Guidelines, 2021*.

## D6.1 Category 3 discharger - Liquid trade waste charges

### D6.1.1 Excess mass charges

Category 3 discharger will be required to pay the annual liquid trade waste fee plus excess mass charges.

Liquid trade waste bill for Category 3 discharger ( $TW_3$ ),

$$TW_3 = A_3 + EMC$$

$A_3$  = Annual liquid trade waste fee (\$)\*\*

EMC = Excess mass charges (\$)

Note: \*\*Annual fee may vary for different business activities, depending on the complexity and time taken for inspection.

### How excess mass charges are calculated

Excess mass charges will be applicable for substances discharged in excess of the 'Deemed Concentrations' in domestic sewage. For the purpose of excess mass charge calculation, the deemed concentrations of substances in domestic sewage are listed in Table D1.

**Table D1 Deemed concentration of substances in domestic sewage**

Substance	Concentration (mg/L)
Biochemical Oxygen Demand (BOD <sub>5</sub> )	300
Suspended Solids	300
Total Oil and Grease	50
Ammonia (as Nitrogen)	35
Total Kjeldahl Nitrogen	50
Total Phosphorus	10
Total Dissolved Solids	1000
Sulphate (SO <sub>4</sub> )	50 <sup>#</sup>

# The concentration in the potable water supply to be used if it is higher than 50 mg/L.

**NB.** Substances not listed above are deemed not to be present in domestic sewage.

For excess mass charge calculation, equation (1) below will be applied for all parameters including for BOD<sub>5</sub> up to 600 mg/L (but excluding COD and pH).

$$EMC (\$) = \frac{(S - D) \times Q_{TW} \times U}{1,000}$$

(1)

- 
- Where: S = Concentration (mg/L) of substance in sample  
D = Concentration (mg/L) of substance deemed to be present in domestic sewage  
 $Q_{TW}$  = Volume (kL) of liquid trade waste discharged to the sewerage system  
U = Unit charging rate (\$/kg) for the substance (note that this rate varies from substance to substance. Refer to council's annual Management Plan for charging rates for various substances)

### **D6.1.2 Excess mass charges for BOD**

#### **BOD up to 600 mg/L**

Equation (1) applies for BOD<sub>5</sub> up to 600 mg/L. Note that there are no excess mass charges if the BOD does not exceed 300 mg/L (deemed concentration of BOD in domestic sewage).

#### **Excess mass charges for BOD exceeding 600mg/L**

If council approves the acceptance limits for BOD<sub>5</sub> higher than 600mg/L, an exponential type equation will be used for calculation of the charging rate  $U_e$  (\$/kg) as shown in equation (2). This provides a strong incentive for dischargers to reduce the strength of waste. Note that equation (5) will be used where the discharger has failed to meet their approved BOD limit on more than two instances in a financial year.

$U_e$  is the excess mass charging rate  $U_e$  (\$/kg) for BOD is calculated as:

$$U_e = 2C \times \frac{(\text{Actual BOD} - 300\text{mg/L})}{600\text{mg/L}} \times 1.05^{\frac{(\text{Actual BOD} - 600\text{mg/L})}{600\text{mg/L}}} \quad (2)$$

Where: C = Charging rate (\$/kg) for BOD<sub>5</sub> 600mg/L

Actual BOD= Concentration of BOD<sub>5</sub> as measured in a sample

### **D6.2 Tankered Category 3 waste**

In some instances, liquid waste that falls into Charging Category 3 is transported to the STW. Examples of such waste may include tankered landfill leachate or dairy waste from un-sewered areas. In such instances, council will determine the appropriate approval holder (waste generator or the transporter) and invoice accordingly.

## **D7 Non-compliance liquid trade waste charges**

### **Non-compliance charges for Category 1 and 2 dischargers**

If the discharger has not installed or maintained appropriate pre-treatment equipment, the following non-compliance trade waste usage charges will be applied for the relevant billing period:

#### **D7.1 Category 1 discharger - non-compliance charges**

The trade waste usage charge (\$/kL) as per Council's Management Plan will be applied.

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## D7.2 Category 2 discharger – non-compliance charges

For Category 2 discharger, a non-compliance charge will be levied as outlined in the Council's Management Plan

Dischargers who have an undersized grease arrestor and improved the effluent quality by other means (e.g. increased pump-outs, installing additional pre-treatment equipment, etc.) will pay a trade waste usage charges in accordance with a Category 2 discharger.

Dischargers who cannot install a grease arrestor or those who have an arrestor with capacity significantly less than the required size and are unable to improve the effluent quality by means described above will have to pay non-compliance trade waste usage charges, as per category 2 non-compliance charge above.

## D7.3 Non-compliance charges for Category 3 discharger

If a discharger in charging Category 3 fails to comply with the acceptance limits specified in council's approval conditions, following non-compliance charges will be applicable.

### D7.3.1 Non-compliance pH charge

If the pH of the waste discharge by Category 3 discharger is outside the approved range, equation (3) is used for the calculation of non-compliance pH charges. This equation provides an incentive for dischargers to install and properly maintain a pH correction system, so their waste remains within the approved pH limits.

Charging rate for pH, if outside the approved range =

$$K \times |\text{actual pH} - \text{approved pH}|^{\#} \times 2^{|\text{actual pH} - \text{approved pH}|^{\#}} \quad (3)$$

# Absolute value to be used.

K = pH coefficient in \$

### **Example:**

*Council has approved the pH range 7.0 to 9.0 for a large discharger. pH coefficient (K) listed in council's Management Plan is \$0.45*

**Case 1:** pH measured 6.0

$$\text{Charging rate for pH (\$/kL)} = 0.45 \times |6 - 7|^{\#} \times 2^{|6 - 7|^{\#}} = \$0.90/\text{kL}$$

**Case 2:** pH measured 11.0

$$\text{Charging rate for pH (\$/kL)} = 0.45 \times |11 - 9|^{\#} \times 2^{|11 - 9|^{\#}} = \$3.60/\text{kL}$$

# Absolute value to be used.

### D7.3.2 Non-compliance excess mass charges

Equation (4) shall apply for non-compliance excess mass charges for various substances, except for BOD<sub>5</sub> where equation (5) shall apply to calculate the charging rate.

$$\text{Non - compliance Excess Mass Charges (\$)} = \frac{(S-A) \times Q \times 2U}{1000} + \frac{(S-D) \times Q \times U}{1000} \quad (4)$$

---

Where: S = Concentration (mg/L) of a substance in sample

A = Approved maximum concentration (mg/L) of pollutant as specified in council's approval (or liquid trade waste policy)

Q = Volume (kL) of liquid trade waste discharged for the period of non-compliance

U = Excess mass charging rate (\$/kg) for the substance, as shown in council's annual Management Plan

D = Concentration (mg/L) of the substance deemed to be present in domestic sewage

### **D7.3.3 Non-compliance excess mass charges for BOD**

The non-compliance excess mass charging rate ( $U_n$ ) for BOD<sub>5</sub> is calculated by using equation (5):

$U_n$  is the BOD<sub>5</sub> non-compliance excess mass charging rate in (\$/kL).

$$U_n = 2C \times \frac{(A - 300\text{mg/L})}{600\text{mg/L}} \times 1.05^{\frac{(A - 600\text{mg/L})}{600\text{mg/L}}} + 4C \times \frac{(\text{Actual BOD} - A)}{600 \text{ mg/L}} \times 1.05^{\frac{(\text{Actual BOD} - A)}{600\text{mg/L}}} \quad (5)$$

## **D8 Other applicable liquid trade waste charges**

### **D8.1 Solid food waste processing unit**

Discharge of waste from a solid food waste processing unit (digester/composter) is classified as Concurrence Classification C and is in charging Category 3.

Excess mass charges for all parameters in excess of the deemed concentrations in domestic sewage and non-compliance charges, above the council's acceptance limits, will be applicable to the waste stream from such equipment (refer s. D6.1 for further information).

In addition, the discharger needs to bear the cost of frequent sampling as the quality of wastewater dependent on the solid waste input to the processing unit and the effectiveness of the on-site pre-treatment equipment.

### **D8.2 Discharge of stormwater from large open areas or large quantities of groundwater to the sewerage system**

The discharge of roof, rain, surface, seepage or ground water to the sewerage system is prohibited under clause 137A of the Local Government (General) Regulation 2021 and this policy. Consideration will be given to the acceptance of limited quantities of contaminated stormwater (first flush stormwater) based on a case-by-case assessment.

If stormwater run-off from a large areas or groundwater is approved for discharge to sewer for a Category 3 discharger (e.g. saleyards), a volume based charge similar to the non-compliance usage charging rate (\$/kL) for Category 2 will be applied (e.g. 5 to 10 times of Usage charging rate listed in council's Management Plan. Excess mass charges may be also applied to such discharges.



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### **D8.3 Charges for premises with multiple liquid trade waste streams**

Examples of premises with multiple waste streams include:

- shopping centres
- commercial strata units
- institutions, e.g. hospitals, tertiary educational facilities and correctional centres
- other premises with multiple waste streams, e.g. premises comprising food cooking/serving activities and “Boutique/artisan food” businesses. For example, a liquid trade waste application may include a restaurant or a hotel, a microbrewery, a chocolate making and/or a cheese making shops, all located on the same site.

#### **D8.3.1 Shopping centre**

Council will apply a trade waste usage charge based on the estimated trade waste discharge volume.

The annual liquid trade waste fee will be levied as follows:

<b>Pre-treatment</b>	<b>Annual fees</b>
Individual pre-treatment equipment	A bill to the management that covers all discharges in accordance with the relevant charging category
Shared pre-treatment equipment	Annual fee to centre management as per management plan for category 2, which covers up to four waste streams. A reduced annual fee to be levied for each additional waste stream.

#### **D8.3.2 Commercial strata title units**

Councils will issue individual liquid trade waste bills to each owner of the strata title unit

#### **D8.3.3 Hospitals, tertiary educational facilities and correctional centres**

Council will generally issue a liquid trade waste bill to the management of the above premises.

The annual fee will be in accordance with the relevant charging category, which is category 2 for hospitals and educational facilities. A correctional centre may fall into category 3 if industrial activities are carried out on-site.

Council will apply trade waste usage charge based on the estimated trade waste discharge volume.

If food preparation activities are carried out by an outside contractor, e.g. take away food outlets in the educational facilities. Council may issue a separate liquid trade waste bill to such individual shops, where practical. It may require an individual water meter or a check meter to be installed at the relevant service line.

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#### **D8.3.4 Other premises with multiple waste streams**

There are some premises where various “boutique type” businesses are located on the same site as restaurants, café, etc. For example, a premise may include a restaurant, a microbrewery, a chocolate making shop and a cheese making business, all owned by the same owner. When a liquid trade waste application includes a few different activities on the same site, council will assess the application and determine the relevant charging categories and applicable fees and charges.

For situations where there are combined liquid waste streams that belong to charging category 2 (classification A and B) and 3 (classification C) and when the category 2 discharge is predominant category 3 trade waste fees and charges be applicable only to classification C discharge and the rest of the site be charged as category 2.

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## Appendix E – List of discharges Council may approve

### E1 Classification A

Discharges from activities that Council can process without seeking Department concurrence, subject to complying with certain requirements.

Food preparation/serving, generating liquid waste, up to 16 kL/day	Other Activities generating liquid waste, up to 5 kL/day
Bakery (retail)	Animal wash (pound, stables, racecourse, kennels, mobile animal wash)
Bed and Breakfast (<10 persons)	Beautician
Bistro	Boiler blowdown
Boarding house/hostel kitchen	Car detailing
Butcher (retail)	Cooling towers
Café/coffee shop/coffee lounge	Craft activities (pottery, ceramics, cutting and polishing of gemstones or making of jewellery)
Canteen	Dental surgery
Cafeteria	Dental technician
Chicken/poultry shop (fresh chicken/game, retail, barbeque/roast chicken)	Dry-cleaning (separator water, boiler)
Club (kitchen wastes)	Florist
Commercial kitchen/caterer	Funeral parlour/morgue
Community hall/civic centre/function centre (kitchen waste)	Hairdressing
Day care centre	Jewellery shop
Delicatessen	Laboratory (pathology/analytical)
Doughnut shops	Laundry or laundromat (coin operated)
Fast food outlets (McDonalds, KFC, Burger King, Hungry Jack, Pizza Hut, Red Rooster, etc.)	Lawnmower repairs
Fish shop (retail—fresh and/or cooked)	Mechanical repairs/workshop
Fruit and vegetable shop (retail)	Medical centre/doctor surgery/physiotherapy—plaster of paris casts, laboratory
Hotel	Mobile cleaning units
Ice-cream parlour	Nursing home (other than

Food preparation/serving, generating liquid waste, up to 16 kL/day	Other Activities generating liquid waste, up to 5 kL/day
	food-related activities)
Juice bar	Optical services
Mixed business	Per shop (retail)
Mobile food van	Photographic tray work/manual development
Motel	Plants retail (no nursery or open space)
Nightclub	School (other than kitchen waste)
Nursing home kitchen	Stone working
Nut shop	Surfboard manufacturing (wet process only)
Patisserie	Swimming pools/spas/hydrotherapy pools
Pie shop	Vehicle (car) washing (by hand/wand, automatic car wash/bus wash/external truck wash or underbody/engine degrease only)
Pizza shop	Venetian blind cleaning
Restaurant	Veterinary surgery
Salad bar	
Sandwich shop	
School – canteen, home science	
Snack bar	
Supermarket (with butcher/bakery/delicatessen/seafood or roasted chicken)	
Take away food shop	

## E2 Classification B

Activity	Maximum daily discharge volume (kL)
Auto-dismantler	20
Bus/coach depot with an existing refuelling point and/or a dump point	20
Bakery (wholesale) – bread only	16
Boutique, craft or artisan food: e.g. honey processing, confectionary, jams, pickles, juices, cheese	1 (not to exceed 5 kL/week)
Butcher (wholesale)	16
Construction equipment and equipment hire maintenance and cleaning	20
Cooling towers over 500 L/h (non-industrial)	20
Educational facilities – tertiary institution (TAFE, university, etc.)	No limit
Engine reconditioning	5
Fish co-op	20
Hospital	No limit
Laboratory Tertiary Institution, except animal health or agricultural research, PC2 and PC3 laboratories	5
Micro brewery	5 (not to exceed 10 kL/week)
Oyster processing – shucking	20
Panel beating	20
Photographic - Graphic arts	5
Radiator repair	5
Screen printing	20
Service station covered forecourt/ other refuelling points (existing only)	5
Shopping complex	No limit
Truck washing - truck platforms/flatbed/garbage truck	20
More than four (4) Concurrence Classification A discharges from a single premises or a complex (excluding discharges from activities deemed to be approved on the list shown in Appendix D).	Refer to volume restrictions for the relevant activity

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## Appendix F - Framework for regulation of liquid trade waste

### F1 The NSW framework for regulation of sewerage and trade waste

The NSW framework is driven by the NSW Government's *Best Practice Management of Water Supply and Sewerage Guidelines, 2007*. Sound regulation of sewerage and liquid trade waste is a key element of the 2007 guidelines, and requires each council to implement all the following integrated measures:

1. Preparation and implementation of a sound trade waste regulation policy, assessment of each trade waste application and determination of appropriate conditions of approval. The conditions must be consistent with the LWU's *Integrated Water Cycle Management Strategy* and demand management plan. In addition, execution of a liquid trade waste services agreement is required for large dischargers to assure compliance.
2. Preparation and implementation of a sound *Development Servicing Plan*, with commercial sewerage developer charges to ensure new development pays a fair share of the cost of the required infrastructure.
3. Full cost recovery with appropriate sewer usage charges and trade waste fees and charges in order to provide the necessary pricing signals to dischargers. These charges must include non-compliance trade waste usage charges and non-compliance excess mass charges in order to provide the necessary incentives for dischargers to consistently comply with their conditions of approval.
4. Monitoring, mentoring and coaching of dischargers in order to achieve cleaner production and assist them to comply with their conditions of approval.
5. Enforcement, including appropriate use of penalty notices in the NSW legislation. Orders may also be issued under the *Local Government Act 1993*.
6. Disconnection of a trade waste service in the event of persistent failure to comply with the LWU's conditions of approval.

Together, the above six measures comprise the NSW framework for regulation of sewerage and trade waste. The framework involves a preventive risk management approach, which has been developed to address the use of common pool resources by providing economic incentives for dischargers to minimise their waste and to consistently comply with their conditions of approval.

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## F2 Alignment with the national framework for wastewater source management

The NSW framework for regulation of sewerage and trade waste is outlined in section 3.1. The NSW framework is driven by the NSW Government's *Best-Practice Management of Water Supply of Sewerage Guidelines, 2007* and is consistent with that in the *National Framework for Wastewater Source Management*.<sup>14</sup>

In particular, under the *Best-Practice Management Guidelines* each LWU is required to achieve the following outcomes:

- Prepare and implement a 30-year Integrated Water Cycle Management Strategy, demand management plan, pay-for-use water supply pricing and community and customer involvement (Elements 1, 6, 8)
- Annual performance monitoring, including an annual triple bottom line (TBL) Performance Report and Action Plan to identify and address any areas of under-performance (Elements 5, 6, 9, 10, 11, 12)
- Achieve full cost recovery for water supply, sewerage and trade waste services and apply an appropriate non-residential sewer usage charge (Elements 3, 8)
- Prepare and implement a sound trade waste regulation policy and issue an appropriate approval to each trade waste discharger, including waste minimisation and cleaner production (Elements 1, 2, 3, 4, 7, 8)
- Appropriate trade waste fees and charges (including incentives to comply with LWU's approval conditions through non-compliance trade waste usage charges and non-compliance excess mass charges) (Elements 3, 8)
- Trade waste services agreement for large dischargers to assure compliance (Elements 3, 8)
- Appropriate training of LWU staff and monitoring, mentoring and coaching of trade waste dischargers (Elements 1, 4, 5, 7, 8)
- Enforcement, including appropriate use of penalty notices or orders (Elements 3, 8)
- Disconnection of a trade waste service in the event of persistent failure to comply with the LWU's conditions of approval (Element 8).

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<sup>14</sup> The following 12 elements of the *National Framework for Wastewater Quality Management*:

*COMMITMENT*

1. Commitment to Wastewater Source Management

*SYSTEM ANALYSIS and MANAGEMENT*

2. Assessment of the Wastewater System
3. Preventive Measures for Wastewater Input Quality Management
4. Operational Procedures and Process Control
5. Verification of Wastewater Inputs Quality
6. Management of Incidents/Complaints and Emergencies

*SUPPORTING REQUIREMENTS*

7. Employee Awareness and Training
8. Customer and stakeholder involvement and awareness
9. System Validation and Research and Development
10. Documentation and Reporting

*REVIEW*

11. Evaluation and Audit
12. Review and Continual Improvement

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## Appendix G – Legislative provisions

Provisions in the Local Government (General) Regulation 2021 in regard to acceptance of liquid trade waste into the sewerage system

### **Clause 25 Matters to accompany applications relating to discharge into sewers**

An application for approval to discharge trade waste into a sewer under the control of a Council or that connects with such a sewer must be accompanied by the information required by Table 1 to the Liquid Trade Waste Management Guidelines<sup>#</sup>.

### **Clause 28 Approval to discharge waste into sewers: concurrence required**

A council must not grant an approval under [section 68](#) of [the Act](#) to discharge trade waste (whether treated or not) into a sewer of the council unless the Director-General\* of the Department of Trade and Investment, Regional Infrastructure and Services (or that Director-General's nominee) has concurred with the approval.

**Note:** [Section 90](#) (2) of [the Act](#) permits any person or authority whose concurrence is required before an approval may be granted to give the council notice that the concurrence may be assumed (with such qualifications or conditions as are specified in the notice).

### **Clause 32 Disposal of trade waste**

- (1) An approval to dispose of trade waste into a sewer of the council is subject to such conditions (if any) as the council specifies in the approval.
- (2) In imposing any such conditions, the council is to have regard to the matter set out in Table 5 to the Liquid Trade Waste Management Guidelines<sup>#</sup>.

### **Clause 159 Prevention of waste and misuse of water**

The owner, occupier or manager of premises to which water is supplied by the council must:

- (a) prevent waste of water by taking prompt action to repair leaking taps, pipes or fittings located on the premises
- (b) take any other action that is reasonable to prevent waste and misuse of water.

### **137A Substances prohibited from being discharged into public sewers**

- (1) For the purposes of [section 638](#) of [the Act](#) (Discharge of prohibited matter into sewer or drain), roof, rain, surface, seepage or ground water is prescribed as prohibited matter.
- (2) This clause does not apply in relation to:
  - (a) a discharge that is specifically approved under [section 68](#) of [the Act](#), or
  - (b) a discharge into a public drain or a gutter of a council, or
  - (c) a discharge in an area of operations within the meaning of the [Sydney Water Act 1994](#) or the [Hunter Water Act 1991](#).

### **143 Inspection of pipes and drains and measurement of water and sewage**

- (1) The council may, at any reasonable time:
  - (a) inspect any service pipe connected to a water main, and

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\* In accordance with the *Government Sector Employment Act 2013*, this is the Secretary of the NSW Department of Industry.



- (b) inspect any drain connected to a sewer main, and
  - (c) install meters or other devices for measuring the quantity of water supplied to, or the quality and quantity of sewage discharged from, premises, and
  - (d) measure the quantity of water supplied to, or the quality and quantity of sewage discharged from, premises, and
  - (e) inspect any pre-treatment devices connected to the council's sewerage system.
- (2) The occupier of the relevant premises must provide to the council such information as it requires to enable it to estimate the quantity of water actually supplied to, or the quality and quantity of sewage actually discharged from, the premises.
- (3) In this clause, "**pre-treatment device**" means any device used to reduce or eliminate contaminants in trade waste, or to alter the waste's nature, before it is discharged into a sewer.

**SCHEDULE 12 – Penalty notice offences**

Column 1	Column 2
Offence under <a href="#">Local Government Act 1993</a>	Penalty
<a href="#">Section 626</a> (3)-carry out without prior approval of council an activity specified in item 4 of Part C (Management of waste) of the Table to <a href="#">section 68</a>	\$330
<a href="#">Section 627</a> (3)-having obtained the council's approval to the carrying out of an activity specified in item 4 of Part C (Management of waste) of the Table to <a href="#">section 68</a> , carry out the activity otherwise than in accordance with the terms of that approval	\$330

# "Liquid Trade Waste Management Guidelines" means the Guidelines of that name produced by the Department of Energy, Utilities and Sustainability in March 2005, as in force from time to time. The 2005 Guidelines have now been superseded by *Liquid Trade Waste Management Guidelines, 2021*.



**Murrumbidgee**  
COUNCIL

## Revised Leasing of Council Residential Properties Policy

	Name	Position	Signature	Date
Responsible Officer	Sue Mitchell	Manager Corporate and Community Services		
Authorised By	John Scarce	General Manager		

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## **1. Purpose and Objectives**

The purpose of this policy is to protect Council's interests by prescribing reasonable conditions to apply to the rental or lease of Council owned residences to Council staff or non-Council staff. It is also intended to ensure that Council's leasing of its residential properties is transparent, consistent with the purpose for which the property was acquired, the funding source and has regard to Council aims and responsibilities. Murrumbidgee Council currently owns residential properties in Coleambally, Darlington Point and Jerilderie. It is intended that the policy will apply to future acquisitions of residential property, if any, as well as those currently owned or under Council's control.

