



# DARLINGTON POINT TOWNLIFE

Correspondence to: PO Box 5, Darlington Point NSW 2706

14 June, 2023

General Manager  
Murrumbidgee Council  
PO Box 96  
JERILDERIE NSW 2716

Dear John

## **SUPPORT FOR SPRING FESTIVAL**

At the meeting held on 23 May, Council endorsed the Darlington Point Townlife Spring Festival to be held on Saturday 16 September 2023.

The Spring Festival is identified by Council's Events Policy (V1) as a high-risk event involving a Traffic Control Plan (TCP) and Traffic Management Plan (TMP) as it is adjacent to the Kidman Way.

The Townlife Committee has been advised that approximate costs of Traffic Control will be \$1,668 and requests that Council support the event through an in kind donation of these costs.

Darlington Point Townlife are a Section 355 Committee of Council. The Spring Festival, has been running for approximately 10 years and was last held in 2019 prior to the COVID-19 Pandemic. The community event includes market stalls, food stalls, music, classic car display and children's entertainment, attracting a crowd of approximately 500 people. The committee is looking forward to the event returning and bringing the community and visitors together once again.

Yours sincerely

A handwritten signature in cursive script that reads "Sue Mitchell". The signature is written in dark ink and is positioned above the printed name.

Sue Mitchell  
Darlington Point Townlife



## **Draft** Audit, Risk and Improvement Committee Terms of Reference

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# INTRODUCTION

Murrumbidgee Council (Council) has established an Audit, Risk and Improvement Committee (ARIC) in compliance with section 428A of the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*. These Terms of Reference set out the Committee's objectives, authority, composition and tenure, and roles and responsibilities.

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## 1. Objective

The objective of Murrumbidgee Council's ARIC is to support Council by providing independent assurance to the Council by monitoring and reviewing processes and controls around the Council's governance practices, financial management, risk management and control frameworks, internal and external audit, external accountability obligations and Council's compliance with its policies and legislative and regulatory requirements.

## 2. Authority

The Council authorises the Committee, within the scope of its role and responsibilities, to:

- ☐ Obtain any information it needs from the Council (subject to any legal obligations to protect information);
- ☐ Have direct and unrestricted access to the General Manager and Senior Management of the Council;
- ☐ Seek the General Manager's permission to meet with any other Council staff member or contractor;
- ☐ Discuss any matters with the external auditor or other external parties (subject to confidentiality considerations);
- ☐ Request the attendance of any relevant employee or Councillor at Committee meetings;
- ☐ Obtain external legal or other professional advice considered necessary to meet its responsibilities. If possible, such advice to be approved by the General Manager or Mayor or Senior Manager of Council;
- ☐ Receive all information made available to Councillors, including information subject to professional privilege, for any matter under active consideration by the Committee. The release of information to the Committee does not constitute a breach of professional privilege;
- ☐ Information and documents pertaining to the Committee that are confidential are not to be made publicly available. The Committee may only release Council information to external parties that are assisting the Committee to fulfil its responsibilities with the approval of the General Manager, except where it is being provided to an external investigative or oversight agency for the purpose of informing that agency of a matter that may warrant its attention;
- ☐ The Minutes of ARIC meetings will be made public on Council's website in accordance with the Government Information Public Access Act (GIPA) and Open Access requirements.

### 3. Composition and Tenure

#### 3.1 Composition

The Committee will consist of:

##### 3.1.1 Members

The committee consists of:

- an independent chair (voting)
- *before 1 July 2024:* at least one independent member additional to the chair (voting)  
*from 1 July 2024:* at least two independent members additional to the chair (voting)
- one Councillor (non-voting)

##### 3.1.2 Attendees (non-voting)

Mayor (ex-officio)  
General Manager  
Chief Financial Officer  
WHS & Risk Advisor

##### 3.1.3 Invitees (non-voting) for specific agenda items

Representatives of the internal auditor  
Representatives of the external auditor  
Other officers may attend by invitation, as requested by the Committee.

#### 3.2 Tenure

Councillor/s will be appointed annually at the September Council meeting, to hold office until the commencement of the next September Council meeting, including where a Council election intervenes.

Independent Members will be appointed for a four-year period. Members can be reappointed for a further term, but the total period of continuous membership cannot exceed eight years. This includes any term as Chair of the Committee. Members who have served an eight-year term (either as a member or Chair) must have a two-year break from serving on the Committee before being appointed again. To preserve the Committee's knowledge of Council, ideally, no more than one member should leave the Committee because of rotation in any one year.

Specific member terms and conditions are to be disclosed in a letter of appointment. New members will be thoroughly inducted to their role and receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

Prior to approving the reappointment or extension of the Chair's or an independent member's term, the Council is to undertake an assessment of the Chair or Committee member's performance.

The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of the Council and the Local Government

sector. At least one member of the Committee shall have accounting or related financial management experience, with understanding of accounting and auditing standards in a public sector environment.

In making changes to Committee membership, Council will have regard to the benefits of continuity of Committee operations, and the benefits of refreshing membership.

### 3.3 Termination of Membership

Council may terminate the appointment of an independent external member prior to the end of the appointed term for reasons stated in the notice of termination. A terminated external member shall have the right to be heard at the next Ordinary Meeting of Council.

### 3.4 Remuneration

Council shall determine the remuneration of independent external members at the time of appointment, having regard to any relevant Government guidelines and the skills and experience of the member.

### 3.5 Responsibilities of Members

Members of the Committee are expected to:

- ☐ Understand the relevant legislative and regulatory requirements appropriate to the Council;
- ☐ Make themselves available as required to attend and participate in meetings;
- ☐ Contribute the time needed to study and understand the papers provided;
- ☐ Apply good analytical skills, objectivity and good judgement;
- ☐ Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry;
- ☐ Comply with Council's Code of Conduct, including declaration and management of conflicts of interest;
- ☐ Complete and lodge Disclosure by Councillors and Designated Persons Return.

## 4. Committee Role and Responsibilities

The Committee has no executive powers, except those expressly provided by the Council.

In carrying out its responsibilities, the Committee must, at all times, recognise that primary responsibility for management of Council rests with the Council and the General Manager, as defined by the Local Government Act.

The responsibilities of the Committee may be revised or expanded by the Council from time to time. The Committee's responsibilities are:

### 4.1 Risk Management

- ☐ Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud;

- ☐ Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings;
- ☐ Review the impact of the risk management framework on its control environment and insurance arrangements; and
- ☐ Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.

## 4.2 Control Framework

- ☐ Review whether management has adequate internal controls in place, including over external parties such as contractors and advisors;
- ☐ Review whether management has in place relevant policies and procedures, and these are periodically reviewed and updated;
- ☐ Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with;
- ☐ Review whether appropriate policies and procedures are in place for the management and exercise of delegations; and
- ☐ Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

## 4.3 Fraud and Corruption

Review and advise the Council of the adequacy and effectiveness of the Council's fraud and corruption prevention framework and activities, including whether the Council has appropriate processes and systems in place to capture and effectively investigate fraud related information.

## 4.4 Financial Management

Review and advise the Council as follows:

- ☐ Of the appropriateness of accounting policies;
- ☐ Of the appropriateness of Council's financial reporting;
- ☐ Of the financial implications for Council of the findings applicable to Local Government of external and performance audits of Government agencies such as ICAC, Office of Local Government and the State Audit Office;
- ☐ If Council's financial management processes are adequate;
- ☐ If Council is operating in a financially sustainable manner;
- ☐ If Council's cash management controls, policies and processes are adequate so that Council's unrestricted cash reserves meet its obligations;
- ☐ If Council's grants and tied funding policies and procedures are sound.

## 4.5 Governance

The Committee should review and advise the Council regarding its governance framework, ensuring that its decision making processes are accountable, transparent, legally compliant and are responsive.

## 4.6 Strategic Planning

The Committee should review Council's Integrated Planning and Reporting (IP&R) processes, together with Council's reporting and monitoring and achievement of its IP&R objectives and strategies.

#### 4.7 Legislative Compliance

- ☐ Determine whether management has appropriately considered legal and compliance risks as part of risk assessment and management arrangements;
- ☐ Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated Government policies.

#### 4.8 Internal Audit

- ☐ Establish and approve a Strategic and Annual Internal Audit Plan and review the internal audit coverage annually ensuring that this Plan considers Council's Risk Management profile;
- ☐ Consider the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved Internal Audit Plan;
- ☐ Review all audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices;
- ☐ Monitor the implementation of internal audit recommendations by management;
- ☐ Periodically review Council's Internal Audit Providers to ensure appropriate organisational structures, authority, access and reporting arrangements are in place;
- ☐ Periodically review the performance of the Internal Audit Service Providers.

#### 4.9 External Audit and Accountability

- ☐ Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards, and are supported by appropriate management sign-off on the statements and the adequacy of internal controls;
- ☐ Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments;
- ☐ To consider contentious financial reporting matters in conjunction with Council's management and external auditors;
- ☐ Review the processes in place designed to ensure financial information included in the annual report is consistent with the signed financial statements;
- ☐ Satisfy itself there are appropriate mechanisms in place to review and implement, where appropriate, relevant State Government reports and recommendations;
- ☐ Satisfy itself there is a performance management framework linked to organisational objectives and outcomes;
- ☐ Provide input and feedback on the financial statement and performance audit coverage proposed by external audit, and provide feedback on the external audit services provided;
- ☐ Review all external plans and reports in respect of planned or completed external audits, and monitor the implementation of audit recommendations by management;
- ☐ Consider significant issues raised in relevant external audit reports and better practice guides, and ensure appropriate action is taken.

#### 4.10 References from Council and the General Manager

- ☐ To consider, investigate and report on any matter referred to the Committee by Council or the General Manager;
- ☐ Any Councillor may refer any matter at any time to the Chair and, if thought fit, the matter shall be referred to the Committee to consider, investigate and report. Protected disclosures of any type shall be forwarded in accordance with the relevant legislation.

#### 4.11 Other Matters

- ☐ Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit;
- ☐ The Committee may, at any time, consider any other risk management or good governance matter it deems of sufficient importance. In addition, at any time, an individual Committee member may request a meeting with the Chair of the Committee.

### 5. Reporting

- ☐ Minutes of Committee meetings shall be supplied to the next Council meeting, after approval by the Chair;
- ☐ The Committee, via the Chair, will report regularly, at least annually, to the Council on the work of the Committee for the preceding year. Such reports will outline how the Committee has discharged its responsibilities contained in its Terms of Reference;
- ☐ The Committee may make additional reports to Council from time to time on such matters as it deems fit. The Chair shall be entitled to be heard by Council in open or closed meeting upon written request addressed to the Mayor or General Manager.

### 6. Administrative Arrangements

#### 6.1 Meetings

The Committee will meet at least four times per year, with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion.

The need for any additional meetings will be decided by the Chair of the Committee, though other Committee members may make requests to the Chair for additional meetings.

A forward work plan, including meeting dates and agenda items, will be agreed by the Committee each year at the first meeting in the calendar year. The forward work plan will cover all Committee responsibilities as detailed in this ARIC Terms of Reference.

All information supplied to the Committee, and the Committee deliberations, will be held in private. All Committee members and attendees are expected to maintain this privacy. The minutes of a meeting forwarded to Council after approval by the Chair are a public document.

No Audit Risk & Improvement Committee private or confidential information may be released to any third party without specific approval of the Chair and Mayor or General Manager.

The Committee shall be entitled to go into closed Committee (ie excluding some or all management and non-members) as determined by the Chair, including for the purpose of meeting with representatives of the internal auditors and external auditors.

## 6.2 Attendance at Meetings and Quorums

A quorum will consist of a majority of Committee members, including at least one independent member. In the absence of the Chair, another independent member shall assume the Chair.

Meetings can be held in person, by telephone or by video conference.

Representatives of the internal auditor and external auditor will be invited to attend ARIC meetings for consideration of relevant internal and external auditors' reports, unless requested not to do so by the Chair of the Committee. Internal and external auditors can attend each ARIC meeting at the invitation of the Chair. The Committee may also request the Finance Manager or any other employees to participate for certain agenda items.

## 6.3 Secretariat

The Council shall provide secretarial support to the Committee. The Secretariat will ensure the agenda for each meeting and supporting papers are circulated at least one week before the meeting, and ensure minutes of the meetings are prepared and maintained. Minutes shall be approved by the Chair and circulated to each member as soon as practicable following the meeting.

## 6.4 Conflict of Interest

Councillors, Council staff and members of Council Committees must comply with the applicable provisions of Council's Code of Conduct in carrying out the functions as Council officials. It is the personal responsibility of Council officials to comply with the standards in the Code of Conduct and regularly review their personal circumstances with this in mind.

Committee members must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

## 6.5 Induction

New members will receive relevant information and briefings on their appointments to assist them to meet their Committee responsibilities.



## 6.6 Assessment Arrangements

The Chair of the Committee will initiate a review of the performance of the Committee at least once every two years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from management and any other relevant stakeholders, as determined by the Chair.

## 6.7 Review of Audit Committee Terms of Reference

At least once every four years the Audit Committee will review the ARIC Terms of Reference, unless changes in legislation or Council Policy deem an earlier review is considered necessary.

Council agrees not to approve changes to these Terms of Reference without prior consideration by the Committee.



## Financial Reserves Policy

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

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## **1. Background**

This policy is to ensure sustainable, responsible, and appropriate management of Murrumbidgee Council's cash balances and financial reserves through a consistent and transparent approach to the appropriate identification and creation, administration, and usage of externally and internally restricted financial reserve amounts.

Financial reserves are created where surplus operating cash and/or income from specific sources is allocated for committed future expenditure. The purpose of financial reserves is to stratify monies held by Council that are linked to statutory requirements and long-term organisational objectives and strategies.

## **2. Objectives**

This policy has the following objectives:

- Ensure definitive classifications of financial reserve accounts, including unrestricted cash requirements
- Ensure the appropriate level of funds are available at the appropriate time to meet statutory and operating requirements and to prudently manage financial risk
- Ensure Council's reserve activity is in accordance with legislative, governance and prudent financial principles
- Establish processes around the creation and classification of financial reserves, as well as requirements of transfers of funds into and from these reserves
- Establish policy or processes to administer the financial reserves, including restrictions of usage of funds in reserve, internal and external reporting of usage of funds in reserve and closure of funds at end of useful life.

Every reserve created should have a clear and specific purpose and relate back to the adopted Integrated Planning and Reporting strategies and plans of Council. There should be a clear link between this Policy, and the reserves created under it, to the Operational Plan, Delivery Program, and, where appropriate, the Council's asset management plans and community plans.

The purpose of this Policy is to provide clarity and transparency in the sequestering of funds from annual operations in order to provide for longer term expenditure. That transparency encompasses the method of calculation of both the fund in total and its annual movements.

## **3. Classification of Financial Reserves**

### ***Asset Revaluation Reserves***

These reserves are established under the requirements of the Australian Accounting Standards. They reflect the increments or decrements of fixed asset values arising from an asset revaluation, such as increase in value of properties owned by Council. These reserves cannot be used for any other function.

### ***Externally Restricted Reserves***

These reserves are created as a result of a legislative requirement governing the use of the funds. These funds must be fully expended for the specific purpose defined, and cannot be used by Council for general operations.

### ***Internally Restricted Reserves***

These reserves are funds that the Council has determined to be used for specific purposes. These reserves are not subject to legal requirements governing the use of the funds and if that purpose does not eventuate or Council changes its priorities, Council may resolve to change the purpose of these funds.

## **4. Creation, Alteration and Cessation of Reserves**

All significant decisions in relation to Council's financial reserves are required to be by Council resolution. The creation of new reserves, alterations to existing reserves, or the cessation of any existing reserve may only be undertaken by resolution of the Council. Such a resolution should be based on a thorough and detailed report setting out all of the implications involved. Any such resolution must specify the amount of the transfer.

A schedule of existing financial reserves is appended to this policy outlining, for each reserve, its purpose, the basis on which it is calculated, its target balance, the name of the Council position/committee responsible for controlling the reserve and Council approval date/Minute No. where known. Given that they form part of an Appendix to this policy, amendments to individual reserves may be made by Council resolution without the need to amend the policy itself.

All reserves, with the exception of the Asset Revaluation Reserve, are to be 100% cash-backed.

## **5. Transfers of Funds**

Funds may be transferred to and from reserves by Finance staff in accordance with the calculation basis set out in the appendix.

In most other cases, the transfer of funds from reserves will be approved as part of the annual budget process.

From time to time there may be a requirement to transfer funds from a reserve for purposes not foreseen when the budget was developed, or to transfer funds in excess of the budgeted amount. Any such transfer must be approved by Council resolution.

No transfer from any reserve shall exceed the amount of the existing balance of the reserve at the time of transfer, unless a reserve overdraft has been approved by resolution of Council and the full impact of such overdraft taken into account for any financial management plans, and there are sufficient funds within the total reserves balance to allow a temporary overdraft.

Interest should be paid from the overdrawn reserve account if the balance is material.

## **6. Unrestricted Funds**

These are funds which are available to be used to cover unforeseen budget shock, where expenses are not provided for in the annual budget and not covered by the external and internal restricted reserves. These funds are also available to:

- boost Council's financial liquidity in paying suppliers, providing services and retaining staff
- meet short term cash flow requirements to fund capital works projects
- meet Council's operational efficiency by covering non-budgeted discretionary expenditure, and
- support Council's long-term financial sustainability

Council has a target of at least \$1,500,000 unrestricted cash funds.

## **7. Review**

This Policy:

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

## Appendix 1 – Schedule of Externally Restricted Financial Reserves

Reserve Name	Water Fund
<b>Purpose</b>	Isolate cash available to water supply services to enable a continuity of operations to meet the needs and expectations of Council and the community. These funds can only be used to fund water supply operations, or projects and programs which are directly related to water supply operations.
<b>Calculation Basis</b>	Cash received for the provision and management of water supply services is transferred to this reserve and expenditure incurred for the service is transferred from this reserve.
<b>Target Balance</b>	In accordance with Council's Long Term Financial Plan.
<b>Responsible</b>	Director of Infrastructure

Reserve Name	Sewer Fund
<b>Purpose</b>	Isolate cash available to sewerage services to enable a continuity of operations to meet the needs and expectations of Council and the community. These funds can only be used to fund sewerage operations, or projects and programs which are directly related to sewerage operations.
<b>Calculation Basis</b>	Cash received for the provision and management of sewer services is transferred to this reserve and expenditure incurred for the service is transferred from this reserve.
<b>Target Balance</b>	In accordance with Council's Long Term Financial Plan.
<b>Responsible</b>	Director of Infrastructure

Reserve Name	Domestic Waste Management Reserve
<b>Purpose</b>	<p>Section 496 of the Local Government Act 1993 (the Act) requires Council to levy an annual charge for the provision of domestic waste management services, which include garbage and recycling services.</p> <p>Under the legislation, Council cannot finance these services from ordinary rates so the charge must be sufficient to recover reasonable costs of providing these services.</p>
<b>Calculation Basis</b>	Cash received for the provision and management of domestic waste services is transferred to this reserve and expenditure incurred for the service is transferred from this reserve.
<b>Target Balance</b>	In accordance with Council's Long Term Financial Plan.
<b>Responsible</b>	Director Planning, Community & Development

Reserve Name	Developer Contributions Reserve
<b>Purpose</b>	Sections 7.11 & 7.12 of the <i>Environmental Planning &amp; Assessment Act 1979</i> enables Council to levy contributions as a consequence of development. The Act requires Council to set these funds aside to be used specifically for the provision of these facilities.
<b>Calculation Basis</b>	100% of developer contributions levied in accordance with Council's adopted s 7.11 and s 7.12 Developer Contributions

	Plans will be transferred to the reserve in the financial year that they are received.
<b>Target Balance</b>	No target. Cash to be fully expended.
<b>Responsible</b>	Director Planning, Community & Development

<b>Reserve Name</b>	<b>Coleambally Town Development Reserve</b>
<b>Purpose</b>	<p>In accordance with s 495 of the <i>Local Government Act 1993</i>, Council may make a special rate towards meeting the costs of any works, services, facilities or activities provided or undertaken by Council within any part of the Council's area. The special rate must be levied on rateable properties that, in Council's opinion, will benefit, contribute, or have access to the proposed works, services, facilities or activities.</p> <p>Until the 2020 financial year, Council levied a Town Improvement Rate on properties in Coleambally which is retained in this reserve and is proposed to be expended on future subdivision development at Coleambally.</p>
<b>Calculation Basis</b>	<p>No further transfers to this reserve are expected to be undertaken.</p> <p>Transfers from this reserve may only be undertaken by resolution of Council and/or adoption in the annual budget.</p>
<b>Target Balance</b>	No target. Cash to be fully expended.
<b>Responsible</b>	Director Planning, Community & Development

<b>Reserve Name</b>	<b>Specific-Purpose Unexpended Grants Reserve</b>
<b>Purpose</b>	Council receives grant funds for specific projects and purposes. It is common that grants will be expended across different financial years and this reserve allows unexpended grant funds to be isolated and retained for expenditure on the project for which the grant was received.
<b>Calculation Basis</b>	<p>At the end of each year, specific-purpose grants received but not yet expended are transferred into this reserve.</p> <p>At the beginning of the next year, the amount placed into the reserve is transferred back out of the reserve.</p>
<b>Target Balance</b>	No target – variable.
<b>Responsible</b>	Finance Manager



## Appendix 2 – Schedule of Internally Restricted Financial Reserves

<b>Reserve Name</b>	<b>Infrastructure Replacement Reserve</b>
<b>Purpose</b>	These funds are available for the replacement of Council's infrastructure.
<b>Calculation Basis</b>	<p>Transfers to and from this reserve are to be undertaken in accordance with Council resolution and/or budget adoption.</p> <p>Where feasible, Council will aim to contribute unutilised depreciation funds set aside for asset renewal. However, Council acknowledges that many, if not most, of its infrastructure asset renewals are expected to be funded by grants and contributions, and, as such, accepts that depreciation may not be fully funded by Council's own cash reserves.</p> <p>Council has also resolved to transfer an amount of \$77,000 to the Infrastructure Replacement reserve for each of the financial years from 2024 to 2034 (to replenish funds utilised from this account for the reconstruction of Bencubbin Avenue during the 2023 financial year).</p>
<b>Target Balance</b>	No target set.
<b>Responsible</b>	Director of Infrastructure

<b>Reserve Name</b>	<b>Employee Leave Entitlement Reserve</b>
<b>Purpose</b>	Provide funds for employee leave entitlements (such as annual leave or long service leave) which have been accrued but not yet paid.
<b>Calculation Basis</b>	<p>Employee on-costs charged which exceed actual cash expenditure will be transferred to this reserve at 30 June each year. (These are expected to comprise, substantially, leave entitlements accrued but not taken.)</p> <p>Where actual leave expenditure exceeds leave accrued, Council may utilise funds from this reserve.</p> <p>Where possible, Council will seek to contribute additional funds to this reserve to meet its target balance.</p>
<b>Target Balance</b>	Equal to the provision for employee entitlements (as calculated annually and reported in Council's financial statements).
<b>Responsible</b>	Finance Manager

<b>Reserve Name</b>	<b>Carry Over Works Reserve</b>
<b>Purpose</b>	Projects not completed at 30 June funded by general revenue and carried forward to following financial year.
<b>Calculation Basis</b>	<p>Projects proposed to be carried over to the following year's budget are allocated to this reserve.</p> <p>Reserve cleared to zero at beginning of each financial year.</p>
<b>Target Balance</b>	No target.
<b>Responsible</b>	Finance Manager

<b>Reserve Name</b>	<b>Plant Replacement Reserve</b>
<b>Purpose</b>	To provide funds for the purchase of plant and fleet assets.
<b>Calculation Basis</b>	Cash received from the sale of plant and equipment is transferred to this reserve. Expenditure incurred in acquiring plant and equipment is funded as a transfer from this reserve. Internal plant hire income in excess of plant-related expenditure is allocated to this reserve; and an amount equal to depreciation expenditure on plant items is also allocated to this reserve.
<b>Target Balance</b>	Target balance to be developed in line with Plant Replacement Program.
<b>Responsible</b>	Director of Infrastructure

