

**MINUTES OF THE ORDINARY MEETING OF MURRUMBIDGEE COUNCIL
HELD IN THE COUNCIL CHAMBERS, JERILDERIE ON
THURSDAY 22 DECEMBER 2016 COMMENCING AT 10.00AM**

PRESENT

Administrator Austin Evans occupied the Chair, and also present were General Manager Craig Moffitt and Deputy General Manager Andrew Crakanthorp.

CONFIRMATION OF MINUTES

118/12/16 **Resolved** (Mr Evans) that the Minutes of the Ordinary Meeting of Council held on 24 November 2016, as printed and circulated, be confirmed.

GENERAL MANAGER'S REPORT

LEASE TO ESSENTIAL ENERGY **04.13**

119/12/16 **Resolved** (Mr Evans) that the lease to Essential Energy for the Depot 92-96 Coreen Street Jerilderie be executed by the Administrator and General Manager, and the Common Seal of Council be affixed.

MURRUMBIDGEE COUNCIL TRANSITION & IMPLEMENTATION PLAN **03.13.08**

120/12/16 **Resolved** (Mr Evans) that the Murrumbidgee Council Transition & Implementation Plan be endorsed in its entirety.

COUNCIL ENTERPRISE MANAGEMENT SYSTEM **05.22**

121/12/16 **Resolved** (Mr Evans) that in accordance with Section 55 (3) (i) of the Local Government Act 1993, Council not proceed to a competitive tender process for the purchase and installation of a single enterprise management system on the basis of extenuating circumstances which include:

- (a) The existence of contractual agreements with three companies who are able to provide the services required for Murrumbidgee Council
- (b) The ability of Council to negotiate an extension of one of the existing agreements will provide the required outcome

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- (c) The time constraints imposed on Council by the proclamation of the State Government in creating Murrumbidgee Council, requiring Council to make operational decisions to allow Murrumbidgee Council to be "fit for purpose" by September 2017, and rendering the tendering provisions of the Local Government Act impractical to implement.

**MURRUMBIDGEE COUNCIL – STRONGER COUNCILS
FRAMEWORK 03.13.08**

122/12/16 **Resolved** (Mr Evans) the Murrumbidgee Council Stronger Councils Framework and indicators contained therein be endorsed.

**ADMINISTRATION OF STRONGER COMMUNITIES FUND (SCF)
03.03.08A**

123/12/16 **Resolved** (Mr Evans) that:

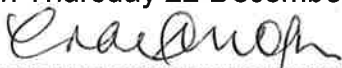
- (a) The NSW Office of Local Government be advised of Council's three year plan for allocating the Stronger Communities Fund, as detailed in this report;
- (b) A copy of this report (and the report to the Extraordinary Meeting of Council on 8 November 2016) be provided to the NSW Office of Local Government, which outlines the governance arrangements for the management of the funds; the consultation processes with local communities in relation to the funds; the process for prioritising the proposed projects; details of the approved projects for the community grants and the timeframes for the approval of the unallocated funds;
- (c) The transfer of \$500,000 from the Community Infrastructure Fund to the Stronger Communities Fund representing Round 2 of the SCF be approved.

DARLINGTON POINT CARAVAN PARK 04.13

124/12/16 **Resolved** (Mr Evans) that a contractor be engaged to remove the trees as identified in the inspection report dated April 2016 at a cost of \$20,240, and that such expenditure be funded from the Caravan Park Reserve. In addition, an assessment of the boat ramp area be conducted, and trees in an unsatisfactory state be removed.

125/12/16 **Resolved** (Mr Evans) that Council receive and note the report, and request a further report to a future Council meeting.

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..... General Manager Administrator

DRAFT LIQUID TRADE WASTE POLICY FOR MURRUMBIDGEE COUNCIL **04.35.03**

126/12/16 **Resolved** (Mr Evans) that the Draft Murrumbidgee Council Liquid Trade Waste Policy be adopted in accordance with Section 160 of the Local Government Act 1993.

CHRISTMAS BREAK 2016 **05.23**

127/12/16 **Resolved** (Mr Evans) that the Christmas Break Report be adopted.

DRAFT CONTAMINATED LAND MANAGEMENT POLICY **02.16.04**

128/12/16 **Resolved** (Mr Evans) that:

1. The Murrumbidgee Council Draft Contaminated Land Management Policy be publicly notified and exhibited for a period of 28 days, with a submission period of 42 days, in accordance with Section 160 of the Local Government Act 1993;
2. On completion of the submission period, the Draft Contaminated Land Management Policy be reported to Council for resolution in accordance with Section 161 of the Local Government Act 1993.

DARLINGTON POINT MASTER LANDUSE PLAN STEERING COMMITTEE **04.25.14**

129/12/16 **Resolved** (Mr Evans) that:

1. The Darlington Point Master Landuse Plan Advisory Committee be established as follows:
 - 4 LRC representatives - Mr Curphey, Mr Gilbert, Mr Wells and Mr Black
 - Director of Technical Services - David Tamlyn
 - Director Corporate and Finance - Sue Mitchell
 - Director of Environmental Services - Susan Appleyard (Project Manager)
 - Operations Manager North - Gary Rhandawa
 - Economic, Tourism and Community Development Manager - Gerrie Carr-MacFie
 - General Manager (alternate Deputy General Manager)
2. The Advisory Committee initial meeting be the last week in January 2017.