The main objective of lease of Council residential properties is to obtain rental income and/or act as a potential incentive for attracting and retaining suitably qualified staff with skills needed by Council. For properties acquired for future conversion to another use, this revenue will be applied towards the conversion costs. Rent from other residential properties will contribute to the ongoing provision, improvement and maintenance of Council services and assets.

Individuals and organisations covered by this policy include Murrumbidgee Council staff who have access to rental of Council's residential properties, and individuals or tenants who use and have access to Council's residential properties but are not staff of Murrumbidgee Council.

## **2. Scope of Policy**

This policy deals only with lease of Council's residential properties for residential use, including 'caretaker leases'. This policy does not cover:

- Houses or flats or other former residential property under Council's control which are leased for use as offices, community facilities or any purpose other than as a private residence; and
- Any housing provision by, or policies of, State or Federal Governments or their agencies.

This policy is supported by, and should be read in conjunction with, Council's Codes of Conduct, where appropriate. The policy provides guidance on how Council provides rental options for staff and, where relevant, non-staff.

## **3. Legislative Requirements**

### **3.1 Residential Tenancies Act 2010**

The *Residential Tenancies Act 2010*, applies to all residential leases in NSW (with some limited exceptions), including by a Council as a landlord. The Act overrides anything in a lease agreement which is inconsistent with the Act. Principal provisions include:

- A standard form of lease agreement;
- After expiry of the fixed term when the lease is on holdover, 60 days' notice must be given of any rent increase. Rent cannot be increased more than once every 12 months. The tenant may approach the Tenancy Tribunal for an order that any rent increase is excessive and the Tribunal may set the rent for a period of up to 12 months;
- 90 days' notice to vacate must be given (except in case of default and some other situations). The landlord cannot physically remove the tenant or change the locks or take other action to force the tenant out. If the tenant fails to vacate at the end of the notice period, the landlord must obtain an order from the Tenancy Tribunal and if the tenant still fails to vacate, an order for the sheriff to remove the tenant. The Tenancy Tribunal may refuse to order a tenant to vacate;
- The landlord must provide locks and other security devices to ensure the premises are reasonably secure; and
- The landlord must provide the premises in a reasonable state of cleanliness and fit for habitation by the tenant.

### **3.2 Local Government Act**

Section 8 of the *Local Government Act 1993*, states that Council's charter includes:

- To provide directly, or on behalf of other levels of Government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- To exercise community leadership;
- To have regards to the long term and cumulative effects of its decisions; and
- To raise funds for local purposes by the fair imposition of rates, charges and fees, income earned from investment (including rental income from assets), and, when appropriate, by borrowings and grants.

## **4. Classification**

Under the *Local Government Act 1993*, land under Council's control, other than roads and Crown Land under the Crown Lands Act, must be classified as either 'operational land' or 'community land'. Residential properties, if any, acquired by a Council for investment, will usually be classified as operational land. Residential properties acquired for future conversion to open space are sometimes classified as operational and an acquisition to allow leasing for a few years, with the intention that they will be reclassified to 'community' land once the leasing has ended and the properties converted to public open space. In respect of 'operational land', Council is bound by the law relating to residential leasing, the same as a private landlord, but does not have additional obligations that are imposed for community classified land.

Houses in parks or on other land owned by Council are classified as community land and leasing is restricted. The base principle is that community land remain public or provide services for the public generally.

## 5. Standard Leases

- Market rent will be payable for residential premises leased by Council;
- Rent will be increased at intervals of not less than 12 months to keep pace with market rent generally and in accordance with advice from a local leasing real estate agent, unless Council agrees to grant a lease for several years at pre-agreed or no rent increase;
- All staff rentals shall be tied to a base rent set at 75% of an independent valuation, which will be reviewed every five years by a duly authorised real estate agent;
- When selecting tenants, Council officers or agents are to be satisfied of a prospective tenant's ability to pay the market rent, and conduct detailed reference checks to be satisfied this condition is met;
- Council officers or agents are to select tenants who have satisfactory references, usually from a previous landlord or agent. In the case of first term renters who fit one of the preferred groups referred to in the point below, references from any person may be accepted;
- In selecting tenants for Council residential properties, preference may be given to:
  - \* Persons who are employed in the Murrumbidgee Local Government Area, such as the Police or Emergency Services; and/or
  - \* Persons who already live in the Murrumbidgee Local Government Area.
- Where properties are purchased with developer contributions for conversion to open space, car parking or other specific purpose, the properties must be leased at market rents under this 'standard lease' category until sufficient funds exist for the conversion;
- Subject to legal or contractual constraints, other residential property may be selected by Council for lease at rents below market rent, or otherwise, in accordance with the following section 'Below Market Rent'. A property will be covered by the 'Standard Lease' section and, until endorsed by Council resolution, be offered under any other provisions or conditions;
- When Council approves the rental or leasing of a residential property, the keys of the residence shall be withheld until such time as the parties have completed a Lease Agreement (Residential Tenancies Regulation 2010 Schedule 1 Standard Form Agreement [Clause 4(1)];
- All utilities are the responsibility of the approved occupant;
- Occupants may choose to organise utilities or Council may carry these and invoice the occupant for such expense subject to the consent of the General Manager;
- The General Manager or his representative will inspect Council houses annually and, upon new tenants, will prepare a condition report for Council;
- All Council's residential properties will be required to undergo termite and pest inspections annually, with condition reports prepared for Council and held on file; and
- All Council's residential properties should be kept in a neat and tidy manner and any damages or issues are to be reported to Council immediately.

## **6. Below Market Rent**

This section applies to properties which Council has, by resolution, determined will be leased at less than market rent:

Tenants who are eligible to rent at less than market rent include:

- Key workers, such as persons employed in the Murrumbidgee Local Government Area in desirable service occupations, including policing and emergency services, who might otherwise be unable to live in the Murrumbidgee Local Government Area;
- Senior or otherwise skilled and qualified staff, as a means of attracting and retaining these skill sets for Council; and
- Consultants who may be employed by Council on a temporary basis to undertake significant or specialist projects or assignments.

Council may agree to grant a lease for several years at pre-agreed or no rent increase.

Sitting tenants who are not in breach of their lease will not be evicted in order to grant a lease to another at below market rent. When an eligible property becomes vacant, or is acquired, Council will then consider whether it is appropriate for it to be offered for lease at less than market rent in accordance with this section.

## **7. Delegation of Authority**

Authority for implementing the Leasing of Council Residential Properties Policy is delegated by Council to the General Manager in accordance with the *Local Government Act 1993*.

The General Manager, or their delegated representative, has the authority to approve variations to this Policy if the variation is to Council's advantage and/or due to revised legislation or a change in market conditions. Any variations to the Policy will be reported to Council at the next possible meeting.

## **8. Non-Government Organisation(s) and Individuals**

If Council has a property which is suitable for, and satisfies the requirements of, a non-Council organisation or individual based in the Murrumbidgee Local Government Area, Council may, by resolution, grant a long term lease to the non-Council organisation.

## **9. Compliance**

Lessees of Council properties are expected to comply with the terms of their lease. The obligations are not reduced and should not be ignored by tenants because the lessor is a Council rather than a private landlord.

All individuals covered by this policy must comply with its provisions and subsequent lease documentation. Director(s) are responsible for providing advice as required to staff in relation to the provision of the policy. The General Manager is responsible for providing advice to individuals other than staff in relation to the provisions of this policy.

## 10. Exceptions

In the event that either the General Manager or Directors do not wish to avail themselves of Council housing options, Council can consider alternatives to generating rental income from these vacant properties. Such options could include making properties available to other staff members or members of the general public.

## 11. Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's residential properties and portfolio. This policy requires officers to disclose any conflict of interest to the General Manager as soon as they arise.

## 12. Definitions

Act	<i>Local Government Act 1993</i>
Council	Murrumbidgee Council
Staff	All persons employed by Murrumbidgee Council
Landlord	Murrumbidgee Council
Lease	Signed agreement between the landlord (Murrumbidgee Council) and the tenant
Council Official	Councillors, Council staff, volunteers or delegated persons as defined in the <i>Local Government Act 1993</i>
Tenant	Murrumbidgee Council staff, or individuals who rent Council owned property but are not staff of Murrumbidgee Council
Caretaker Lease	Lease of residences to employees of Council in connection with their employment as caretakers

## 13. Related Documents

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Residential Tenancies Act 2010
- Residential Tenancies Regulation 2010
- Residential Tenancies Regulation 2010 Schedule 1 Standard Form Agreement Clause 4(1)
- Murrumbidgee Council Codes of Conduct



#### **14. 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

### Revised Privacy Management Policy

	Name	Position	Signature	Date
Responsible Officer	Sue Mitchell	Manager Corporate and Community Services		
Authorised By	John Scarce	General Manager		

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November 2022

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## **1. Purpose and Scope**

Council collects and records a great deal of personal information on residents and customers. Consequently, it needs to ensure it is applying best practice in how it handles this personal information, to ensure that privacy is maintained.

This Privacy Management Policy details how the organisation deals with personal information and health information it collects to ensure that it complies with the Privacy and Personal Information Protection Act 1998 and the Health Records and Information Privacy Act 2002.

This policy is to apply to all Councillors, Council staff, contractors and consultants of the Council and Council Committees, including those established under Section 355 of the Local Government Act 1993 and Privacy and Personal Information Protection Act 1998 (PPIPA). The PPIPA will be the overriding reference for any matters which are not specifically referenced by this document.

## **2. Reference**

Legislation/Recognised Standards:

- Privacy and Personal Information Protection Act 1998
- Health Records and Information Privacy Act 2002
- Local Government Act 1993
- Murrumbidgee Council Codes of Conduct

## **3. Information Protection Principles**

Council's procedures shall comply with the following protection principles identified under Section 33 of the PPIPA:

- Collection of personal information for lawful purposes
- Collection of personal information directly from the individual
- Requirements when collecting personal information
- Other requirements relating to collection of personal information
- Retention and security of personal information
- Information about personal information held by agencies
- Access to personal information held by agencies
- Alteration of personal information
- Agency must check accuracy of personal information before use
- Limits on use of personal information
- Limits on disclosure of personal information

#### **4. Management and Training**

Council shall maintain a 'Privacy Management Plan' to guide the organisation in privacy management. Murrumbidgee Council's Plan is based on the Model Privacy Management Plan for Local Government supplied by the New South Wales Office of Local Government.

Council will ensure that Councillors and staff undergo relevant training in the provision of privacy management.

#### **5. Definitions**

Personal information is information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion. This information can be on a database and does not necessarily have to be recorded in a material form.

Council considers the following to be publicly available publications:

- Information about an individual that is contained in a publicly available publication is not considered personal information;
- An advertisement containing personal information in a local, city or national newspaper;
- Personal information on the Internet;
- Books or magazines that are printed and distributed broadly to the general public;
- Council business papers, or that part that is available to the general public;
- A public display on view to the general public.

Health information is defined as "personal information that is information or an opinion about:

- The physical or mental health or a disability (at any time) of an individual; or
- An individual's express wishes about the future provision of health services to him or her; or
- A health service provided, or to be provided, to an individual."

#### **6. Policy Statement**

The following key principles form the basis of this policy:

##### **6.1 Privacy Principles**

- Council will not collect personal information unless it is for a lawful purpose directly related to a function or activity of Council
- Council will only collect information from the individual to whom the information relates.
- Council will notify an individual that it has collected information on him/her.

Council will take reasonable steps to ensure the information collected is not excessive and is accurate, and:

- The information is kept no longer than necessary and is disposed of securely.
- Council will take reasonable steps to ensure the accuracy of personal information prior to use.
- Council will not use personal information for a purpose other than for which that information was collected.
- Council will take reasonable care not to disclose personal information.

## **6.2 Health Privacy Principles**

- Council will not collect personal health information unless it is for a lawful purpose directly related to a function or activity of the Council.
- The information must be relevant, not excessive, accurate and not intrusive.
- Collection of health information will be in accordance with guidelines issued by the Privacy Commissioner.
- Council will make the individual aware of the information it has collected and the purpose it will be used for.
- Council will ensure that health information is kept no longer than necessary, it is securely protected, and is disposed of securely.
- If Council holds health information, an individual can ascertain the nature of that information and can assess the accuracy of that information.
- That limits are applied on the use of health information so that it can only be used for its primary purpose unless consent has been obtained for secondary purpose uses.
- That limits are applied on the disclosure of health information unless consent has been obtained for a secondary purpose.
- Wherever lawful and practicable, individuals will be given the opportunity of anonymity when entering into transactions or receiving health services from an organisation.
- Council will not transfer health information about an individual to any person or body who is in a jurisdiction outside of NSW or to a Commonwealth Agency unless there is a legal requirement to do so, or consent has been given.
- Council will not provide health information to a health records linkage system unless consent has been provided.

## **6.3 Other Legislation**

Council will fulfil its obligations under the Government Information (Public Access) Act 2009 which can override the Privacy and Personal Information Protection Act, 1998.

## **6.4 Public Registers Principles**

Council will not disclose personal information held in a public register unless the information is to be used for a purpose relating to the purpose of that register, or an Act under which the Register is kept.

## **6.5 Internal Review Principles**

- Where a person who has requested information is aggrieved by the conduct of Council, such a person is entitled to apply for an internal review which will be dealt with by Council's Public Officer.
- Council will notify the applicant in writing within 14 days of the completion of the review.

## **7. Personal Information held by Council**

The Council holds personal information concerning Councillors such as:

- Personal contact information
- Complaints and associated matters
- Pecuniary interest returns
- Entitlements to fees, expenses, facilities and reimbursements

The Council holds personal information concerning its customers, ratepayers and residents such as:

- Rates records
- Names and addresses of suppliers, including bank details, names and addresses of customers which may include financial details.
- Development Applications and objections
- Details of office bearers on various Council committees.

The Council holds personal information concerning its employees such as:

- Recruitment material
- Leave and payroll data
- Disciplinary matters
- Pecuniary interest returns
- Wage and salary entitlements
- Health history
- Workers Compensation history

## **8. Public Registers**

A public register is defined in section 3 of the PPIPA:

- Public register means a register of personal information that is required by law to be, or is made, publicly available or open to public inspection (whether or not on payment of a fee).

Section 57 of the PPIPA provides:

- The public sector agency responsible for keeping a public register must not disclose any personal information kept in the register unless the agency is satisfied that it is to be used for a purpose relating to the purpose of the register or the Act under which the register is kept.

- In order to enable the responsible agency to comply with subsection (1), the agency may require any person who applies to inspect personal information contained in the public register to give particulars, in the form of a statutory declaration, as to the intended use of any information obtained from the inspection.

Council holds the following public registers under the Local Government Act 1993: (Note – this is purely indicative. Council may, by virtue of its own practice, hold other Public Registers, to which PPIPA applies):

- Section 53 – Land Register – The primary purpose is to identify all land vested in Council, or under its control. The secondary purpose includes a consideration of public accountability as to the land held by Council. Third party access is therefore a secondary purpose.
- Section 113 – Records of Approvals – The primary purpose is to identify all approvals granted under Local Government Act 1993.
- Section 450A – Register of Pecuniary Interests – The primary purpose of this register is to determine whether or not a Councillor or a member of a Council Committee has a pecuniary interest in any matter with which the Council is likely to be concerned. There is a corresponding public accountability purpose and third party access is a secondary purpose.
- Section 602 – Rates Record – The primary purpose is to record the value of a parcel of land and record rate liability in respect of that land. The secondary purpose includes recording the owner or lessee of each parcel of land.

Council holds the following public registers under the Environmental Planning and Assessment Act:

- Section 4.58 – Register of consents and approvals – The primary purpose is to identify applications for development consent and other approvals, confirm determinations on appeal and identify applications for complying development certificates.
- Section 6.26 (8) – Record of building certificates – the primary purpose is to identify all building certificates.

Council hold the following public register under the Protection of the Environment (Operations) Act:

- Section 308 – Public Register of Licenses Held – The primary purpose is to identify all licenses granted under the Act.

Council holds the following public register under the Impounding Act 1993:

- Section 30 & 31 – Record of Impounding – The primary purpose is to identify any impounding action by Council.

Members of the public may enquire only in accordance with the primary purpose of any of these registers.



## **9. Secondary Purpose of all Public Registers**

Due to the general emphasis (to be found in the Local Government Act 1993 and elsewhere) on Local Government processes and information being open and accountable, it is considered that a secondary purpose for which all public registers are held by Council includes the provision of access to members of the public. Therefore disclosure of specific records from public registers would normally be considered to be allowable under section 57 of the PPIPA.

However, requests for access, copying or the sale of the whole or a substantial part of the public register held by Council will not necessarily fit within this purpose. Where Council officers have doubt as to the intended use of the information, an applicant may be requested to provide a statutory declaration so that Council may satisfy itself as to the intended use of the information.

Council will make its assessment as to the minimum amount of personal information that is required to be disclosed with regard to any request.

## **10. Applications for access to own records on a Public Register**

A person wishing to have access to a public register to confirm their own details needs only to prove their identity to Council before having access to their own personal information.

## **11. Procedure for Internal Review**

Complaints or requests for an internal review must be made within 6 months of the complainant being first aware of the issue.

Complaints must be made in writing and addressed to:

The Privacy Officer  
Murrumbidgee Council  
PO Box 96  
JERILDERIE NSW 2716

When a complaint or request for a review is received by the Privacy Officer, the process for the review is as follows:

- The Privacy Officer notifies the Privacy Commissioner that a complaint/request for internal review has been received
- The Privacy Officer appoints a Reviewing Officer to handle the complaint/request for internal review
- The Reviewing Officer investigates the complaint/review and reports the determination back to the Privacy Officer
- The Privacy Officer notifies the Complainant and the Privacy Commissioner of the determination.

## **12. Service Guarantee**

- The review must be completed within 60 days of the lodgement of the complaint/request for internal review
- The complainant will be notified in writing within 14 days of the determination. Should a complainant not be satisfied, he or she may lodge an appeal to the Administrative Decisions Tribunal, which will hear the matter and impose its own decision. It may also impose substantial damages for a breach of an information protection principle.

## **13. The Role of the Privacy Contact Officer**

The role of Privacy Contact Officer (Privacy Officer) has been delegated by Council to the Manager, Corporate and Community Services as Public Officer.

The role carries primary responsibility for the following:

- Assigning, monitoring and reporting internal review matters;
- Liaising with all staff to ensure their needs are met in relation to the PPIPA;
- Assisting with training and induction;
- Assisting staff in developing processes and procedures to enable staff, Councillors, contractors and consultants to meet their obligations under the Act.

## **14. Implementation**

This policy will be implemented with reference to Council policies including, but not limited to:

- Codes of Conduct
- Enterprise Risk Management Policy
- Business Continuity Policy

As additional policies which may impact this document are updated/created, this section of the Privacy Management Policy will be amended.

## **15. 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

## Revised Events Policy

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

Document Revision History	
Original Policy:	<b>Community Festival and Events Policy</b>
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November 2022

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## 1. Purpose

This Policy provides direction for the delivery of events in the Murrumbidgee Council Local Government Area (LGA), and the provision of Council support to event organisers.

Council recognises the need for safe and successful events, and seeks to work collaboratively with groups and organisations to develop and provide a range of events for our community.

Council's Community Strategic Plan 2022 - 2032 identifies that our thriving economy enjoys business and investment growth, with new and existing businesses and industries proactively achieving development and business success. We spread the word about the magic of our area, and visitors join with locals to relish our beautiful natural environment and other tourist assets. This is delivered by:

Value 5 - Our Economy - Creating our own opportunities

- Develop and promote our area as an attractive visitor destination
- Support and encourage events and activities for locals and visitors

## 2. Definitions

The Policy's definitions are:

**Community** means all people who live or work in the Murrumbidgee Council Local Government Area.

**Council** means Murrumbidgee Council.

**Event** means a planned public or social occasion that takes place wholly or partly on public or private land which impacts upon Murrumbidgee Council infrastructure, assets or the general public. Public land may include roads, footpaths, parks, Council venues, community facilities and sports grounds.

## 3. Scope

This Policy applies to:

- Events managed by Council;
- Events held in Murrumbidgee LGA that are funded or partly-funded by Council through grants, sponsorship, reduced fees or fee waivers;
- Events held in Council facilities or on public land in Murrumbidgee LGA, that are managed by parties external to Council. In these cases, Council acknowledges that event organisers may also be required to comply with policies from their own organisations and/or funding bodies.

Council will not become involved in events on private land, unless there is an impact on the community or where Council is the event organiser.

It should be noted that events that take place on private land, such as dance parties, or the scale of some events, may also require the lodgement of a Development Application (DA) with Council.

Under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, a range of temporary structures for private or community events can be carried out as exempt development and do not require a DA, provided they meet certain criteria. Temporary structures include tents, marquees, booths, stages or platforms for community events.

#### **4. Policy**

Council will support events that reflect Council's values and priorities and aim to enrich the lives of the local community by being inclusive and accessible, promote local identity and encourage community wellbeing.

##### **4.1 Council Support**

Murrumbidgee Council annually offers community grants to support local organisations and projects. Applications and guidelines are available on Council's website.

In addition to direct financial support, Council may also support events through operational (in-kind) support. This support is provided to events within the context of the annual budget and can be in many forms, including, but not limited to:

- Event planning advice
- Marketing support
- Supply and service of bins to assist with waste management
- Assistance with the development and implementation of traffic management plans
- Supply of traffic management and other event related equipment, if and where available.
- Event Attraction. Council will plan to attract events that have significant social, cultural and economic benefits for the community.

All events that receive support from Council will be required to acknowledge Murrumbidgee Council on all promotional material. Promotional material that includes the use of Council's logo must obtain approval prior to circulation. This can be emailed to [mail@murrumbidgee.nsw.gov.au](mailto:mail@murrumbidgee.nsw.gov.au). It will be the responsibility of the event organiser to ensure that this happens.

Many different departments within Council play a role in event management. While the majority of events are supported through the Planning, Community & Development area, other sections also have a strong involvement through approval processes, overseeing key services such as waste or traffic management, or through managing specific events.

This Policy establishes a "whole of Council" approach to event management in Murrumbidgee Council.

## **4.2 Event Approval Process**

All events conducted throughout the Murrumbidgee Council LGA are strongly encouraged to operate in accordance with best practice management principles.

To make certain that events conducted in Murrumbidgee Council LGA are safe, well run, held in suitable locations and do not unduly impact on residents, businesses or the environment, Council requires event organisers hosting an event on Council owned or managed land to complete an Event Application. Event applications are available on Council website.

These events must meet all Council's obligations and legislative requirements which, once satisfied, will result in Council issuing formal approval. Events which are determined "high risk" to Council (for example, events held on or adjacent to major roads) will require a Council resolution to proceed.

## **5. Legislation and Compliance**

Council endeavours to ensure all events within the Murrumbidgee Council LGA run safely and all legislative and compliance requirements are met. The Events Application allows event organisers to demonstrate compliance to legislation such as those outlined in:

- Local Government Act 1993
- Road Act 1993
- State Environmental Planning Policy Exempt and Complying Development Codes) 2008
- Work Health and Safety Act 2011
- Privacy and Personal Information Protection Act 1998 (NSW)
- Privacy Act 1988 (Commonwealth)

## **6. 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

### Revised Child Safe Policy

	Name	Position	Signature	Date
Responsible Officer	Sue Mitchell	Manager Corporate and Community Services		
Authorised By	John Scarce	General Manager		

Document Revision History	
Original Policy	<b>Child Protection Policy</b>
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## **1. Policy Objective**

This policy outlines Council's commitment to creating and maintaining a child safe organisation. Council supports children and young people having safe and happy experiences in our community, accessing our facilities and in the care of our services.