<b>Reserve Name</b>	<b>Financial Assistance Grant Advance Payment</b>
<b>Purpose</b>	To set aside Financial Assistance Grants received in advance for the next years' general operations.
<b>Calculation Basis</b>	Any Financial Assistance Grant advance payment received is to be allocated to this reserve. On 1 July of the year to which the payment relates, it is to be transferred from the reserve.
<b>Target Balance</b>	Reserve at end of financial year must reflect FAG received in advance (if applicable) for the following financial year.
<b>Responsible</b>	Finance Manager

<b>Reserve Name</b>	<b>Darlington Point Real Estate Development Reserve</b>
<b>Purpose</b>	To fund future real estate development at Darlington Point.
<b>Calculation Basis</b>	Annually, the sales price of lots sold from the Young Street subdivision (or other developments in Darlington Point) less associated cash expenditure incurred during the year, is to be transferred to this reserve.
<b>Target Balance</b>	No target. Cash to be fully expended. However, prior to expenditure, Council is to ensure that sufficient cash is retained in this reserve to fund future loan repayments to which Council is committed in relation to this development.
<b>Responsible</b>	Director Planning, Community & Development

<b>Reserve Name</b>	<b>Jerilderie Real Estate Development Reserve</b>
<b>Purpose</b>	To fund future real estate development at Jerilderie.
<b>Calculation Basis</b>	Annually, the sales price of lots sold from the Wunnumurra Estate subdivision (or other developments in Jerilderie), less associated costs incurred during the year, is to be transferred to this reserve.
<b>Target Balance</b>	No target. Cash to be fully expended.
<b>Responsible</b>	Director Planning, Community & Development

<b>Reserve Name</b>	<b>Caravan Park Reserve</b>
<b>Purpose</b>	Prior to and during the late-2022 flooding events, a number of cabins were sold from the Darlington Point Caravan Park. The net sale proceeds from these cabins is to be allocated to a reserve to fund future development of the caravan park and implementation of the master plan.
<b>Calculation Basis</b>	Net sale proceeds from cabins, or any other amount determined by Council, to be allocated to this fund. Funds to be expended by Council resolution and/or budget adoption.
<b>Target Balance</b>	No target. Cash to be fully expended.
<b>Responsible</b>	Director Planning, Community & Development

<b>Reserve Name</b>	<b>Risk Management Reserve</b>
<b>Purpose</b>	StateCover rebates received, to be expended on risk management initiatives.
<b>Calculation Basis</b>	StateCover rebates received are transferred to this reserve.
<b>Target Balance</b>	No target. StateCover rebates to be fully expended.
<b>Responsible</b>	WHS & Risk Advisor

<b>Reserve Name</b>	<b>Energy Saving Initiatives Reserve</b>
<b>Purpose</b>	To fund projects that reduce Council's billed energy consumption.
<b>Calculation Basis</b>	At 30 June each year, any budgeted electricity expenditure in excess of the actual electricity expenditure is to be reinvested in the reserve.
<b>Target Balance</b>	No target. To be fully expended.
<b>Responsible</b>	Director of Infrastructure

<b>Reserve Name</b>	<b>Jerilderie Monash Committee Reserve</b>
<b>Purpose</b>	Council holds funds on behalf of the Jerilderie Monash Committee.
<b>Calculation Basis</b>	Funds donated to or raised by the Jerilderie Monash Committee are to be allocated to this reserve. Funds to be expended from this reserve at the discretion of the Jerilderie Monash Committee, subject to written confirmation by two committee members.
<b>Target Balance</b>	No target. Cash to be fully expended.
<b>Responsible</b>	Manager Corporate & Community Services



# PEDESTRIAN ACCESS AND MOBILITY PLAN **JERILDERIE**

Murrumbidgee Council

June 2023

V3

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**Project Manager:** Georgia Trundle  
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**Document history and status**

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# Glossary

Abbreviation	Description
IPWEA	Institute of Public Works Engineering Australasia
PAMP	Pedestrian Access and Mobility Plan
RTA	Roads and Traffic Authority

# 1 INTRODUCTION

## 1.1 Background

Jerilderie is a small, rural town situated on the Newell Highway in the heart of the Riverina. The population of Jerilderie is approximately 922 (2021 census).

The Murrumbidgee Council has initiated this project with the aim to develop a Pedestrian Access and Mobility Plan for the Jerilderie township.

## 1.2 Study Objectives

The aim of the Jerilderie PAMP is to improve the pedestrian network's:

- Coherence
- Comfort
- Safety, and
- Accessibility and mobility.

This document provides a practical guide to implementing pedestrian facilities in the Jerilderie town areas.

The development of the PAMP will help Murrumbidgee Council achieve the following objectives in accordance with the RTA's "How to Prepare a Pedestrian Access and Mobility Plan" guide (hereby referred to as the "RTA Guide").

### PAMP Objectives:

- 1 To facilitate improvements in the level of pedestrian access and priority, particularly in areas of pedestrian concentration.
- 2 To reduce pedestrian access severance and enhance safe and convenient crossing opportunities on roads.
- 3 To identify and resolve pedestrian crash clusters (or near-misses).
- 4 To facilitate improvements in the level of personal mobility and safety for pedestrians with disabilities and older persons through the provision of infrastructure and facilities which cater to the needs of all pedestrians.

## 1.3 Methodology of PAMP

The study used the RTA Guide as a step-by-step methodology for the Jerilderie PAMP.

Overall, this study consists of five stages:

- 1 Review of relevant pedestrian issues through meetings with Murrumbidgee Council
- 2 Collection of relevant data and reviewing existing routes
- 3 Identification of issues throughout the network and highlighting any gaps. Undertake site visit and consult with the community.
- 4 Preparation of the PAMP which identifies a Pedestrian Network Hierarchy and prioritisation of pedestrian needs and facilities
- 5 Development of an Action Plan

## **1.4 Structure of Report**

This report follows the recommended structure of the RTA Guide.

## 2 STUDY AREA

### 2.1 Scoping Study

The scope of this study is limited to pedestrian related infrastructure with the public road network. This includes footpaths (of varying recommended widths), pram ramps, as well as pedestrian crossing facilities. Whilst excluded from the scope of this study, it is recommended that a signage/wayfinding implementation program is developed to complement the recommendations of this PAMP.

The study area was selected in consultation with Council, capturing all highly trafficked areas of Jerilderie and the existing pedestrian footpath network.

### 2.2 Study Area

Refer to Figure 1 for the extents of the study area. A number of key trip generators and trip attractors are included within the study area listed as follows:

- Schools
- Cafes
- Walking tracks
- Sporting grounds
- Churches
- Town facilities (e.g., hospital, fire station, library etc)



FIGURE 1 JERILDERIE STUDY AREA



## 3 RESEARCH, REVIEW & DATA COLLECTION

### 3.1 Literature Review

The following documentation was reviewed prior to commencing the PAMP study, and was used to inform the outcomes:

- RTA: How to Prepare a Pedestrian Access and Mobility Plan (2002)
- Murrumbidgee Shire Council Footpath Management Procedure (2014)
- Murrumbidgee Shire Council Pedestrian Access and Mobility Plan (2005)
- Jerilderie Shire Council Pedestrian Access and Mobility Strategy (2004)
- Murrumbidgee Shire Council Disability Inclusion Action Plan (2017-2021)
- NSW Movement and Place Guidelines

### 3.2 Traffic & Pedestrian Data

The following data was supplied prior to commencing the PAMP study relating to existing traffic and pedestrian data:

- Jerilderie Footpath Locations (pdf)
- Jerilderie Land Zonings (pdf)
- Footpath data (xls)

### 3.3 Pedestrian Crash Data

At the time of conducting the Jerilderie PAMP, no pedestrian crash data was available. Pedestrian conflict points, including 'near misses', were identified through community consultation. The locations of these near misses include:

- Corner of Newell Highway and Conargo Road
- The existing marked foot crossing at the corner of Bolton Street and Newell Highway

### 3.4 Opportunities & Constraints

Several opportunities have been identified for pedestrian access improvements across Jerilderie. These include:

- Existing footpaths extend through most of the town, and these can be used as the base network
- The town hosts an active and engaged community who are invested in seeing accessibility improvements
- Wide streets and verges provide ample opportunity for installing new, or upgrading existing footpaths

Constraints for the Jerilderie town include lack of street lighting and maintenance of adjacent landscaping.

## 3.5 Design Standards

All facilities are to be designed in accordance with:

- IPWEA Standard Drawings
- Austroads Guide to Road Design Part 6A: Pedestrian and Cyclist Paths (2021)
- TfNSW Standard (Road) Drawings series

## 4 CHARACTERISTICS OF LOCAL GOVERNMENT AREA

### 4.1 Population & Land Use

The Murrumbidgee Council has an ageing population when compared to the rest of NSW, as shown in the Figure below.

Age All people	Murrumbidgee		New South Wales		Australia	
		%		%		%
Median age	45	N/A	39	N/A	38	N/A
0-4 years	186	5.5	468,056	5.8	1,463,817	5.8
5-9 years	179	5.3	500,810	6.2	1,586,138	6.2
10-14 years	205	6.1	501,135	6.2	1,588,051	6.2
15-19 years	168	5.0	457,896	5.7	1,457,812	5.7
20-24 years	171	5.1	496,185	6.1	1,579,539	6.2
25-29 years	178	5.3	555,967	6.9	1,771,676	7.0
30-34 years	230	6.9	586,057	7.3	1,853,085	7.3
35-39 years	166	4.9	580,185	7.2	1,838,822	7.2
40-44 years	184	5.5	522,984	6.5	1,648,843	6.5
45-49 years	188	5.6	516,915	6.4	1,635,963	6.4
50-54 years	224	6.7	500,027	6.2	1,610,944	6.3
55-59 years	267	8.0	490,155	6.1	1,541,911	6.1
60-64 years	284	8.5	471,628	5.8	1,468,097	5.8
65-69 years	223	6.6	416,493	5.2	1,298,460	5.1
70-74 years	210	6.3	372,234	4.6	1,160,768	4.6
75-79 years	126	3.8	268,110	3.3	821,920	3.2
80-84 years	90	2.7	183,409	2.3	554,598	2.2
85 years and over	76	2.3	183,895	2.3	542,342	2.1

FIGURE 2 MURRUMBIDGEE COUNCIL AND NSW 2021 CENSUS DATA

It is also clear that walking is a preferred mode of transport for the people of Murrumbidgee, with 2021 census data showing “*Walking Only*” to be the second most utilised method to get to work.



AUSTRALIAN BUREAU OF STATISTICS 2021 Census of Population and Housing			<a href="#">List of tables</a>
Murrumbidgee (LGA15560) 6880.8 sq Kms			<a href="#">Find out more:</a>
G62 METHOD OF TRAVEL TO WORK(a) BY SEX			<a href="#">Method of travel to work</a>
Count of employed persons aged 15 years and over			<a href="#">Sex</a>
	Males	Females	Persons
One method:			
Train	0	0	0
Bus	5	0	5
Ferry	0	0	0
Tram/light rail	0	0	0
Taxi/ride-share service	0	0	0
Car, as driver	544	444	991
Car, as passenger	36	28	65
Truck	30	0	31
Motorbike/scooter	9	0	10
Bicycle	3	4	9
Other	22	3	24
Walked only(b)	74	56	127
Total one method	721	541	1,266

FIGURE 3 METHOD OF TRAVEL 2021 CENSUS DATA

From the 2021 census, the town of Jerilderie has a population of 922. Jerilderie has experienced an approximately 10 % population decline since the 2016 census which could be attributed to a combination of the ‘coastal sea-change’ and an ageing community.

The dominant age group that resides in Jerilderie are those between 55-75 years, which are considered vulnerable pedestrians and supports the need for accessibility upgrades throughout the town.

Jerilderie is an irrigated farming centre, with relatively flat terrain. There are three prominent land zonings within the study area:

- General Industrial (to the east)
- the Village
- Recreation

Figure 4 shows the key trip generators and attractors in Jerilderie.

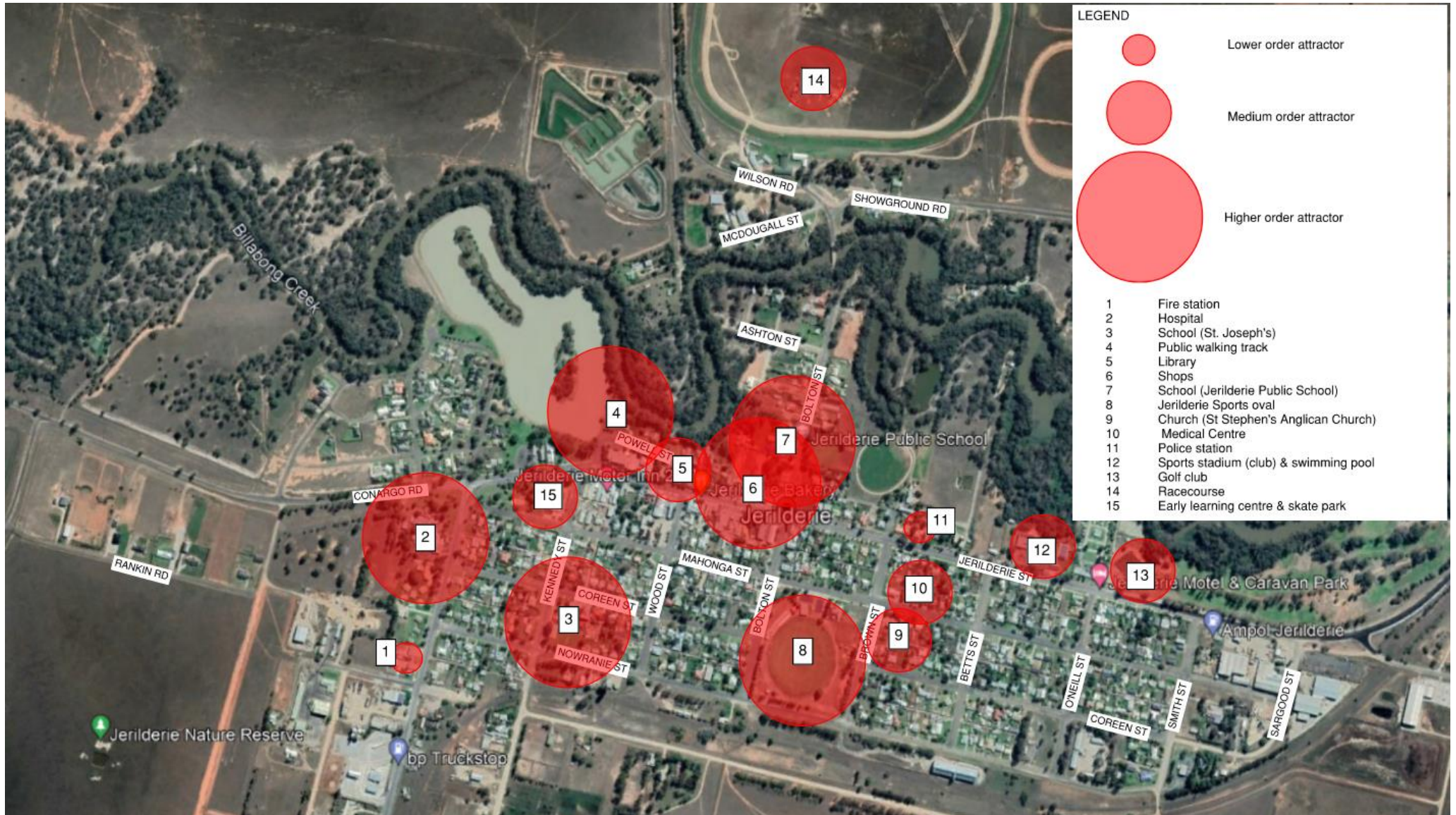


FIGURE 4 KEY TRIP GENERATORS IN JERILDERIE

## 4.2 Road Hierarchy

The Newell Highway passes through Jerilderie and is a 110km/h state road, which reduces to 50km/h at both approaches (northbound and westbound) into the town. Other local roads within the PAMP study area are local roads, sign posted at 50km/h.

The town is arranged in a grid-like pattern with wide streets. Apart from the Newell Highway all other roads were observed to contain low volumes of traffic.

See Figure 5 for the road hierarchy in Jerilderie.



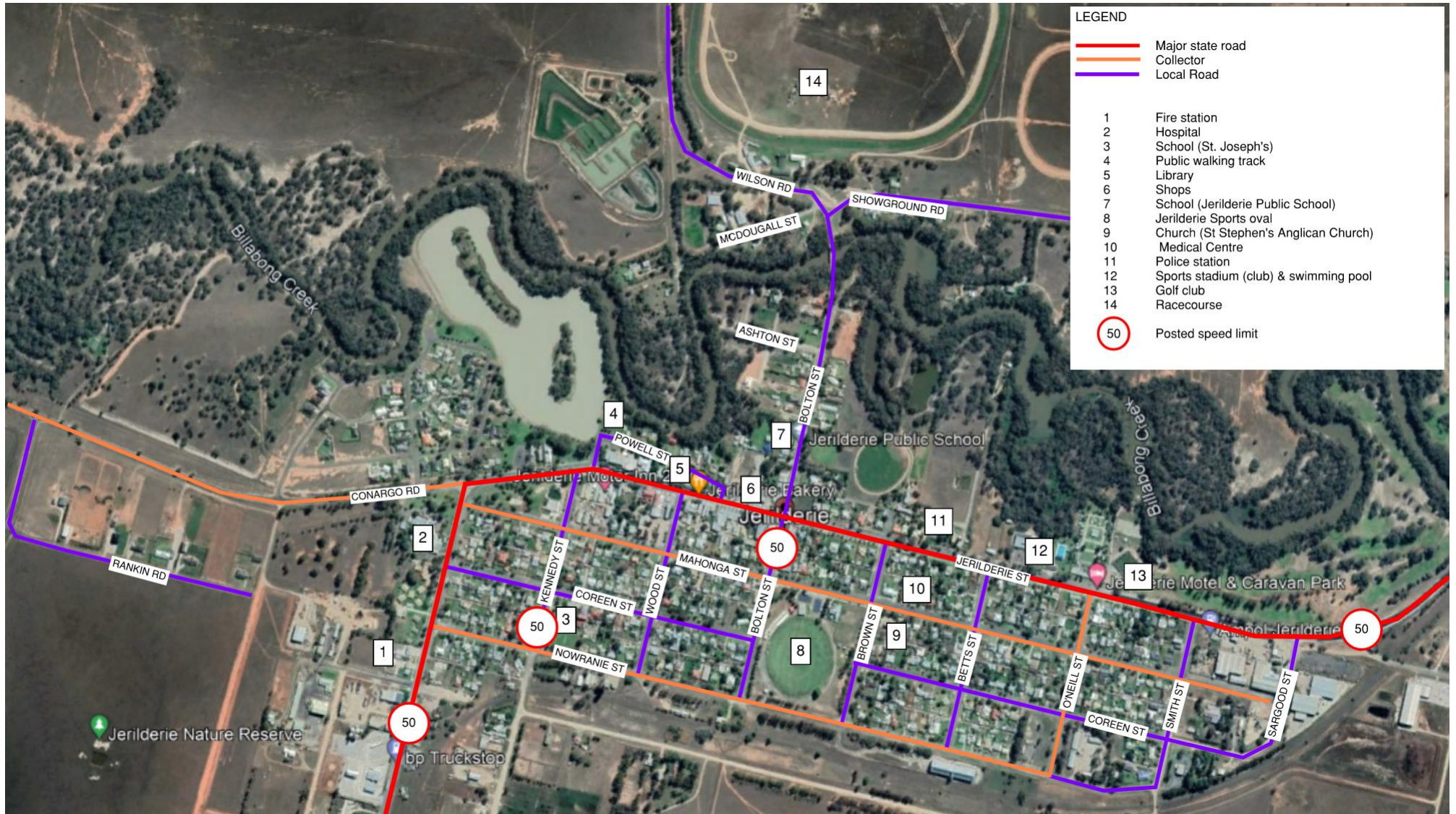


FIGURE 5 ROAD HIERARCHY

### **4.3 Public Transport**

There are two existing bus stops at the eastern end of Jerilderie Street, serviced by the 733 bus route and coach services. The limited number of services is commensurate with the population of the centre. This also reflects the current transport mode share with the community being heavily reliant on private vehicle use and walking as the preferred modes of travel.

### **4.4 Existing Pedestrian Facilities**

Figure 6 shows the existing pedestrian facilities in Jerilderie.



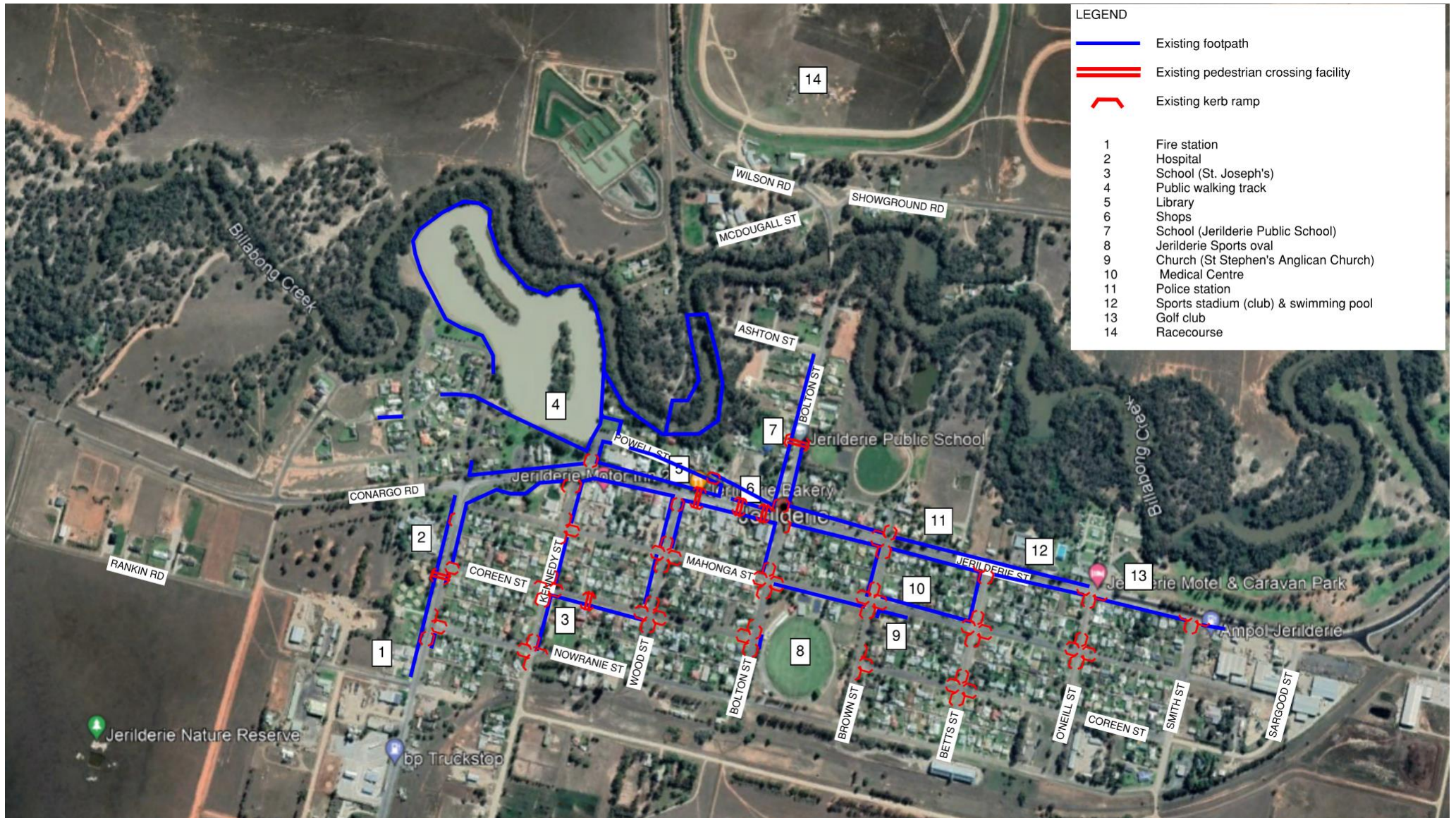


FIGURE 6 EXISTING FACILITIES



The condition of the existing paths in Jerilderie are mostly sound, with only two areas highlighted that require upgrading:

- The Western side of Horgan's Walk
- Mary's Creek Run

It should be noted that several local road intersections in town have kerb ramps constructed but no adjoining footpaths. It is assumed that these were installed when new kerb was laid and were intended to future-proof for pedestrian paths installations on adjacent sections.