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130/12/16

Resolved (Mr Evans) that:

1. The Darlington Point Floodplain Risk Management Committee be formed in the following manner:

Elected Representatives	Mr Curphey, Mr Gilbert and Mr Wells
Council staff	General Manager Director of Technical Services Manager of Development Operations Manager Development Officer
Local Community Representatives	That an advertisement be placed in the Observer and on Council's web site seeking expressions of interest from members of the public to be a member of the Darlington Point Floodplain Risk Management Committee
Local Industry Bodies	That the Local Chamber of Commerce, irrigator groups and Farmers Federation be contacted seeking representatives on the Committee
Office of Environment and Heritage	That the representative from the Office be confirmed for the Committee
State Emergency Services	That the representative from the State Emergency Services be confirmed for the Committee.
Welfare Services Representative	That the appropriate agency to contact be determined after contacting the State Emergency Service.

2. The Report be adopted.

DEVELOPMENT APPLICATION NO DA 06-15/16

DA 06-15/16

131/12/16

Resolved (Mr Evans) that consent be granted to Development Application No. 06-15/16 for 1.5 MegaWatt Solar Project, on Lot 2, DP 858670, South Coree Road, Jerilderie dated 8 December 2015 as shown on Plan Number DA 06-15/16 and described in details accompanying the application under *Section 80(1) of the Environmental Planning and Assessment Act, 1979* subject to the following conditions:

1. The development shall take place in accordance with the plans and documentation submitted with the application. A copy of these are held by Council as Plan No. DA06-15/16.

Reason: to clarify the extent of the consent.

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

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

3. The erection of the building the subject of this development consent MUST not be commenced until:
 - a) detailed plans/specifications of the building have been endorsed with a construction certificate by:
 - (i) the Council, or
 - (ii) an accredited certifier, and
 - b) the person having the benefit of the development consent:
 - (i) has appointed a principal certifying authority, and
 - (ii) has notified the Council of the appointment, and
 - c) the person having the benefit of the development consent must lodge a notice of commencement form with Council prior to commencement of work at least two day prior to commencing the erection of the building.

Reason: These are requirements of the Environmental Planning and Assessment Act and associated Regulations

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

Reason: To ensure compliance to all requirements.

5. The constructed building and any associated utilities are to be contained wholly **within the boundaries of the property. It is the responsibility of the owner/principal contractor to ensure compliance with the requirements of this condition.**

Reason: To ensure works are contained on the site to which the consent has been issued.

6. CLASS 1 or 10 BUILDINGS.

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

- a) at the commencement of building work, and
- b) after excavation for, and prior to the placement of, any footings, and

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- c) prior to pouring any in-situ reinforced concrete building element ,
and
- d) prior to covering of the frame work for any floor, wall, roof or other building element
- e) after building work has been completed and prior to any occupation certificate being issued in relation to the approval.

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

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

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

Reason: To avoid a public health nuisance.

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

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

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

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

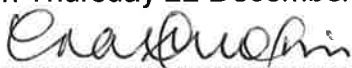
- 10. Any waste or excavated material removed from the site is to be taken to an authorised site for disposal. No fill is to be deposited on other land without the prior consent of Council.

Reason: To ensure the responsible disposal of surplus landfill.

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

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

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..... General Manager Administrator

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

This Condition does not apply to:

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

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

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

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

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

COMMITTEE MINUTES

MINUTES OF THE GENERAL MEETING OF JERILDERIE TIDY TOWNS COMMITTEE HELD THURSDAY 1 DECEMBER 2016 02.09

- 132/12/16 **Resolved** (Mr Evans) that the Minutes of the General Meeting of Jerilderie Tidy Towns Committee held 1 December 2016 be adopted.

MINUTES OF THE MURRUMBIDGEE COUNCIL TRAFFIC COMMITTEE MEETING HELD 8 DECEMBER 2016 06.16

- 133/12/16 **Resolved** (Mr Evans) that the extension of the turning lane northbound on the Kidman Way onto Kingfisher Avenue, Coleambally, be included in the next Traffic Committee meeting agenda.

- 134/12/16 **Resolved** (Mr Evans) that the Minutes of the Murrumbidgee Council Traffic Committee Meeting 8 December 2016 be adopted.

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ITEMS FOR INFORMATION

STATEMENT OF BANK BALANCES & SCHEDULE OF INVESTMENT 05.13

135/12/16 **Resolved** (Mr Evans) that the Statements of Bank Balances and Schedules of Investments as at 30 November 2016 be adopted.

AUSTRALIA CITIZENSHIP CEREMONY 02.03

136/12/16 **Resolved** (Mr Evans) that the Report on Australian Citizenship Ceremony be adopted.

UPDATE ON PROJECT MANAGEMENT OFFICE (PMO) 03.13.08

137/12/16 **Resolved** (Mr Evans) that the information on the activities of the Project Management Office (PMO) be adopted.

CONTAINER DEPOSIT LEGISLATION 04.39.02

138/12/16 **Resolved** (Mr Evans) that the Report on Container Deposit Legislation be adopted.

WORKS IN PROGRESS 8/11/2016 to 4/12/2016 03.16.04

139/12/16 **Resolved** (Mr Evans) that the Works in Progress Report be adopted.

There being no further business, the meeting closed at 10.18am.

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Austin Evans
ADMINISTRATOR