The policy applies to all officers of Council, including all employees, Councillors, contractors, volunteers and outlines their obligations in keeping children safe.

The policy will inform other Council policies, strategies and actions that align with the continual enhancement of child safety in all Council activities.

## **2. Policy Statement**

### **2.1 Statement of Commitment to Child Safety**

Murrumbidgee Council believe children and young people have the right to be respected, empowered and safe. Council is committed to our responsibilities in keeping them safe and listening to their views.

### **2.2 Child Safe Standards**

The NSW Office of the Children's Guardian introduced the Child Safe Standards to improve the way organisations provide services for children and young people to prevent and respond to child abuse that may occur within organisations.

Council is committed to the Child Safe Standards which are:

- Standard 1: Child safety is embedded in organisations leadership, governance and culture
- Standard 2: Children participate in decisions affecting them and are taken seriously
- Standard 3: Families and communities are informed and involved
- Standard 4: Equity is upheld, and diverse needs are taken into account
- Standard 5: People working with children are suitable and supported
- Standard 6: Processes to respond to complaints of child abuse are child focused
- Standard 7: Staff are equipped with the knowledge, skills and awareness to keep children safe, through continual education and training
- Standard 8: Physical and online environments minimise the opportunity for abuse to occur
- Standard 9: Implementation of the Child Safe Standards is continuously reviewed and improved
- Standard 10: Policies and procedures document how the organisation is child safe

### **2.3 Involving families, children and young people in decision-making**

Council supports the active participation of families and children in our services, programs and events. Council will provide accessible opportunities and encourage children to take part in decisions that affect them now and in the future. This is to:

- help us better meet their needs and interests
- involve them in their community

- encourage them to share their ideas and opinions
- teach them a new skill

Wherever applicable, we inform children and young people about what they can do if they feel unsafe.

## **2.4 Recruitment and selection**

Council employs a fit for purpose recruitment and selection process for all direct contact work with a child or young person where contact is a usual part of, and more than incidental to, the work as defined by the *Child Protection (Working with Children) Act 2012*. Council must assess whether a position constitutes child-related employment prior to undertaking recruitment and appointment. A current Working with Children Check (WWCC) is required for all child-related work.

## **2.5 Training and induction**

Council will meet its training and induction obligations by ensuring that all Council, employees, Councillors, volunteers and contractors are inducted in child safety. Council employees, Councillors, volunteers and contractors will be provided with training to support their understanding of Council's commitment to child safety and that everyone has a role to play in safeguarding children. Staff training required will be determined according to the level of interaction staff have with children in their day to day activities.

## **2.6 Reporting a child safety concern or complaint**

All Council employees, Councillors, volunteers and contractors must comply with legal requirements and report known, suspected or alleged child abuse, misconduct or inappropriate behaviour.

Council must immediately take the appropriate steps to assess and minimise any further risk of harm, as well as report the matter to the relevant oversight agencies and/or Police. Council will support relevant authorities' investigations into allegations of abuse or risk of harm to children and young people.

Council will meet its mandatory reporting obligations and will take action to protect children and young people at risk of significant harm. A reportable allegation is made where a child, young person, or adult makes an allegation, based on a reasonable belief that a Councillor, employee, contractor, or volunteer of Murrumbidgee Council has been, or allegedly been, involved in the harm or abuse of a child or young person.

For the purposes of this policy, a child is a person who is under the age of 16 years, and a young person is one who is over the age of 16 years but under the age of 18 years.

## **2.7 Privacy and confidentiality**

Council is committed to protecting an individual's right to privacy. All personal information considered during the process of reporting or investigation will be collected and managed in accordance with Council's Privacy Management Policy. Personal

information will only be disclosed to another party if there is a legislative requirement for such disclosure.

## **2.8 Risk management**

Council recognises the importance of a risk management approach to minimising the potential for child abuse or harm to occur, and this informs all associated policies, strategies and actions.

To ensure Council maintains a child safe culture, all Council employees, Councillors, volunteers and contractors will be informed, resourced and supported to understand their role in providing a child safe environment.

Identifying risks to children and young people and implementing controls to mitigate these risks is an essential factor in keeping children safe. Child Safety Risk Management Plans will document how the safety and welfare of children and young people participating in events, programs and services delivered by Council are managed.

Child Safety Risk Management Plans are required for:

- Each Council facility where children and young people attend
- Events programs or services provided by Council employees delivered outside of a Council facility where children and young people are expected to attend.

## **2.9 Community Strategic Plan**

Council's Community Strategic Plan outlines the community's main priorities for the future and includes strategies for achieving them. The Community Strategic Plan - Our Identity - People and Place Objective 4 "We encourage healthy, active and safe communities - Work together to enhance community safety" is supported by the Child Safe Policy.

## **2.10 Roles and Responsibilities**

### **Council**

Publicly commits to child safety and embeds a child safe culture.

### **General Manager**

The General Manager is responsible for ensuring that Council fulfils its responding and reporting obligations and to notify the Office of the Children's Guardian (NSW) when an allegation of child abuse is made against a Council employee, Councillor, volunteer or contractor. The General Manager is responsible for ensuring that Councillors are informed and supported to understand their role in providing a child safe environment.

## Directors and Managers

Directors and Managers are responsible for ensuring compliance with this policy, and that all Council employees, contractors and volunteers are informed, resourced and supported to understand their role in providing a child safe environment.

## Child Protection Officer

Council's Public Officer has been appointed as the Child Protection Officer and their responsibilities are:

- provide ongoing support and response to concerns about the safety and wellbeing of children while engaged in services, programs or events delivered by Council
- to notify the Office of the Children's Guardian (NSW) when an allegation (of which they are aware) of child abuse is made against a Councillor, employee, volunteer or contractor.

## Council Employees, Councillors, Contractors and Volunteers

Council employees, Councillors, contractors and volunteers shall adhere to the requirements of this policy, reportable conduct and responding and reporting obligations, and be able to demonstrate their awareness of their child safety responsibilities.

Council employees, Councillors, contractors and volunteers are to be aware of their obligations outlined in Council's Codes of Conduct.

All Council staff should be aware that the appointment by Council of a Child Protection Officer does not remove mandatory reporting obligations that other officers of Council may have under s27 of the *Children and Young Persons (Care and Protection) Act 1998*.

All staff shall adhere to their responding and reporting and reportable conduct obligations and take action when a child or young person is at risk of significant harm.

## 3. Definitions

Child	A person who is under the age of 16 years.
Young person	A person who is over the age of 16 years but under the age of 18 years.
Complaint	Any suggestion of abuse or harm that is disclosed, witnessed or demonstrated by a child.
Abuse	A term used to refer to different types of harm or maltreatment including physical harm, sexual assault, exposure to domestic violence, psychological harm and prenatal risks.
Working with Children Check	A requirement for anyone who works or volunteers in child-related work in NSW. The check provides either clearance to work with children for five years or a bar against working with children.

#### **4. Legislation**

This policy complies with, and supports implementation and compliance with, the following policies and instruments, but is not limited to:

- Children’s Guardian Amendment (Child Safe Scheme) Bill 2021
- Advocate for Children and Young People Act 2014
- Child Protection (Offenders Prohibition Orders) Act 2004
- Child Protection (Offenders Registration) Act 2000
- Child Protection (Working with Children) Act 2012
- Child Protection (Working with Children) Regulation 2013
- Children and Young Persons (Care and Protection) Act 1998
- Children and Young Persons (Care and Protection) Regulation 2012
- Children’s Guardian Act 2019
- Government Information (Public Access) Act 2009
- Ombudsman Act 1974
- Privacy and Personal Information Protection Act 1998
- State Records Act 1998
- Local Government Act 1993
- Young Offenders Act 1997
- The NSW Strategic Plan for Children and Young People – Office of the Advocate for Children and Young People.

#### **5. 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

## Revised Customer Service Charter

	Name	Position	Signature	Date
Responsible Officer	Sue Mitchell	Manager Corporate and Community Services		
Authorised By	John Scarce	General Manager		

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November 2022

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## 1. Introduction

Council's Customer Service Charter sets out what its community may expect when dealing with staff, our dedication to resolving issues in a timely manner and our processes for communicating with the community.

## 2. Contacting Us

Murrumbidgee Council covers the three communities of Jerilderie, Coleambally and Darlington Point.

Our front office staff will wear a name badge for ease of identification and will listen to you and discuss your enquiry fully. Our staff will be approachable, take details of an enquiry and deal with the enquiry in a professional, fair and courteous manner. If the staff member is unable to resolve the enquiry, they will endeavour to source a solution from other staff.

Council's contact details are as below:

### Jerilderie

35 Jerilderie Street, Jerilderie NSW 2716  
(PO Box 96, Jerilderie NSW 2716)

Hours of Operation: 8.30am-5.00pm Monday to Friday  
Closed for Lunch: 12.00pm-1.00pm daily

Telephone: 03 5886 1200  
Emergency contact (after hours): 0428 579 095

### Coleambally

39 Brolga Place, Coleambally NSW 2707

Hours of Operation: 9.00am-5.00pm Monday to Friday  
Closed for Lunch: 12.00pm-1.00pm daily

Telephone: 02 6954 4060  
Emergency contact (after hours): 0417 827 216

### Darlington Point

21 Carrington Street, Darlington Point NSW 2706  
(PO Box 5, Darlington Point NSW 2706)

Hours of Operation: 8.30am-5.00pm Monday to Friday  
Closed for Lunch: 12.00pm-1.00pm daily

Telephone: 02 6960 5500  
Emergency contact (after hours): 0427 684 166

Council Email:

[mail@murrumbidgee.nsw.gov.au](mailto:mail@murrumbidgee.nsw.gov.au)

### **3. Vision, Purpose and Values**

#### **3.1 Vision**

A community built by an innovative mindset, delivering appropriate and reliable services.

#### **3.2 Purpose**

To deliver quality services, creating a friendly, welcoming and engaged community.

#### **3.3 Corporate Values**

- Murrumbidgee Council values creativity, teamwork and innovation;
- Council aims to reliably deliver quality services and well-maintained facilities;
- Strong, positive and trusted leadership guided by and respecting traditional principles and forward thinking will nurture who we are and recognise where we live and what we have built;
- Our communities' welcoming and energetic approach is what makes where we live an appealing place for all.

#### **4. Staff Values**

To support the adopted Corporate Values, Murrumbidgee Council staff adhere to the values of Trust, Honesty, Teamwork and Respect.

#### **5. Service Standards**

Service standards exist to help ensure we meet the expectations of our customers and deliver quality customer service at all times.

##### **5.1 General**

We will:

- Respect our customers;
- Be prompt, friendly, courteous, effective and will, at all times, remain professional;
- Be realistic about what we can do and in what timeframes;
- Provide you with accurate and consistent information;
- Show respect for your privacy in your dealings with us and the confidentiality of information discussed.

For requests and enquiries received face to face or over the phone, we will:

- Log each request into the customer request register;
- Allocate an officer to take responsibility for the request;
- Respond to urgent or emergency situations within 2 hours;

- Respond to all other requests by phone within 10 days, providing expected timeframes and reasons if a request cannot be completed.

For requests and enquiries received in writing, by email or the internet, we will:

- Register each request in Council's records register;
- Acknowledge your request by email (if available) or post;
- Refer an officer to take responsibility for the request;
- Respond to urgent or emergency situations within 2 hours;
- Respond to all other requests by email within 10 days, providing expected timeframes and reasons if a request cannot be completed.

## **5.2 Face to Face**

Our frontline customer service employees will wear a name badge for ease of communication.

We will:

- Listen to you and discuss your requirements fully;
- Endeavour to satisfy your request at the time of your visit. When enquiries of a technical or specialised nature are made, the appropriate officer will be called to assist if available, or contact will be made within 24 hours to arrange an appointment or to discuss the matter over the phone.

## **5.3 On the Telephone**

We will:

- Endeavour to answer your call in person and within 5 rings;
- Introduce ourselves, using our first name and provide a contact number for further communications, where necessary;
- Forward your call to someone who can assist, if the person you are seeking to contact is unavailable;
- Advise of any delays and offer suitable options or offer to return your call;
- Where messages are left on voicemail, return messages within 24 hours from the time received;
- Provide a 24 hour telephone service for urgent after hours calls;
- If a call is transferred internally, introduce your call to the recipient, so as to reduce the need for you to explain the purpose of your call a second time.

## **5.4 Writing or Email**

We will:

- Write to you in a clear and concise language that is easily understood;
- Send out standard information to you, if we believe that will satisfy your enquiry, within 24 hours of receiving the request;

- Respond to your letter or email of general correspondence relating to Council business, within 10 working days;
- Acknowledge your correspondence, if your enquiry requires in-depth research or follow up that will take longer than 10 working days. Where possible we will provide an expected completion date and details of the employee responsible for the response.

## **5.5 Website or Social Media**

We will:

- Maintain our website with relevant and up to date information that is easily understood and accessible;
- Post up to date information on our social media platforms in order to keep customers informed and engaged;
- Respond to enquiries and posts on our social media platforms in a timely and professional manner;
- Keep up to date with online services and community engagement tools and trends;
- Refer customers who have lodged a customer request on social media through to the appropriate channels, as these will not be managed on social media.

## **6. Measuring Our Performance**

We will measure and improve the quality of our service by:

- Welcoming your feedback;
- Conducting Customer Satisfaction Surveys;
- Implementing quality training and coaching activities for our staff;
- Using key performance indicators of our customer service in corporate and business planning;
- Using effective internal systems and corporate reporting to measure our performance;
- Recognising our staff for customer service delivery excellence.

## **7. Helping Us to Help You**

You can help us to meet our commitment to you by:

- Being courteous, polite and respectful to our employees;
- Respecting the rights of, and providing courtesy towards, other customers;
- Being open and honest with us, by providing accurate and complete details when contacting us;
- Letting us know when your situation changes, for example change to your address or personal details;
- Contacting us to make an appointment if you have a complex or technical enquiry, or need to meet with a specific employee;

- Contacting the employee referred to on any correspondence sent to you, and quoting the reference number, if applicable;
- Using email or phone for customer requests, complaints and compliments;
- Working with us to help solve problems;
- Telling us where we fall short on our service in any aspect, so that we may improve our service to you;
- Helping us recognise our employee by telling us when you have received excellent customer service.

## 8. Service Level Commitments

We are committed to achieving the response times (in working days) set out below:

### 8.1 Environmental Compliance

Emergency Situations	Immediately
Roadway hazards	Same Day
Dangerous dogs	Same Day
Noise/nuisance complaint	Investigation within 48 hours
Stray dog—secured	48 hours (except weekends)
Stray dog—nuisance	48 hours (except weekends)
Illegal rubbish dumping	3 days
Removal of graffiti	5 days
Removal of offensive graffiti in public/high profile areas	48 hours (except weekends)
Protection of public water supply	48 hours
Food premise inspection	48 hours
General environmental complaints or issues	10 working days

### 8.2 Building Surveying Approval

Complying Development Certificates	10 days
Construction Certificates—Major (i)	15 Days
New homes	10 days
Development applications—Major (ii)	30 Days
Development applications—Minor residential	15 Days
Building Certificates (iii)	10 Days

- This response time may be dependent upon provision of all required supporting documentation.
- This response time may be subject to the requirement to notify the application and/or referral to external agencies.
- The timeframe for a Building Certificate applies from when access is provided to the property. The Certificate can only be issued if no outstanding works are required.

### 8.3 Town Planning Approval

Planning Certificates	5 days
Pre-lodgement appointments (from initial request)	5 days
Requests for additional information	10 days
Referrals to external authorities	10 days
Public notice (advertising)	14 or 30 days
Determination (without objection)	40 days

### 9. Review of Service

If you are not satisfied with how we handle your enquiry or request, we encourage you to refer to our Complaints Handling Policy and Guidelines. The policy and guidelines provide a number of options for you to make a complaint, and also set out how that complaint will be dealt with.

### 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).

# Policy Document

## Contaminated Land Management Policy



**REROC**  
RIVERINA EASTERN REGIONAL  
ORGANISATION OF COUNCILS



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JERILDERIE NSW 2716

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Website: [www.murrumbidgee.nsw.gov.au](http://www.murrumbidgee.nsw.gov.au)

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- RAMROC Executive Officer – Mr Ray Stubbs
- REROC Executive Officer – Ms Julie Briggs
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- Project Manager RCLM Program – Matthew Dudley (Albury City Council)

Document contributions were also made by the Contaminated Land Working Group made up of the following councils:

- Albury City Council
- Coolamon Shire Council
- Former Corowa Shire Council (Federation Council)
- Former Deniliquin Shire Council (Edward River Shire Council)
- Griffith City Council
- Temora Shire Council
- Former Tumbarumba Shire Council (Snowy Valleys Council)
- Former Tumut Shire Council (Snowy Valleys Council)
- Wagga Wagga City Council





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# Policy

## 1. ABOUT THIS POLICY

This policy, known as the Contaminated Land Management Policy, outlines requirements relating to the use and / or development of land that is or may be contaminated.

This policy has been developed under the provisions of the *Contaminated Land Management Act*<sup>1</sup> (CLM Act), its associated State Environmental Planning Policy No. 55 – Remediation of land<sup>2</sup> and the Managing Land Contamination – Planning Guidelines<sup>3</sup> in regards to the principles of:

- i. Ensuring that changes of land use, or new development proposals, will not increase the risk to human health or the environment;
- ii. Avoiding inappropriate restrictions on land use; and
- iii. Providing information to support decision making and to inform the community.

### 1.1 LAND TO WHICH POLICY APPLIES

All land in the Murrumbidgee Local Government Area (LGA).

### 1.2 DATE ADOPTED BY COUNCIL

This policy was adopted by Council at Jerilderie Council Chambers on 23 March 2017.

#### Terms and definitions

Terms and definitions are set out in Appendix 1.

### 1.3 PURPOSE

This policy provides a framework for the management of contaminated or potentially contaminated land in the Murrumbidgee LGA. The policy identifies how the management of contaminated land is integrated into Council's planning and development processes.

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<sup>1</sup> Contaminated Land Management Act 1997  
<http://www.legislation.nsw.gov.au/maintop/view/inforce/act+140+1997+cd+0+N>

<sup>2</sup> State Environmental Planning Policy No. 55 – Remediation of Land  
[http://www5.austlii.edu.au/au/legis/nsw/consol\\_reg/seppn55ol537/](http://www5.austlii.edu.au/au/legis/nsw/consol_reg/seppn55ol537/)

<sup>3</sup> Managing Land Contamination – Planning Guidelines  
[http://www.epa.nsw.gov.au/resources/clm/gu\\_contam.pdf](http://www.epa.nsw.gov.au/resources/clm/gu_contam.pdf)

## 1.4 OBJECTIVES

The integration of contaminated land management into the local planning and development control process will enable Council to:

- Ensure that the Council exercises its functions in relation to the development of contaminated land with a reasonable standard of care and diligence and that decisions are made in good faith;
- Ensure that the likelihood of land contamination is considered as early as possible in the planning and development control process;
- Ensure that planning and development decisions take into account available information relating to the likelihood of land contamination;
- Link decisions about the development of land with the information available about contamination possibilities;
- Ensure that any development of contaminated land will not result in unacceptable levels of risk to human health or the environment;
- Avoid inappropriate restrictions on the development of contaminated land;
- Ensure that site investigations and remediation work are carried out in a satisfactory manner, and where appropriate, are independently verified by site audits;
- Facilitate the provision of consistent and reliable information to the public about land contamination;
- Ensure that ongoing responsibility for management and monitoring of contaminated land is clearly and legally assigned;
- Ensure that the community is not unduly disadvantaged by increased health and environmental risks or increased management costs when accepting the dedication of public assets;
- Adopt a policy approach that will provide strategic and statutory planning options based on the information about contamination; and
- Exercise statutory planning functions with a standard of care.

## 1.5 POLICY APPLICATION

This policy applies to the following planning functions of Council:

- The preparation and amendment of Local Environmental Plans
- The preparation, approval and amendment of Development Control Plans
- The preparation and adoption of Plans of Management for Community Land
- The determination of Development Applications
- The modification of Development Consents;
- The determination of activities pursuant to Part 5 of the Environmental Planning and Assessment Act 1979; and
- The storage and sharing of contaminated land information through Section 149 planning certificates.

## 1.6 GUIDELINES

This policy has been developed from the State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) and in conjunction with the *Contaminated Land Management Act 1997* (CLM Act), Murrumbidgee Shire Councils Local Environmental Plan 2013, and Jerilderie Shire Councils Local Environmental Plan 2012.

Effective management of contaminated land in land-use planning is necessary in managing the risk of harm potentially posed by land contamination to human health and the environment.

In the context of land contamination, councils are the planning and consent authorities and are thereby expected to act in “good faith” and in accordance with the requirements of the NSW CLM Act. “Good faith” provisions also extend to the subordinate State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55), and its Planning Guidelines.

Councils have responsibilities under the *Environmental Planning and Assessment Act*<sup>4</sup> (EP&A Act) in regard to the early identification of contaminated sites, the consideration of land contamination issues in planning functions, data and information management regarding land contamination, and to inform the public on contamination matters (e.g. Section 149 planning certificates).

Under the CLM Act, the Environment Protection Authority (EPA) regulates contaminated sites where the contamination is significant enough to warrant regulation. Contaminated sites that are not regulated by the EPA are managed by local councils through land-use planning processes.

## 1.7 CHANGE MANAGEMENT

This policy will require management and review every 4 years or as legislation and regulations are updated. Any change must be made in accordance with the relevant legislation and regulations applicable at the time, and/or any regulatory changes.

## 2. OBLIGATIONS

### 2.1 DUTY TO REPORT

The CLM Act requires persons to notify the EPA if they become aware that their activities have contaminated land so as to present an unacceptable risk to human health or the environment.

The Act also requires landowners to notify the EPA if they become aware that their land has been contaminated so as to present an unacceptable risk of harm to human health or the environment. This requirement applies whether the contamination occurred before or during the current owner’s tenure of the land and the notification must be made as soon as practicable after becoming aware of the risk (See Appendix 2 – Activities that may cause contamination).

To assess this risk, the land owner and/or persons who have caused the contamination should consult Guidelines on the Duty to Report Contamination under the CLM Act.<sup>5</sup>

Section 60 of the CLM Act imposes a duty on owners of land, and persons who have contaminated land, to immediately notify the EPA when they become aware that contamination presents a significant risk of harm.

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<sup>4</sup> Environmental Planning and Assessment Act

<http://www.legislation.nsw.gov.au/viewtop/inforce/act+203+1979+first+0+N>

<sup>5</sup> Guidelines on the Duty to Report Contamination under the *Contaminated Land Management Act*

<http://www.epa.nsw.gov.au/clm/150164-land-contamination.htm>

According to the Guidelines on the Duty to Report Contamination under the CLM Act, a person is taken to be aware of the contamination if it is considered that they are aware or should have reasonably become aware of the contamination. Factors taken into account in determining when a person should reasonably have become aware of the contamination are;

- i. The persons' abilities, including their experience, qualifications and training
- ii. Whether the person could reasonably have sought advice that would have made them aware of the contamination
- iii. The circumstances of the contamination.