## **4.5 Future Pedestrian Needs**

As noted in Section 4.1, a large proportion of the population in Jerilderie are vulnerable road users. Therefore, the need to upgrade existing facilities and provide end-to-end access that caters for all levels of mobility, is paramount.

From the Murrumbidgee Council Disability Inclusion Action Plan (2017-2021), it was specifically noted that the footpaths in the CBD are of good quality, however these need to extend to local roads to allow the elderly population greater access.

Murrumbidgee Council are developing a civic precinct at the back of the existing Council building on Powell Street. This will encourage more users to the building and will introduce a need to provide improved connections from the surrounding residential and commercial areas into this area.

It has also been noted that there is planning underway for a new residential estate further east along Showground Road. It is recommended that pedestrian facilities be incorporated into the planning and design phases to ensure that appropriate active transport infrastructure and connections are provided as part of the development of the estate. This has been included in Section 10.

## 5 PUBLIC CONSULTATION

### 5.1 Community consultation

On Monday 6<sup>th</sup> February 2023, a meeting to discuss the Jerilderie PAMP was held at Murrumbidgee Council in the Jerilderie chamber at 35 Jerilderie St. The meeting was from 10am – 11am and included the following representatives:

- Mayor
- Local Councillor
- Council Officers/s
- Consultant

Written and verbal feedback was also received by representative/s prior to the meeting date, on 1 February 2023.

Informal consultation occurred throughout the week between 6 February – 10 February 2023. This included staff members at the Murrumbidgee Council and some community members.

Broader consultation with other key stakeholders and the broader community may occur once the PAMP has been finalised.

### 5.2 Key issues identified

The following key issues were raised by the Jerilderie community representatives and were utilised when prioritising routes and the proposed works schedule:

- Western side of Horgan's walk: the path has deteriorated significantly and grass is overtaking the path. Refer Figure 7.
- Access to the alternative south-eastern entrance at the sports oval is required.
- Access in / out of existing estate adjacent to Lake Jerilderie (Mary's Creek Run) requires upgrading. The current conditions are not suitable for the many children that utilise this path. Refer Figure 8.
- Access in / out of new estate on Conargo Road / Rankin Road is required.
- Pedestrian zebra crossing point across Jerilderie St requires upgrading. The current kerb ramps appear to be non-standard, and many road users do not stop or slow down prior to the crossing. Refer Figure 9.

Key issues identified by other members of the public during informal consultation include:

- The crossing point at the corner of Jerilderie St and Kennedy St should be moved south, as this is a high 'near-miss' area for pedestrians and turning vehicles.
- Investigate a new crossing point further west on Coreen St for school children crossing to enter St. Joseph's school.
- Connectivity to the early learning centre / skate park block is required.





FIGURE 7 WESTERN SIDE OF HORGAN'S WALK – POOR CONDITION



FIGURE 8 MARY'S CREEK RUN – POOR CONDITION





FIGURE 9 MARKED FOOT CROSSING, JERILDERIE ST – POOR CONDITION

## 6 PAMP ROUTES

### 6.1 Route Selection

The following attributes were considered when identifying key pedestrian routes:

- Areas that are high trip generating locations as noted in Section 4.1, and the opportunity to provide continuous connections between these locations
- Areas where existing highly utilised footpaths and / or kerb ramps were worn or damaged, and not to current standards
- Safety improvements to existing infrastructure on higher utilised routes
- Opportunities for new facilities to provide improved connections
- Feedback during the community consultation

Considering this information, three route hierarchies were established: primary, secondary, and tertiary.

### 6.2 Route Prioritisation Methodology

The outcomes of the route hierarchy assessment showed that Jerilderie Street is the primary ‘spine’ route through the town. Secondary routes included streets off Jerilderie Street that were used to get to and from high attractors, and leisure walks (Horgan’s Walk). The remaining local roads were deemed as tertiary routes.

These routes were then audited and assessed in segments, as shown in Figure 10. The segments were coded to the following criteria:

- P1/P2/P3 – to denote priority based on route hierarchy.
- J1/W1 etc – to denote the street.
- .1 / .2 etc – to denote the segment.

This map is also included in Appendix A for clarity.





FIGURE 10 JERILDERIE ROUTE HIERARCHY

## 6.3 Opportunities & Constraints

In addition to those mentioned in Section 3.4, opportunities noted following the site visit include:

- A mass action program could be undertaken to replace all non-compliant kerb ramps within the study area
- Several pedestrian crossing points already exist for the highly-trafficked areas on Jerilderie Street
- Wide verges exist for easy inclusion of new paths
- The town has a generally flat terrain

Additional constraints include available funding for the pedestrian facility upgrades.

# 7 AUDITS

## 7.1 Route Audit Process

An on-site audit for the town of Jerilderie was conducted during the week of 06 – 09 February 2023 along all identified pedestrian routes. The key focus of the route audit was to identify any deficiencies for pedestrians, with specific focus on access for less mobile pedestrians such as the elderly and people with disabilities. The audit identified the following deficiencies throughout the town:

- Poor kerb ramp design (many have a step at the lip and are too narrow and / or too steep in accordance with IPWEA SD R 10 A / 10 B, and AS1428.1. Note this is based on a visual inspection only)
- Kerb ramps existed on many street corners with no adjacent footpaths
- Lack of footpaths to new estates and within the existing town to key attractors (such as sports oval, and schools)
- Condition of existing paths are generally sound, however some cracking and raised paving in the path of travel was observed in several locations (particularly on leisure routes)

The Route Audit has been conducted based on the route segments shown in Figure 10. The results can be found in Appendix B.

## 7.2 Cost Estimate for Typical Items

Standard rates for typical items required for the upgrading of the pedestrian facilities around Jerilderie are included in the table below. These are 2023 rates and will be subject to escalation.

TABLE 1 UNIT COST ESTIMATES

Item	Unit Cost
Install a concrete footpath (1.2m wide per m)	\$380
Install a concrete bike path (2.5m wide per m)	\$760
Install an asphalt footpath (1.2m wide per m)	\$200
Install a kerb ramp with tactile ground surface indicators	\$5,500
Install a kerb blister / widening	\$7,500
Transverse linemarking (marked foot crossing) per m	\$55
Flashing pedestrian crossing signage	\$6,000

Note that these prices are based on a small build, and improved economies of scale can be achieved in larger quantities.

### **7.3 Work Prioritisation Methodology**

Following the Route Audit, each segment was assessed to be a High (H), Medium (M) or Low (L) priority. Inputs that determined the prioritisation of the works included:

- If the route was primary, secondary or tertiary
- Safety implications
- Feedback from community consultation (frequency of use, near misses etc.)
- Land use
- Road hierarchy
- Continuity of routes

Refer to Appendix B for the prioritisation of the works.

### **7.4 Physical Works Schedule**

Refer to Appendix C for the Works Schedule for the High priority items.

## **8 FUNDING SOURCES & IMPLEMENTATION OF PAMP**

These projects are proposed to be funded exclusively by the Murrumbidgee Council, via grants from the State government. This PAMP will serve as a justification for grant funding for the upgrades to Jerilderie. It is expected that the grant funding will target either mass action programs or priority route treatments based on the priorities identified through this PAMP process.



## 9 MONITORING PROGRAM

At the time of this PAMP, Murrumbidgee Council were updating the existing maintenance and monitoring program. Once developed, this is likely to be utilised when scheduling maintenance works for all existing (and new) pedestrian facilities.

Until this program is established, the existing 'Murrumbidgee Shire Council Footpath Management Procedure' (2014) will be adhered to.

## 10 RECOMMENDATION FOR FUTURE STUDIES

It is recommended that this PAMP is reviewed periodically to maintain currency. It is expected that a 5 year return period will be sufficient to reassess infrastructure that has been completed and determine if any remaining items require reprioritisation.

The following upgrades are recommended to be investigated for future site specific PAMP related studies:

- Internal pedestrian path network within existing estates
- Paths along Showground Rd identified for future development
- Staged upgrade of the local roads in the town centre, including kerb ramps
- A mass action program to replace all non-compliant kerb ramps within the study area
- The potential for installing paths on both sides of local town roads, as kerb ramps have been placed there already for future-proofing.

## 11 CONCLUSIONS & RECOMMENDATIONS

It is recommended that the Murrumbidgee Council implement the detailed works schedule for the high priority items included in Appendix C. Based on the quantum of work identified as a high priority it is expected that this program has the potential to be funded and delivered over a period of 1-2 years (assuming \$200-\$500k funding per annum)

This PAMP has utilised several sources of information to identify main pedestrian routes and recommended upgrades: historical data, community consultation and observations from site.

This PAMP will help the Murrumbidgee Council to provide a safe and accessible environment for all active transport users.

# APPENDIX A

## **Pedestrian Route Hierarchy & Prioritised Treatment Reference Codes**







# APPENDIX B

## **Route Audit and Priorities**

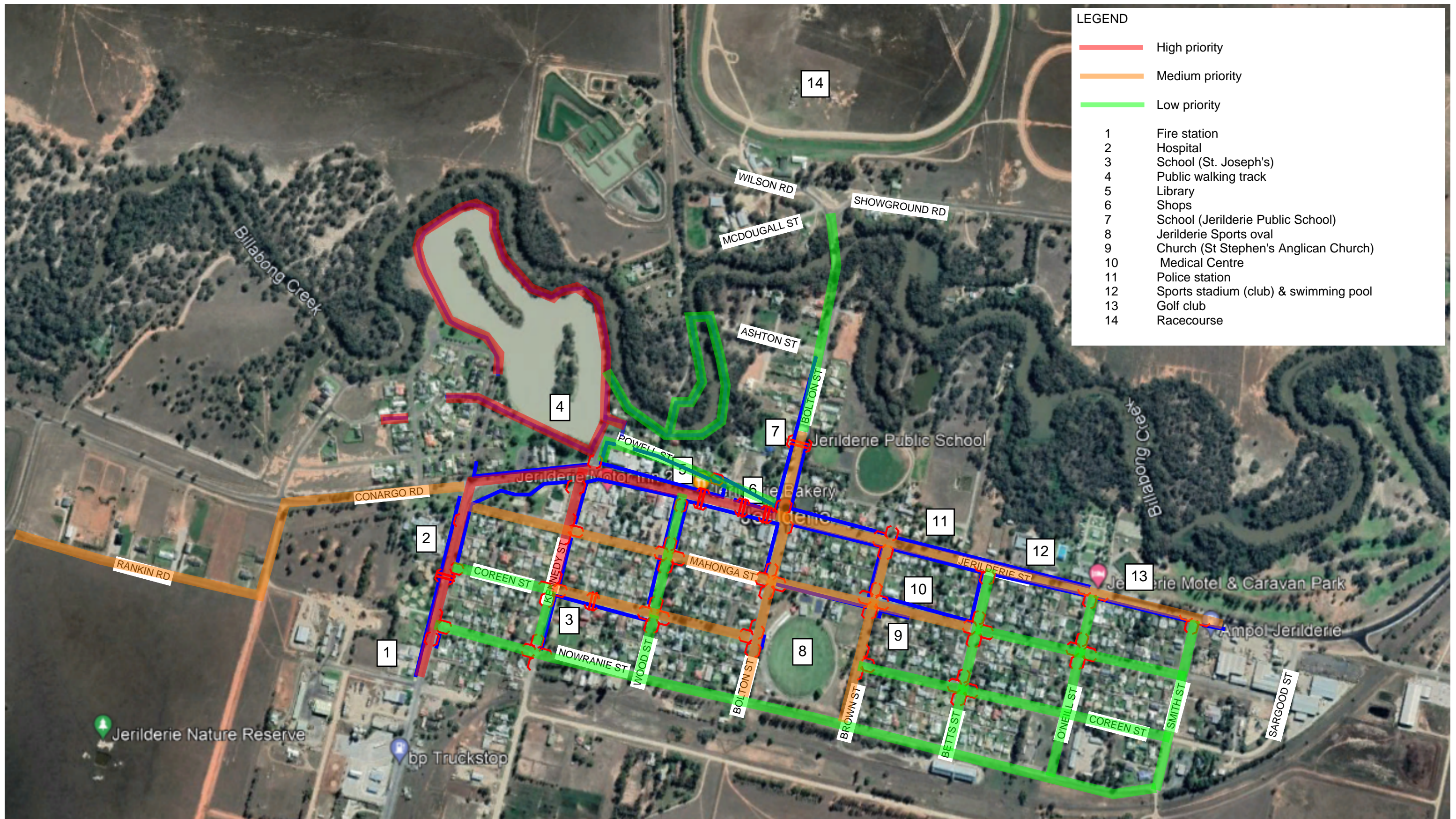


## Jerilderie Route Audit and Priorities

ID	Location		Issues for Attention	Benefits	Land Use	Road Hierarchy	Priority
	From	To					
P1_J1.1	Newell Highway (at Coonong St)	Jerilderie Street (corner of Newell Highway)	Non-compliant kerb ramps x 6	DDA compliance	Number of attractors = 1 (H), 1 (L)	State Road	H
			Formal pedestrian crossing required south of the hospital, away from Newell Hwy / Jerilderie St intersection	Safe crossing point for pedestrians coming / going to the new estate	Land use type = Medical facilities		
			Missing section of pedestrian path between Nowranie St and Coreen St, eastern side (approx. 80m)	Consistent path of travel			
P1_J1.2	Jerilderie Street (corner of Newell Highway)	Jerilderie Street (at Bolton Street)	Non-compliant kerb ramps x 6	DDA compliance	Number of attractors = 1 (H), 1 (M)	State Road	H
			Pedestrian zebra crossing worn and the site of several near-misses. New linemarking and flashing pedestrian crossing infrastructure recommended.	Safe crossing point for pedestrians, particularly school children	Land use type = Commercial		
P1_J1.3	Jerilderie Street (at Bolton Street)	Jerilderie Street (at Smith Street)	Non-compliant kerb ramps x 9	DDA compliance	Number of attractors = 2 (M), 1 (L)	State Road	M
			Missing section of pedestrian path from O'Neill St to Smith St on the northern side of Jerilderie St to service bus stop (approx 240m)	Consistent path of travel	Land use type = Commercial		
P2_L2.1	Horgan's Walk	Horgan's Walk	Worn footpath condition on western side of Horgan's Walk for approx 300m	Ease of travel	Number of attractors = 1 (H) Land use type = Recreational	Local Road	H
P2_L2.2	Mary's Creek Run	Mary's Creek Run	Worn footpath condition / dirt track on path leading into estate, frequented by families for approx 200m	Ease of travel	Number of attractors = 0	Local Road	H
					Land use type = Recreational		
P2_P1.1	Powell St	Powell St	Misaligned kerb ramps x 2. New pedestrian crossing point recommended to be established	Ease of travel	Number of attractors = 1 (H)	Local Road	L
			Non-compliant kerb ramps x 2 (near IGA)	DDA compliance	Land use type = Commercial		
P2_K1.1	Kennedy St (at Jerilderie St)	Kennedy St (at Coreen St)	Kerb ramp locations are the site of several near-misses. It's recommended to remove this crossing point and shift it south, further down Kennedy Street.	Safe crossing point for pedestrians	Number of attractors = 1 (M)	Local Road	H
			Missing section of pedestrian path on western side of Kennedy Street, between Jerilderie St and Mahonga St, in front of Early Learning Centre, approx 100m	Consistent path of travel	Land use type = Commercial, Residential & Recreational		
			Non-compliant kerb ramps x 3 (eastern side)	DDA compliance			
P2_M1.1	Mahonga St (at Newell Hwy)	Mahonga St (at Betts St)	Missing section of pedestrian path on Northern side of Mahonga St, from Newell Hwy to Brown St (approx 820m)	Consistent path of travel	Number of attractors = 1 (M)	Collector (Local)	M
			Non-compliant kerb ramps x 16	DDA compliance	Land use type = Commercial & Residential		
P2_W1.1	Wood St (at Jerilderie St)	Wood St (at Coreen St)	Non-compliant kerb ramps x 8	DDA compliance	Number of attractors = 0	Local Road	L
			Non-compliant kerb ramps x 8	DDA compliance	Number of attractors = 1 (H)		
P2_C1.1	Coreen St (at Kennedy St)	Coreen St (at Bolton St)	Children's crossing outside St. Joseph's to be upgraded to suit IPWEA standards (kerb ramps and kerb widening)	Safe crossing point for pedestrians, particularly school children	Land use type = School & Residential	Local Road	M
			Missing section of pedestrian path on Northern side of Coreen St (approx. 400m)	Consistent path of travel			
			Non-compliant kerb ramps x 13	DDA compliance	Number of attractors = 3 (H)		
P2_B1.1	Bolton St (at Jerilderie Public School)	Bolton St (at Nowranie St)	New kerb ramp required on the eastern side of Bolton St, at Jerilderie St	DDA compliance Consistent path of travel	Land use type = Commercial, Residential, School & Recreational	Local Road	M
			Children's crossing outside Jerilderie Public School to be upgraded to suit IPWEA standards (kerb ramps and kerb widening)	Safe crossing point for pedestrians, particularly school children			
			Missing section of pedestrian path on western side of Bolton St, between Jerilderie St and Nowranie St (approx 350m)	Consistent path of travel			
				Safer access to sports oval			
P3_R1.1	Rankin Road	Conargo Road	Missing section of pedestrian path to / from the new estate on Rankin Road. New pedestrian path required (approx 1,100m)	Consistent path of travel	Number of attractors = 0	Local Road	M
					Land use type = Residential		
P3_C1.1	Coreen St (at Newell Hwy)	Coreen St (at Kennedy St)	No pedestrian paths on Coreen St in this location. It's recommended that a new pedestrian path is installed on northern side of Coreen St (approx 220m)	Consistent path of travel	Number of attractors = 0	Local Road	L
					Land use type = Residential		
P3_K1.1	Kennedy St (at Coreen St)	Kennedy St (at Nowranie St)	Non-compliant kerb ramps x 4	DDA compliance	Number of attractors = 1 (H)	Local Road	L
				DDA compliance	Land use type = Residential & School		
P3_W1.1	Wood St (at Coreen St)	Wood St (at Nowranie St)	Non-compliant kerb ramps x 2	DDA compliance	Number of attractors = 1 (H)	Local Road	L
			No pedestrian paths on Wood St in this location. It's recommended that a new pedestrian path is installed on the western side of Wood St (approx 120m)	Consistent path of travel	Land use type = Residential		
P3_N1.1	Nowranie St (at Newell Hwy)	Nowranie St (at Smith St)	Non-compliant kerb ramps x 6	DDA compliance	Number of attractors = 1 (H)	Collector (Local)	L
			No pedestrian paths on Nowranie St in this location. It's recommended that a new pedestrian path is installed on the northern side of Nowranie St (approx 1,500m)	Consistent path of travel	Land use type = Residential & Industrial		
P3_B1.1	Brown St (at Jerilderie St)	Brown St (at Nowranie St)	Non-compliant kerb ramps x 8	DDA compliance	Number of attractors = 2 (M)	Local Road	M
			Missing section of pedestrian path on western side of Brown St, between Mahonga St and Nowranie St. New pedestrian path required (approx. 250m)	Consistent path of travel	Land use type = Residential & Recreational		

P3_B2.1	Betts St (at Jerilderie St)	Betts St (at Nowranie St)	Non-compliant kerb ramps x 10	DDA compliance	Number of attractors = 0	Local Road	L
			Missing section of pedestrian path on western side of Betts St, between Mahonga St and Nowranie St. New pedestrian path required (approx. 240m)	Consistent path of travel	Land use type = Residential		
P3_C1.2	Coreen St (at Brown St)	Coreen St (at Smith St)	Non-compliant kerb ramps x 6	DDA compliance	Number of attractors = 0	Local Road	L
			No pedestrian paths on Coreen St in this location. It's recommended that a new pedestrian path is installed on the Northern side of Coreen St (approx 640m)	Consistent path of travel	Land use type = Residential		
P3_M1.1	Mahonga St (at Betts St)	Mahonga St (at Smith St)	Non-compliant kerb ramps x 6	DDA compliance	Number of attractors = 0	Collector (Local)	L
			No pedestrian paths on Mahonga St in this location. It's recommended that a new pedestrian path is installed on the Northern side of Mahonga St (approx 430m)	Consistent path of travel	Land use type = Residential		
P3_O1.1	O'Neill St (at Jerilderie St)	O'Neill St (at Nowranie St)	Non-compliant kerb ramps x 6	DDA compliance	Number of attractors = 0	Collector (Local)	L
			No pedestrian paths on O'Neill St in this location. It's recommended that a new pedestrian path is installed on the Western side of O'Neill St (approx 360m)	Consistent path of travel	Land use type = Residential		
P3_S1.1	Smith St (at Jerilderie St)	Smith St (at Nowranie St)	Non-compliant kerb ramps x 2	DDA compliance	Number of attractors = 0	Local Road	L
			No pedestrian paths on Smith St in this location. It's recommended that a new pedestrian path is installed on the Western side of Smith St (approx 340m)	Consistent path of travel	Land use type = Residential		
P3_L1.1	Around Billabong Creek & Jerilderie Weir		Unsealed walking track. Recommended to be sealed (approx 2,800m)	Ease of travel	Number of attractors = 1	Local Road	L
					Land use type = Recreational		
P3_B3.1	Bolton St (at Showground Road)	Bolton St (at Jerilderie Public School)	No pedestrian paths on Bolton St in this location. It's recommended that a new pedestrian path is installed on the Western side of Bolton St for access to the racecourse (approx 350m)	Consistent path of travel	Number of attractors = 1 (H), 1 (M)	Local Road	L
			No pedestrian paths into Showground Road residential area. It's recommended that a new pedestrian path is installed on the Southern side of Showground Rd for access to the racecourse (approx 240m)	Consistent path of travel	Land use type = Residential, School, Recreational		







# APPENDIX C

## **Work Schedule**



## Jerilderie Work Schedule - High Priority Items

ID	Location	Work Description and No. of Facilities	Cost Estimate	Totals
P1_J1.1	Newell Highway (north of Coonong St)	Replace kerb ramps x 2	\$ 11,000.00	\$ 80,400.00
	Newell Highway (north of Nowranie St)	Remove kerb ramp x 1	\$ -	
	Newell Highway (south of Coreen St)	Replace kerb ramps x 2	\$ 11,000.00	
	Newell Hwy (at hospital entrance)	Replace kerb ramp x 1	\$ 5,500.00	
	Newell Hwy (between Mahonga St and Coreen St)	New kerb blisters / widening x 2 (for crossing facility)	\$ 15,000.00	
	Newell Hwy (between Mahonga St and Coreen St)	New pedestrian refuge (for crossing facility)	\$ 7,500.00	
	Newell Hwy (eastern side between Nowranie St and Coreen St)	New concrete pedestrian footpath x 80m	\$ 30,400.00	
P1_J1.2	Jerilderie St (between Wood St and Bolton St)	Replace kerb ramps x 6	\$ 33,000.00	\$ 39,882.00
	Jerilderie St, west of Bolton St	Zebra crossing linemarking	\$ 1,782.00	
	Jerilderie St, west of Bolton St	Flashing pedestrian crossing signage x 2	\$ 5,100.00	
P2_L2.1	Horgan's Walk (west)	Replace 300m of asphalt path	\$ 30,000.00	\$ 30,000.00
P2_L2.2	Mary's Creek Run	Seal 200m of path	\$ 20,000.00	\$ 20,000.00
P2_K1.1	Kennedy St east (between Jerilderie St and Coreen St)	Replace kerb ramps x 3	\$ 16,500.00	\$ 80,500.00
	Keneddy St at Jerilderie St	Remove kerb ramps x 2	\$ -	
	Kennedy St in front of Early Learning Centre	New kerb ramps x 2	\$ 11,000.00	
	Kennedy St in front of Early Learning Centre	New kerb blisters / widening x 2 (for crossing facility)	\$ 15,000.00	
	Kennedy St in front of Early Learning Centre	New concrete pedestrian footpath x 100m	\$ 38,000.00	
<b>TOTAL</b>				<b>\$ 250,782.00</b>

**Marvel  
Engineers**



# PEDESTRIAN ACCESS AND MOBILITY PLAN **COLEAMBALLY**

**Murrumbidgee Council**  
**June 2023**  
**V3**

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## **Appendix A**

## **Appendix B**

## **Appendix C**



# Glossary

Abbreviation	Description
IPWEA	Institute of Public Works Engineering Australasia
PAMP	Pedestrian Access and Mobility Plan
RTA	Roads and Traffic Authority

# 1 INTRODUCTION

## 1.1 Background

Coleambally is a small, rural town in the Riverina. The population of Coleambally is approximately 1,152 (2021 census).