## **2.2 CONSULTANTS**

Contaminated land consultant certification schemes have been developed to ensure any consultants dealing with contaminated sites have the necessary competencies to carry out the work. The certification schemes recognised by the EPA under the Consultants and the Site Auditor Scheme are detailed on the EPA website<sup>6</sup>.

Where reports are required to be submitted to the EPA and/or Council they must comply with the requirements of the CLM Act to be prepared, or reviewed and approved, by a practitioner certified under an EPA recognised scheme. This requirement includes reports associated with a:

- Preliminary investigation order
- Management order
- Voluntary management proposal
- Ongoing maintenance order
- Duty to report contamination

Where required to be submitted to Council, reports must be prepared in accordance with the current relevant guidelines approved under the CLM Act and in accordance with SEPP 55. Council will require the following to be submitted:

- Preliminary investigation
- Detailed investigation
- A Remediation Action Plan
- Validation, monitoring and remediation reporting

The front cover of a submitted report must include the details of the consultant's certification. For a CLA Specialist CEnvP this involves affixing the CEnvP logo and for SCPA the certified practitioner is to affix their seal.

As the contaminated land consultant certification schemes are new, there is a 24 month transition period to enable consultants to become certified. Any requirements for reporting undertaken after 1 July 2017 must be prepared, or reviewed and approved, by a certified consultant.

### **3. COUNCIL RECORDS AND INFORMATION MANAGEMENT**

Council has a responsibility to provide information regarding land use history, land contamination and remediation.

The SEPP 55 Guidelines emphasises the importance of local government information systems in ensuring that adequate information is available to Council staff and the community in relation to both actual and potential land contamination.

Council also has a statutory responsibility to include certain information regarding land contamination on planning certificates issued under Section 149(2) and 149(5) of the EP&A Act.

Council's records regarding contaminated land are dynamic and will change over time as land is investigated, remediated and validated, and as new sites of potential contamination are identified. Existing records in relation to contaminated land should be kept on individual property files for each parcel of land. To assist Council in the management of information the following is (without limitation) recorded for individual parcels of land (where available / known):

- a) Site contamination reports submitted to Council (i.e. Preliminary Investigation, Detailed Investigation, Remedial Action Plans Validation and Monitoring Reports);
- b) Site Audit Statements received;
- c) EPA declarations and orders issued under the CLM Act (Including voluntary investigation management proposals approved by the EPA);
- d) Development Applications for Category 1 remediation works;
- e) Prior notification to Council of Category 2 remediation works;
- f) Notification of completion of Category 1 and Category 2 remediation works;
- g) Information regarding previous or current land uses which are likely to have resulted in land contamination; and
- h) Written complaints to Council about contamination.

Notations may be made on Council's property information system in relation to investigations and remediation work carried out for individual properties. This will assist staff to identify land that has been fully remediated or remediated for specific land uses. Some properties listed on the information system may be subject to legal notices under legislation administered by the EPA. The public should also consult with the EPA for up-to-date information on any such land in the local government area.

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<sup>6</sup> EPA Consultants and the Site Auditor Scheme  
<http://www.epa.nsw.gov.au/clm/selectaclmcons.htm>



#### **4. PLANNING (SECTION 149) CERTIFICATES**

Under Section 149 of the EP&A Act a person may request from council a planning certificate that contains advice on land contamination matters about a property from Council. For example, a planning certificate would show the existence of a council policy to restrict the use of land.

Such matters relating to land contamination that must be included on section 149(2) planning certificates are as set out in section 59(2) of the CLM Act and will also include:

- a) Whether Council has adopted a policy to restrict the use of land due to the risk of land contamination;
- b) Whether the land is an investigation area or remediation site;
- c) Whether the land is subject to an investigation order or remediation order; and
- d) Whether a site audit statement of the land is held by Council.

Council is formally advised whenever a notice is issued under the CLM Act and accordingly annotates its planning certificates. Section 149(2) planning certificates will not include specific information about actual or potential contamination (such as the types, extent and level of contamination) on a parcel of land.

Council may also elect to provide additional information on Section 149(5) certificates regarding the contamination status of a property.

# Procedure

## **1. ABOUT THIS PROCEDURE**

The procedure applies to a planning process in which there is a need to consider a potential or known contaminated site in the development application or a planning proposal process. It is premised on SEPP 55 Planning Guidelines and sets out steps to ensure decisions are made in good faith, adequately manage harm and that the land is appropriate for its intended use.

A separate procedure exists for the management of data and information relating to potential or to known contaminated land, including managing notifications from the NSW EPA, Site Assessment Statements, consultant reports, historical land use information, etc (See Appendix 12).

## **2. COUNCIL'S PROCEDURE FOR CONSIDERING LAND CONTAMINATION ISSUES FOR PLANNING PROPOSALS**

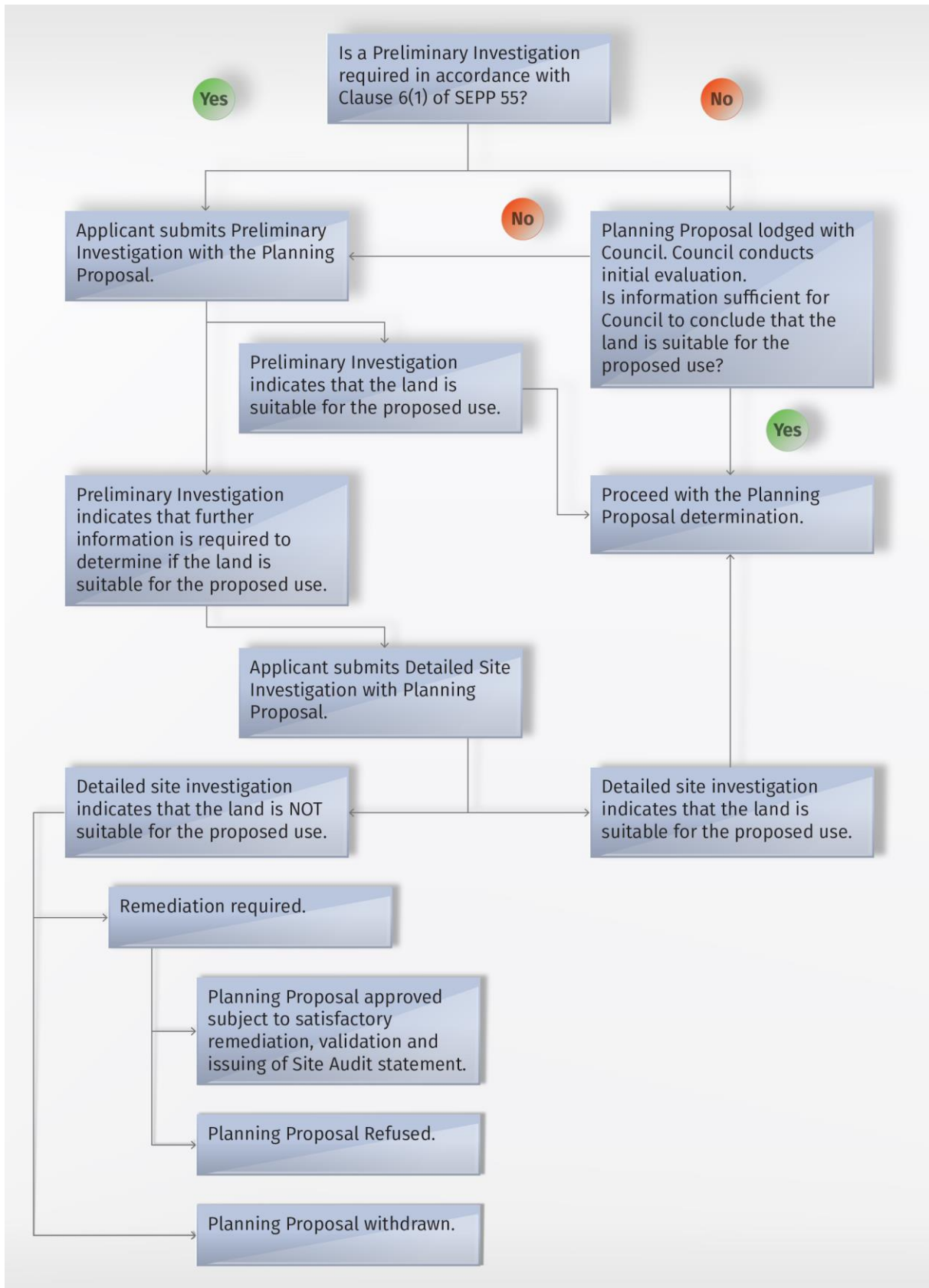
All land subject to a planning proposal must be considered as to whether the issue of contamination is relevant. If it is, investigations may be required to determine the level of contamination present on the land and identify any remediation works necessary to support the proposed zoning or land use.

An initial evaluation is an assessment of readily available factual information. Its purpose is to determine whether contamination is an issue that requires further investigation as a part of the preparation and finalisation of the planning proposal and whether a site investigation is required to be carried out.

The preliminary investigation is to identify any past or present potentially contaminating activities and to provide a preliminary assessment of site contamination. The preliminary investigation typically contains a detailed appraisal of the site history and a report based on visual site inspection and assessment.

The detailed site investigation shall be undertaken by an experienced and certified consultant at the cost of the applicant, and shall be undertaken in accordance with the guidelines made or approved by the EPA under Section 105 of the CLM Act.

Figure 1: Preliminary Investigation process for planning proposals



## 2.1 INITIAL EVALUATION

An initial evaluation is to comprise an assessment of readily available factual information. Its purpose is to determine whether contamination is an issue that requires further investigation prior to the preparation of the plan, or to determine the matter and whether a site investigation process is required.

The initial evaluation will be based on readily available factual information and should be carried out regardless of the nature of the proposed use or the current use. This information may include:

- the current zoning and permissible land uses;
- records from previous zoning;
- historical land uses;
- aerial photographs (including historical aerials);
- development and building applications; and
- property files and information provided by the applicant or other information available to Council.

Council may also carry out a site inspection of the land as part of the initial evaluation process.

As part of the initial investigation, applicants may request Council undertake a search of its records to determine previous approved developments at the site.

If Council is satisfied that the initial evaluation concludes that contamination is not an issue, then Council will not require any further investigation.

If, after an initial evaluation, there is nothing to suggest that the land might be contaminated, or that further enquiry is warranted, Council and the proponent may proceed without further reference to this policy. However; if there are indications that:

- the land is or may be contaminated; or
- there is insufficient information on which to make a decision;

a site investigation process is to be carried out in accordance with the Contaminated Land Planning Guidelines.

Insufficient information on which to a make a decision exists if there are significant gaps in historical information for a site, or if land uses are not described in sufficient detail to identify the presence or absence of possible contaminating land uses during periods in which such uses could be lawfully carried out.

The circumstances in which a site investigation process is required also include those specified in clause 6 of SEPP 55 – Remediation of Land. In accordance with this clause, Council will require a preliminary investigation to be submitted with zoning and rezoning applications where the land concerned is:

- Land that is within an investigation area;
- Land on which a potentially contaminating land use is being, or is known to have been carried out;

- Land on which it is proposed to carry out development for residential, educational, recreational, child care purposes or for a hospital;
- Where there is no knowledge or incomplete knowledge as to whether potentially contaminating development has been carried out on the land; and
- Where it would have been lawful to carry out such development on the land during any period in respect of which there is no knowledge or incomplete knowledge.

See Appendix 5: Council procedure for Initial Evaluation for steps on undertaking this process.

## **2.2 PRELIMINARY INVESTIGATION**

The objectives of a preliminary investigation are to identify any past or present potentially contaminating activities and to provide a preliminary assessment of site contamination. The preliminary investigation typically contains a detailed appraisal of the site history and a report based on visual site inspection and assessment.

Where contaminating activities are suspected to have had an impact on the land, sampling and analysis will be required to confirm and support any conclusion reached from the site history appraisal.

When undertaking a preliminary investigation landowners should consider that the information gained should be in accordance with the Guidelines on the Duty to Report Contamination under the CLM Act and may include:

- Description of activities that have occurred on the site
- Any large gaps in history that might hide a use
- Reliability of sources
- Historical permissible uses that may have occurred on site where there is a gap in land history
- Does that site pose a significant threat to human health or the environment?
- Does information conform to the relevant EPA guidelines?

As part of the preliminary investigation, applicants may request Council search its records to determine previous approved developments at the site.

Council will require further investigation (preliminary investigation) to be conducted and results submitted with planning proposals where it is found through the initial evaluation that the land concerned is:

- Land that is or that has been notified to the EPA under s60, or is regulated by the EPA under any other section, of the CLM Act;
- Land on which activities referred to in Appendix 2 are being undertaken, or are known to have been carried out; or
- Land on which there is incomplete knowledge about whether activities referred to in Appendix 2 are being, or are known to have been carried out, and if the proposed development involved residential, educational, recreational, child care or hospital purposes.

Where an initial evaluation by Council identified that the land was previously used for agricultural or horticultural purposes, Council may request a preliminary investigation to be undertaken to determine the history of the property. If the preliminary investigation shows that the land was only used for broad acre agriculture then the application may, in most cases, proceed. Although it is likely that herbicides and pesticides were used for broad acre farming, the likelihood of elevated levels of residual pesticides in the soil would be low. However, if investigations show that the land was used for intensive agriculture or horticulture, or if there are any other reasons for Council to be concerned about contamination or misuse of potential contaminants then a further investigation may be required.

Council may also require further investigation when:

- There are reasonable grounds to believe that the land is contaminated because of its history, condition, or other factual information known (where it is available);
- The site has been investigated or remediated but there is insufficient information available about the nature and extent of contamination or remediation, or whether these circumstances have changed;
- The land use changes to a more sensitive land use (i.e. residential, recreational, school or hospital);
- There are restrictions on, or conditions attached to, the use of the site by regulatory or planning authority that are, or may be related to contamination, but there is insufficient information available about the nature and extent of contamination;
- Council records have demonstrated that the site is associated with pollution incidents or illegal dumping of waste; or
- The site is adjoining land that has been associated with activities that may cause contamination listed in Appendix 2 and it is likely that this may have contaminated the subject site.

The preliminary site contamination investigation shall be reported in accordance with the requirements of the NSW EPA Guidelines for Consultants Reporting on Contaminated Sites. The applicant is responsible for engaging a suitably certified, qualified and experienced consultant to undertake the preliminary site contamination investigation and is responsible for all costs borne in engaging the consultant and the works involved.

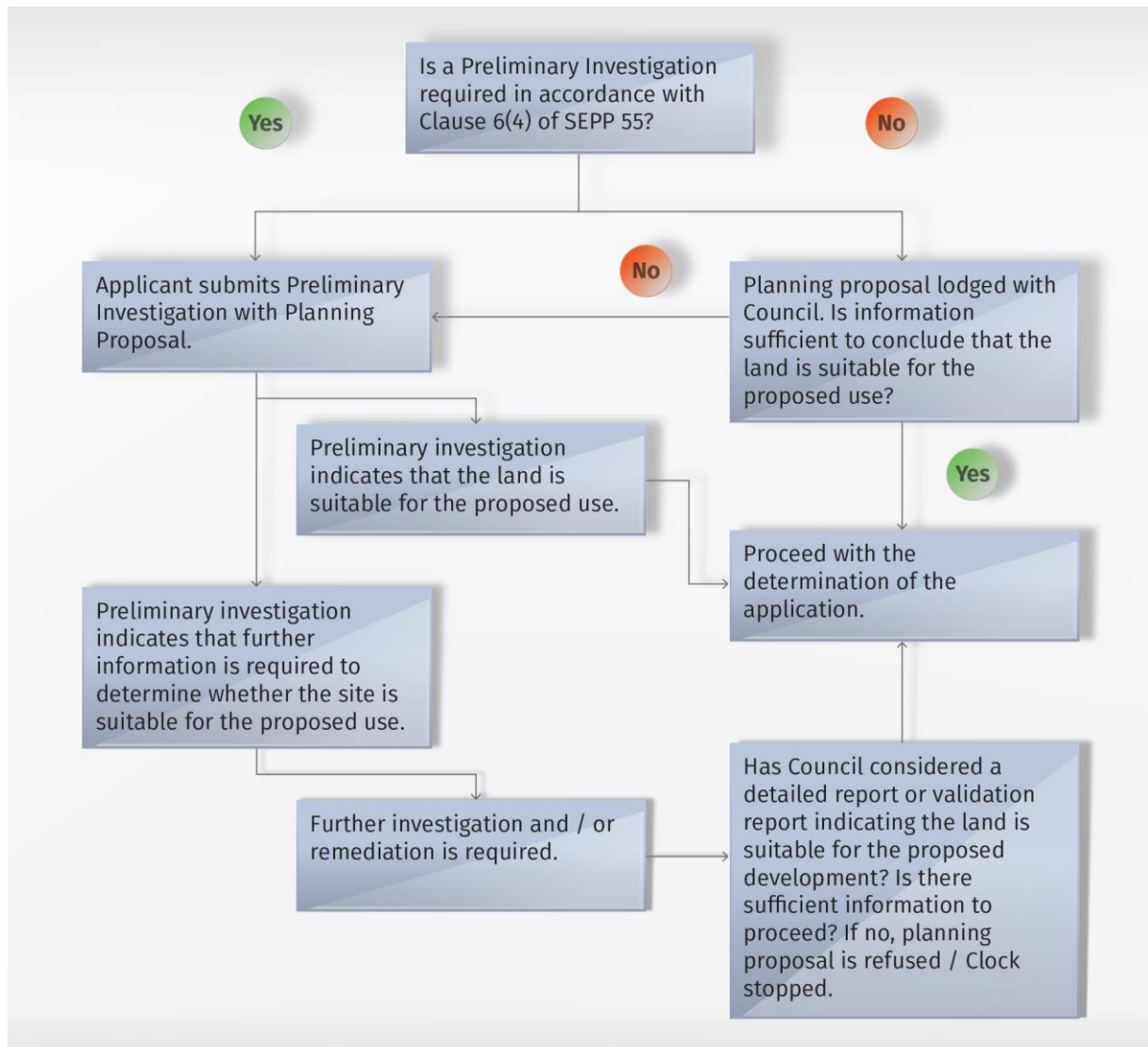
If after the preliminary investigation Council is satisfied that contamination is not an issue, then any further investigation may not be required.

See Appendix 6: Council procedure for Preliminary Site Investigation for steps on undertaking this process.

## **2.3 DETAILED INVESTIGATION**

If the result of the preliminary investigation demonstrates the potential for, or existence of, contamination that may preclude the land from being suitable for the proposed zone or use, Council may require a detailed contamination investigation, which is described below. In some cases, the preliminary and detailed investigations may be combined (e.g. where it is known that the land is contaminated or that the land has been used for a potentially contaminating activity).

**Figure 2: Consideration of planning proposals**



The detailed site contamination investigation is to be undertaken, in accordance with the guidelines made or approved by the EPA under Section 105 of the CLM Act, by a suitably certified, qualified and experienced consultant at the cost of the applicant. The objectives of a detailed site investigation are to:

- Define the extent and degree of contamination;
- Assess the potential risk posed by contaminants to human health and the environment; and
- Obtain sufficient information for the development of a Remedial Action Plan (if necessary).

The detailed site contamination investigation shall state whether the site is suitable for the proposed use, and for all other purposes permissible in the zone if it can be made suitable through remediation.

If remediation is required, the report should also list the feasible remediation options available to make the site suitable for any purpose permitted within that zone. If a feasible option is available, the planning proposal can proceed with certain provisions.

If site contamination investigations show that the site is contaminated, but there are feasible remediation options, the landowner may enter into a Voluntary Planning Agreement (VPA) or Council may impose a Deferred Commencement condition, to ensure that remediation is addressed prior to the redevelopment of the land.

Section 4 outlines the process for remediation and validation prior to development in accordance with the approved planning proposal.

If the detailed site investigation shows that the site is contaminated, but there are no options to remediate, Council may not allow the planning proposal to proceed.

In the event that a detailed site investigation report is required to be assessed by Council, Council may hire an independent third party consultant to assess the investigations on Council's behalf, at the applicant's expense.

See Appendix 7: Council procedure for Detailed Site Investigation for steps on undertaking this process.

### **3. COUNCIL'S PROCEDURE FOR CONSIDERING LAND CONTAMINATION ISSUES FOR DEVELOPMENT APPLICATIONS**

#### **3.1 GENERAL**

Section 79C of the EP&A Act requires Council to consider the suitability of the site for the proposed development when assessing development applications. This includes any risk from contamination to public health and/or the environment.

Council will not grant consent to the development of any land unless there has been consideration of whether the land is contaminated, and;

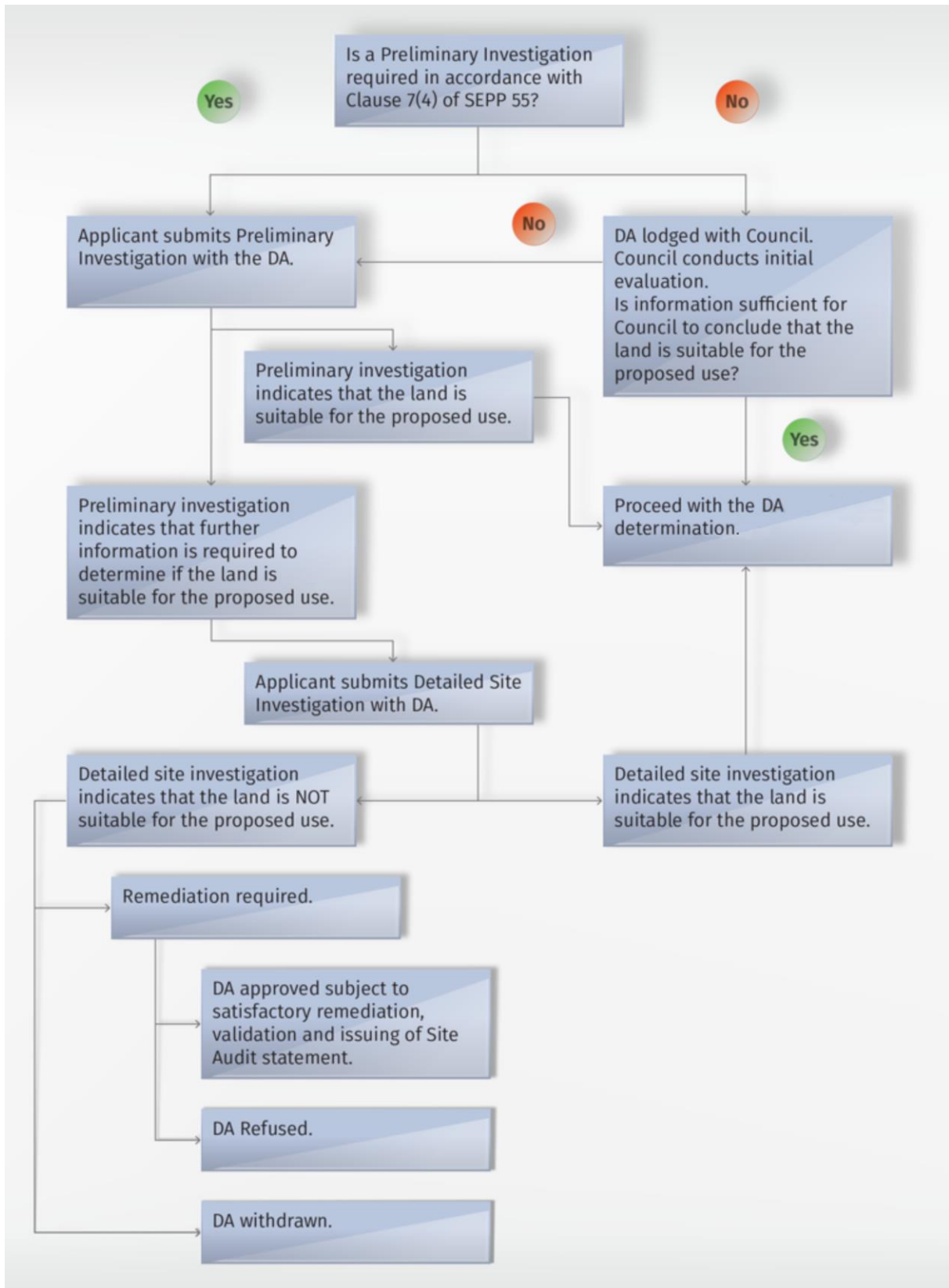
- If the land is contaminated, Council is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purposes of the proposed development; and
- If the land requires remediation to be made suitable for any purpose for which the development is proposed, Council is satisfied that the land will be remediated before the land is used for that purpose.

Upon lodging a development application for a change of use, the applicant can also become liable for the clean-up of any contamination on the site prior to their proposal being authorised. This is because when a change of use is approved, it can result in an increased risk of harm, even if the contamination itself does not change.

The following sections outline situations when Council will require site contamination information to be submitted with applications.



Figure 3: Preliminary Investigation process for development applications



### **3.2 INITIAL EVALUATION**

Council will conduct an initial evaluation as part of the assessment process for a development application to determine if contamination is likely to be an issue and whether sufficient information is available to make a decision in good faith.

The initial evaluation will be based on readily available, factual information provided by the applicant and any other available information (e.g. previous contamination investigations, previous zoning and land use and restrictions relating to contamination issued by the EPA). For that purpose, the contamination may be within a building/structure or other structure on the land, rather than only within the soil of that land.

Where an initial evaluation by Council identified that the land was previously used for agriculture or horticulture purposes, Council may request a preliminary investigation to be undertaken to determine the history of the property. If the preliminary investigation shows that the land was only used for broad acre agriculture then the application may proceed. Although it is likely that herbicides and pesticides were used for broad acre farming, the likelihood for elevated levels of residual pesticides in the soil would be low. However, if investigations show that the land was used for intensive agriculture or horticulture, or if there are any other reasons for Council to be concerned about contamination or misuse of potential contaminants then a further investigation may be required.

See Appendix 5: Council procedure for Initial Evaluation for steps on undertaking this process.

### **3.3 PRELIMINARY INVESTIGATION**

The objectives of a preliminary investigation are to identify any past or present potentially contaminating activities and to provide a preliminary assessment of site contamination. The preliminary investigation typically contains a detailed appraisal of the site history and a report based on visual site inspection and assessment.

Council will require further investigation where it is found through the initial evaluation that the land concerned is:

- Land that is within an investigation area, under Div. 2 of Part 3 of the CLM Act, that has been notified as such by the EPA;
- Land on which activities referred to in Appendix 2 are being, or are known to have been carried out; or
- Land on which there is incomplete knowledge about whether activities referred to in Appendix 2 are being carried out, and if the proposed development involves residential, educational, recreation, child care or hospital purposes.

Council may also require further investigation when:

- There are reasonable grounds to believe that the land is contaminated because of the land's history, condition, or other information known (where it is available);
- The site has been investigated or remediated but there is insufficient information available about the nature and extent of contamination or remediation, or where these circumstances have changed;

- The land use has changed to a more sensitive land use (i.e. residential, recreational, school or hospital);
- There are restrictions on, or conditions attached to the use of the site by a regulatory or planning authority that are, or may be related to contamination, but there is insufficient information available about the nature and extent of contamination;
- Council records have demonstrated that the site is associated with pollution incidents or illegal dumping of wastes; or
- The adjoining land has been associated with activities that may cause contamination listed in Appendix 2 and is likely that this may have contaminated the subject site.

The preliminary site contamination investigation shall be carried out in accordance with the requirements of the *NSW EPA Guidelines for Consultants Reports on Contaminated Sites*. The applicant is responsible for engaging a suitably qualified and experienced consultant to undertake the preliminary site contamination investigation and is responsible for all costs borne in engaging the consultant.

As part of the preliminary investigation, applicants may request Council undertake a search of its records to determine previous approved developments at the site.

If after the preliminary investigation Council is satisfied that contamination is not an issue, then any further investigation may not be required.

See Appendix 6: Council procedure for Preliminary Investigation for steps for undertaking this process.

### **3.4 DETAILED INVESTIGATION**

If the results of the preliminary investigation demonstrate the potential for, or existence of, contamination which may preclude the land from being suitable for the proposal, Council may require a detailed contamination investigation, which is described below. In some cases, the preliminary and detailed investigations may be combined (e.g. where it is known that the land is contaminated or that the land has been used for an activity that could cause contamination).

The lodgement of a development application may trigger the management and/or remediation of any significant contamination on the site prior to the development being authorised. The detailed site contamination investigation is to be undertaken by a suitably certified, qualified and experienced consultant (at the cost of the applicant) in accordance with the guidelines made or approved by the EPA under Section 105 of the CLM Act.

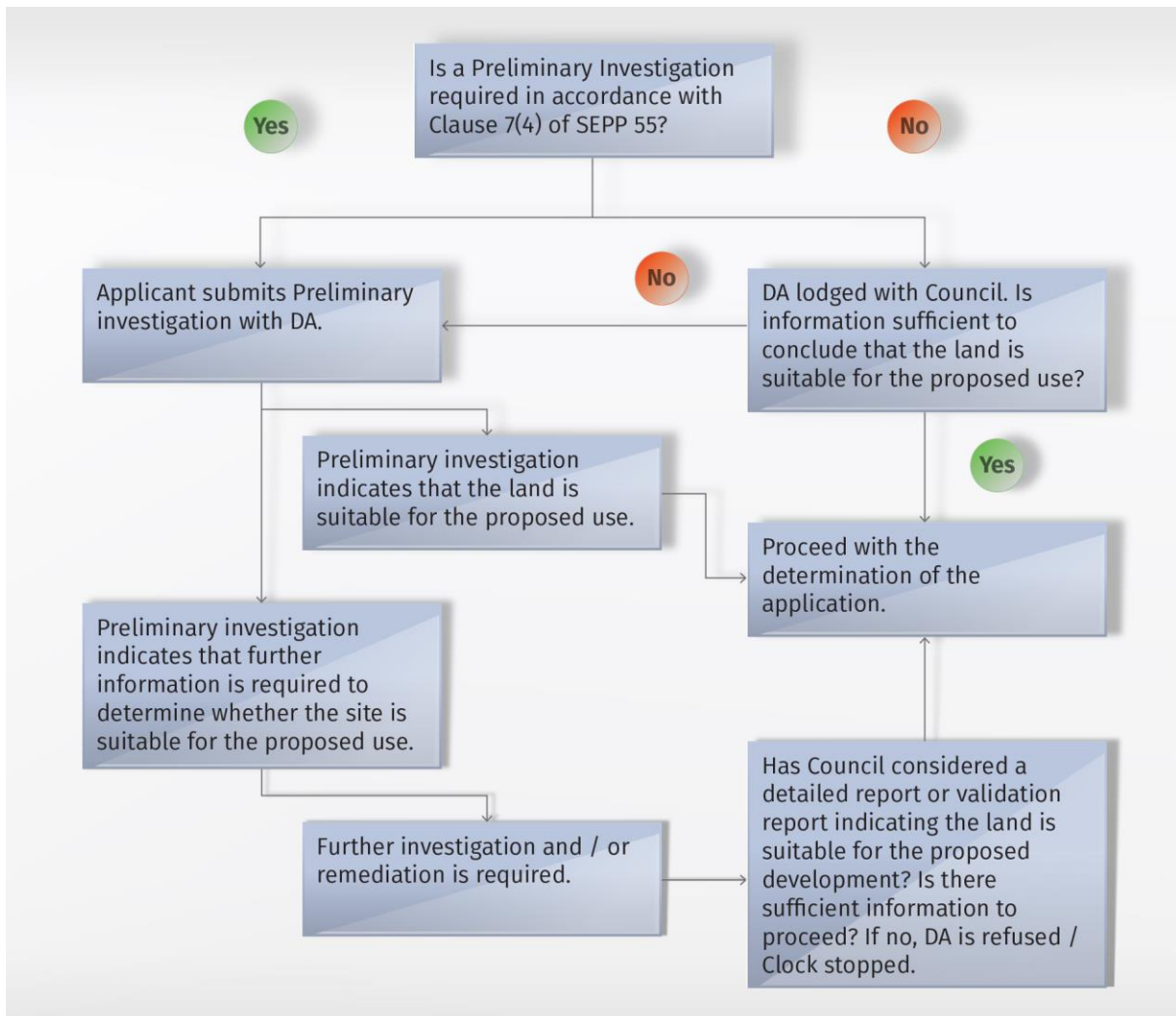
The objectives of a detailed site investigation are to:

- Define the extent and degree of contamination;
- Assess the potential risk posed by contaminants to human health and the environment; and
- If necessary, obtain sufficient information for the development of a Remedial Action Plan.

The detailed site contamination investigation shall state whether the site is suitable for the proposed use and for all other purposes permissible in the zone, or if remediation is necessary. If remediation is required, a remediation action plan will need to be prepared for Council outlining the feasible remediation options available to make the site suitable for the proposed use.

If the detailed site contamination investigation states (and Council is satisfied) that the site is suitable for the proposed use, then Council may determine the development application through Council's usual procedures.

**Figure 4: Consideration of development applications**



If the results of the detailed site contamination investigation demonstrate the existence of contamination that may preclude the land from being suitable for the proposed use, the applicant may choose to either withdraw the application or to remediate the land. Council's response will then depend on whether the remediation work constitutes Category 1 or Category 2 remediation work. A detailed explanation of what constitutes Category 1 remediation or Category 2 remediation is provided in Section 4.5 and 4.6 respectively.

If the remediation proposed is Category 1 remediation work (i.e. remediation work that requires development consent), Council may:

- Require the applicant to amend the application (if already submitted) to include a remediation proposal; or
- Require a new development application for the remediation to be submitted before the application is considered for the final use of the site.

If the proposed remediation is Category 2 remediation work (i.e. remediation work that does not require consent), Council may;

- Impose conditions on the development consent for the use, requiring the site to be remediated and validated either before other work commences or before occupation of the site; or
- Issue deferred commencement consent for the use of the site, and require the site to be remediated and validated before other work commences.

If the investigation finds that the land is unsuitable for the proposed use and may not be appropriately remediated, or the applicant does not wish to remediate:

- The application may be withdrawn and a new development application lodged for a use that is suitable for the land without remediation; or
- The application should be refused.

See Appendix 7: Council procedure for Detailed Investigation for steps outlining this process.

## **4. REMEDIATION PROCESSES**

### **4.1 REMEDIATION**

A Remedial Action Plan (RAP), is documentation describing remedial actions that should be prepared for all remediation proposals. A formal RAP must be developed by an experienced and certified consultant and be submitted to Council for all Category 1 remediation work (i.e. remediation work that required development consent). The RAP should also contain an environmental management plan and workplace health and safety plan for the remediation works and shall be submitted to Council prior to DA approval.

The objectives for the RAP are to:

- Set remediation objectives;
- Determine the most appropriate remedial strategy; and
- Identify necessary approvals that need to be obtained from any other regulatory authorities.

Remedial Action Plans are to be consistent with the SEPP 55 Planning Guidelines and all remediation is to be carried out in accordance with the EPA guidelines made under the CLM Act. The applicant is responsible for engaging an experienced and certified consultant to prepare the RAP and for all associated costs, including any remediation works as well as site audit costs if requested by Council.

The previous Figure 3 outlines the relationships between the Planning System and the CLM Act, and the role of Council in the process of site remediation.

See Appendix 8: Council procedure for Remediation for steps for undertaking this process.

## 4.2 VALIDATION AND MONITORING REPORT

The objective of the validation and monitoring report is to demonstrate that the objectives of the RAP have been achieved and that any conditions of development consent in regard to contaminated land have been complied with.

Council will require a validation and monitoring report to be submitted by the applicant after remediation works have been completed, and prior to the commencement of any development works. Council will place a condition on the development consent requiring the submission and approval of a validation and monitoring report prior to the issue of a construction certificate, or if a construction certificate is not required, prior to occupying the site, or within a specified timeframe as stipulated in conditions of consent. The validation report will be required to be submitted to the satisfaction of the Council.

Alternatively, Council may issue a deferred commencement or staged consent for the proposed use or development, requiring that remediation and validation is undertaken prior to any other work commencing.

Ideally the same certified consultant should undertake the site investigation, remediation and validation of the site. The Validation Report must confirm that the remediated site complies with the clean-up criteria set for the site in the RAP and be prepared in accordance with the *EPA Guidelines for Consultants Reporting on Contaminated Sites*.

Council may require independent review of the remediation and validation by an EPA accredited auditor.

## 4.3 VOLUNTARY REMEDIATION

Section 60 of the CLM Act places a duty on the owner and the polluter of contaminated land to report contamination to the EPA.

Owners of land that has been identified as being contaminated or potentially contaminated may wish to voluntarily undertake investigation and/or remediation at any time, regardless of whether they intend to carry out development, or apply for a planning proposal regarding that land.

Investigation by the owner must be undertaken in accordance with the relevant EPA guidelines by an experienced and certified consultant. Remediation must be carried out according to the NSW legislation and the process outlined in this Policy. Requirements for remediation are provided below in Section 4.4.

Council will consider the results of any investigation or remediation prior to providing a Section 149 planning certificate for the property.

See Appendix 9: Council procedure for Voluntary Remediation for steps for undertaking this process.

#### 4.4 REQUIREMENTS FOR REMEDIATION

In some situations remediation work itself has the potential for environmental impact and the planning process must ensure that these impacts are adequately identified and mitigated. Remediation work is classified as either Category 1 remediation work (i.e. remediation that requires development consent), or Category 2 remediation work (i.e. remediation work where no consent is required however the work must still be carried out in accordance with the requirements of SEPP 55).

All remediation work must be carried out by an experienced and certified consultant in conjunction with a Remedial Action Plan. Council's procedure for considering site remediation proposal is shown in Figure 3.

#### 4.5 CATEGORY 1 REMEDIATION WORK

Development consent is generally only required for remediation work where there is potential for significant environmental impacts from the work.

Remediation work that requires development consent is known as Category 1 remediation work. Category 1 work includes any work that is:

- Designated development; or
- Carried out on land that is declared to be critical habitat (for threatened species); or
- Likely to have a significant impact on critical habitat or a threatened species, population or ecological community; or
- Development for which another State Environmental Planning Policy or a regional environmental plan requires development consent; or
- In an area or zone to which any of the following classifications apply under an environment planning instrument:
  - A. Coastal protection;
  - B. Conservation or heritage conservation;
  - C. Habitat area, habitat protection area, habitat or wildlife corridor;
  - D. Environment protection;
  - E. Escarpment, escarpment protection or escarpment preservation;
  - F. Floodway;
  - G. Littoral rainforest;
  - H. Nature reserve;
  - I. Scenic area or scenic protection;
  - J. Wetland; or
- On any land in a manner that does not comply with a policy made under the contaminated land planning guidelines by the council for any local government area in which the land is situated.

All category 1 remediation work must be carried out in accordance with:

- The contaminated land planning guidelines;
- The guidelines published under the CLM Act; and
- A Remedial Action Plan prepared in accordance with the contaminated land planning guidelines and approved by the consent authority.

All other remediation work may be carried out without development consent and is known as Category 2 remediation work.

Note: under Clause 9(f) of SEPP 55, Council can nominate Category 1 remediation works. It's not a good idea to nominate everything, but if there is a concern, e.g. removal of USTs/UPSS not being undertaken correctly or shallow groundwater, adjacent to a waterway etc., then the Council is able to nominate these works as Category 1.

#### **4.6 CATEGORY 2 REMEDIATION WORK**

Category 2 remediation works is all remediation work that is not defined as Category 1 remediation work. Category 2 remediation work does not require development consent.

- Part 5 of the EP&A Act applies where development consent is not required under a planning instrument but where approval from a public authority is required. Each determining authority will consider the potential significance of any environment impacts from the proposed remediation.
- If the remediation is likely to significantly impact the environment, an Environmental Impact Statement (EIS) would be required.
- If consent is not required under SEPP 55 (e.g. Category 2 remediation works), it is unlikely that the remediation works will significantly impact the environment and therefore an EIS would not be required, however this would be determined on a case-by case basis.

Under Part 5 of the EP&A Act, Category 2 remediation works must take full account of all matters likely to impact the environment.

SEPP 55 requires that Council must be notified at least 30 days before Category 2 remediation works commence. Prior notice of Category 2 remediation works must also address the information in Appendix 3 – Requirements for Category 2 Remediation Works.

A copy of the Validation and Monitoring Report and Site Audit Statement from an EPA accredited auditor must be forwarded to Council within 30 days of the completion of remediation works. Council will not consider any subsequent development applications for the site until it is satisfied that the site is suitable for the proposed use.

See Appendix 9: Council procedure for Remediation for steps for undertaking Category 1 and Category 2 remediation works.



## 4.7 SITE AUDITING

A site audit is an independent review of any or all stages of the site investigation process, conducted in accordance with the CLM Act. A site audit may review a preliminary investigation, a detailed investigation, a Remedial Action Plan, or validation report.

A site audit will lead to the provision of a certificate called a Site Audit Statement, stating for what use the contaminated land is suitable. A Site Audit Statement must be prepared by an EPA accredited site auditor in accordance with the legislation.

Council may request a site audit to be undertaken at any stage during the contamination investigation or remediation works if Council:

- Believes on reasonable grounds that information, including that related to potential contamination or previous land use history, provided by the applicant is incorrect or incomplete;
- Wishes to verify whether the information provided by the applicant has adhered to appropriate standards, procedures and guidelines; or
- Does not have the internal resources to undertake a technical review.

If Council requires a site audit, the cost shall be borne by the applicant.

A site auditor can comment on, or verify information provided by the applicant:

- to determine if the contaminated land consultant complied with all appropriate standards, procedures and relevant EPA guidelines;
- to determine if further investigations or remediation is required before the land is suitable or determine any specified use or range of uses.
- to determine if the proposed remediation is adequate and, if undertaken, will render the site suitable for the proposed use.
- to determine if there is any acceptable off-site migration of contaminants, particularly via ground water; or
- to determine if the contamination conditions at the site are suitable for in-ground absorption of stormwater.

Before issuing a Site Audit Statement, the site auditor must prepare a Site Audit Summary Report. This report is a requirement of the EPA. It contains the key information and the basis of consideration that leads to the issue of the Site Audit Statement. The EPA Guideline for the NSW Site Auditor Scheme provides guidelines on the content of the statement and audit report.

See Appendix 10: Council procedure for Site Auditing for undertaking process steps.

## **5. PLANNING (SECTION 149) CERTIFICATES**

Under Section 149 of the EP&A Act a person may request from Council a planning certificate that contains advice on land contamination matters about a property. For example, a planning certificate would show the existence of a council policy to restrict the use of land.

Such matters relating to land contamination that must be included on section 149(2) planning certificates are as set out in section 59(2) of the CLM Act and will also include:

- a) Whether Council has adopted a policy to restrict the use of land due to the risk of land contamination;
- b) Whether the land is an investigation area or remediation site;
- c) Whether the land is subject to an investigation order or remediation order; and
- d) Whether a site audit statement of the land is held by Council.

Council is formally advised whenever a notice is issued under the CLM Act and accordingly annotates its planning certificates. Section 149(2) planning certificates will not include specific information about actual or potential contamination (such as the types, extent and level of contamination) on a parcel of land.

Additional information regarding the contamination status of the site can be placed on the Section 149(5) section of a planning certificate.

See Appendix 11: Section 149 Certificates procedure for undertaking this process steps.

## APPENDIX 1: TERMS AND DEFINITIONS

Category 1 Remediation Work under SEPP 55 <i>As defined in the SEPP 55 guidelines.</i>	Remediation work that requires development consent. Defined in Section 4.5 of this document.
Category 2 Remediation Work under SEPP 55 <i>As defined in the SEPP 55 guidelines.</i>	Remediation work that does not require development consent under SEPP 55. Defined in Section 4.6 of this document.
CLM Act	<i>Contaminated Land Management Act 1997</i>
Contaminated Land <i>As defined in the SEPP 55 guidelines.</i>	Land in, on or under which any substance is present at a concentration above that naturally present in, on or under the land that poses, or is likely to pose, an immediate or long-term risk to human health or the environment.
Contamination <i>As defined in the CLM Act.</i>	The presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality being a presence that represents a risk of harm to human health or any other aspect of the environment.
Detailed Investigation <i>As defined in the SEPP 55 guidelines.</i>	An investigation to define the extent and degree of contamination, to assess potential risk posed by contaminants to human health and the environment, and to obtain sufficient information for the development of a remedial action plan if required.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
Independent review <i>As defined in the SEPP 55 guidelines.</i>	An evaluation by an independent expert required by a planning authority of any information submitted by an applicant conducted at the applicant's expense.
Initial evaluation <i>As defined in the SEPP 55 guidelines.</i>	An assessment of readily available factual information to determine whether contamination is an issue relevant to the decision being made.
Investigation Order <i>As defined in the SEPP 55 guidelines.</i>	An order by the EPA under the Contaminated Land Management Act 1997 to investigate contamination at a site of within an area.
Notice of completion <i>As defined in the SEPP 55 guidelines.</i>	A notice to Council in accordance with the State Environmental Planning Policy No. 55 – Remediation of Land that remediation work has been completed.
Notification of remediation	Prior notice of Category 2 remediation work given to Council in

<i>As defined in the SEPP 55 guidelines.</i>	accordance with the State Environmental Planning Policy No. 55 – Remediation of Land.
Planning authority <i>As defined in the SEPP 55 guidelines.</i>	A public authority or other person responsible for exercising a planning function.
Preliminary Investigation <i>As defined in the SEPP 55 guidelines.</i>	An investigation to identify any past or present potential contaminating activities and to provide a preliminary assessment of any site contamination. The preliminary investigation typically contains detailed appraisal of the site history and a report based on visual site inspection and assessment.
Remedial Action Plan <i>As defined in the SEPP 55 guidelines.</i>	A plan that sets remediation goals and documents that outline the process required to remediate a site.
Remediation Order <i>As defined in the SEPP 55 guidelines.</i>	A direction from the EPA under the <i>Contaminated Land Management Act 1997</i> to remediate.
Remediation Site <i>As defined in the SEPP 55 guidelines.</i>	A site declared by the EPA under the Contaminated Land Management Act 1997 as posing a significant risk of harm.
Remediation Work <i>As defined in the SEPP 55 guidelines.</i>	Work in, on or under contaminated land, being work that: Removes the cause of contamination of the land; or Disperses, destroys, reduces, mitigates or contains the contamination of the land; or Eliminates or reduces any hazard arising from the contamination of the land (including by preventing the entry of persons or animals on that land).
SEPP 55	State Environmental Planning Policy No. 55 – Remediation of Land
Site Audit <i>As defined in the CLM Act.</i>	<i>A review</i> That relates to management of the actual or possible contamination of land; and That is conducted for the purpose of determining any one or more of the following matters The nature and extent of any contamination of the land The nature and extent of any management of actual or possible contamination of the land Whether the land is suitable for any specified use or range of uses What management remains necessary before the land is suitable

	<p>for any specified use or range of uses</p> <p>The suitability and appropriateness of a plan of management, long-term management plan or a voluntary management proposal.</p>
<p>Site Auditor <i>As defined in the SEPP 55 guidelines.</i></p>	<p>A person accredited by the EPA under the <i>Contaminated Land Management Act 1997</i> to conduct site audits.</p>
<p>Site Auditor Statement <i>As defined in the SEPP 55 guidelines.</i></p>	<p>A certificate issued by a site auditor for what use the land is suitable.</p> <p>OR</p> <p>A site audit statement prepared by a site auditor in accordance with the <i>Contaminated Land Management Act 1997</i>.</p>
<p>Site Audit Report <i>As defined in the SEPP 55 guidelines.</i></p>	<p>A report containing the key information and the basis of consideration which leads to the issue of a site audit statement.</p> <p>OR</p> <p>A site audit report prepared by a site auditor in accordance with the <i>Contaminated Land Management Act 1997</i>.</p>
<p>Site History <i>As defined in the SEPP 55 guidelines.</i></p>	<p>A land use history of a site that identifies activities or land uses that may have contaminated the site, establishes the geographical location of particular processes within the site, and determines the approximate time periods over which these activities took place.</p>
<p>Site Investigation Process <i>As defined in the SEPP 55 guidelines.</i></p>	<p>The process of investigating land that may be, or is, contaminated, for the purpose of providing information to a planning authority.</p>
<p>Validation <i>As defined in the SEPP 55 guidelines.</i></p>	<p>The process of determining whether the objectives for remediation and any development consent conditions have been achieved.</p>

## **APPENDIX 2: ACTIVITIES THAT MAY CAUSE CONTAMINATION**

Activities that may cause contamination, as listed by the Planning Guidelines SEPP 55 – Remediation of Land, are listed below. This should be used as a guide only. A conclusive contaminated or non contaminated status can only be determined after a site history investigation and sampling analysis (where required).