The Murrumbidgee Council has initiated this project with the aim to develop a Pedestrian Access and Mobility Plan for the Coleambally township.

## 1.2 Study Objectives

The aim of the Coleambally PAMP is to improve the pedestrian network's:

- Coherence
- Comfort
- Safety, and
- Accessibility and mobility.

This document provides a practical guide to implementing pedestrian facilities in the Coleambally town areas.

The development of the PAMP will help Murrumbidgee Council achieve the following objectives in accordance with the RTA's "How to Prepare a Pedestrian Access and Mobility Plan" guide (hereby referred to as the "RTA Guide").

### PAMP Objectives:

- 1 To facilitate improvements in the level of pedestrian access and priority, particularly in areas of pedestrian concentration.
- 2 To reduce pedestrian access severance and enhance safe and convenient crossing opportunities on roads.
- 3 To identify and resolve pedestrian crash clusters (or near-misses).
- 4 To facilitate improvements in the level of personal mobility and safety for pedestrians with disabilities and older persons through the provision of infrastructure and facilities which cater to the needs of all pedestrians.

## 1.3 Methodology of PAMP

The study used the RTA Guide as a step-by-step methodology for the Coleambally PAMP.

Overall, this study consists of five stages:

- 1 Review of relevant pedestrian issues through meetings with Murrumbidgee Council
- 2 Collection of relevant data and reviewing existing routes
- 3 Identification of issues throughout the network and highlighting any gaps. Undertake site visit and consult with the community.
- 4 Preparation of the PAMP which identifies a Pedestrian Network Hierarchy and prioritisation of pedestrian needs and facilities
- 5 Development of an Action Plan

## 1.4 **Structure of Report**

This report follows the recommended structure of the RTA Guide.

## 2 STUDY AREA

### 2.1 Scoping Study

The scope of this study is limited to pedestrian related infrastructure with the public road network. This includes footpaths (of varying recommended widths), pram ramps, as well as pedestrian crossing facilities. Whilst excluded from the scope of this study, it is recommended that a signage/wayfinding implementation program is developed to complement the recommendations of this PAMP.

The study area was selected in consultation with Council, capturing all highly trafficked areas of Coleambally and the existing pedestrian footpath network.

### 2.2 Study Area

Refer to Figure 1 for the extents of the study area. A number of key trip generators and trip attractors are included within the study area listed as follows:

- Schools
- Cafes
- Sporting facilities
- Churches
- Town facilities (e.g., police station, fire station etc.)





FIGURE 1 COLEAMBALLY STUDY AREA





## **3 RESEARCH, REVIEW & DATA COLLECTION**

### **3.1 Literature Review**

The following documentation was reviewed prior to commencing the PAMP study, and was used to inform the outcomes:

- RTA: How to Prepare a Pedestrian Access and Mobility Plan (2002)
- Murrumbidgee Shire Council Footpath Management Procedure (2014)
- Murrumbidgee Shire Council Pedestrian Access and Mobility Plan (2005)
- Murrumbidgee Shire Council Disability Inclusion Action Plan (2017-2021)
- NSW Movement and Place Guidelines

### **3.2 Traffic & Pedestrian Data**

The following data was supplied prior to commencing the PAMP study relating to existing traffic and pedestrian data:

- Coleambally Footpath Locations (pdf)
- Coleambally Land Zonings (pdf)
- Footpath data (xls)

### **3.3 Pedestrian Crash Data**

At the time of conducting the Coleambally PAMP, no pedestrian crash data was available. Pedestrian conflict points, including 'near misses', were identified through community consultation. The only location mentioned as having several near miss incidents was on Brolga Place outside of the Coleambally skate park, however this has since stopped occurring once holding rails were installed.

### **3.4 Opportunities & Constraints**

Several opportunities have been identified for pedestrian access improvements across Coleambally. These include:

- Existing footpaths extend through most of the town, and these can be used as the base network
- Corridors of land left as drainage reserves provide locations for pedestrian links
- The town hosts an active and engaged community who are invested in seeing accessibility improvements

Constraints for the Coleambally town include lack of street lighting and maintenance of adjacent landscaping. There are also a number of narrow, one-way streets which would prove difficult to install pedestrian paths.

## 3.5 Design Standards

All facilities are to be designed in accordance with:

- IPWEA Standard Drawings
- Austroads Guide to Road Design Part 6A: Pedestrian and Cyclist Paths (2021)
- TfNSW Standard (Road) Drawings series

## 4 CHARACTERISTICS OF LOCAL GOVERNMENT AREA

### 4.1 Population & Land Use

The Murrumbidgee Council has an ageing population when compared to the rest of NSW, as shown in the Figure below.

Age All people	Murrumbidgee		New South Wales		Australia	
		%		%		%
Median age	45	N/A	39	N/A	38	N/A
0-4 years	186	5.5	468,056	5.8	1,463,817	5.8
5-9 years	179	5.3	500,810	6.2	1,586,138	6.2
10-14 years	205	6.1	501,135	6.2	1,588,051	6.2
15-19 years	168	5.0	457,896	5.7	1,457,812	5.7
20-24 years	171	5.1	496,185	6.1	1,579,539	6.2
25-29 years	178	5.3	555,967	6.9	1,771,676	7.0
30-34 years	230	6.9	586,057	7.3	1,853,085	7.3
35-39 years	166	4.9	580,185	7.2	1,838,822	7.2
40-44 years	184	5.5	522,984	6.5	1,648,843	6.5
45-49 years	188	5.6	516,915	6.4	1,635,963	6.4
50-54 years	224	6.7	500,027	6.2	1,610,944	6.3
55-59 years	267	8.0	490,155	6.1	1,541,911	6.1
60-64 years	284	8.5	471,628	5.8	1,468,097	5.8
65-69 years	223	6.6	416,493	5.2	1,298,460	5.1
70-74 years	210	6.3	372,234	4.6	1,160,768	4.6
75-79 years	126	3.8	268,110	3.3	821,920	3.2
80-84 years	90	2.7	183,409	2.3	554,598	2.2
85 years and over	76	2.3	183,895	2.3	542,342	2.1

FIGURE 2 MURRUMBIDGEE COUNCIL AND NSW 2021 CENSUS DATA

It is also clear that walking is a preferred mode of transport for the people of Murrumbidgee, with 2021 census data showing “*Walking Only*” to be the second most utilised method to get to work.

AUSTRALIAN BUREAU OF STATISTICS 2021 Census of Population and Housing			<a href="#">List of tables</a>
Murrumbidgee (LGA15560) 6880.8 sq Kms			<a href="#">Find out more:</a>
G62 METHOD OF TRAVEL TO WORK(a) BY SEX			<a href="#">Method of travel to work</a>
Count of employed persons aged 15 years and over			<a href="#">Sex</a>
	Males	Females	Persons
One method:			
Train	0	0	0
Bus	5	0	5
Ferry	0	0	0
Tram/light rail	0	0	0
Taxi/ride-share service	0	0	0
Car, as driver	544	444	991
Car, as passenger	36	28	65
Truck	30	0	31
Motorbike/scooter	9	0	10
Bicycle	3	4	9
Other	22	3	24
Walked only(b)	74	56	127
Total one method	721	541	1,266

FIGURE 3 METHOD OF TRAVEL 2021 CENSUS DATA

From the 2021 census, the town of Coleambally has a population of 1,152. Coleambally has experienced an approximately 13% population decline since the 2016 census which could be attributed to a combination of the ‘coastal sea-change’ and an ageing community.

The dominant age group that resides in Coleambally are those between 50-64 years, which are considered vulnerable pedestrians and supports the need for accessibility upgrades throughout the town.

Coleambally is an agricultural centre, with relatively flat terrain. There are three prominent land zonings within the study area:

- General Industrial (to the east)
- the Village
- Recreation.

Figure 4 shows the key trip generators and attractors in Coleambally.



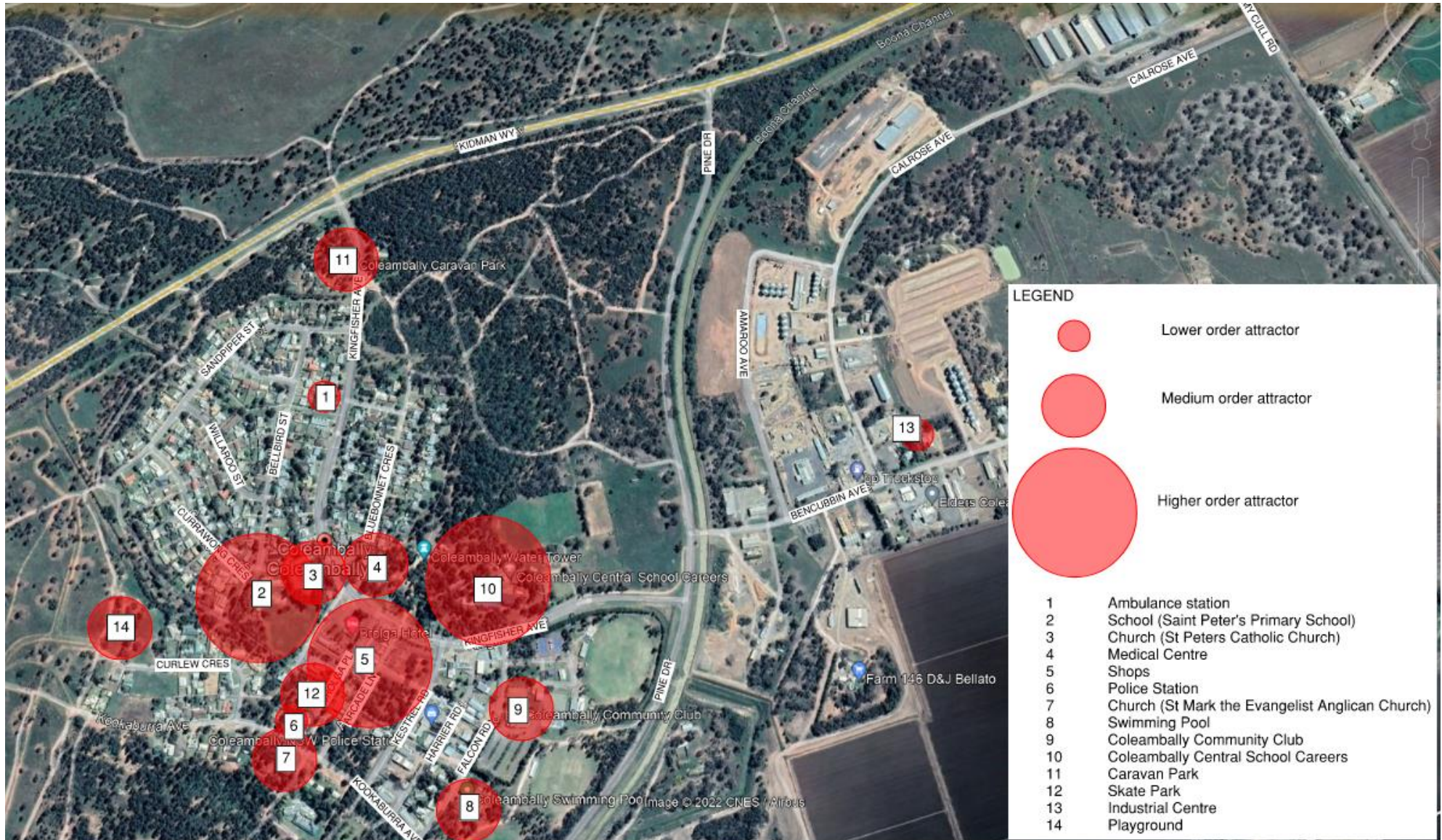


FIGURE 4 KEY TRIP GENERATORS IN COLEAMBALLY



## 4.2 Road Hierarchy

The Kidman Way (B87) bypasses the town to the north at 100km/h, reducing the amount of through traffic and heavy vehicles. There have also been corridors of land left as drainage reserves that provide locations for pedestrian links. Kingfisher Avenue is the main collector road through the town at 50km/h. This road has a central median running down the centre of it, however, there have been no provisions made in the median for pedestrians, forcing them to cross in the intersections (the only exception being the school crossing).

See the Figure 5 for the road hierarchy in Coleambally.

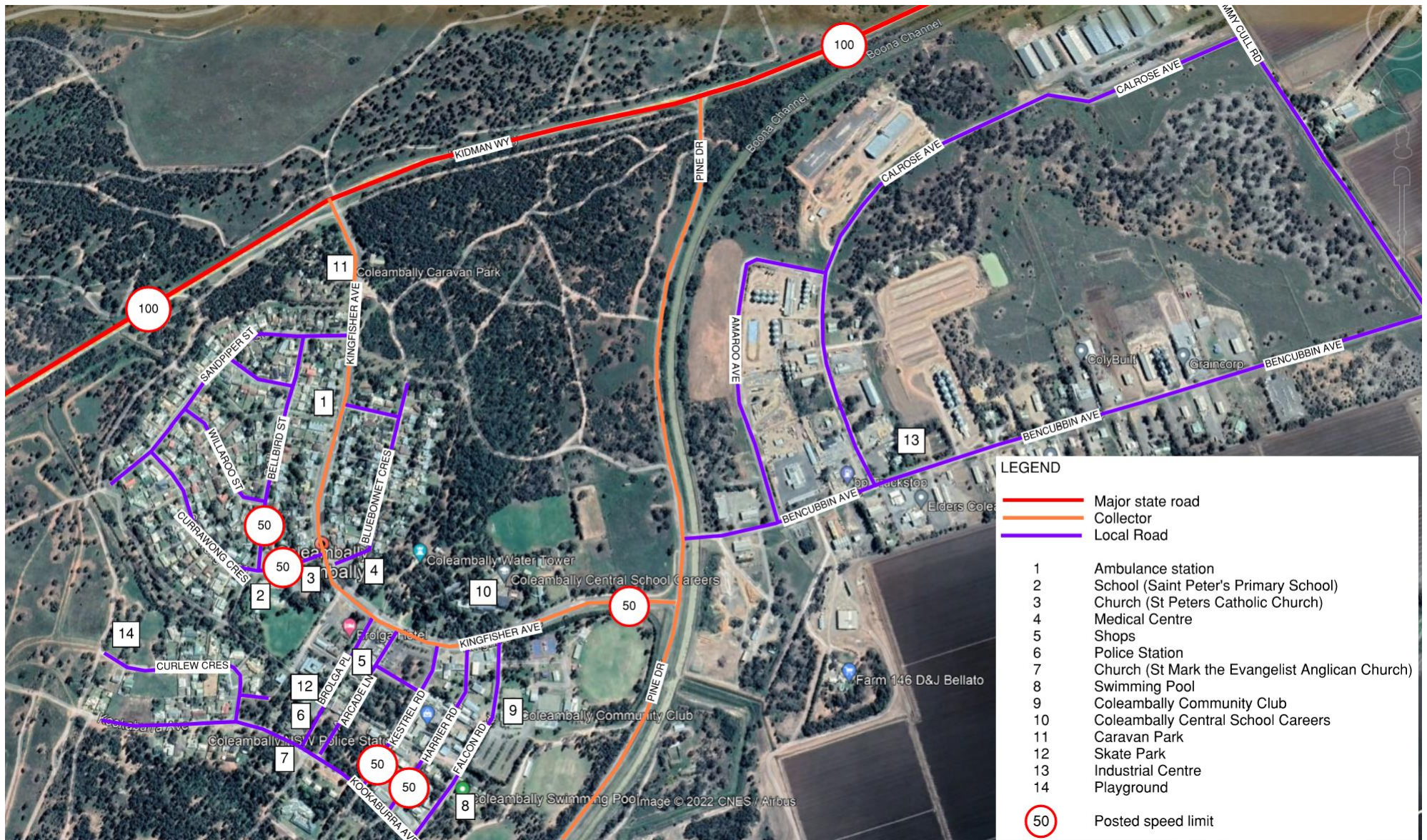


FIGURE 5 ROAD HIERARCHY

### **4.3 Public Transport**

There are no existing public transport facilities available in Coleambally, however there is a school bus, community transport and a club patron bus. The limited number of services is commensurate with the population of the centre. This also reflects the current transport mode share with the community being heavily reliant on private vehicle use and walking as the preferred modes of travel.

### **4.4 Existing Facilities**

Figure 6 shows the existing pedestrian facilities in Coleambally.



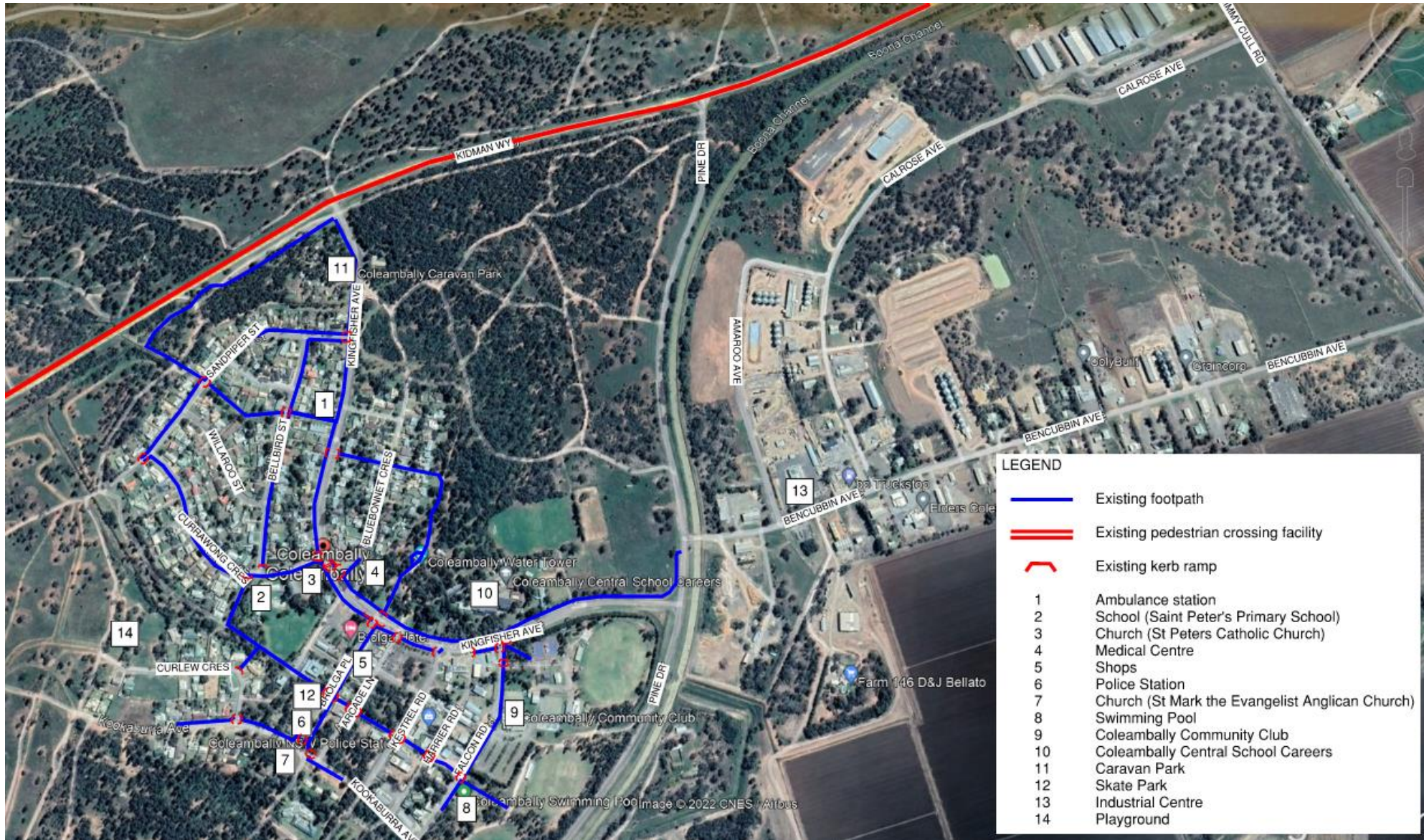


FIGURE 6 EXISTING FACILITIES

The condition of the existing paths in Coleambally are mostly sound, with only two areas highlighted that require upgrading:

- Track off Sandpiper Street (runs parallel with the Kidman Way)
- South-eastern end of Kingfisher Avenue

## **4.5 Future Pedestrian Needs**

As noted in Section 4.1, a large proportion of the population in Coleambally are vulnerable road users. Therefore, the need to upgrade existing facilities and provide end-to-end access that caters for all levels of mobility, is paramount.

From the Murrumbidgee Council Disability Inclusion Action Plan (2017-2021), it was specifically noted that more footpaths are required in all streets to avoid using the road.

Murrumbidgee Council provided plan concept drawings of a proposed upgrade to the sports oval and adjacent facilities. It has also been noted that there is planning underway for new residential estates along Kookaburra Avenue / Curlew Crescent, and Bluebonnet Crescent. A new preschool is also proposed at the southern end of Kingfisher Avenue, across the road from the sports oval. It is recommended that pedestrian facilities be incorporated into the planning and design phases of these developments to ensure that appropriate active transport infrastructure and connections are provided as part of the development of the estate. This has been included in Section 10.



## 5 PUBLIC CONSULTATION

### 5.1 Community consultation

On Tuesday 7<sup>th</sup> February 2023, a meeting to discuss the Coleambally PAMP was held at the Murrumbidgee Council office on Brolga Place. The meeting was from 2-2:30pm and included the following representatives:

- Local Councillors
- Consultant

Written feedback was also received by a member of the community in mid-2022, requesting a bike path from Kingfisher Avenue to Lovegrove Road.

Broader consultation with other key stakeholders and the broader community may occur once the PAMP has been finalised.

### 5.2 Key issues identified

The following key issues were raised by the Coleambally community representatives and were utilised when prioritising routes and the proposed works schedule:

- Track off Sandpiper Street that is parallel to the Kidman Way is in poor condition but is frequently utilised
- South-eastern end of Kingfisher Avenue is in poor condition, and will need to be upgraded prior to the preschool being established
- Kookaburra Avenue is missing a section of footpath at the southern end
- Kingfisher Avenue crossing points are not well established

# 6 PAMP ROUTES

## 6.1 Route Selection

The following attributes were considered when selecting key pedestrian routes:

- Areas that are high trip generating locations as noted in Section 4.1, and the opportunity to provide continuous connections between these locations
- Areas where existing highly utilised footpaths and / or kerb ramps were worn or damaged, and not to current standards
- Safety improvements to existing infrastructure on higher utilised routes
- Opportunities for new facilities to provide improved connections
- Feedback during the community consultation

Considering this information, three route hierarchies were established: primary, secondary, and tertiary.