- acid/alkali plant and formulation
- agricultural/horticultural activities
- airports
- asbestos production and disposal
- chemicals manufacture and formulation
- defence works
- drum re-conditioning works
- dry cleaning establishments
- electrical manufacturing (transformers)
- electroplating and heat treatment premises
- engine works
- explosives industry
- gas works
- iron and steel works
- landfill sites
- metal treatment
- mining and extractive industries
- oil production and storage
- paint formulation and manufacture
- pesticide manufacture and formulation
- power stations
- railway yards
- scrap yards
- service stations
- sheep and cattle dips
- smelting and refining
- tanning and associated trades
- waste storage and treatment
- wood preservation
- clandestine laboratories and hydroponic plantings\*

Source: Department of Urban Affairs and Planning & Environment Protection Authority. 1998. Managing Land Contamination Planning Guidelines. Table 1.

\* Not currently listed in SEPP 55 Guidelines Remediation of land.

## **APPENDIX 3: REQUIREMENTS FOR CATEGORY 2 REMEDIATION**

An applicant undertaking Category 2 remediation work must comply with the following requirements in order to maintain the amenity of adjoining owners, to prevent a risk to human health and to protect the environment.

The following detail should also be included in the development of a Remedial Action Plan in accordance with Guidelines on the Duty to Report Contamination under the CLM Act.

### **1. Hours of Work**

All remediation work (including the delivery/removal of materials or equipment) shall be limited to the following hours of work (unless through an alternative mutual agreement in writing with Council) to:

- Monday to Saturday - 7.00am to 5.00pm
- Sunday and Public Holidays - no remediation work is permitted

Note: The hours of work listed above are in accordance with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008<sup>7</sup>.

### **2. Erosion and Sediment Control Plans**

An Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted to Council for approval prior to remediation works commencing onsite. The ESCP shall be developed with regard to the requirements detailed in Council's Soil and Water Management Policy and Council's Engineering Guidelines and Technical Specifications.

Sediment control structures shall be provided to prevent sediment entering drainage systems particularly where surfaces are exposed or where soil is stockpiled.

All erosion and sediment control measures must be maintained in a functional condition throughout the remediation works.

### **3. Stockpiles**

No stockpiles of soil or other materials shall be placed on public land (i.e. footpaths, reserves or nature strips). All stockpiles shall be placed away from drainage lines, gutters or stormwater pits or inlets. All stockpiles of soil or other material shall be maintained to prevent dust, odours or seepage. All stockpiles of contaminated soils shall be secured to prevent dust, odour or seepage if being stored for more than 24 hours.

### **4. Bunding**

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<sup>7</sup> State Environmental Planning Policy (Exempt and Complying Development Codes) 2008  
<http://www.legislation.nsw.gov.au/inforce/17c080b8-4ec2-e8af-a364-e7cf43a568a2/2008-572.pdf>



Any areas used for remediation or the stockpiling of construction materials or contaminated soils shall be controlled to contain surface water runoff and run-on and be designed and constructed so as to prevent the leaching of contaminants into the subsurface/groundwater. Locate stockpiles and construction materials away from drainage lines and provide bunding of disturbed areas and excavations to prevent runoff to waterways or stormwater where necessary. Ensure stabilisation as soon as possible. All surface water discharges from the area to Council's stormwater system shall not contain detectable levels of contaminants.

## **5. Site Access and Vehicle Use**

Vehicle access to the site shall be designated to prevent the tracking of sediment onto public roadways and footpaths. Soil, earth, mud or similar material must be removed from the roadway by sweeping, shovelling, or a means other than washing on a daily basis or as required by an appropriate authority. Soil residue from vehicle wheels shall be collected and disposed of in an appropriate manner.

All vehicles are to:

- Enter and exit the site in a forward motion;
- Comply with all road rules, including vehicle weight limits;
- Minimise the use of Local Roads by utilising State Roads where available;
- Be cleaned pre and post works to prevent the movement of weed seeds;
- Securely cover or seal all loads to prevent the release of any dust, fumes, soil or liquid emissions during transportation;
- Conduct deliveries of soil, materials, equipment or machinery during the hours of remediation work outlined in Section 1;

Note. Applicants may consult Council prior to selecting the most suitable transport route.

## **6. Air Quality**

Emissions of dust, odour and fumes from the site are to be appropriately controlled as per the EPA regulations and guidelines. These may include but are not limited to:

- Using water sprays to suppress dust;
- Establishing dust screens around work zones, the perimeter or the development site and any material handling areas;
- Securely covering loads entering/exiting the site;
- Covering stockpiles of contaminated soil that remain on site for more than 24 hours;
- Keeping excavation surfaces and stockpiles moist.

## **7. Groundwater and Surface Water**

Contaminated water is to be disposed of offsite at an appropriate waste treatment processing facility. Alternatively water that has been analysed for suspended solids, total solids, pH and contaminants identified in preliminary/detailed site investigations may be excavation pumped to stormwater if levels of all parameters tested meet EPA and Australian and New Zealand Guidelines (ANZECC) for fresh and marine water quality. Application may be made to Council for the water to be disposed of via sewer via a Trade Waste Agreement.

## **8. Existing Vegetation**

There shall be no removal or disturbance to trees or native understorey without the prior written consent through Council's Tree Preservation Order process. All trees that will be retained on the site must be suitably protected from damage during remediation works. This includes provision of protective fencing to protect the root zone of these trees. The fencing must extend to a minimum of the drip line of each tree. No stockpiling, storage, excavation, vehicle parking, or vehicle movement is to occur within the root zone protection area. Tree protection fencing must remain in place until the end of remediation works.

All exposed areas shall be progressively stabilised and revegetated on the completion of remediation works.

## **9. Capping of Contaminated Soil**

Capping of contaminated soil should only occur after alternative remediation works have been investigated, particularly in urban zoning or areas identified as future growth in Murrumbidgee Council's LEP/DCP.

Contaminated soil is only permitted to be capped if it does not prevent any permitted use of the land and it can be demonstrated that there will be no ongoing impacts on human or environment health. Capping of contaminated soil that exceeds zoning permissible levels, is classified as Category 1 Remediation Work and may only be permitted in accordance with a Development Consent.

Where site capping is carried out on a site and further maintenance is required, Council will require the placement of a covenant on the title of the land. The covenant will advise of any maintenance works required to be carried out. Records of any maintenance undertaken on the site shall be kept for future reference and provided to Council on an annual basis. The cost of the preparation of covenant is borne by the applicant.

## **10. Contaminated Soil Disposal**

Disposal of contaminated soil must be in accordance with the Protection of the Environment Operations Act and Regulations and any EPA guidelines relevant at the time (such as the NSW EPA publication NSW EPA Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes (2004)).

Any enquires associated with the off-site disposal of waste from a contaminated site should be referred to the EPA helpline (phone 131 555). If contaminated soil or other waste is transported to or from a site a licensed waste transport contractor must be used.

The Murrumbidgee Council's Waste Management Facility only accepts waste permitted under the Protection of the Environment Operations Act 1997 and Associated Regulations. Section L5 Waste requires that waste be 'General Solid Waste'. Analysis of the contaminated soil is to be undertaken to verify that the waste is 'General Solid Waste'. All documentation is to be provided to Council's Waste Management Team and approved prior to the waste entering the landfill.

#### **11. Work Health and Safety**

It is the employer's responsibility to ensure that all site remediation works comply with the Work Health and Safety legislation and other applicable SafeWork (previously known as WorkCover) NSW requirements.

#### **12. Importation of Fill**

All fill imported to the site shall be validated as Virgin Excavated Natural Material (VENM/ENM) as defined in the Protection of the Environment Operations Act 1997 (POEO Act) to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Council may in certain instances require details of the appropriate validation of imported fill material to be submitted with any application for the future development of the site.

Fill is permitted for use provided that:

- It itself is not contaminated;
- It is weed and pest free;
- It is compatible with the existing soil characteristic so as not to adversely affect site drainage.

#### **13. Site Security and Lighting**

The site shall be secured to ensure against all unauthorised access by using appropriate fencing.

It is recommended that security lighting is used to deter unauthorised access. If security lighting is used it shall be shielded to protect the amenity of adjoining landowners.

#### **14. Rodents and Vermin**

Rodents and vermin are to be adequately controlled and disposed of in an environmentally appropriate manner.

#### **15. Consultation**

Written notification to adjoining owners/occupants is to occur at least two days prior to the commencement of remediation works. Notification is to include:

- Estimated length of works;
- Contact details of Site Manager;

Signage visible from the road and adjacent to site access is to display the Site Manager and Remediation Contractor contact details for the duration of the works.

## **16. Removal of Underground Petroleum Storage Systems (UPSS)**

The removal of all UPSS is to be completed in accordance with the:

- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulations 2014)<sup>8</sup>;
- Australian Institute of Petroleum's Code of Practice: The Removal and Disposal of Underground Petroleum Storage Tanks (AIP CP22-1994)<sup>9</sup>;
- NSW Work Cover requirements;
- Australian Standard/s including AS 2601 – 1991 Demolition of Structures and AS 1940 – 2004 Storage and Handling of Flammable and Combustible Liquids.

Following the removal of underground storage systems containing fuel, the site area, which includes bowser lines and fuel lines, shall be assessed, remediated if need be, and validated in accordance with the requirements above. All documents must be submitted to Council, including but not limited to a tank pit validation prepared in accordance with the POEO regulations.

## **17. Hazardous Materials**

Hazardous and/or intractable wastes arising from the remediation work shall be removed and disposed of in accordance with the requirements of the NSW EPA and SafeWork (previously known as WorkCover) NSW, together with the relevant regulations, namely:

- NSW Work Health and Safety Act 2011;
- NSW Work Health and Safety Regulation 2011;
- Contaminated Land Management Act and Regulations; and
- Environmentally Hazardous Chemicals Act 1985 and Regulations.

Under the Protection of the Environment Operations Act 1997 the transportation of Schedule 1 Hazardous Waste is a scheduled activity and must be carried out by a transporter licensed by the NSW EPA.

## **18. Site clean-up/rehabilitation**

The remediation work site must be stabilised to ensure that no offsite impacts occur on the site post completion.

## 19. Site Validation

All Category 2 remediation work shall be validated by a site auditor accredited by the EPA under Part 4 of the CLM Act and a copy provided to Council within 90 days of completion and prior to the commencement of building construction works. The validation report is to:

- Contain a copy of any reports or records taken during remediation or following completion of validation works;
- Contain a validation statement detailing all works have been undertaken and completed satisfactorily;
- Demonstrate that the objectives of any relevant Remedial Action Plan (RAP) have been achieved, any conditions of development consent have been complied with or whether any further remediation work or restrictions on land use are required;
- Provide evidence confirming that all NSW EPA, SafeWork (previously known as WorkCover) and other regulatory authorities license conditions and approvals have been met;
- Identify the need for continued monitoring in situations where clean-up is not feasible or on-site containment has occurred;
- State the suitability of the site for its current or proposed use.

Successful validation is the statistical confirmation that the remediated site complies with the clean-up criteria set for the site.

The site auditor must:

- Be currently accredited by the NSW EPA;
- Comply with all relevant publications of the NSW EPA;
- Not have a conflict of interest or a pecuniary interest, within the meaning of Section 54 of the Contaminated Land Management Act 1997.

The full cost of the validation will be borne by the applicant and not Council.

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<sup>8</sup> Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014 <http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+565+2014+cd+0+N>

<sup>9</sup> NB: Australian Institute of Petroleum's Code of Practice: The Removal and Disposal of Underground Petroleum Storage Tanks (AIP CP22-1994) has been withdrawn by AIP.

## Category 2 Remediation Works Checklist

Requirement	Completed
Remediation works are not classified as designated development under the <i>Environmental Planning and Assessment Act 1979</i> or any other planning instrument (i.e. not Category 1 remediation works).	
Remediation works are not proposed on land that is: Identified as critical habitat under the <i>Threatened Species Conservation Act 1995</i> ; or Likely to have a significant impact on threatened species, populations, ecological communities or their habitats; or In an area or zone classified under an Environmental Planning Instrument as conservation or heritage conservation, habitat area, habitat protection area, habitat or wildlife corridor, environment protection, floodway, nature reserve, scenic area or scenic protection, or wetland; or Requiring consent under another State Environmental Planning Policy.	
Remediation work is consistent with the <i>Requirements for Category 2 Remediation of Contamination Land</i> , or you have received written confirmation from Council.	
Details of category 2 remediation work has been submitted 30 days prior to commencement, unless otherwise exempt.	
Written notification to adjoining owners/occupants has occurred at least two days prior to the commencement of remediation works detailing the estimated length of the works and contact details of the Site Manager.	
Have provided written correspondence to Council and members of the public who raised written concerns relating to the remediation works within 2 working days of commencement.	
Signage is visible from the road and adjacent to site access; displaying the Site Manager and Remediation Contractor contact details.	
Have provided notice of completion of remediation work within 30 days after the completion of the works to Council and any other consent authority in accordance with Clauses 17 and 18 of SEPP 55.	
Have provided independent verification within 90 days of remediation works being completed.	
If applicable, have notified Council of maintenance required in order for a covenant to be placed on the title.	
Have a mechanism in place to provide Council details of maintenance completed annually.	

## **APPENDIX 4: CONDITIONS OF CONSENT**

The following conditions have been created for use with development applications involving contaminated land. Not all conditions will be relevant to every development application and they will be used as appropriate and where relevant to a particular application. Amendments may also be made, where appropriate, to reflect legislative or other changes.

### **Contaminated Land**

The subject land has been contaminated from past land use or development. Accordingly, the applicant is advised to make contact with the SafeWork NSW (previously known as WorkCover) for advice regarding minimising harm to workers during operations. Any soil or debris that may need to be removed from the site may only be deposited at licensed landfill sites able to receive potentially contaminated wastes. Reference should be made to Murrumbidgee Council Contaminated Land Management Policy.

### **Contamination – Recommendations**

The recommendations contained in (insert section) of the document entitled (insert title) prepared by (insert author) dated (insert date) and supplied to Council (insert date) are adopted as conditions of this Consent subject to the following additional requirements.

- a) Insert
- b) Insert

### **Contamination – Notation on Title**

A notation is to be registered on the title of (insert Lot and DP) advising prospective purchasers to the effect that:

- a) The land is classified as contaminated land as past uses of the land may have contaminated, or contributed to the contamination of, the land; and
- b) Remediation works have been partial and localised only; and
- c) Contaminants may remain in both the soil and groundwater; and
- d) Further investigation and remediation may be required prior to any particular use of the land being undertaken or approved.

### **Environmental - site remediation works**

Site remediation works (as may be required) are to be carried out generally in accordance with the approved contamination report and remedial action plan, the ANZECC and NHMRC Guidelines (1992) and applicable NSW Environment Protection Authority Guidelines.

On completion of the site remediation works, the following documentation is to be submitted to the Principal Certifying Authority and to Murrumbidgee Council, if Council is not the Principal Certifying Authority:

- a) Written notification that the site remediation works have been completed is to be submitted within 30 days of the works being completed.

- b) The report is to certify that the remediation works have been carried out in accordance with the approved Remedial Action Plan and relevant NSW Environment Protection Authority requirements. (D436)

### ***State Environmental Planning Policy 55 – guidelines and notices***

All remediation work must, in addition to complying with any requirement under the Environmental Planning and Assessment Act or any other law, be carried out in accordance with:

- a) the contaminated land planning guidelines; and
- b) the guidelines (if any) in force under the Contaminated Land Management Act 1997.

In addition a notice of completion of remediation work on any land must be given to the Council. The notice is to be given within 30 days after the completion of the work.

### **Completion of Remediation Works – Prior to the commencement of any other works**

Upon the completion of any remediation works stated in the RAP, the person acting on this consent must submit to Council a Validation and Monitoring Report. The report is to be prepared in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites 1998.

### **Completion of Remediation Works – Prior to Occupation**

Upon the completion of the approved remediation works stated in the approved Remediation Action Plan and before the issue of an Occupation Certificate (whether an interim or final Occupation Certificate), the person acting on this consent shall submit to Council a Validation and Monitoring Report. The report is to be conducted in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites 1998.

### **Environmental Management Plan**

Prior to the issue of a Construction Certificate, an Environmental Management Plan (EMP) for the site is to be submitted to Murrumbidgee Council for consideration and approval. The EMP is to be prepared by an experienced and certified consultant in consultation with Council and other relevant agencies, and may need to be amended to include the comments provided by Council and other agencies. The EMP is to:

- a) Address all environmental aspects of the development's construction and operational phases; and
- b) Recommend any systems/controls to be implemented to minimise the potential for any adverse environmental impact(s); and
- c) Incorporate a programme for ongoing monitoring and review to ensure that the EMP remains contemporary with relevant environmental standards.



The EMP should include but is not limited to the following:

- i. Soil and water management
- ii. Air Quality
- iii. Water Quality
- iv. Dust suppression
- v. Litter control
- vi. Noise control
- vii. Waste management
- viii. Dangerous/hazardous goods storage
- ix. Emergency response and spill contingency.

The relevant aspects of the approved EMP are to be implemented during the relevant phase(s) of the development.

- Employment of Environmental Consultant

An experienced and certified environmental consultant is to be employed to supervise the implementation of the development in accordance with the relevant aspects of the approved EMP as identified at each phase of the development (e.g. prior to commencement of works, construction and post-construction/ ongoing operations of the development). Details of the environmental consultant, including contact details, employed to oversee the development is to be submitted to Murrumbidgee Council with the 'Notification of Commencement' 2 days before any works are to commence on site.

Note: An appropriately qualified and experienced environmental consultant must be certified by one of the certification schemes recognised by the EPA.

- Add following paragraph if required:

Operational matters of the development, Compliance Certificates or other written document are to be obtained from a qualified environmental consultant certifying that the aspects of the approved EMP are complied with. The Compliance Certificate or other written documentation is to be submitted to Murrumbidgee Council on an annual basis, on the anniversary of the Occupation Certificate being issued for the development.

### **Erosion and Sediment Control**

Run-off and erosion control measures must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land. The control measures must be in accordance with Murrumbidgee Council's adopted Erosion and Sediment Control Guidelines for Building Sites.

Erosion and sediment control measures must address and incorporate general site management material handling practices, soil stabilisation, wind erosion, access measures and shall provide for:

- a) The diversion of uncontaminated run-off around cleared or disturbed areas.
- b) The erection of a silt fence to prevent debris escaping into drainage systems or waterways.
- c) The prevention of tracking of sediment by vehicles onto roads.
- d) Covering of vehicles entering/exiting the site with material.

- e) The stockpiling of topsoil, excavated material, construction and landscaping supplies and debris within the site, and the removal or utilisation (where appropriate) of that stockpile after completion of the works.
- f) Maintenance of control measures until the land is effectively rehabilitated and stabilised beyond the completion of construction. (C430)

### **Maintenance of soil erosion and pollution controls**

All measures specified in Council's Soil and Water Management Policy to minimise the effects of soil erosion and pollution are to be installed then maintained until disturbed areas are rehabilitated and landscaped. Council may issue infringement notices incurring a monetary penalty where measures are not provided or maintained.

### **Environmental - dust control**

Effective dust control measures shall be introduced and maintained at all times. Full details of the proposed method of dust control shall be submitted to and approved by Council with the construction certificate.

### **Environmental - dust suppression**

Dust suppression techniques are to be employed during works to reduce any potential nuisances to surrounding properties.

### **Waste Disposal**

All waste generated on site during the project shall be classified and separated in accordance with the NSW EPA Waste Classification Guidelines and transported to a facility that may lawfully accept the waste.

### **Secure Remediation Area**

Prior to commencement of works on site, a secure fence shall be installed around the proposed remediation area to prevent access by unauthorised persons, which shall be removed following completion of remediation works.

### **Landscape Plan**

Prior to the issue of a Construction Certificate, a detailed Landscape Plan that includes the following will be required:

- a) Identification and accurate mapping of all trees suitable for retention based on health and condition.
- b) Report detailing species, health, condition and hazard rating of trees identified as suitable for retention.
- c) Trees identified for retention to be clearly tagged on site to allow for assessment by Council officers.
- d) A tree planting/revegetation plan detailing species and location.
- e) Methods of tree protection during engineering works for trees identified to be retained.

## APPENDIX 5: COUNCIL PROCEDURE FOR INITIAL EVALUATION

Process: Initial Evaluation

Exceptions: If an application is sent directly to the NSW Department of Planning and Environment as the land is deemed to be contaminated, and that the contamination is significant enough to be declared Significantly Contaminated under the CLM Act.

Trigger: An application is submitted to Council by an applicant for a given site.

Checklist process:

Step	Process	Yes	No
1	Does the application include a statement that the land (or neighbouring land) is, or is likely to be contaminated?	Go to Step 1A.	Initiate Preliminary site investigation process – Appendix 6.
1A	Did the application include a Site Audit Statement or Remedial Action Plan?	Go to site auditing or to Remediation process. - Appendix 8 and 10 respectively.	Go to Step 2.
2	Is the application requiring a change in land use to residential, educational, recreational, child care or hospital?	Need to be mindful of this when deciding as to whether a preliminary site investigation is required before proceeding.	Go to Step 3.
3	Is the site; under consideration (or neighbouring sites) included in the Register as 'significantly contaminated' or 'remediated land'? Listed on the EPA's notifications list i.e. sites which are awaiting assessment?	Go to Step 3A.	Go to Step 4.
3A	Does the Site Audit Statement or Remedial Action Plan place limitations on the use of the land?	Initiate preliminary site investigation process – Appendix 6.	Go to Step 4.
4	Is the site under consideration (or neighbouring sites) included in the register as potentially contaminated land?	Go to Step 4A.	Go to Step 5.

4A	Determine previous land use history and contamination potential. Is contamination possible?	Initiate preliminary site investigation – Appendix 6.	Go to Step 5.
5	Has the site under consideration been subject to either a preliminary or detailed site contamination investigations in the past?	Go to Step 5A.	Go to Step 6.
5A	Locate and review Site Audit Statement and the Validation and Monitoring Report. Do restrictions and/or conditions on the land use require further investigation?	Initiate preliminary site investigation – Appendix 6.	Go to Step 6.
6	Is the application outlining no change in land use, but the existing land use involves an activity listed in Appendix 2 of the Policy?	Go to Step 6A.	Go to Step 7.
6A	Is the previous/existing land use related to industrial/commercial or to intensive broadacre?	Consider if a preliminary site investigation is warranted before proceeding.	Go to Step 7.
7	<p>Does information on current zoning and permissible land uses (e.g. restrictions and/or conditions on land use relating to land contamination contained in the LEP, DCP etc), or records from previous zonings, development and building applications, property files and information provided by the applicant <u>suggest land contamination may be an issue for this or in neighbouring sites?</u></p> <p>Does the Local Environment Plan or Development Control Plan place restrictions or conditions for the development of the site?</p> <p>Is an identified historical land use for the land (or neighbouring land) listed in Appendix 2 of the Policy?</p> <p>Is an identified historical land use (or neighbouring land) related to agriculture or intensive horticulture? (excludes broadacre</p>	Yes or maybe to one or more – Initiate preliminary site investigation - Appendix 6.	No to all. Proceed with normal planning assessment process. Process finalised.

horticulture).		
Is or has the site (or neighbouring land) been subject to land use restrictions related to contamination?		
Is or has the site (or neighbouring land) been subject to conditions on its use?		
Is or has the site (or neighbouring land) been subject to remediation action?		
Is or has the site (or neighbouring land) been subject to pollution incidents and/or illegal dumping of waste?		
Did a site inspection identify any land contamination issues?		

Key decision for check list:

Initial Evaluation Report (as a file note) concludes that:

1. Reasonable efforts have been made to come to a conclusion that there is no risk in the development application relating to land contamination, hence the assessment of the Development Application continues business-as-usual; or
2. There is insufficient information to determine whether the land under consideration in the development application is not contaminated land, in that the land concerned is either:
  - Land that is within an investigation area that has been notified as such by the EPA;
  - Land on which activities referred to in Appendix 2 of the Contaminated Land Management Policy are being, or are known to have been carried out, especially in regards to agriculture and intensive horticulture activities; or
  - Land on which there is incomplete knowledge about whether activities referred to in Appendix 2 of the Contaminated Land Management Policy are being, or are known to have been carried out, and if the proposed development involved residential, educational, recreational, child care or hospital purposes.

If 1): proceed with normal business process in the assessment of the development application.

If 2): notify the applicant in writing that a Preliminary Site Investigation is required.

## **APPENDIX 6: COUNCIL PROCEDURE FOR PRELIMINARY SITE INVESTIGATION**

Process: Preliminary Site Investigation

Exceptions: If an application or proposal is sent directly to the NSW Department of Planning and Environment (as a consenting authority) as the land is deemed to be contaminated, and that the contamination is significant enough to warrant regulation.

Trigger: Initial Evaluation could not conclude that the land under consideration in the application or proposal is not contaminated land.

Activity: Request the applicant to use a suitably qualified expert to undertake a preliminary site contamination investigation, and to undertake this investigation in accordance with the NSW EPA Guidelines for Consultants Reporting on Contaminated Sites. Request that the outcomes of this investigation are included in a revised application or proposal. (Note: this activity can be undertaken in conjunction with the Detailed Site Investigation).

Checklist process:

<b>Step</b>	<b>Process</b>	<b>Yes</b>	<b>No</b>
1	The application or proposal includes a Preliminary Site Investigation Report.	Go to Step 2.	Go to Step 1A.
1A	Request the applicant provide the Preliminary Site Investigation Report.	Go to Step 2.	Undertake Step 1A before proceeding.
2	Review the Preliminary Site Investigation Report and determine whether a Detailed Site Investigation is required.	Go to Step 3.	Undertake Step 2A before proceeding.
3	Preliminary Site Investigation Report (as a file note with the report) demonstrates the potential for, or existence of, contamination, which may preclude the land of being suitable for the proposed use.	Go to Detailed Site Investigation – Appendix 7.	Go to Step 4.
4	Is there a requirement for conditions of consent (refer to Appendix 4).	Go to step 5.	Process the application or proposal. Process finalised.
5	Process application or proposal with Conditions of Consent.	Process finalised.	Step 5 needs to be undertaken before process can be finalised.

## APPENDIX 7: COUNCIL PROCEDURE FOR DETAILED SITE INVESTIGATION

Process: Detailed Site Investigation

Exceptions: If an application or proposal is sent directly to the NSW Department of Planning and Environment (as the consenting authority) as the land is deemed to be contaminated, and that the contamination is significant enough to warrant regulation.

Trigger: Preliminary Site Investigation Report identifies the potential for, or existence of, contamination which may preclude the land of being suitable for the proposed use.

Activity: Request the applicant to use a suitably qualified expert to undertake a detailed site contamination investigation, and to undertake this investigation in accordance with the NSW EPA Guidelines for Consultants Reports for Contaminated Sites. Request that the outcomes of this investigation are included in a revised application or proposal. (Note: this activity can be undertaken in conjunction with the Preliminary Site Investigation).

Checklist process:

Step	Process	Yes	No
1	The application or proposal includes a Detailed Site Investigation Report.	Go to Step 3.	Go to Step 2.
2	Request the applicant provide a Detailed Site Investigation Report	Go to Step 3.	Undertake Step 2 before proceeding.
3	Does the Detailed Site Investigation Report include a statement that the site is contaminated and that the contamination is significant enough to warrant regulation?	Go to Step 4.	Go to Step 3A.
3A	Request the applicant submit a revised Detailed Site Investigation Report to include a statement on the suitability.	Go to Step 3B.	Cannot proceed until Step 3A is undertaken.
3B	Revised Detailed Site Investigation report received.	Go to Step 4.	Cannot proceed until revised detailed site investigation report is received.
4	The Detailed Site Investigation Report includes a statement on whether the site is suitable for the proposed use and for all other purposes permissible in the zone, or if it can be made suitable through remediation.	Go to Step 5.	Go to Step 4A.

4A	Request a statement on whether the site is suitable for the proposed use and for all other purposes permissible in the zone, or if it can be made suitable through remediation.	Go to Step 5.	Undertake Step 4A before proceeding.
5	Does the Detailed Site Investigation Report include a statement that the site is potentially contaminated and that the contamination is significant enough to warrant regulation?	Go to Step 5A.	Go to Step 6.
5A	Notify NSW EPA immediately.	Proceed with EPA directions.	No other action can be undertaken until Step 5A has occurred.
6	Does the Detailed Site Investigation Report conclude that the land is unsuitable for the proposed use and may not be appropriately remediated, or the applicant does not wish to remediate?	Go to Step 6A.	Go to Step 7.
6A	The application or proposal may be modified to a use that is suitable for the land without remediation (e.g. relating to a development application outlining no change in land use), provided a new application or proposal is not required, or the application can be withdrawn, or the application or proposal can be refused by Council. Application or proposal modified for consent.	Go to Step 7.	Go to Step 6B.
6B	Has the applicant indicated its intent to withdraw the application or proposal?	Go to Step 6C.	Go to Step 6D.
6C	Close the assessment of the application or proposal.	Process finalised.	Undertake Step 6C to finalise process.
6D	Application or proposal refused by Council.	Go to Step 6E.	Application or proposal is required to be modified, withdrawn or refused for process to be finalised.
6E	Consider if the site should be included on the Contaminated Lands site register and include	Process finalised.	Undertake Step 6E



	on register if required.		to finalise process.
7	Does the Detailed Site Investigation Report include a statement that the site <u>is contaminated</u> , which may preclude the land from being suitable for the proposed use?	Go to Step 8.	Go to Step 9.
8	Has the applicant indicated its intent to withdraw the application or proposal?	Go to Step 6C.	Go to Step 9.
9	Is Council satisfied that the site is suitable for the proposed use and for all other purposes permissible in the zone?	Go to Step 10A.	Go to Step 9.
9A	Are conditions of consent required?	Go to Step 9B.	Go to Step 10.
9B	Include conditions of consent (see Appendix 4 of the Policy).	Process finalised.	Process can't be finalised until Step 9B is undertaken.
10	Council to develop restrictions and/or conditions for the land, including any restrictions relating to the intended land use or conditions on the remediation and also provision of a Validation and Monitoring Report prior to commencement of development work (e.g. construction certificate).	Go to Step 11.	Undertake Step 10 before proceeding.
11	Does the Detailed Site Investigation Report include a list of feasible remediation options available to remediate the site in order to make it suitable for the proposed use?	Go to Remediation – Appendix 8.	Go to Step 11A.
11A	Seek this information from the applicant.	Go to Remediation – Appendix 8.	Process cannot proceed until Step 11A has been undertaken.

**Note:** Subsequent to finding that the Detailed Site Investigation Report includes a statement that the site is contaminated and that the contamination is significant enough to warrant regulation, Council must notify the NSW EPA who may then declare the land as a 'Remediation Site' thereby subjecting the land to remediation works and processes under the Management Order issued by the EPA.

## APPENDIX 8: COUNCIL PROCEDURE FOR REMEDIATION

Process: Managing requirements of Council, the applicant and other parties relating to remediation of land and its congruence with SEPP 55 Planning Guidelines, and that remediation works will be undertaken in accordance with the relevant EPA Guidelines under the *Contaminated Land Management Act 1997*.

Exceptions:

- Category 1 remediation works with consent from the Department of Planning and Environment.
- Category 2 remediation works subject to a Remediation Order by the EPA without consent. Under this scenario the EPA declares that the land is a Remediation Site and a Remediation Order is issued by the EPA.
- A site that is under voluntary remediation (i.e. Voluntary Remediation Plan) with the EPA declaring the site as a Remediation Site (See Section 4.3, Voluntary Remediation) and where the EPA does not require the specific works to be undertaken under the EP&A Act.

Trigger:

- Land covered by a development application requiring remediation to make the land suitable for the proposed use and for all other purposes permissible in the zone.
- Receipt of a notification regarding proposed Category 2 remediation works without consent.

Checklist process:

Step	Process	Yes	No
1	Is the remediation work likely to have a potential for significant environmental impacts from the remediation works?	Go to Step 1A	Go to Step 1B
1A	Remediation works would be considered as Category 1 remediation works with Council consent (go to sub-section Category 1 Remediation Works With Council Consent).	Proceed to subsection Category 1 Remediation Works with Council Consent.	N/A
1B	Considered as Category 2 remediation works without consent (go to sub-section Category 2 Remediation Works Without Consent).	Proceed to subsection Category 2 Remediation Works Without Consent.	N/A

Notes: Category 1 remediation work includes any work that is:

1. Designated development as listed in Schedule 3 under the Environmental Planning and Assessment Regulation (2000), and requires the applicant to prepare an Environmental Impact Statement.
2. Carried out on land that is considered as critical habitat under Part 3 of the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994* (for threatened species).
3. Likely to have a significant impact on critical habitat or a threatened species, population or ecological community under Schedules 1, 1A and 2 of the *Threatened Species Conservation Act 1995*.
4. Development for which another SEPP requires development consent.
5. In an area or zone to which are classified for coastal protection, conservation or heritage conservation, habitat area, habitat protection area, habitat or wildlife corridor, environmental protection, floodway, nature reserve, scenic area or scenic protection, wetland, or any land in a manner that does not comply with the Policy made under the contaminated land planning guidelines by Council.
6. Any other works as nominated by Council under s.9(f) of SEPP 55 – Remediation of Land.
7. Council should notify NSW EPA that it considers remediation works associated with a planning proposal or development application to be Category 1 remediation works.

***Category 1 Remediation Work Subject to Management Order with Consent of Department of Planning and Environment.***

Notes:

1. Similar process to Category 1 Remediation Works with Council Consent except that Department of Planning and Environment manage the assessment steps and Council receives notifications at certain stages in the process.
2. A Remediation Action Plan must be prepared by the applicant and subsequently approved by the Department of Planning and Environment (as the consenting authority).
3. Department of Planning and Environment may require an Environmental Impact Statement (EIS) if the remediation is likely to significantly affect the environment.
4. A Remediation Action Plan, planning proposal or development application and an EIS is required to be submitted by the applicant to the Department of Planning and Environment.
5. Management Order is issued by the EPA.
6. Post-remediation: Validation and Monitoring Report and Site Audit Statement sent to the Department of Planning and Environment (under SEPP 55) and to the EPA (under the Remediation Order).

### Category 1 Remediation Work with Council Consent

Step	Process	Yes	No
1.	Does the Category 1 remediation work include any work that is designated development listed in Schedule 3 of the Environmental Planning and Assessment Regulation?	Determine whether the applicant is required to submit an Environmental Impact Statement before proceeding.	Go to step 2.
2	If the remediation work is Category 1 remediation work, has the applicant submitted a Remedial Action Plan?	Go to 2A.	Remedial Action Plan required before proceeding.
2A	Is Council satisfied that the site can be remediated?	Go to Step 3.	Go to Step 2B.
2B	Request applicant provides a revised Remedial Action Plan or if unsure decide whether to use a Site Auditor to review the Remedial Action Plan.	Go to Step 3.	Undertake Step 2B before proceeding.
3	Are the proposed clean-up criteria appropriate for the future use of the site, considering possible human health and environmental impacts?	Go to Step 4.	Go to Step 3B.
3B	Has the applicant provided a suitable revised Remedial Action Plan and Council is satisfied the land can be remediated for the intended land use. If unsure decide whether to use a Site Auditor to review the Remedial Action Plan.	Go to Step 4.	Undertake Step 3B before proceeding.
4	Are the proposed plans for remediation work acceptable in that they include an operational plan, work, health and safety management plan, site environmental management plan, community relations plan and contingency plan and outline all necessary approvals required from regulatory authorities?	Go to Step 5.	Go to Step 4A.
4A	Request applicant provides revised Remedial work plans. Is council satisfied with the revised remedial work plans? Unsure – Decide whether to use a Site Auditor to review the Remedial Action Plan.	Go to Step 5.	Undertake Step 4A before proceeding.

5	Is a Site Auditor required to review the Remediation Action Plan?	Inform the applicant that Council intends to engage a Site Auditor, and that the cost of this auditor is with the applicant. Go to Step 6.	Go to Step 7.
6	Request the applicant to submit a satisfactory Remedial Action Plan. Process should be stopped until a satisfactory RAP is submitted.	Go to Step 7.	Undertake Step 6 before proceeding.
7	Does Council need to impose conditions on the development consent in relation to: Requiring the submission of a Validation and Monitoring Report after completion of the remediation work, but before commencement of the development work (i.e. before issuance of a construction certificate). Any other conditions and/or restrictions on the remediation work, including any condition of consent set out in appendix 3 of the Policy?	Go to Step 7A.  Go to Step 7B.	Go to Step 8.
7A	Prepare conditions of consent to reflect provision of a Validation and Monitoring Report upon completion of remediation works.	Go to Step 8.	Undertake step 7A before proceeding.
7B	Prepare conditions of consent to reflect identified conditions of consent relevant to the remediation works and ongoing management of the land under consideration in regards to occupational health and safety, site environmental management (including ongoing site monitoring) and any other identified matter.	Go to Step 8.	Undertake Step 8A before proceeding.
8	Any objections received on the advertised planning proposal or development application (including the Remedial Action Plan)?	Go to Step 8A.	Go to Step 9.
8A	Is the planning proposal or development consent a designated development?	Go to Step 8B.	Go to Step 9.
8B	These objections must be sent to the Department of Planning and Environment for comment.	Go to Step 9.	Undertake step 8B before proceeding.
8C	Planning proposal or development consent is not designated development, Council is to	Go to Step 9.	Undertake step 8C.

	review objections and make a determination on these		
9	Determine the development application, including any comments on objections received from the Department of Planning and Environment (if designated development).	Go to Step 10.	Undertake step 9 before proceeding.
10	Inform the applicant of determination.	Go to Step 11.	Undertake step 10 before proceeding.
11	Upon completion of the remediation works, and before a construction or occupation certificate is issued, has a notification from the applicant that includes the Validation and Monitoring Report been submitted to Council within 30 days of completion of the remediation works or as specified in the Development consent? (Note: sometimes submission for the validation report within 30 days of completion of remedial works and prior to construction certificate is not feasible. Some flexibility is required here.	Go to Step 12.	Go to Step 11A.
11A	Request the notification and Validation and Monitoring Report to be submitted to Council.	Go to Step 12.	Undertake step 11A before proceeding.
12	Does the Validation and Monitoring Report include: A statement that the land under consideration has been remediated in accordance with the approved Remedial Action Plan to make it suitable for its intended use or other purpose in that zone?	Go to Step 13.	Go to Step 12A.
12A	If the site was remediated in accordance with requirements, then request the report is modified to include such a statement, or; If the report identified that full remediation was not feasible or onsite containment of contamination is proposed, then ensure that a detailed ongoing monitoring strategy/program and site environmental management plan is provided.	Go to Step 13.	Undertake step 12A before proceeding.
13	Does the Validation and Monitoring Report include: A statement confirming that all licences,	Go to Step 13A.	Go to Step 13C.

	approvals and development consents have been complied with?		
13A	Did the Validation and Monitoring Report include any documentary evidence?	Go to Step 14.	Go to Step 13B.
13B	Request that the report is modified to include such documentary evidence.	Go to Step 14.	Undertake step 13B before proceeding.
13C	Request that the report is modified to include such a statement and documentary evidence.	Go to Step 14.	Undertake step 13C before proceeding.
14	Does the Validation and Monitoring Report include: A Site Audit Statement and Site Audit Summary Report?	Go to Step 15.	Go to Step 14A.
14A	Request that the Site Audit Statement and Site Audit Summary Report is provided.	Go to Step 15.	Undertake step 14A before proceeding.
15	Is Council satisfied with the Validation and Monitoring Report and the Site Audit Statement?	Process finalised.	Undertake step 15A
15A	Seek a Site Auditor to review with a view to verify information contained in the Validation and Monitoring Report (See Appendix 10 Site Auditing).	Go to Step 15.	Cannot proceed until Step 15A is undertaken.

Note: Site auditor will provide a report that will confirm the above questions and thereby dictate whether the process continues or if another iteration on the Remedial Action Plan is required. If no Remediation Action Plan is sought (or is not needed), then the remediation must be tested against standards endorsed by the EPA.

Include the relevant information in section 149(2) planning certificates, covenants on the title or annual reporting and other information made available under section 149(5).

## Category 2 Remediation Work Without Consent

### Notes:

1. Category 2 remediation work is all remediation work that is not defined as Category 1 remediation work.
2. Category 2 remediation work does not require consent.
3. Council is required to be notified of any proposed category 2 remediation work at least 30 days before the works commence.
4. This notification is also required to address information contained in Appendix 3 Requirements for Category 2 Remediation Works.
5. Remediation Action Plans are not mandatory for Category 2 works without consent, but Council can deem the risk of contamination to be of the level requiring a Remediation Action Plan to be developed by the applicant.
6. A copy of the Validation and Monitoring Report and a Site Audit Statement from an EPA accredited auditor must be forwarded to Council within 30 days of the completion of the remediation works. Council will not consider any subsequent development applications for the site until it is satisfied that the site is suitable for the proposed use.
7. This section does not consider Category 2 Remediation Work Subject to a Remediation Order by the EPA – without consent, nor Category 2 remediation works relating to underground petroleum storage systems (even though Appendix 3 of the Policy includes UPSSs in the ‘requirements for category 2 remediation works’). The UPSS regulatory framework is proposed to be changed in 2017 resulting in more responsibility given to local government.

Step	Process	Yes	No
1	For Category 2 remedial works, was Council notified at least 30 days before commencement of the works?	Go to Step 3.	Go to step 2.
2	Contact applicant to remind them of the notification requirement.	Go to Step 3.	Process cannot proceed until Step 2 is complete.
3	Did the notification include a proposal for the remediation works that addressed information contained in Appendix 3 of the Policy in relation to ‘Requirements for Category 2 Remediation Works’, and the dates in which	Go to Step 4.	Go to Step 3A.



	this work is to be undertaken?		
3A	Obtain this information from the applicant.	Go to Step 4.	Process cannot proceed until Step 3A is undertaken.
4	Did the notification seek any approvals from Council (e.g. dissolved hydrocarbon impact from open excavations to be taken to landfill or discharged to the sewer under consent conditions)?	Go to Step 4A.	Go to Step 5.
4A	Consult with relevant internal operational area.	Go to Step 5.	Undertake Step 4A before proceeding.
5	Did the notification require any approvals from other regulatory bodies (e.g. leaching [i.e. discharge] of toxic material to stormwater or sewer).	Go to step 5A.	Go to Step 6.
5A	Request evidence of approval.	Go to Step 6.	Undertake Step 5A before proceeding.
6	Did the notification provide contact details?	Go to Step 6A.	Go to Step 7.
6A	Consult with relevant internal operational area.	Go to Step 7.	Undertake Step 6A before proceeding.
7	Has a remedial works plan been submitted with the notification?	Go to Step 8.	Go to Step 7A.
7A	Ask and receive the Remedial Works Plan from the applicant.	Go to Step 8.	Cannot proceed until Step 7A is undertaken.
8	Does the Remedial Works Plan state that it has been prepared in line with the SEPP55 Planning Guidelines, and that proposed remediation works will be undertaken in accordance with the relevant EPA Guidelines under the Contaminated Land Management Act?	Go to Step 9.	Go to Step 8A.
8A	Seek the applicant or proponent to provide this confirmation in writing.	Go to Step 9.	Undertake step 8A before proceeding.
9	Has a site inspection been undertaken?	Go to Step 10.	Go to Step 9A.
9A	Arrange and undertake a site inspection.	Go to Step 10.	Undertake step 9A before proceeding.

10	Upon completion of the remedial works has the following been provided to Council? Within 30 days of completion of the remediation works, a notification that remediation work and validation has been completed.	Go to Step 11.	Go to Step 10A.
10A	Contact the proponent and request this information is submitted to Council	Go to Step 11.	Cannot proceed until Step 10A is undertaken.
11	Upon completion of the remedial works has the following been provided to Council? Validation and Monitoring Report	Go to Step 12.	Go to Step 11A.
11A	Contact the proponent and request the Validation and Monitoring Report is submitted to Council.	Go to Step 12.	Cannot proceed until Step 11A is undertaken.
12	Upon completion of the remedial works is Council satisfied that the category 2 remediation works have been carried out?	Go to Step 13.	Go to Step 12A.
12A	Issue a clean-up notice under the <i>Protection of the Environment Operations Act 1997</i> requiring that further works be undertaken, or that a site auditor is appointed to review works to date and make suggestions on what additional works are required.	Go to Step 13.	Cannot proceed until Step 12A is undertaken.
13	Is Council satisfied with the content of the Validation and Monitoring Report and the Site Audit Statement?	Go to Step 14.	Go to Step 13A.
13A	If Council is not satisfied with the content of the site audit statement it should be reported to the EPA.	Go to Step 14.	Cannot proceed until Step 13A is undertaken.
14	Did the Validation and Monitoring Report and/or Site Audit Statement include: A statement that the land under consideration has been remediated to make it suitable for its intended use or other purpose in that zone?	Go to Step 15.	Go to Step 14A.
14A	Request that this information is provided.	Go to Step 15.	Undertake step 14A before proceeding.
15	Did the Validation and Monitoring Report and/or Site Audit Statement include:	Go to Step 15A.	Go to Step 16.