## 6.2 Route Prioritisation Methodology

The outcomes of the route hierarchy assessment showed that Kingfisher Avenue is the primary 'spine' route through the town. Secondary routes included streets off Kingfisher Avenue that were used to get to and from high attractors. The remaining local roads were deemed as tertiary routes.

These routes were then audited and assessed in segments, as shown in Figure 7. The segments were coded to the following criteria:

- P1/P2/P3 – to denote priority based on route hierarchy.
- J1/W1 etc – to denote the street.
- .1 / .2 etc – to denote the segment.

This map is also included in Appendix A for clarity.





FIGURE 7 ROUTE HIERARCHY

## 6.3 Opportunities & Constraints

In addition to those mentioned in Section 3.4, opportunities noted following the site visit include:

- A mass action program could be undertaken to replace all non-compliant kerb ramps within the study area
- Several pedestrian crossing points already exist for the highly-trafficked areas on Kingfisher Avenue
- The town has a generally flat terrain

Additional constraints include available funding for the pedestrian facility upgrades.



# 7 AUDITS

## 7.1 Route Audit Process

An on-site audit for the town of Coleambally was conducted on 07 February 2023 along identified pedestrian routes. The key focus of the route audit was to identify any deficiencies for pedestrians, with specific focus on access for less mobile pedestrians such as the elderly and people with disabilities. The audit identified the following deficiencies throughout the town:

- Poor kerb ramp design (many have a step at the lip and are too narrow and / or too steep in accordance with IPWEA SD R 10 A / 10 B, and AS1428.1. Note this is based on a visual inspection only)
- Lack of footpaths to certain estates and within the existing town to key attractors (such as sports oval)
- Widths of existing town streets (Arcade Lane, Kestrel Road and Harrier Road) were too narrow to enable the installation of new pedestrian paths. This was discussed with Murrumbidgee Council representatives it was agreed that new pedestrian paths were not required within these laneways for this PAMP.

The Route Audit has been conducted based on the route segments shown in Figure 7. The results can be found in Appendix B.

## 7.2 Cost Estimate for Typical Items

Standard rates for typical items required for the upgrading of the pedestrian facilities around Coleambally are included in the table below. These are 2023 rates and will be subject to escalation.

TABLE 1 UNIT COST ESTIMATES

Item	Unit Cost
Install a concrete footpath (1.2m wide per m)	\$380
Install a concrete bike path (2.5m wide per m)	\$760
Install an asphalt footpath (1.2m wide per m)	\$200
Install a kerb ramp with tactile ground surface indicators	\$5,500
Install a kerb blister / widening	\$7,500

Note that these prices are based on a small build, and improved economies of scale can be achieved in larger quantities.



### **7.3 Work Prioritisation Methodology**

Following the Route Audit, each segment was assessed to be a High (H), Medium (M) or Low (L) priority. Inputs that determined the prioritisation of the works included:

- If the route was primary, secondary or tertiary
- Safety implications
- Feedback from community consultation (frequency of use, near misses etc.)
- Land use
- Road hierarchy
- Continuity of routes

Refer to Appendix B for the prioritisation of the works.

### **7.4 Physical Works Schedule**

Refer to Appendix C for the Works Schedule for the High priority items.

## **8 FUNDING SOURCES & IMPLEMENTATION OF PAMP**

These projects are proposed to be funded exclusively by the Murrumbidgee Council, via grants from the State government. This PAMP will serve as a justification for grant funding for the upgrades to Coleambally. It is expected that the grant funding will target either mass action programs or priority route treatments based on the priorities identified through this PAMP process.

## 9 MONITORING PROGRAM

At the time of this PAMP, Murrumbidgee Council were updating the existing maintenance and monitoring program. Once developed, this is likely to be utilised when scheduling maintenance works for all existing (and new) pedestrian facilities.

Until this program is established, the existing 'Murrumbidgee Shire Council Footpath Management Procedure' (2014) will be adhered to.

## 10 RECOMMENDATION FOR FUTURE STUDIES

It is recommended that this PAMP is reviewed periodically to maintain currency. It is expected that a 5 year return period will be sufficient to reassess infrastructure that has been completed and determine if any remaining items require reprioritisation.

The following upgrades are recommended to be investigated for future site specific PAMP related studies:

- Internal pedestrian path network within existing estates
- Internal pedestrian path network in new estates: Bluebonnet Crescent and Kookaburra Avenue
- Access to residents further south of Kookaburra Avenue (refer to written feedback by a member of the community)
- A mass action program to replace all non-compliant kerb ramps within the study area

# 11 CONCLUSIONS & RECOMMENDATIONS

It is recommended that the Murrumbidgee Council implement the detailed works schedule for the high priority items included in Appendix C. Based on the quantum of work identified as a high priority it is expected that this program has the potential to be funded and delivered over a period of 1-2 years (assuming \$200-\$500k funding per annum)

This PAMP has utilised several sources of information to identify main pedestrian routes and recommended upgrades: historical data, community consultation and observations from site.

This PAMP will help the Murrumbidgee Council to provide a safe and accessible environment for all active transport users.



# APPENDIX A

## **Pedestrian Route Hierarchy & Prioritised Treatment Reference Codes**







# APPENDIX B

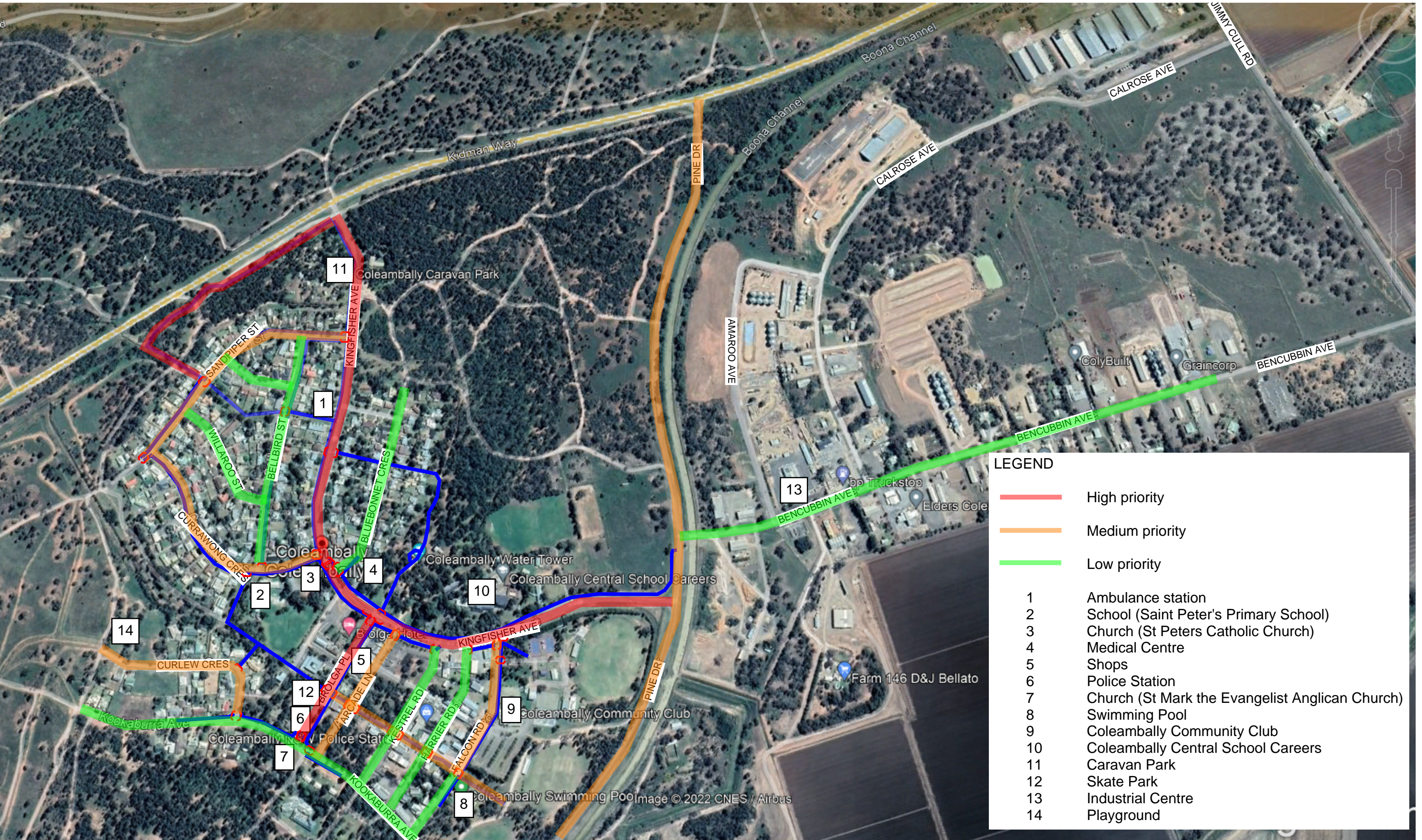
## **Route Audit and Priorities**



### Coleambally Route Audit and Priorities

ID	Location		Issues for Attention	Benefits	Land Use	Road Hierarchy	Priority
	From	To					
P1_K1.1	Kingfisher Ave (at Kidman Way)	Kingfisher Ave (at Currawong Cres)	Non-compliant kerb ramps x 2 Formal pedestrian crossing required south of Corella St, to replace existing crossing	DDA compliance Safe crossing point for pedestrians	Number of attractors = 1 (M), 1 (L) Land use type = Medical facilities, Residential	Collector (Local)	H
P1_K1.2	Kingfisher Ave (at Currawong Cres)	Kingfisher Ave (at Pine Drive)	Non-compliant kerb ramps x 5 3 x formal pedestrian crossings required to replace existing crossings - one south of Currawong Cres, one at Brolga Pl and one at Falcon Rd 1 x kerb ramp to be removed on the north-western side of Brolga Pl, no opposing kerb ramp on opposite side of Kingfisher Ave Missing section of pedestrian path from Kestrel Rd to Harrier Rd (approx 60m) Worn footpath condition / dirt track on path (approx 300m)	DDA compliance Safe crossing point for pedestrians Safe crossing point for pedestrians Consistent path of travel Ease of travel	Number of attractors = 1 (H), 2(M) Land use type = Commercial	Collector (Local)	H
P2_L1.1	Walking track (at Sandpiper St)	Walking track (at Kingfisher Ave)	Worn footpath condition / dirt track on path (approx 670m)	Ease of travel	Number of attractors = 1 (M) Land use type = Recreational	Local Road	H
P2_S1.1	Sandpiper St (south)	Sandpiper St (at Kingfisher Ave)	Non-compliant kerb ramps x 6	DDA compliance	Number of attractors = 1 (M) Land use type = Residential	Local Road	M
P2_C1.1	Currawong Cres (at Sandpiper St)	Currawong Cres (at Kingfisher Ave)	1 x kerb ramp to be removed on southern side of Currawong, no opposing kerb ramp on opposite side Non-compliant kerb ramps x 3 New kerb ramp to be installed opposite existing kerb ramp at Bellbird St	DDA compliance DDA compliance DDA compliance	Number of attractors = 1 (H), 1(M) Land use type = Residential, School	Local Road	M
P2_B1.1	Brolga Place (at Kingfisher Ave)	Brolga Place (at Kookaburra Ave)	Non-compliant kerb ramps x 4 No pedestrian path in front of attractors such as the police station and skate park (approx 110m)	DDA compliance Consistent path of travel	Number of attractors = 1 (H), 2 (M) & 1 (L) Land use type = Commercial & Recreational	Local Road	H
P2_A1.1	Arcade Lane (at Kingfisher Ave)	Arcade Lane (at Kookaburra Ave)	Non-compliant kerb ramps x 2	DDA compliance	Number of attractors = 1 (H) Land use type = Commercial	Local Road	M
P2_F1.1	Falcon Road (at Kingfisher Ave)	Falcon Road (at pedestrian path crossing)	Non-compliant kerb ramps x 4	DDA compliance	Number of attractors = 2 (M) Land use type = Recreational	Local Road	M
P2_L2.1	Pedestrian path (east of Falcon St)	Pedestrian path (at Brolga Place)	Non-compliant kerb ramps x 10	DDA compliance	Number of attractors = 2 (M) Land use type = Recreational	Local Road	M
P2_P1.1	Pine Drive (at Kookaburra Ave)	Pine Drive (at Kidman Way)	1 x formal pedestrian crossing required across Pine Drive for access to Bencubbin Ave	Safe crossing point for pedestrians	Number of attractors = 1 (L) Land use type = Industrial	Collector (Local)	M
P3_R1.1	Robin Crescent (at Sandpiper St)	Robin Crescent (at Bellbird St)	No pedestrian path on entire street (approx 150m). New path and 4 x kerb ramps recommended.	Consistent path of travel	Number of attractors = 0 Land use type = Residential	Local Road	L
P3_W1.1	Willaroo St (at Sandpiper St)	Willaroo St (at Bellbird St)	No pedestrian path on entire street (approx 280m). New path and 4 x kerb ramps recommended.	Consistent path of travel	Number of attractors = 0 Land use type = Residential	Local Road	L
P3_B2.1	Bluebonnet Crescent (at Kingfisher Ave)	Bluebonnet Cres (north)	Missing section of pedestrian path on eastern side of Bluebonnet Cres (approx 360m) Non-compliant kerb ramps x 2	Consistent path of travel DDA compliance	Number of attractors = 1 (M) Land use type = Residential	Local Road	L
P3_B3.1	Bellbird St (at Sandpiper St)	Bellbird St (at Currawong Cres)	Non-compliant kerb ramps x 2	DDA compliance	Number of attractors = 1 (H) Land use type = Residential	Local Road	L
P3_W2.1	Water tower track (at Kingfisher Ave north)	Water tower track (at Kingfisher Ave south)	N/A	N/A	N/A	Local Road	N/A
P3_C1.1	Curlew Cres (west)	Curlew Cres (at Kookaburra Ave)	Non-compliant kerb ramps x 1 No pedestrian path on entire street (approx 370m). New path recommended to connect into future residential estate.	DDA compliance Consistent path of travel	Number of attractors = 1 (M) Land use type = Residential	Local Road	M
P3_K1.1	Kookaburra Ave (west)	Kookaburra Ave (at Pine Drive)	Non-compliant kerb ramps x 4 Missing sections of pedestrian path on north-western side (150m) and south-eastern side (380m).	DDA compliance Consistent path of travel	Number of attractors = 2 (M), 1 (L) Land use type = Residential	Local Road	L
P3_K2.1	Kestrel Rd (at Kingfisher Ave)	Kestrel Rd (at Kookaburra Ave)	Non-compliant kerb ramps x 1 1 x new kerb ramp required opposite existing kerb ramp at Kingfisher Ave	DDA compliance	Number of attractors = 0 Land use type = Industrial	Local Road	L
P3_H1.1	Harrier Rd (at Kingfisher Ave)	Harrier Rd (at Kookaburra Ave)	Non-compliant kerb ramps x 1 1 x new kerb ramp required opposite existing kerb ramp at Kingfisher Ave	DDA compliance DDA compliance	Number of attractors = 0 Land use type = Industrial	Local Road	L
P3_F1.1	Falcon Road (at pedestrian path crossing)	Falcon Rd (at Kookaburra Ave)	Missing section of pedestrian path at south-eastern end of Falcon Rd (approx 100m)	Consistent path of travel	Number of attractors = 2 (M) Land use type = Recreational	Local Road	L
P3_B1.1	Bencubbin Ave (at Pine Drive)	Bencubbin Ave (east)	No pedestrian path access to entire estate. Recommend approx 1,200m of new pedestrian path.	Consistent path of travel	Number of attractors = 1 (L) Land use type = Industrial and Residential	Local Road	L







# APPENDIX C

## **Work Schedule**





### Coleambally Work Schedule - High Priority Items

ID	Location	Work Description and No. of Facilities	Cost Estimate	Totals
P1_K1.1	Kingfisher Avenue (south of Corella Street)	Replace kerb ramps x 2	\$ 11,000.00	\$ 26,000.00
	Kingfisher Avenue (south of Corella Street)	New kerb blisters / widening x 2 (for crossing facility)	\$ 15,000.00	
P1_K1.2	Kingfisher Avenue (Currawong Cres, Brolga Pl and Falcon Rd)	Replace kerb ramps x 5	\$ 27,500.00	\$ 209,300.00
	Kingfisher Avenue (Currawong Crescent, Brolga Place and Falcon Road)	New kerb blisters / widening x 6 (for 3 crossing facilities)	\$ 45,000.00	
	Kingfisher Avenue (north of Brolga Place)	Remove kerb ramp x 1	\$ -	
	Kingfisher Avenue (between Kestrel Road and Harrier Road)	New concrete pedestrian footpath x 60m	\$ 22,800.00	
	Kingfisher Avenue (southern end, northern side of Kingfisher)	New concrete pedestrian footpath x 300m	\$ 114,000.00	
P2_L1.1	Walking track (running parallel to Kidman Way)	New asphalt sealed path x 670m	\$ 134,000.00	\$ 134,000.00
P2_B1.1	Brolga Place (at Kingfisher Avenue and Kookaburra Avenue)	Non-compliant kerb ramps x 4	\$ 22,000.00	\$ 63,800.00
	Brolga Place (in front of skate park)	New concrete pedestrian footpath x 110m	\$ 41,800.00	
<b>TOTAL</b>			<b>\$</b>	<b>433,100.00</b>

**Marvel  
Engineers**



# PEDESTRIAN ACCESS AND MOBILITY PLAN **DARLINGTON POINT**

**Murrumbidgee Council**

**June 2023**

**V3**

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## **Appendix A**

## **Appendix B**

## **Appendix C**

# Glossary

Abbreviation	Description
IPWEA	Institute of Public Works Engineering Australasia
PAMP	Pedestrian Access and Mobility Plan
RTA	Roads and Traffic Authority



# 1 INTRODUCTION

## 1.1 Background

Darlington Point is a small town on the banks of the Murrumbidgee River in the Riverina district. The population of Darlington Point is approximately 1,030 (2021 census).

The Murrumbidgee Council has initiated this project with the aim to develop a Pedestrian Access and Mobility Plan for the Darlington Point township.

## 1.2 Study Objectives

The aim of the Darlington Point PAMP is to improve the pedestrian network's:

- Coherence
- Comfort
- Safety, and
- Accessibility and mobility.

This document provides a practical guide to implementing pedestrian facilities in the Darlington Point town areas.

The development of the PAMP will help Murrumbidgee Council achieve the following objectives in accordance with the RTA's "How to Prepare a Pedestrian Access and Mobility Plan" guide (hereby referred to as the "RTA Guide").

### PAMP Objectives:

- 1 To facilitate improvements in the level of pedestrian access and priority, particularly in areas of pedestrian concentration.
- 2 To reduce pedestrian access severance and enhance safe and convenient crossing opportunities on roads.
- 3 To identify and resolve pedestrian crash clusters (or near-misses).
- 4 To facilitate improvements in the level of personal mobility and safety for pedestrians with disabilities and older persons through the provision of infrastructure and facilities which cater to the needs of all pedestrians.

## 1.3 Methodology of PAMP

The study used the RTA Guide as a step-by-step methodology for the Darlington Point PAMP.

Overall, this study consists of five stages:

- 1 Review of relevant pedestrian issues through meetings with Murrumbidgee Council
- 2 Collection of relevant data and reviewing existing routes
- 3 Identification of issues throughout the network and highlighting any gaps. Undertake site visit and consult with the community.
- 4 Preparation of the PAMP which identifies a Pedestrian Network Hierarchy and prioritisation of pedestrian needs and facilities
- 5 Development of an Action Plan

## **1.4 Structure of Report**

This report follows the recommended structure of the RTA Guide.



## **2 STUDY AREA**

### **2.1 Scoping Study**

The scope of this study is limited to pedestrian related infrastructure with the public road network. This includes footpaths (of varying recommended widths), pram ramps, as well as pedestrian crossing facilities. Whilst excluded from the scope of this study, it is recommended that a signage/wayfinding implementation program is developed to complement the recommendations of this PAMP.

The study area was selected in consultation with Council, capturing all highly trafficked areas of Darlington Point and the existing pedestrian footpath network.

### **2.2 Study Area**

Refer to Figure 1 for the extents of the study area. This includes the following trip generating locations:

- Schools
- Cafes
- Sporting facilities
- Churches
- Parks

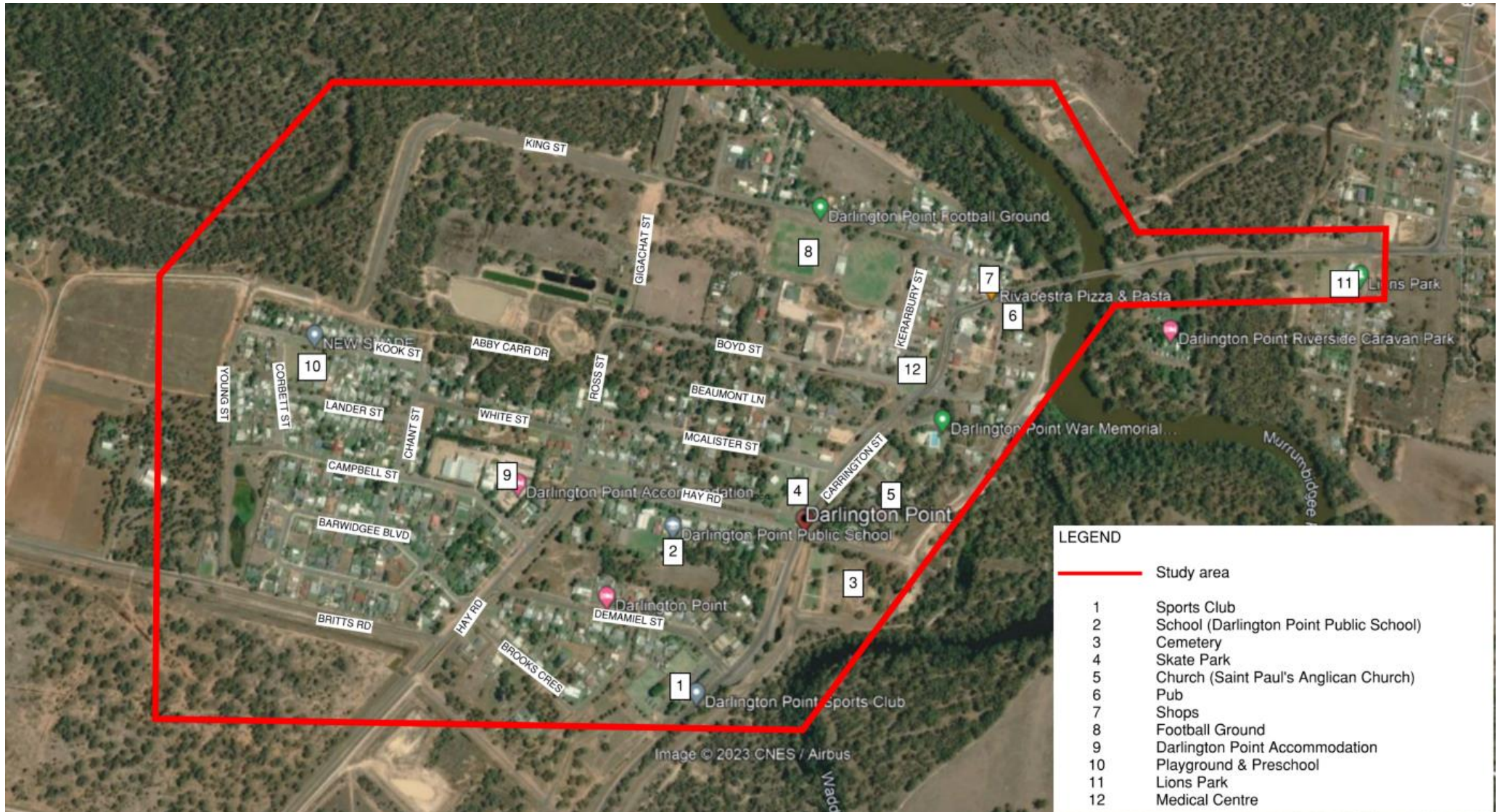


FIGURE 1 DARLINGTON POINT STUDY AREA



## **3 RESEARCH, REVIEW & DATA COLLECTION**

### **3.1 Literature Review**

The following documentation was reviewed prior to commencing the PAMP study, and was used to inform the outcomes:

- RTA: How to Prepare a Pedestrian Access and Mobility Plan (2002)
- Murrumbidgee Shire Council Footpath Management Procedure (2014)
- Murrumbidgee Shire Council Pedestrian Access and Mobility Plan (2005)
- Murrumbidgee Shire Council Disability Inclusion Action Plan (2017-2021)
- NSW Movement and Place Guidelines

### **3.2 Traffic & Pedestrian Data**

The following data was supplied prior to commencing the PAMP study relating to existing traffic and pedestrian data:

- Darlington Point Footpath Locations (pdf)
- Darlington Point Land Zonings (pdf)
- Footpath data (xls)

### **3.3 Pedestrian Crash Data**

At the time of conducting the Darlington Point PAMP, no pedestrian crash data was available. Pedestrian conflict points, including 'near misses', were identified through community consultation. The only location mentioned as having several near miss incidents was on Carrington Street outside of the Punt Hotel.

### **3.4 Opportunities & Constraints**

Several opportunities have been identified for pedestrian access improvements across Darlington Point. These include:

- Existing footpaths extend through most of the town, and these can be used as the base network
- The town hosts an active and engaged community who are invested in seeing accessibility improvements

Constraints for the Darlington Point town include lack of street lighting and maintenance of adjacent landscaping.

### **3.5 Design Standards**

All facilities are to be designed in accordance with:

- IPWEA Standard Drawings
- Austroads Guide to Road Design Part 6A: Pedestrian and Cyclist Paths (2021)
- TfNSW Standard (Road) Drawings series

## 4 CHARACTERISTICS OF LOCAL GOVERNMENT AREA

### 4.1 Population & Land Use

The Murrumbidgee Council has an ageing population when compared to the rest of NSW, as shown in the Figure below.

Age All people	Murrumbidgee		New South Wales		Australia	
		%		%		%
Median age	45	N/A	39	N/A	38	N/A
0-4 years	186	5.5	468,056	5.8	1,463,817	5.8
5-9 years	179	5.3	500,810	6.2	1,586,138	6.2
10-14 years	205	6.1	501,135	6.2	1,588,051	6.2
15-19 years	168	5.0	457,896	5.7	1,457,812	5.7
20-24 years	171	5.1	496,185	6.1	1,579,539	6.2
25-29 years	178	5.3	555,967	6.9	1,771,676	7.0
30-34 years	230	6.9	586,057	7.3	1,853,085	7.3
35-39 years	166	4.9	580,185	7.2	1,838,822	7.2
40-44 years	184	5.5	522,984	6.5	1,648,843	6.5
45-49 years	188	5.6	516,915	6.4	1,635,963	6.4
50-54 years	224	6.7	500,027	6.2	1,610,944	6.3
55-59 years	267	8.0	490,155	6.1	1,541,911	6.1
60-64 years	284	8.5	471,628	5.8	1,468,097	5.8
65-69 years	223	6.6	416,493	5.2	1,298,460	5.1
70-74 years	210	6.3	372,234	4.6	1,160,768	4.6
75-79 years	126	3.8	268,110	3.3	821,920	3.2
80-84 years	90	2.7	183,409	2.3	554,598	2.2
85 years and over	76	2.3	183,895	2.3	542,342	2.1

FIGURE 2 MURRUMBIDGEE COUNCIL AND NSW 2021 CENSUS DATA

It is also clear that walking is a preferred mode of transport for the people of Murrumbidgee, with 2021 census data showing “*Walking Only*” to be the second most utilised method to get to work.

AUSTRALIAN BUREAU OF STATISTICS 2021 Census of Population and Housing			<a href="#">List of tables</a>
Murrumbidgee (LGA15560) 6880.8 sq Kms			<a href="#">Find out more:</a>
G62 METHOD OF TRAVEL TO WORK(a) BY SEX			<a href="#">Method of travel to work</a>
Count of employed persons aged 15 years and over			<a href="#">Sex</a>
	Males	Females	Persons
One method:			
Train	0	0	0
Bus	5	0	5
Ferry	0	0	0
Tram/light rail	0	0	0
Taxi/ride-share service	0	0	0
Car, as driver	544	444	991
Car, as passenger	36	28	65
Truck	30	0	31
Motorbike/scooter	9	0	10
Bicycle	3	4	9
Other	22	3	24
Walked only(b)	74	56	127
Total one method	721	541	1,256

FIGURE 3 METHOD OF TRAVEL 2021 CENSUS DATA

From the 2021 census, the town of Darlington Point has a population of 1,030. Darlington Point has experienced an approximately 11% population decline since the 2016 census which could be attributed to a combination of the 'coastal sea-change' and an ageing community.

The dominant age group that resides in Darlington Point are those between 55-64 years, which are considered vulnerable pedestrians and supports the need for accessibility upgrades throughout the town.

Darlington Point is a farming town, with relatively flat terrain. There are two prominent land zonings within the study area:

- the Village
- Recreation.

Figure 4 shows the key trip generators and attractors in Darlington Point.

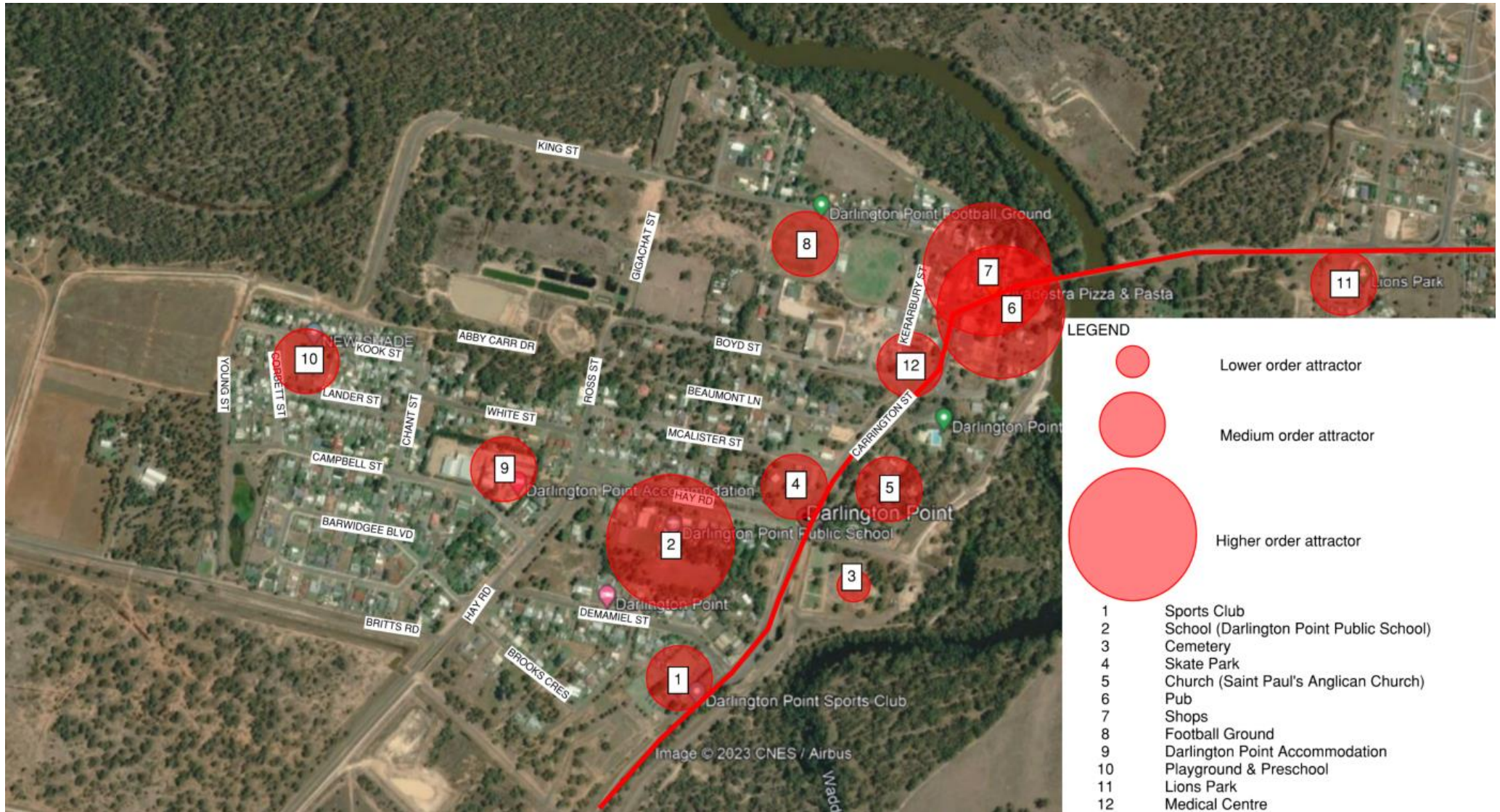


FIGURE 4 KEY TRIP GENERATORS IN DARLINGTON POINT



## 4.2 Road Hierarchy

Darlington Point is bisected by the Kidman Way / Carrington Street (B87) which is a major link running North-South through NSW. The traffic volumes are high including the number of heavy vehicles using the road.

The Kidman Way is 80km/h on approach, however, reduces to 50km/h through the town. Other local roads within the PAMP study area are local roads, sign posted at 50km/h.

See Figure 5 for the road hierarchy in Darlington Point.

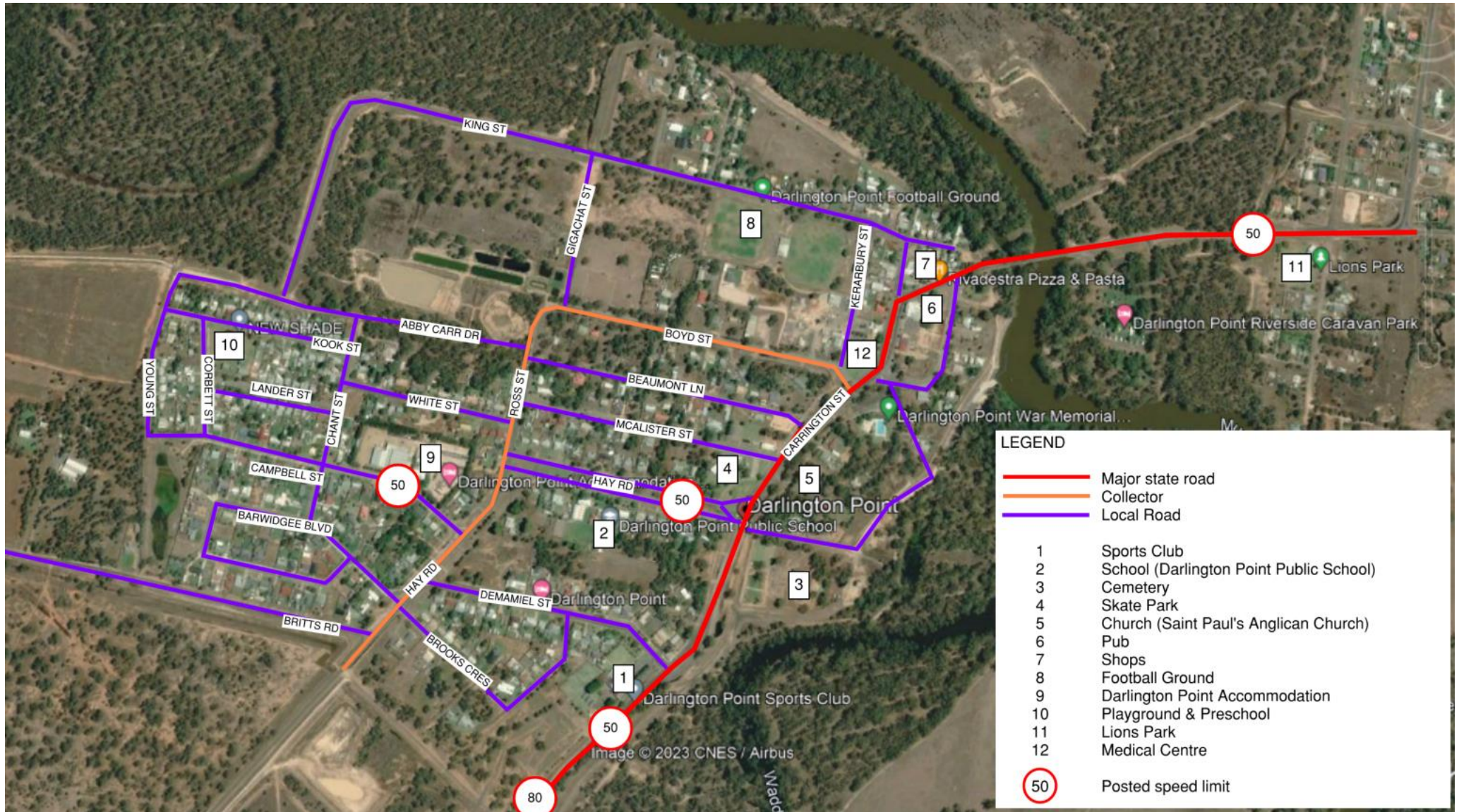


FIGURE 5 ROAD HIERARCHY

### **4.3 Public Transport**

There are three bus services that operate through Darlington Point: 2681, 2711 and 3636 routes. There is also community transport and a club patron bus. The limited number of services is commensurate with the population of the centre. This also reflects the current transport mode share with the community being heavily reliant on private vehicle use and walking as the preferred modes of travel.

### **4.4 Existing Facilities**

Figure 6 shows the existing pedestrian facilities in Darlington Point.



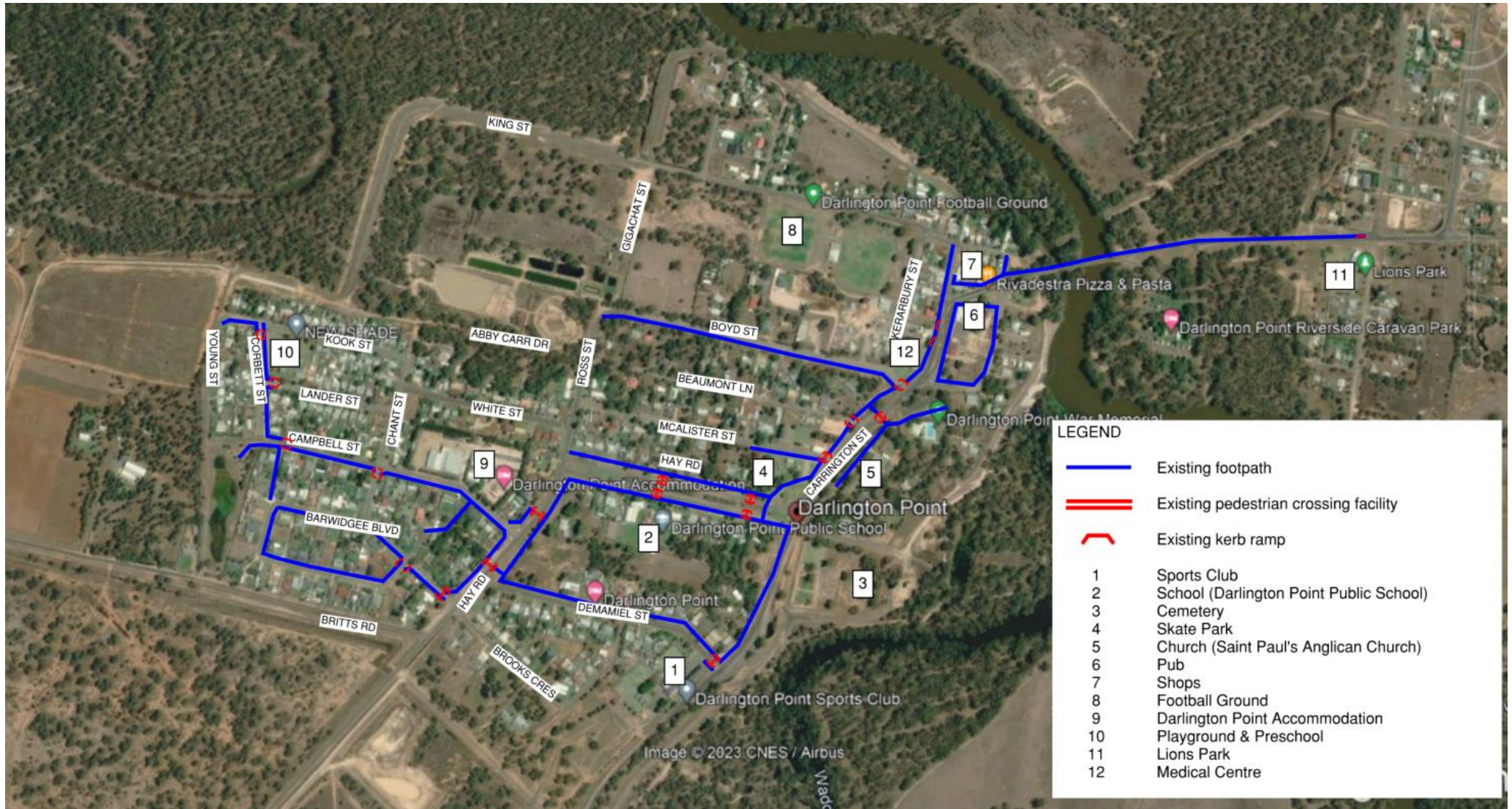


FIGURE 6 EXISTING FACILITIES



The condition of the existing paths in Darlington Point are mostly sound, with only two areas highlighted that require upgrading:

- Boyd Street
- Path to Lion's Park across the bridge

## **4.5 Future Pedestrian Needs**

As noted in Section 4.1, a large proportion of the population in Darlington Point are vulnerable road users. Therefore, the need to upgrade existing facilities and provide end-to-end access that caters for all levels of mobility, is paramount.

From the Murrumbidgee Council Disability Inclusion Action Plan (2017-2021), it was specifically noted that footpaths are required to replace paved areas (due to uneven surface) and additional kerb ramps are needed.

The Murrumbidgee Council provided plan concept drawings of a proposed upgrade to the Darlington Point Cemetery. These plans detail a new amenities block, formal car parking and an adjacent truck stop extension. It is recommended that pedestrian facilities be incorporated into the planning and design phases of these developments to ensure that appropriate active transport infrastructure and connections are provided as part of the development of the estate. This has been included in Section 10.

## 5 PUBLIC CONSULTATION

### 5.1 Community consultation

On Thursday 9<sup>th</sup> February 2023, a meeting to discuss the Darlington Point PAMP was organised at the Murrumbidgee Council office on Carrington Street from 10:30-11am. No Councillors were available to attend.

Therefore, informal consultation was undertaken with Council staff members who were in attendance at the office on 9<sup>th</sup> February.

Broader consultation with other key stakeholders and the broader community may occur once the PAMP has been finalised.

### 5.2 Key issues identified

The following key issues were raised by Murrumbidgee Council staff members and were utilised when prioritising routes and the proposed works schedule:

- The existing path on Boyd Street is in poor condition and requires upgrading
- Access to Lion's Park across the bridge is limited – the path is in poor condition and no formalised crossing exists across Carrington Street
- The area in front of the pub is very busy with people crossing the road with no formalised pedestrian crossing
- New paths are needed on Kook Street, Chant Street and White Street to cater for those coming to and from the preschool
- New paths are needed on Young Street as it is frequented by children and to future-proof for the new residential estate

## 6 PAMP ROUTES

### 6.1 Route Selection

The following attributes were considered when selecting key pedestrian routes:

- Areas that are high trip generating locations as noted in Section 4.1, and the opportunity to provide continuous connections between these locations
- Areas where existing highly utilised footpaths and / or kerb ramps were worn or damaged, and not to current standards
- Safety improvements to existing infrastructure on higher utilised routes
- Opportunities for new facilities to provide improved connections
- Feedback during the community consultation

Considering this information, three route hierarchies were established: primary, secondary, and tertiary.

### 6.2 Route Prioritisation Methodology

The outcomes of the route hierarchy assessment showed that Carrington Street is the primary 'spine' route through the town. Secondary routes included streets off Carrington Street that were used to get to and from high attractors. The remaining local roads were deemed as tertiary routes.

These routes were then audited and assessed in segments, as shown in Figure 7. The segments were coded to the following criteria:

- P1/P2/P3 – to denote priority based on route hierarchy.
- J1/W1 etc – to denote the street.
- .1 / .2 etc – to denote the segment.

This map is also included in Appendix A for clarity.



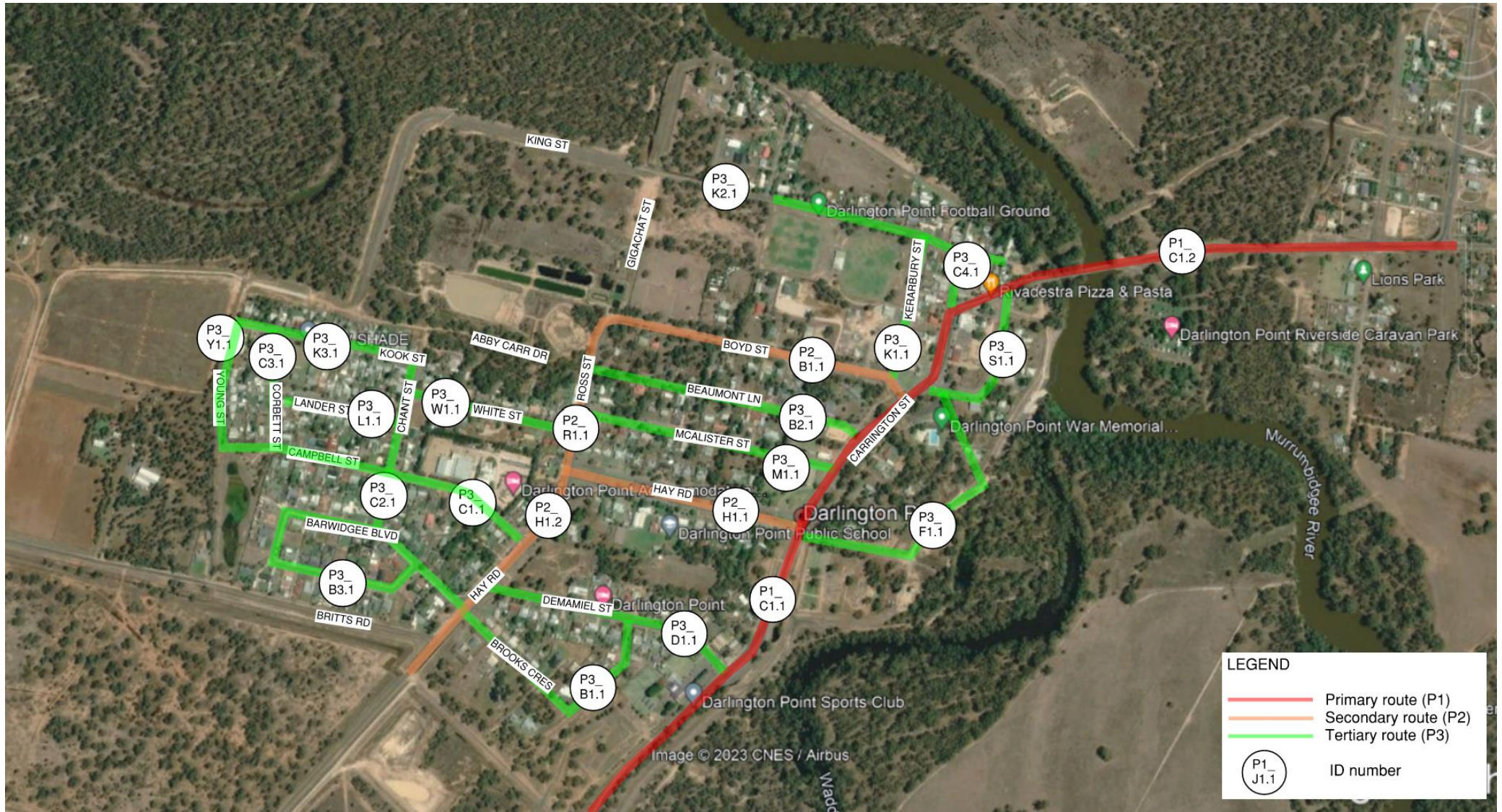


FIGURE 7 ROUTE HIERARCHY



## 6.3 Opportunities & Constraints

In addition to those mentioned in Section 3.4, opportunities noted following the site visit include:

- A mass action program could be undertaken to replace all non-compliant kerb ramps within the study area
- Wide verges exist for easy inclusion of new paths
- The town has a generally flat terrain

Additional constraints include available funding for the pedestrian facility upgrades.