	Requirements relating to ongoing site management, including restrictions on use?		
15A	Include the relevant information in section 149(2) planning certificates, covenants on title or annual reporting and other information made available under section 149(5).	Go to Step 16.	Undertake step 15A.
16	Has a site inspection been undertaken?	Go to Step 17.	Undertake Step 16A.
16A	Undertake a site inspection.	Go to Step 17.	Cannot proceed until Step 16A is undertaken.
17	Council is satisfied with the remediation work.	Process finalised.	Process cannot be finalised until Council is satisfied with the remediation works.

Note: Some notifications on category 2 remediation works without consent list requests Council approvals. An example is the discharge of dissolved hydrocarbon impact to sewer or to take it to landfill to de-wet. As we have a Trade Waste Policy for the Jerilderie area, Council has the capacity to grant this approval up to an extent; however, for material whose discharge to sewer or stormwater systems would pose a significant risk to human health or the environment, the approval must be sought from the relevant state agency (e.g. NSW Office of Water).

## **APPENDIX 9: COUNCIL PROCEDURE FOR VOLUNTARY MANAGEMENT PROPOSALS**

Process: -To manage data and/or information regarding any voluntary management proposal approved by the EPA.

Exceptions: None identified.

Objective: to ensure the appropriate management of data and information from activities related to voluntary management proposals.

Trigger:

- Land owner informs Council of intent to remediate identified contaminated land.
- EPA notifies Council of a voluntary management proposal to remediate a contaminated site.
- EPA notifies Council of completion of remediation works associated with a voluntary management proposal.

Checklist process:

<b>Step</b>		<b>Yes</b>	<b>No</b>
1	Notification received from EPA in regards to a voluntary management proposal?	Go to Step 2.	Process not applicable.
2	Record information in Council's systems in accordance with agreed procedures.	Go to Step 3.	Undertake Step 3 before proceeding.
3	Is Council satisfied that a section 149(2) planning certificate can be issued for the site?	Go to Step 4.	Go to Step 5.
4	Prepare appropriate text for the section 149(2) planning certificate (See Appendix 11 Section 149 Certificates).	Process Completed.	Process not completed until Step 4 is undertaken.
5	Liaise with EPA for clarification.	Process completed.	Process not completed until Step 5 is undertaken.

Notes:

1. Duty to Notify: Anyone whose activities have caused land to be contaminated, and owners of land who become aware, or ought reasonably to be aware, that the land has been contaminated must notify the EPA as soon as practicable after becoming aware of the contamination when a site owner provides an undertaking to voluntarily remediate a site that initiates a process via a notification to the NSW EPA. This is a requirement under section 60(3) of the Contaminated Land Management Act and supported by the Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act.
2. Management Orders: The EPA may order persons to manage significantly contaminated land in the following hierarchy: those responsible for the contamination, the landowner and the notional owner. Under worst-case scenarios this could see Council as the 'notional owner' of private land and thereby is responsible for remediation.
3. Voluntary Management Proposals: The EPA may approve a voluntary management proposal for the management of significantly contaminated land, with or without conditions. The voluntary management proposals subsumes the former voluntary investigation proposal and the voluntary remediation proposal.

## APPENDIX 10: COUNCIL PROCEDURE FOR SITE AUDITING

Process: To ensure that Council has confidence in information regarding contamination or potential contamination of land and verification thereof.

Exceptions: None identified

Trigger: Council:

- Believes on reasonable grounds that information including that related to potential contamination or previous land use history, provided by the applicant is incorrect or incomplete.
- Wishes to verify whether the information provided by the applicant has adhered to appropriate standards, procedures and guidelines.
- Does not have the internal resources to undertake a technical review.

Notes:

1. A Site Auditor is an individual accredited by the EPA under Part 4 of the CLM Act.
2. Site auditors review the work of contaminated site consultants. The CLM Act calls these reviews site audits and defines a site audit as an independent review.
3. Site auditors can prepare an independent review:
  - a. that relates to investigation or remediation carried out (whether under the CLM Act of otherwise) in respect of the actual or possible contamination of land; and
  - b. that is conducted for the purpose of determining any one or more of the following matters:
    - I. the nature and extent of any contamination of the land
    - II. the nature and extent of the investigation or remediation
    - III. whether the land is suitable for any specified use or range of uses
    - IV. what investigation or remediation remains necessary before land is suitable for any specified use or range of uses
    - V. the suitability and appropriateness of a plan of remediation, a long-term management plan, a voluntary investigation proposal or a remediation proposal.
4. Costs for Site Audit services are borne by the applicant.

Checklist process:

Step	Process	Yes	No
1	Develop a terms of reference for the site audit.	Go to Step 2.	Undertake Step 1 before proceeding.
2	Package and provide all direct and background information required to be verified by the Site Auditor.	Go to Step 3.	Undertake Step 2 before proceeding.
3	After completion of the site audit, has the Site Audit Summary Report been provided with the Site Audit Statement?	Go to step 4.	Go to Step 3A.

3A	Seek Site Audit Summary Report from applicant.	Go to Step 4.	Undertake Step 3A before proceeding.
4	Is Council satisfied with the outcomes of the site audit?	Process completed.	Go to Step 5.
5	Liaise with site auditor to clarify findings or report to EPA for review.	Process Completed.	Process cannot be deemed completed until Step 5 (findings clarified or EPA reviewed) is undertaken.

## **APPENDIX 11: SECTION 149 CERTIFICATES PROCEDURE**

Process: To ensure that accurate information regarding land contamination matters including Council policy to restrict the use of land is included in planning certificates issued under section 149 of the EP&A Act.

Trigger: A request for information regarding a parcel of land that triggers a process under section 149 of the EP&A Act.

### Steps:

1. Identify parcel of land of interest.
2. Check Register for annotations regarding contaminated land management issues.
3. Generate certificate.
4. Confirm correctness of statements included in the certificate regarding contaminated land management matters.

Under s.149 of EP&A Act, a person may request from Council a planning certificate containing advice on matters about the land that are prescribed in the EP&A Regulation including information regarding land contamination.

- (a) Section 59(2) of the CLM Act provides that specific notations (as listed below) relating to contaminated land issues must be included on s.149 certificates where:*
- (b) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued;*
- (c) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued;*
- (d) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued;*
- (e) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to an order at the date when the certificate is issued;*
- (f) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.*

In addition to detailing information relevant to the prescribed matters, all s.149(2) certificates issued by Council will also contain one of the following notations relating to land contamination:

Where Council's contaminated land policy restricts the use of land which:

- has a previous land use history which could have involved use of contaminants on the site, for examples, land which may have been used for an activity listed in Appendix 2, or
- is known to be contaminated, but
- has not been remediated,



an appropriate notation may be:

***'Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands that have previously been used for certain purposes. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.'***

Where council's contaminated land policy restricts the use of land which:

- is known to contain contaminants, but
- has been remediated for a particular use or range of uses and some contamination remains on the site, for example encapsulated,

an appropriate notation might be:

***'Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which are considered to be contaminated, or on lands which have been remediated for a specific use. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.'***

Where Council records do not contain a clear site history without significant gaps in information and council cannot determine whether or not the land is contaminated, and therefore the extent to which council's policy should apply, council may decide to take a cautious approach. In such cases an appropriate notation might be:

***'Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application or provisions under relevant state legislation is warranted.'***

Council may make additional notations upon Section 149(2) or Section 149(5) certificates where specific information is obtained in relation to the use of land.

## **APPENDIX 12: PROCEDURE FOR STORING CONTAMINATED SITES INFORMATION**

### **FORMER JERILDERIE SHIRE COUNCIL PROCEDURE**

#### **PROCEDURE NAME**

Handling & registering of incoming mail – contaminated land information

#### **DEPARTMENT**

Environmental Services

#### **REFERENCES**

Handling & Registering of Incoming Mail

#### **PROCEDURE DETAIL**

Follow procedure for incoming correspondence.

Upon identifying that correspondence relates to contaminated lands, document to be registered to relevant property file and the central contaminated land file in the incoming mail database. Document to be referred to Environmental Services Department (ESD)).

Environmental Services Staff to check if parcel(s) identified in document are listed in contaminated Lands register

- If listed:
  - (a) Update information in the contaminate land register if applicable;
  - (b) Save any new information into the Council property system used to generate 149(2) certificates;
  - (c) Save an electronic version of the document into the contaminated land central file;
  - (d) Confirm that the property information on the document matches that on the rates record.
  
- If not listed:
  - (a) Insert new entry into the contaminated lands register;
  - (b) Save any new information into the Council property system used to generate 149(2) certificates and put a copy of the updated information in the property file;
  - (c) Save an electronic version of the document into the contaminated land central file  
Confirm that the property information on the document matches that on the rates card.



## Revised Signs as Remote Supervision Policy

	Name	Position	Signature	Date
Responsible Officer	Tom Dimec	Director of Infrastructure		
Authorised By	John Scarce	General Manager		

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# 1. Purpose

This Policy recognises the importance of using signs as remote supervision (SARS) to warn users of Council owned, operated or controlled land within the Murrumbidgee Council Local Government Area (LGA) of the risk and nature of identified hazards in the area.

Murrumbidgee's LGA encompasses an area of 6500 sq.km2, operated or controlled land are exposed to varying degrees of risk associated with the hazards which exist on the land - both natural hazards and hazards related to developed facilities.

As it is not always possible to fully eliminate the risk from these hazards, it is desirable to provide a warning to land users about the risk and nature of identified hazards. Signs can be an effective way to provide this risk warning.

Using signs as remote supervision also helps Council achieve the community objective in meeting the needs of the Murrumbidgee community and its visitors.

# 2. Scope

- This Policy applies to promote an integrated risk management framework including use of signs as remote supervision;
- Ensure consistency and fairness in the manner in which Council deals with signage;
- Promote awareness and ensure compliance with legislative requirements under the *Local Government Act 1993* and the *Civil Liability Act 2002*;
- Take such steps as are appropriate to ensure that signs are effective and meet current risk management best practice and Australian Standards; and
- Make Council's policy and requirements for signs as remote supervision readily accessible and understandable to the public.

# 3. Policy Details

1	<b>Application</b> This Policy applies to signs used for remote supervision on Council owned or controlled land and facilities in the Murrumbidgee Local Government Area (LGA).
2	<b>Legislation</b> Murrumbidgee Council complies with the <i>Local Government Act 1993</i> , the <i>Civil Liability Act 2002</i> (CLA) and relevant Australian Standards.  Council's duty of care is outlined in Part 5 Section 42 of the <i>Civil Liability Act 2002</i> - principles concerning resources and responsibilities of public or other authorities.  Section 5M of the CLA states that a risk warning for a recreational activity can be given in writing, including by means of a sign.

3	<p><b>Use of Signs for Remote Supervision (SARS)</b></p> <p>Areas of recreational risk exposure at Council owned or controlled facilities such as river, creek beaches, swimming pools, splash parks reserves, parks and public walkways, will be assessed with a view to mitigating the risk by using signs as remote supervision.</p> <p>Remote supervision signage will be used to advise or warn people of inherent dangers in the environment in which they are operating.</p> <p>Council's Signs as Remote Supervision Code of Practice includes procedures in relation to its signs used as remote supervision, based on current best practice.</p>
4	<p><b>Risk Management</b></p> <p>Council will conduct a regular site risk audit for all Council owned or controlled river, creek beaches, pools, parks and reserves, skate parks, pump tracks and splash parks.</p> <p>The site risk audits will include inspection and assessment of defects and appropriateness of existing remote supervision signage, and make recommendations regarding any maintenance, installation or changes to signs.</p>
5	<p><b>Installation and Replacement</b></p> <p>Signs as Remote Supervision (SARS) shall be provided as resources permit, based on a priority rating as per Council's Code of Practice.</p> <p>SARS signs in existence currently not meeting the current best practice and/or Australian Standards shall be replaced as resources permit, in priority order, as per Council's Code of Practice.</p>

## 4. Implementation

	<b>Requirements</b>	<b>Responsibility</b>
1	<p><b>Code of Practice</b></p> <p>This Policy will be implemented by following Council's Signs as Remote Supervision Code of Practice, which specifies in detail the procedures and rating formula for facilities.</p> <p>A rating formula will be used to assess all Council's facilities and allocate a Facility Visitation Rating (FVR) based on public usage.</p> <p>Facility Visitation Rating = (Development x Population) + Frequency.</p>	Council Officers

	<p>The value of the FVR is an indication of the risk that Council is exposed to related to the activities that occur in each facility. This value will allow Council to decide on the most appropriate sign which in turn will act as the most suitable form of remote supervision.</p> <p>Once the FVR has been determined and the hazards for each facility identified, appropriate SARS signs will be installed as warranted.</p>	
2	<p><b>Staff</b></p> <p>Under supervision, and once appropriate training has been received, relevant Council staff will be responsible for ensuring that this Policy is implemented within their work area.</p>	Council Officers
3	<p><b>Concerns</b></p> <p>Public concerns communicated to Council in relation to this Policy will be recorded on Council's records system and handled in accordance with Council's Customer Service or Complaints Policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.</p>	Council Officers
4	<p><b>Consultation</b></p> <p>Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies.</p> <p>Staff, other Councils, regional risk groups, and Council's regional risk manager have been consulted in the development of this Policy, along with current Best Practice documentation and Australian Standards.</p> <p>Proposed substantive changes to this policy will be placed on public exhibition, with public submissions regarding this Policy are invited for consideration during the exhibition period.</p>	As applicable

## 5. Governance

This Policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies, and guidelines.

Name	Link
Signs As Remote Supervision Code of Practice	<a href="http://www.murrumbidgee.nsw.gov.au/policies">www.murrumbidgee.nsw.gov.au/policies</a>
Local Government Act 1993	<a href="http://www.legislation.nsw.gov.au/#/view/act/1993/30">www.legislation.nsw.gov.au/#/view/act/1993/30</a>
Civil Liability Act 2002	<a href="http://www.legislation.nsw.gov.au/#/view/act/2002/22">www.legislation.nsw.gov.au/#/view/act/2002/22</a>

Related external references

Name	Link
Office of Local Government	<a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a>
Australian Standard AS/NZS ISO 31000:2009	<a href="http://www.standards.org.au">www.standards.org.au</a>
<i>Signs As Remote Supervision Best Practice Manual</i> (Statewide Mutual)	<a href="http://www.statewide.nsw.gov.au">www.statewide.nsw.gov.au</a>

## 6. 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).

Reviews of the effectiveness of this Policy could include the following:

Performance indicator	Data source(s)
Complaints	Council records
Customer Feedback Survey Responses	Surveys
Risk Audit Site Inspections	Inspections
Internal or external audit	Audit
Number of incidents at facilities	Council records
Number of liability claims	Council records










**SCHEDULE OF INVESTMENTS - 31 OCTOBER 2022****External investments**

In accordance with Regulation 212 of the *Local Government (General) Regulation 2005*, details of Murrumbidgee Council's external investments are set out below.

Institution	Balance (\$)	Yield (p.a.)	Maturity	Term (months)	No.
IMB Ltd	750,863	2.40%	3/11/2022	4	29
Bendigo	1,500,000	0.45%	16/12/2022	7	40
IMB Ltd	1,012,053	3.00%	20/12/2022	6	24
St George	510,738	2.70%	3/01/2023	4	27
Suncorp - METWAY	1,576,297	3.30%	9/01/2023	6	34
Bendigo	1,500,000	3.50%	27/01/2023	3	35
Bendigo	502,048	3.40%	8/02/2023	6	26
IMB Ltd	753,973	3.35%	9/02/2023	5	42
Bendigo	3,000,000	3.30%	20/02/2023	6	45
Suncorp - METWAY	1,500,000	3.43%	21/02/2023	6	36
Westpac	1,204,072	3.31%	22/02/2023	6	25
Bendigo	1,500,000	3.40%	24/02/2023	6	44
Suncorp - METWAY	1,000,000	3.53%	27/02/2023	6	20
Bendigo	1,000,000	3.40%	2/03/2023	6	22
Bendigo	818,452	3.40%	2/03/2023	6	28
Westpac	1,200,000	3.99%	3/04/2023	6	32
NAB	504,169	2.80%	7/03/2023	6	23
Bendigo	1,200,000	3.20%	16/03/2023	7	21
St George	1,006,830	3.05%	18/03/2023	6	31
Westpac	1,005,504	3.78%	20/03/2023	6	43
Westpac	1,206,016	3.78%	21/03/2023	6	39
Bendigo	1,000,000	3.90%	27/03/2023	5	33
Westpac	1,200,000	4.00%	21/04/2023	6	30
Bendigo	3,000,000	3.45%	18/05/2023	9	37
	<u>29,451,014</u>				

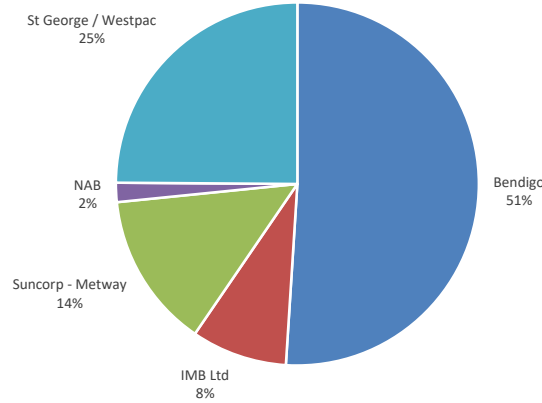
**Maturity**

All investments comply with the maximum duration set out for each rating category in the *Investment Policy*.

Month	\$	Funds Maturing
November 2022	\$ 750,863	
December 2022	\$ 2,512,053	
January 2023	\$ 3,587,034	
February 2023	\$ 9,460,092	
March 2023	\$ 7,740,971	
April 2023	\$ 2,400,000	
May 2023	\$ 3,000,000	
June 2023	\$ -	
	<u>\$ 29,451,014</u>	

**Counterparties to Investments**

Institution	Balance	S&P / Moody's / Fitch	Highest	Limit	% Invested	Compliant
Bendigo	15,020,500	BBB+ / A3 / A-	A	N/A	51.00%	N/A
IMB Ltd	2,516,888	- / Baa1 / BBB+	BBB	10%	8.55%	●
Suncorp - Metway	4,076,297	A+ / A1 / A	A	14%	13.84%	●
NAB	504,169	AA- / Aa3 / A+	AA	30%	1.71%	●
St George / Westpac	7,333,160	AA- / Aa3 / A+	AA	30%	24.90%	●
	<u>29,451,014</u>				<u>100%</u>	

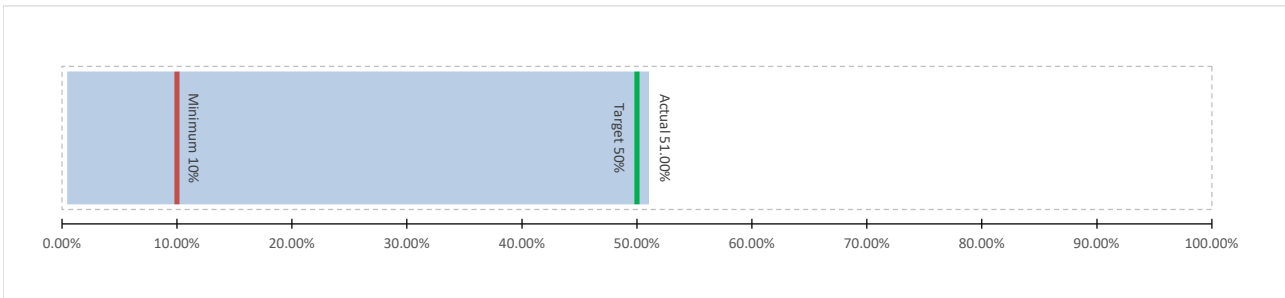


Investment with Coleambally Community Bank

51.00% ●

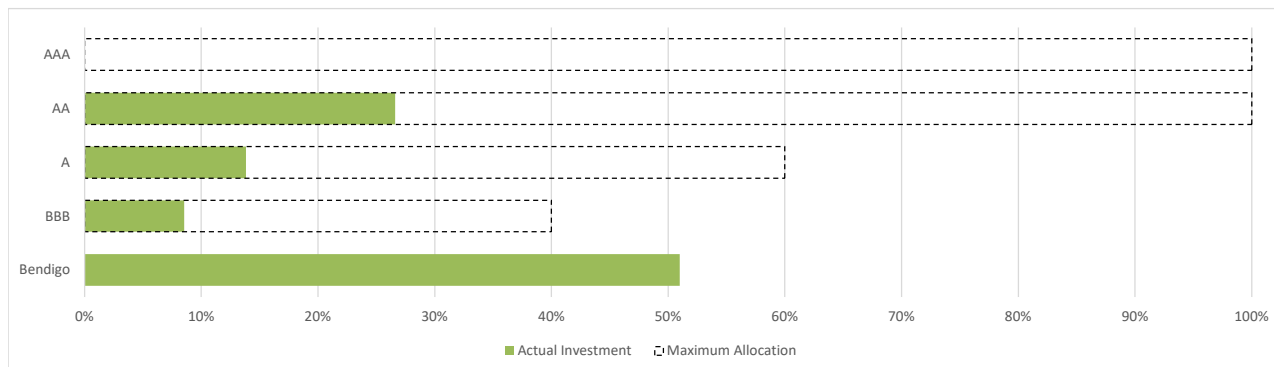
In recognition of the significant community role, support and activities undertaken within the Council area, Council aims to hold 50% of its investment portfolio with the Coleambally Community Bank.

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%	\$ 7,837,329	26.61%	●
A	60%	\$ 4,076,297	13.84%	●
BBB	40%	\$ 2,516,888	8.55%	●
Bendigo	N/A	\$ 15,020,500	51.00%	N/A
<b>Total</b>		<b>\$ 29,451,014</b>	<b>100%</b>	



### Monthly investment movements

#### Redemptions

Institution - No.	Balance (\$)	Comments
Inv 38 - Bendigo Bank Coly	3,007,374	Redeemed from Coly branch and invested with Bendigo Treasury.
	<u>3,007,373.97</u>	

#### New Investments

Institution - No.	Balance (\$)	Yield (p.a.)	Term (months)	Comments
Westpac - 32	1,200,000.00	3.99%	6	
Bendigo - 33	1,000,000.00	3.90%	5	
Bendigo - 35	1,500,000.00	3.50%	3	
	<u>3,700,000.00</u>			

#### Rollovers

Institution - No.	Balance (\$)	Yield (p.a.)	Term (months)	Comments
Westpac - 30	1,200,000	4.00%	6	
	<u>1,200,000</u>			

### Investment performance

	Oct-22	FYTD
Total investment income, including accrued interest	\$60,872	\$189,075
Money-weighted rate of return (% p.a.)	2.47%	1.99%
Bloomberg AusBond Bank Bill Index	2.91%	1.60%
Overperformance/(underperformance)	-0.44%	0.39%