## 7 AUDITS

### 7.1 Route Audit Process

An on-site audit for the town of Darlington Point was conducted on 09 February 2023 along identified pedestrian routes. The key focus of the route audit was to identify any deficiencies for pedestrians, with specific focus on access for less mobile pedestrians such as the elderly and people with disabilities. The audit identified the following deficiencies throughout the town:

- Poor kerb ramp design (many have a step at the lip and are too narrow and / or too steep in accordance with IPWEA SD R 10 A / 10 B, and AS1428.1. Note this is based on a visual inspection only)
- Lack of footpaths to certain estates and within the existing town to key attractors (such as sports oval and park)

The Route Audit has been conducted based on the route segments shown in Figure 7. The results can be found in Appendix B.

### 7.2 Cost Estimate for Typical Items

Standard rates for typical items required for the upgrading of the pedestrian facilities around Darlington Point are included in the table below. These are 2023 rates and will be subject to escalation.

TABLE 1 UNIT COST ESTIMATES

Item	Unit Cost
Install a concrete footpath (1.2m wide per m)	\$380
Install a concrete bike path (2.5m wide per m)	\$760
Install an asphalt footpath (1.2m wide per m)	\$200
Install a kerb ramp with tactile ground surface indicators	\$5,500
Install a kerb blister / widening	\$7,500

Note that these prices are based on a small build, and improved economies of scale can be achieved in larger quantities.

### 7.3 Work Prioritisation Methodology

Following the Route Audit, each segment was assessed to be a High (H), Medium (M) or Low (L) priority. Inputs that determined the prioritisation of the works included:

- If the route was primary, secondary or tertiary
- Safety implications
- Feedback from community consultation (frequency of use, near misses etc.)
- Land use

- Road hierarchy
- Continuity of routes

Refer to Appendix B for the prioritisation of the works.

## **7.4 Physical Works Schedule**

Refer to Appendix C for the Works Schedule for the High priority items.

## **8 FUNDING SOURCES & IMPLEMENTATION OF PAMP**

These projects are proposed to be funded exclusively by the Murrumbidgee Council, via grants from the State government. This PAMP will serve as a justification for grant funding for the upgrades to Darlington Point. It is expected that the grant funding will target either mass action programs or priority route treatments based on the priorities identified through this PAMP process.



## 9 MONITORING PROGRAM

At the time of this PAMP, Murrumbidgee Council were updating the existing maintenance and monitoring program. Once developed, this is likely to be utilised when scheduling maintenance works for all existing (and new) pedestrian facilities.

Until this program is established, the existing 'Murrumbidgee Shire Council Footpath Management Procedure' (2014) will be adhered to.

## 10 RECOMMENDATION FOR FUTURE STUDIES

It is recommended that this PAMP is reviewed periodically to maintain currency. It is expected that a 5 year return period will be sufficient to reassess infrastructure that has been completed and determine if any remaining items require reprioritisation.

The following upgrades are recommended to be investigated for future site specific PAMP related studies:

- Internal pedestrian path network within existing estates
- Internal pedestrian path network in new estate off Young Street
- A mass action program to replace all non-compliant kerb ramps within the study area

## 11 CONCLUSIONS & RECOMMENDATIONS

It is recommended that the Murrumbidgee Council implement the detailed works schedule for the high priority items included in Appendix C. Based on the quantum of work identified as a high priority it is expected that this program has the potential to be funded and delivered over a period of 1-2 years (assuming \$200-\$500k funding per annum)

This PAMP has utilised several sources of information to identify main pedestrian routes and recommended upgrades: historical data, community consultation and observations from site.

This PAMP will help the Murrumbidgee Council to provide a safe and accessible environment for all active transport users.

# APPENDIX A

## **Pedestrian Route Hierarchy & Prioritised Treatment Reference Codes**







# APPENDIX B

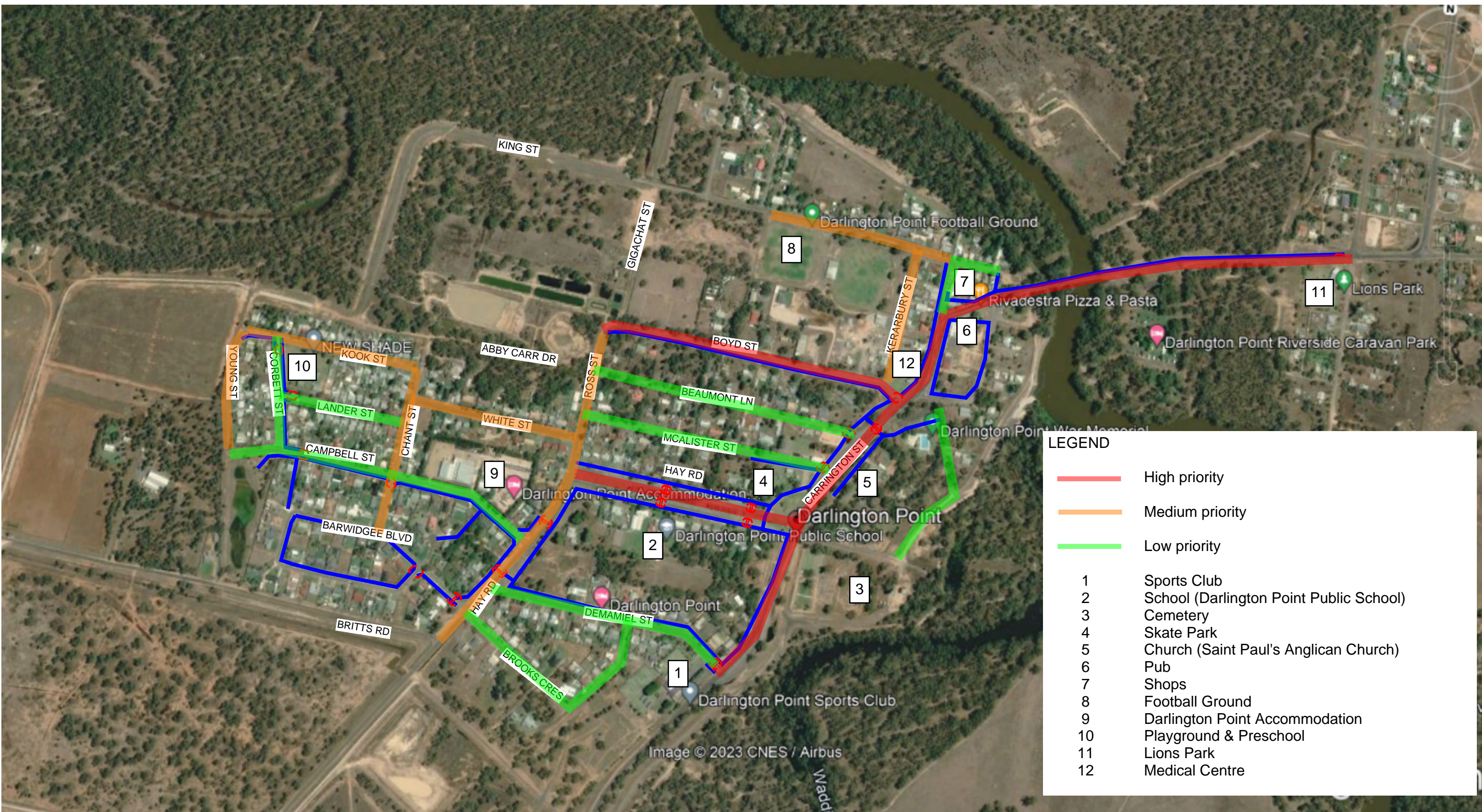
## **Route Audit and Priorities**



## Darlington Point Route Audit and Priorities

ID	Location		Issues for Attention	Benefits	Land Use	Road Hierarchy	Priority
	From	To					
P1_C1.1	Carrington St (at Demamiel St)	Carrington St (at Boyd St)	Non-compliant kerb ramps x 2 Missing section of pedestrian path from McAlister St to Demamiel St (east) (approx 430m). Integrate with proposed cemetery upgrades. Additional path needed is approx 200m.	DDA compliance Consistent path of travel	Number of attractors = 1 (H), 3 (M), 1 (L) Land use type = Commercial, Recreational	State Road	H
P1_C1.2	Carrington St (at Boyd St)	Carrington St (at Lions Park)	1 x formal pedestrian crossing required outside local pub for access to and from high attractor areas New sections of pedestrian path required to link new formal pedestrian crossing to existing pedestrian network (approx 50m) Worn footpath condition / dirt track on path on northern side of Carrington St (approx 450m) 1 x formal crossing required in front of Lion's park. Replace existing non-compliant kerb ramp	Safe crossing point for pedestrians Consistent path of travel Ease of travel Safe crossing point for pedestrians	Number of attractors = 2 (H), 1 (M) Land use type = Commercial, Recreational	State Road	H
P1_C1.3	Carrington St (at Medical Centre)	Carrington St (at Council office)	Non-compliant kerb ramps x 2	DDA compliance	Number of attractors = 1(M) Land use type = Commercial	State Road	H
P2_H1.1	Hay Road (at Ross St)	Hay Road (at Carrington St)	Non-compliant kerb ramps x 8	DDA compliance	Number of attractors = 1 (H), 1 (M) Land use type = School, Residential, Recreational	Collector (Local)	H
P2_H1.2	Hay Road (at Ross St)	Hay Road (at Britts Rd)	Missing section of pedestrian path on western side of Hay Rd from pedestrian crossing to White St (approx 160m) and eastern side of Hay Rd between Brooks Cres and Demamiel St (approx 50m) Non-compliant kerb ramps x 4	Consistent path of travel DDA compliance	Number of attractors = 1 (M) Land use type = Residential, Commercial	Collector (Local)	M
P2_R1.1	Ross St (at Hay Rd)	Ross St (at Boyd St)	Missing section of pedestrian path on eastern side of Ross St (approx 270m) 2 x new kerb ramps for crossing Ross St	Consistent path of travel Ease of travel	Number of attractors = 0 Land use type = Residential	Collector (Local)	M
P2_B1.1	Boyd St (at Ross St)	Boyd St (at Carrington St)	Worn footpath condition on southern side of Boyd St (approx 580m) Non-compliant kerb ramps x 2	Ease of travel DDA compliance	Number of attractors = 1 (M) Land use type = Residential, Commercial	Collector (Local)	H
P3_B1.1	Brooks Cres (at Hay Rd)	Brooks Cres (at Demamial St)	No footpath on Brooks Cres. Recommended to install pedestrian path on the northern side of Brooks Cres (approx. 450m) 2 x new kerb ramps for when new pedestrian path meets Demamial St	Ease of travel DDA compliance	Number of attractors = 0 Land use type = Residential	Local Road	L
P3_D1.1	Demamiel St (at Hay Rd)	Demamiel St (at Carrington St)	Non-compliant kerb ramps x 2	DDA compliance	Number of attractors = 1 (M) Land use type = Residential, Commercial	Local Road	L
P3_M1.1	McAlister St (at Ross St)	McAlister St (at Carrington St)	Missing section of pedestrian path on the southern side of McAlister St (approx 350m) Non-compliant kerb ramps x 2	Consistent path of travel DDA compliance	Number of attractors = 1 (M) Land use type = Residential, Commercial	Local Road	L
P3_B2.1	Beaumont Ln (at Ross St)	Beaumont Ln (at Carrington St)	No footpath on Beaumont Ln. Recommended to install pedestrian path on the southern side of Beaumont Ln (approx. 515m) Non-compliant kerb ramps x 2	Consistent path of travel DDA compliance	Number of attractors = 1 (M) Land use type = Residential	Local Road	L
P3_F1.1	Fulton St (at Cemetery Rd)	Fulton St (at Stock St)	No footpath on Fulton St. Recommended to install pedestrian path on Fulton St to connect to future Cemetery Rd works (approx 300m)	Consistent path of travel	Number of attractors = 1 (M) 1 (L) Land use type = Town facilities (Church, Memorial, Pool)	Local Road	L
P3_S1.1	Stock St (at Fulton St)	Stock St (at Carrington St)	N/A - footpath around whole block	N/A	Number of attractors = 2 (H) Land use type = Residential, Commercial	Local Road	N/A
P3_K1.1	Kerarbury St (at Boyd St)	Kerarbury St (at King St)	No footpath on Kerarbury St. Recommended to install pedestrian path on Kerarbury St to connect to the football ground (approx. 280m) 2 x new kerb ramps across Kerarbury St to connect to football ground	Consistent path of travel DDA compliance	Number of attractors = 1 (M) Land use type = Commercial, Recreational	Local Road	M
P3_C4.1	Carrington St	MacLeay St	Missing section of footpath around the back of the existing block. Recommended to install pedestrian path on remainder of commercial / residential block (approx 150m)	Consistent path of travel	Number of attractors = 1 (H) Land use type = Commercial, Residential	Local Road	L
P3_K2.1	King St (at MacLeay St)	King St (at football field)	No footpath on King St. Recommended to install pedestrian path on King St to connect to the football ground (approx 300m)	Consistent path of travel	Number of attractors = 1 (M) Land use type = Recreational	Local Road	M
P3_K3.1	Kook St (at Young St)	Kook St (at Chant St)	Missing section of footpath on Kook St. Recommended to install pedestrian path on the southern side of Kook St (approx 280m)	Consistent path of travel	Number of attractors = 1 (M) Land use type = Residential, Recreational	Local Road	M
P3_Y1.1	Young St (at Abby Carr Dr)	Young St (at Campbell St)	No footpath on Young St. Recommended to install pedestrian path on the eastern side of Young St (approx 220m)	Consistent path of travel	Number of attractors = 1 (M) Land use type = Residential	Local Road	M
P3_C3.1	Corbett St (at Kook St)	Corbett St (at Campbell St)	Non-compliant kerb ramps x 2	DDA compliance	Number of attractors = 1 (M) Land use type = Residential, Recreational	Local Road	L
P3_L1.1	Lander St (at Corbett St)	Lander St (at Chant St)	No footpath on Lander St. Recommended to install pedestrian path on the northern side of Lander St (approx 250m) 2 x new kerb ramps across Lander St to connect to new Chant St paths Non-compliant kerb ramps x 2	Consistent path of travel DDA compliance DDA compliance	Number of attractors = 1 (M) Land use type = Residential, Recreational	Local Road	L
P3_W1.1	White St (at Chant St)	White St (at Ross St)	No footpath on White St. Recommended to install pedestrian path on the southern side of White St (approx. 320m)	Consistent path of travel	Number of attractors = 1 (M) Land use type = Residential	Local Road	M
P3_C1.1	Campbell St (at Young St)	Campbell St (at Hay Rd)	2 x new kerb ramps across Campbell St to connect to new Chant St paths Non-compliant kerb ramps x 2	DDA compliance	Number of attractors = 1 (M) Land use type = Residential, Commercial	Local Road	L
P3_C2.1	Chant St (at Kook St)	Chant St (at Barwidgee Blvd)	No footpath on Chant St. Recommended to install pedestrian path on the western side of Chant St (approx. 280m) 2 x new kerb ramps across Chant St to connect to new White St footpath Non-compliant kerb ramps x 2	Consistent path of travel DDA compliance	Number of attractors = 1 (M) Land use type = Residential	Local Road	M
P3_B3.1	Barwidgee Blvd	Barwidgee Blvd	N/A - footpath around whole block and 4 x kerb ramps appear compliant	N/A	Number of attractors = 0 Land use type = Residential	Local Road	N/A







# APPENDIX C

## **Work Schedule**





## Darlington Point Work Schedule - High Priority Items

ID	Location	Work Description and No. of Facilities	Cost Estimate	Totals
P1_C1.1	Carrington Street (south of Boyd St)	Replace kerb ramps x 2	\$ 11,000.00	\$ 87,000.00
	Carrington Street (eatsern side between Demaniel St and McAlister St)	New concrete pedestrian footpath x 200m	\$ 76,000.00	
P1_C1.2	Carrington St (at pub and shops)	New kerb ramps x 2	\$ 11,000.00	\$ 227,000.00
	Carrington St (at pub and shops)	New pedestrian refuge (for crossing facility)	\$ 7,500.00	
	Carrington St (at pub and shops)	New concrete pedestrian footpath x 50m	\$ 19,000.00	
	Carrington St (northern side from the bridge to Lions Park)	New concrete pedestrian footpath x 450m	\$ 171,000.00	
	Carrington St (across from Lions Park)	Replace kerb ramp x 1	\$ 5,500.00	
	Carrington St (at Lions Park)	New kerb ramp x 1	\$ 5,500.00	
	Carrington St (at Lions Park)	New pedestrian refuge (for crossing facility)	\$ 7,500.00	
P1_C1.3	Carrington Street (at medical centre and Council office)	Replace kerb ramp x 2	\$ 11,000.00	\$ 11,000.00
P2_H1.1	Hay Road (between Ross St and Carrington St)	Replace kerb ramps x 8	\$ 44,000.00	\$ 44,000.00
P2_B1.1	Boyd St (southern side between Ross St and Carrington St)	New concrete pedestrian footpath x 580m	\$ 220,400.00	\$ 231,400.00
	Boyd St (at Carrington St)	Replace kerb ramps x 2	\$ 11,000.00	
			<b>TOTAL</b>	<b>\$ 600,400.00</b>



# Enforcement Policy

## (Revision 1)

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

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## **1. Introduction**

Council's regulatory responsibilities are applicable to actual unlawful activity, as well as a failure to take action (in order to be compliant with certain legal requirements). For simplicity, this policy refers to both an act and/or an omission by an alleged offender as 'unlawful activity'.

This policy is based on the 2015 NSW Ombudsman Model Compliance and Enforcement Policy.

For the purposes of this policy, a report alleging unlawful activity is where an individual expresses concern in relation to alleged unlawful activity, or they request service from Council about such matters. Council considers that a response or resolution to a report alleging unlawful activity is explicitly or implicitly expected by the individual, or may be legally required.

A complaint is where an individual expresses dissatisfaction about Council services, staff or the handling of a complaint. Therefore, a complaint may arise where an individual claims that Council staff have failed to take action in relation to a report alleging unlawful activity. A complaint will be recorded separately and responded to in accordance with Council's complaints management policy and procedures.

## **2. Purpose and Scope**

This policy provides information for all internal and external stakeholders and interested parties about Murrumbidgee Council's (Council) position on compliance and enforcement matters in the local government area.

The purpose of this policy is to provide structure for consistency and transparency in decision making, and to facilitate a proportional approach to compliance and enforcement. It is also intended to assist Council staff to act promptly, effectively and consistently in response to allegations of unlawful activity.

This policy outlines matters to be considered at the various stages of the enforcement process from the receipt and investigation of reports alleging unlawful activity, through to what enforcement option Council will choose and whether to commence criminal or civil proceedings.

Responsible Council staff are not limited by this policy in their use of discretion and exercise of official functions. The full circumstances and facts of each case need to be considered and a decision made on the merits.

## **3. Organisational approach**

### **3.1. Why compliance and enforcement is important to Murrumbidgee Council**

- Prevent or minimise harm to health, welfare, safety, property or the environment;
- Improve the safety and amenity of residents and visitors to the area;
- The collective good, the welfare of the community or the public interest;
- Promote social policies (e.g. to preserve or protect the environment);
- Manage risks;
- Uphold social order;
- Meet the expectations of the community;

- Encourage reports about possible unlawful activity from the community;
- Make the regulated community aware of their legal obligations and how to comply.

### 3.2. What activities does Council regulate

The legislation that applies to the operation of Council includes, but is not necessarily limited, to the following:

- Local Government Act 1993 and General Regulation (2021)
- Environmental Planning & Assessment Act 1979 and Regulation (2000)
- Companion Animals Act 1998 and Regulations (2018)
- Protection of the Environment Operations Act 1997, and the Clean Air Regulation (2010), General Regulation (2009), Noise Control Regulation (2008), Underground Petroleum Storage Systems Regulation (2019) and the Waste Regulation (2014).
- Roads Act (1993) and Regulation (2008)
- Impounding Act (1993) and Regulation (2008)
- Food Act (2003) and Regulation (2010)
- Public Health Act (1992) and Regulation (2012)
- Swimming Pools Act and Regulation (2008)
- National Construction Codes
- Biosecurity Act 2015

## 4. Definitions

The following are the definitions of key terms in this policy:

Complaint	means an expression of concern or a request for service in relation to alleged unlawful activity, where a response or resolution is explicitly or implicitly expected or legally required.
Enforcement	means actions taken in response to serious or deliberate contraventions of laws.
Regulation	means using a variety of tools and strategies to influence and change behaviour to achieve the objectives of an act, regulation or other statutory instrument administered by Council.
Unlawful Activity	means any activity or work that has been or is being carried out contrary to the below and/or failure to take required action in order to be compliant with: <ul style="list-style-type: none"> <li>• terms or conditions of a development consent, approval, permit or licence;</li> <li>• an environmental planning instrument that regulates the activities or work that can be carried out on particular land;</li> <li>• a legislative provision regulating a particular activity or work.</li> </ul>

## 5. Policy objectives

The intent of this policy is to establish clear guidelines and protocols for Council staff in the management of Council's regulatory activities.

It provides workable guidelines on:

- Responding to reports alleging unlawful activity;
- Assessing whether reports alleging unlawful activity require investigation;
- Deciding on whether enforcement action is warranted;
- Options for dealing with confirmed cases of unlawful activity;
- Taking legal action;
- Implementing shared enforcement responsibilities.

## 6. Application

This policy applies to regulatory issues within Council's area of responsibility including, but not limited to:

- Development and building control;
- Pollution control (offensive noise, odour, dust, waste);
- Environmental health;
- Public health and safety;
- Noxious weeds;
- Water and sewer;
- Septic systems;
- Control over animals;
- Food safety;
- Fire safety;
- Tree preservation;
- Noise complaints;
- Abandoned items;
- Overgrown lots;
- Development on or over roads.

## 7. Compliance and enforcement principles

The following are principles that underpin Council's actions relating to compliance and enforcement:

**Principle:** Accountable and transparent

**Action:**

- Acting in the best interests of public health and safety and in the best interests of the environment;
- Ensuring accountability for decisions to take or not take action;
- Acting fairly and impartially and without bias or unlawful discrimination;
- Providing information about compliance and enforcement priorities and reasons for decisions to improve understanding and certainty and promote trust by the regulated community;

- Ensuring meaningful reasons for decisions are given to all relevant parties, particularly when there is a departure from this policy;
- Acting on any complaints or concerns about the conduct of compliance officers in accordance with Council's complaints management policy and procedures;
- Advising people and organisations subject to enforcement action of any avenues available to seek an internal or external review of a decision.

**Principle:** Consistent

**Action:**

- Ensuring all compliance and enforcement action is implemented consistently;
- Encouraging reports about possible unlawful activity by acting reasonably in response to the circumstances and facts of each matter.

**Principle:** Proportional

**Action:**

- Ensuring the level of enforcement action is proportionate to the level of risk and seriousness of the breach;
- Making cost-effective decisions about enforcement action;
- Taking action to address harm and deter future unlawful activity.

**Principle:** Timely

**Action:**

- Ensuring responses to reports alleging unlawful activity and decision making in relation to those is timely.

## **8. Responsibility**

Council receives information about alleged unlawful activity from members of the public, contact from other government agencies and information gathered by its officers during proactive inspections.

All Council staff who deal with reports alleging unlawful activity are responsible for implementing this policy.

Council staff are also responsible for ensuring that any other possible unlawful activity identified as a result of an inspection, proactive enforcement or other activity is brought to the attention of the appropriate business unit of Council.

Council staff are required to:

- Treat all relevant parties with courtesy and respect;
- Communicate with all relevant parties and provide feedback on the progress of an investigation and any reasons for delay without compromising the integrity of the investigation;
- Make full and proper records in relation to the assessment and investigation of reports alleging unlawful activity, including reasons for any decisions;
- Inform all relevant parties of reasons for decisions;
- Provide as much information as possible to all relevant parties about the outcomes of investigations to show that adequate and appropriate action was



taken and/or is proposed to be taken in response to a report of alleged unlawful activity;

- Provide information to all relevant parties about any avenues to seek an internal or external review of a decision.

All reports alleging unlawful activity are to be entered into Council's case management system (Content Manager) and actioned in a timely manner by the appropriate staff member in accordance with the Murrumbidgee Council Customer Service Charter.

Only Council staff with appropriate delegations from the General Manager can undertake investigations or compliance and enforcement action in relation to this policy.

## **9. Responding to concerns about unlawful activity**

### **How reports alleging unlawful activity will be dealt with by Council**

Council will record and assess every report alleging unlawful activity.

Council will respond to every such report unless the person raising the matter has indicated they do not wish to receive a response about Council's handling of the matter, or the report is anonymous.

Council's objectives when dealing with reports alleging unlawful activity are to:

- Maintain the collective good and welfare of the community;
- Prevent or minimise harm to health, welfare, safety, property or the environment;
- Consider the broader public interest having regard to Council's priorities and any resource limitations;
- Consider the report fairly and impartially.

Not all reports will need to be investigated. A preliminary assessment of all matters will be made to determine the priority for a response, and whether investigation or other action is required.

An investigation of alleged unlawful activity may take a significant amount of time to complete, particularly where issues are complex. If Council decides to investigate, staff will give the person who reported the alleged unlawful activity regular feedback on the progress of the investigation, and any reasons for delay. This does not mean that the individual can expect to be given details about every aspect of the investigation or information that would compromise the integrity of the investigation.

Decisions about what action should be taken by Council are made at the Council's discretion. This means the objective is that reports alleging unlawful activity will be resolved to the satisfaction of Council, not necessarily the person raising the matter. Council will generally try to resolve matters as quickly and informally as possible so as to avoid the need to take formal action.

Council staff will endeavour to manage the expectations of people who report alleged unlawful activity, and in particular explain that in the absence of sufficient evidence of unlawful activity Council may be unable to take further action. They will also explain that Council does not have unlimited resources and powers to deal with reports alleging unlawful activity. If Council is unable to fully investigate or take action on a

matter because it is restricted by any legal or resource limitations this will be explained to the individual.

While there are certain statutory requirements that must be met in relation to notices and orders, Council staff will ensure that all explanatory communications are made in plain English and explain any technical language the law requires to be used.

### **Confidentiality of people who report allegations of unlawful activity**

People who report allegations of unlawful activity should not expect that their identities will remain confidential from the subject of their report in all circumstances. Council may have to disclose information that identifies them in the following cases:

- Disclosure is necessary to investigate the matter;
- Their identity has already been disclosed to the subject of their report directly or in a publicly available document;
- The individual was consulted following receipt of a Government Information (Public Access) Act 2009 application and did not object to the disclosure;
- The individual consents in writing to their identity being disclosed;
- Disclosure is required to comply with principles of procedural fairness;
- The matter proceeds to court.

Council will take seriously any concerns an individual may have about their physical safety being endangered as a result of making a report. However, this may limit Council's ability to investigate the matter.

### **What Council expects from people who report allegations of unlawful activity**

Council expects that people who report allegations of unlawful activity will cooperate and act in good faith in respect of any investigations conducted by Council. This includes:

- Providing a clear description of the problem (and the resolution sought, if relevant);
- Giving all available and relevant information to Council, including any new information about the alleged activity that may become known to the person following the making of their report;
- Not giving any information that is intentionally misleading or wrong;
- Cooperating with Council's inquiries and giving timely responses to questions and requests for information;
- Treating Council's staff with courtesy and respect;
- Allowing the investigation to be completed without prematurely taking the matter to other agencies, unless referred to by Council.

If these expectations of the individual are not met, Council may need to set limits or conditions on the continuation of the investigation or may need to restrict any further communications with the individual.

Any unreasonable conduct will be dealt with in accordance with the principles of the NSW Ombudsman's Managing Unreasonable Complainant Conduct Manual 2012 and any applicable Council policy.

### **What parties can expect from Council staff**

People who report alleged unlawful activity, as well as individuals or businesses that are subject to investigation and any enforcement action, can expect that Council staff will:

- Treat them with courtesy and respect;
- Advise them of the outcome of the allegation reported, including a full explanation of the reasons why that outcome was considered to be reasonable in the circumstances;
- Clearly explain decisions in plain English;
- Provide information about any relevant internal and external appeal processes that may be available;
- Carefully assess any new information provided by any party after a decision has been made and advise whether further action will be taken.

### **Complaints about Council's enforcement actions**

Any complaints about Council's handling of reports alleging unlawful activity will be recorded separately and handled in accordance with Council's complaints management policy and procedures.

Where a person or organisation subject to enforcement action merely disputes Council's decision to take enforcement against them, they will be directed to make representations in accordance with any relevant internal and external appeal processes.

Council staff will act on any complaints about the conduct of compliance officers in accordance with Council's Complaints Management Policy and procedures and the Code of Conduct.

### **Anonymous reports**

Anonymous reports will be recorded and assessed in accordance with the above requirements. However, because it is not possible to seek clarification or additional information about a matter, it may be more difficult to evaluate the allegations and therefore these reports are less likely to warrant investigation.

### **Unlawful activity outside business hours**

Unlawful activity can occur outside business hours. In particular, Council may receive reports about matters such as offensive noise and failure to comply with limitations on hours of operation during nights and weekends.

Due to resource and operational capability restraints on Council, investigations into alleged unlawful activity outside business hours will be assessed on the basis of risk of harm to health, welfare, safety, property, environment or it is otherwise in the public interest to take such action.

## **Neighbour disputes**

Council will at times receive reports from parties involved in neighbour disputes seeking Council's involvement. When a dispute between two neighbours is a civil matter, Council will often have no authority to resolve the issue in dispute. Some reports will raise several matters, some of which will require Council's involvement and some of which will be personal to the parties.

Council staff will thoroughly assess such reports to determine whether there is evidence of any possible unlawful activity requiring action by Council. Care will be taken to explain which aspects of a report Council can deal with and which cannot be dealt with and why. Where possible, individuals will be provided with information about how to resolve neighbour disputes including referral information resources such as Law Access NSW and Community Justice Centres.

It is possible that one party will provide further information about a matter which changes Council's decision about whether it will become involved. In such circumstances, Council staff will carefully consider the matter before taking action and document reasons for the new decision. Relevant parties will be advised about the reasons Council has changed its position on a matter. Council staff will not change a decision about whether or not Council should be involved purely as a response to the conduct of an individual, such as persistent demands or threats.

### **10. Investigating alleged unlawful activity**

Not all reports alleging unlawful activity will warrant investigation. A preliminary assessment of all matters will be made to determine whether investigation or other action is required. Council will prioritise matters on the basis of risk to public safety, human health and environment.

If there is insufficient information in the report to undertake a preliminary assessment, further information may need to be sought from the person who made the report or an inspection undertaken. Staff may also need to consult Council records and other internal business units to understand the relevant history and context of a matter.

### **Circumstances where no action will be taken**

Council will take no further action if, following a preliminary assessment, it is identified that:

- Council does not have jurisdiction to investigate or is not the appropriate authority to take action on the issues raised. Where there is another appropriate authority or course of action, Council may bring the matter to the attention of the authority or provide information and contact details to the individual. For example NSW WorkCover for workplace safety matters, the NSW Environment Protection Authority for possible environmental offences and Community Justice Centres NSW for personal disputes;
- Report relates substantially to a matter previously determined by Council and no new or compelling information is presented which would cause Council to change its earlier decision. In this case, staff will acknowledge the report and advise that no further action will be taken as no new information had been provided (other than where the person has previously been advised they would receive no further response);



- Allegations relate to a lawful activity (e.g. where there is an existing approval or the activity is permissible without Council approval or consent being required);
- Report is not supported with evidence or appears to have no substance;
- Relevant Director or the General Manager determines that investigation or other action would have an unreasonable impact on resources and/or is unlikely to achieve an outcome sufficient to justify the expenditure of resources.

### **Relevant factors guiding decisions as to whether to take action**

When deciding whether to investigate, Council will consider a range of factors, including whether:

- The activity is having a significant detrimental effect on the environment or it constitutes a risk to public safety;
- Report is premature as it relates to some unfinished aspect of work that is still in progress;
- The activity or work is permissible with or without permission;
- All conditions of consent are being complied with;
- Much time has elapsed since the events the subject of the report took place;
- Another body is a more appropriate agency to investigate and deal with the matter;
- It appears there is a pattern of conduct or evidence of a possible wide spread problem;
- The person or organisation reported has been the subject of previous reports;
- The report raises matters of special significance in terms of the Council's existing priorities;
- There are significant resource implications in relation to an investigation and any subsequent enforcement action;
- It is in the public interest to investigate the report.

The above are factors for Council to consider and weigh in making a determination. Council staff are not limited in their use of discretion by these considerations and may decide to investigate based on these and other factors.

The objective of the processes Council staff use when investigating incidents of alleged unlawful activity is to:

- Determine the cause of the incident;
- Determine if there has been a contravention of law, policy or standards;
- Gather evidence to the required standard to support any required enforcement action;
- Determine any necessary action to mitigate the possibility of reoccurrence of similar incidents.

Any decision not to investigate an allegation of unlawful activity will be recorded and the reasons for that decision clearly stated.

## **11. Taking enforcement action**

When deciding whether to take enforcement action in relation to a confirmed case of unlawful activity, Council will consider the full circumstances and facts of the matter and the public interest.

The following common considerations will assist Council staff in determining the most appropriate response in the public interest.

### **Considerations about the alleged offence and impact:**

- The nature, extent and severity of the unlawful activity, including whether the activity is continuing;
- Harm or potential harm to the environment or public health, safety or amenity caused by the unlawful activity;
- Seriousness of the breach, including whether the breach is merely technical, inconsequential or minor in nature;
- Time period that has lapsed since the date of the unlawful activity.

### **Considerations about the alleged offender:**

- Any prior warnings, instructions or advice that was issued to the person or organisation reported or previous enforcement action taken against them;
- Whether the offence was committed with intent;
- Whether the person or organisation reported has been proactive in the resolution of the matter and assisted with any Council requirements and instructions;
- Mitigating or aggravating circumstances demonstrated by the alleged offender;
- Any particular circumstances of hardship affecting the person or organisation reported.

### **Considerations about the impact of any enforcement action:**

- Need to deter any future unlawful activity;
- Whether an educative approach would be more appropriate than a coercive approach in resolving the matter;
- Prospect of success if the proposed enforcement action was challenged in court;
- Costs and benefits of taking formal enforcement action as opposed to taking informal or no action;
- What action would be proportionate and reasonable in response to the unlawful activity;
- Whether Council is prevented from taking action based on earlier advice given, i.e. whether an estoppel situation has been created.

### **Considerations about the potential for remedy:**

- Breach can be easily remedied;
- Whether it is likely consent would have been given for the activity, if it had been sought;
- Whether there is a draft planning instrument on exhibition that would make the unauthorised use legal.

A further explanation of the above considerations is provided in Appendix 1.

### **Legal or technical issues**

Where legal and/or technical issues are in question, Council staff will consider whether legal advice or professional advice from duly qualified staff or other experts should be obtained and considered. Council may also require a person subject to possible enforcement action to obtain professional advice in relation to issues of concern to Council for assessment as to whether further action is required.

### **Requirements of Council staff considering enforcement action**

Prior to taking enforcement action, Council staff will take into account the above considerations as well as the evidence gathered during their investigation. Council staff must act impartially, be mindful of their obligations under Council's code of conduct and not act as a decision-maker in relation to any matter in which they have a personal interest. Enforcement action will not be taken purely as a response to the conduct of an individual such as persistent demands or threats.

Council staff are required to maintain records about critical thinking and decision-making processes in relation to reports alleging unlawful activity and any enforcement action, as well as records of interactions with relevant parties. Council staff will at all times adhere to Council's internal approval processes prior to the commencement of any enforcement action.

Council staff will take steps to ensure that any enforcement action is taken against the correct person or organisation. Where there are multiple possible parties to an alleged unlawful activity, it will generally not be appropriate to take enforcement action against every person who may be liable for the alleged unlawful activity. In such circumstances, Council staff will be guided by legal advice in determining the appropriate persons to pursue.

## **12. Options for dealing with confirmed cases of unlawful activity**

Council will try to use the quickest and most informal option to deal with unlawful activity wherever possible unless there is little likelihood of compliance with such options. Council staff will use discretion to determine the most appropriate response to confirmed cases of unlawful activity and may take more than one approach. Any enforcement action taken by Council will depend on the full circumstances and facts of each case, with any decision being made on the merits.

At all times, Council's key concerns are:

- Prevent or minimise harm to health, welfare, safety, property or the environment;
- Influence behaviour change for the common good and on behalf of the community.

The following enforcement options to be considered by Council are ordered to reflect an escalation in response that is proportionate to the level of risk, the seriousness of the confirmed breach or the need for a deterrent.

**Level of risk:** Very low

**Enforcement actions:**

- Take no action on the basis of a lack of evidence or some other appropriate reason;
- Provision of information/advice on how to be compliant.

**Level of risk:** Low

**Enforcement actions:**

- Negotiating with the person to obtain voluntary undertakings or an agreement to address the issues of concern;
- Issuing a warning or a formal caution.

**Level of risk:** Medium

**Enforcement actions:**

- Issuing a letter requiring work to be done or activity to cease in lieu of more formal action;
- Issuing a notice of intention to serve an order or notice under relevant legislation, and then serving an order or notice if appropriate.

**Level of risk:** High

**Enforcement actions:**

- Issuing a penalty notice;
- Carrying out the works specified in an order at the cost of the person served with the order.

**Level of Risk:** Very high

**Enforcement options:**

- Seeking an injunction through the courts to prevent future or continuing unlawful activity;
- Commence legal proceedings for an offence against the relevant Act or Regulation.

**Following up enforcement action**

All enforcement action will be reviewed and monitored to ensure compliance with any undertakings given by the subject of enforcement action or advice, directions or orders issued by Council. Reports alleging continuing unlawful activity will be assessed and further action taken if necessary. If the unlawful activity has ceased or the work has been rectified, the matter will be resubmitted for follow up action to ensure compliance outcomes are met. Should initial enforcement action be found to have been ineffective, Council staff will consider other enforcement options.



### **13. Taking legal action**

The Council and its delegated staff will be guided by legal advice in deciding whether to commence criminal or civil proceedings and will consider the following:

- Sufficient evidence to establish a case to the required standard of proof;
- Reasonable prospect of success before a court;
- Public interest warrants legal action being pursued.

#### **Whether there is sufficient evidence to establish a case to the required standard of proof**

Council considers the decision to take legal action a serious matter, and as such will only initiate and continue proceedings once it has been established that there is admissible, substantial and reliable evidence to the required standard of proof.

The basic requirement of any criminal prosecution is that the available evidence establishes a *prima facie* case. The prosecutor is required to prove the elements of the offence beyond reasonable doubt.

In civil enforcement proceedings, Council will require sufficient evidence to satisfy the court that an actual or threatened breach has occurred on the balance of probabilities.

#### **Whether there is a reasonable prospect of success before a court**

Given the expense of legal action, Council will not take legal action unless there is a reasonable prospect of success before a court. In making this assessment, Council staff will consider the availability, competence and credibility of witnesses, the admissibility of the evidence, all possible defences, and any other factors which could affect the likelihood of a successful outcome.

#### **Whether the public interest requires legal action be pursued**

The principal consideration in deciding whether to commence legal proceedings is, whether to do so is in the public interest. In making this determination, the same factors to be considered when taking enforcement action apply. (See Section 11, Taking enforcement action).

The following considerations relate more specifically to the decision to commence legal proceedings and will assist Council and its delegated staff in making this determination:

- Availability of any alternatives to legal action;
- An urgent resolution is required (court proceedings may take some time);
- Possible length and expense of court proceedings;
- Any possible counter-productive outcomes of prosecution;
- What the effective sentencing options are available to the court in the event of conviction;
- The proceedings or the consequences of any resulting conviction would be unduly harsh or oppressive.

## **Time within which to commence proceedings**

Council staff must be aware of legislative time limits in which enforcement proceedings must be commenced. Sometimes legal action will be statute barred despite good evidence that unlawful activity has occurred.

## **14. Shared enforcement responsibilities**

Some reports will raise matters involving shared regulatory responsibilities between Council and other authorities including the Environment Protection Authority, the NSW Police Force, the Office of Liquor, Gaming and Racing, NSW Fair Trading, NSW Food Authority and Crown Lands.

Council recognises that collaboration and cooperation between authorities to address issues of shared regulatory responsibility is the best approach. To this end, where there are shared legislative responsibilities, Council staff will liaise with relevant authorities to establish:

- Which authority will take the leading role on any joint investigation;
- Which activities each authority will carry out;
- Responsibilities for updating an individual where relevant;
- Protocols for exchanging confidential information between the relevant authorities.

Council will reasonably endeavour to respond to requests for information or assistance on joint regulatory matters in a timely manner.

## **15. Delegations**

Council staff delegations for taking action under this policy are included in Council's Delegation Register.

## **16. Policy Review**

This Policy:

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

## Appendix 1

### Taking Enforcement Action

When deciding whether to take enforcement action in relation to a confirmed case of unlawful activity, Council will consider all the circumstances of the matter. The section below is intended to assist staff by providing a further explanation of matters to be taken into consideration when deciding whether to take enforcement action.

<b>Considerations about the alleged offence and impact</b>	
<ul style="list-style-type: none"><li>• The nature, extent and severity of the unlawful activity including whether the activity continued;</li><li>• Harm or potential harm to the environment or public health, safety or amenity caused by the unlawful activity;</li><li>• Seriousness of the breach, including whether the breach is merely technical, inconsequential or minor in nature;</li><li>• Costs and benefits of taking formal enforcement action as opposed to taking informal or no action;</li><li>• Time period that has lapsed since the date of the unlawful activity.</li></ul>	<p>Consideration should be given to the nature, extent and severity of any actual or potential impact of the unlawful activity. If there is actual or potential detriment to the natural or built environment, to the health or safety of residents or the amenity of an area, this would normally warrant a decision to take action to remedy or restrain the breach. It is also important to consider whether the unlawful activity is ongoing or has ceased.</p> <p>Consideration should be given to whether the likely costs and benefits of any enforcement action is justifiable where breaches result in no material impacts upon any other party or the health, safety and amenity of the environment and community. A breach of a technical, inconsequential or minor nature, in the absence of any other aggravating factor, will generally not warrant a decision to take action to remedy or restrain the breach.</p> <p>Legislation may provide time limits in which to commence proceedings and take enforcement action, and sometimes prosecution will be statute barred despite good evidence that unlawful activity has taken place.</p> <p>In addition, consideration should be given to the time which the offence or breach occurred and the 'reasonableness' of taking enforcement action if a significant time has lapsed since the time of the offence or breach.</p>
<b>Considerations about the alleged offender</b>	
<ul style="list-style-type: none"><li>• Prior warnings, instructions, advice that was issued to the person or organisation reported or previous enforcement action taken against them;</li><li>• Whether the offence was committed with intent;</li></ul>	<p>Consideration should be given to the previous history of the offender. If prior warnings, instructions or advice has been issued to the person or organisation reported which was not followed, a more formal and coercive enforcement approach would appear more appropriate.</p> <p>Consideration should be given to whether the offence was committed deliberately, recklessly or with gross negligence. It may be appropriate that</p>

<ul style="list-style-type: none"> <li>• Whether the person or organisation reported has been proactive in the resolution of the matter and assisted with any Council requirements and instructions;</li> <li>• Any mitigating or aggravating circumstances demonstrated by the subject of the report;</li> <li>• Any particular circumstances of hardship affecting the person or organisation reported.</li> </ul>	<p>cases of this nature are more likely to result in prosecution. Where an offence was committed as a result of an accident or genuine mistake, providing education and guidance or a formal warning may be more suitable in achieving desired outcomes.</p> <p>Where the offender has been proactive in the resolution of the matter and has assisted Council in the resolution of the matter, it may be that the public interest would not be best served by prosecuting the offender, especially if the offending conduct or work has been rectified. If the offender has demonstrated a lack of contrition and is uncooperative with the investigation or remediation, a prosecution or monetary penalty would appear more appropriate.</p> <p>Consideration should be given to any genuine mitigating circumstances of the offender such as age, physical or mental health, disability and any financial hardship of the offender resulting in an inability to pay.</p>
<b>Considerations about the impact of the enforcement action</b>	
<ul style="list-style-type: none"> <li>• The need to deter any future unlawful activity;</li> <li>• Whether an educative approach be more appropriate than a coercive approach in resolving the matter;</li> <li>• The prospect of success if the proposed enforcement action was challenged in court;</li> <li>• The costs and benefits of taking formal enforcement action as opposed to taking informal or no action;</li> <li>• What action would be proportionate and reasonable in response to the unlawful activity;</li> <li>• Whether the Council has created an estoppel situation.</li> </ul>	<p>Consideration should be given to the deterrent effect, both on the offender and others. Prosecutions, because of their great stigma if a conviction is secured, may be appropriate even for minor unlawful activity where they might contribute to a greater level of overall deterrence.</p> <p>When deciding whether to take an educative approach or enforcement approach, consideration should be given to the following matters:</p> <ul style="list-style-type: none"> <li>• The reasonable likelihood that the person may have known or should have known the relevant requirements or rules;</li> <li>• The level of contrition shown by the responsible person;</li> <li>• Whether the parties have previously been advised of the regulatory requirements or provisions;</li> <li>• Whether or not any previous warnings or instructions have been provided;</li> <li>• The apparent level of intent shown by the responsible person.</li> </ul> <p>It may not be appropriate to take enforcement action if the chances of success, in the event of an appeal or hearing, are unlikely. In such situations, you would need to identify the causes of that likelihood and address them in the particular case or as a general issue.</p>



	<p>Consideration should be given to what is reasonable in the particular circumstances that apply. This includes a reasonable proportionality between the ends to be achieved and the means used to achieve them. Consideration is to be given to what is reasonable in the circumstances and ensure the action is not disproportionate to the level of harm or damage arising from the breach. Legal proceedings are expensive. When doing a cost-benefit analysis, costs and benefits should be assessed broadly and indirect costs and benefits should also be considered. Estoppel is a legal rule which prevents a person from later denying something which may have previously been relied on, and acted upon by another person. Consideration should be given to whether the actions of Council have created a reasonable expectation that no enforcement action would be taken.</p>
<b>Considerations about the potential for remedy</b>	
<ul style="list-style-type: none"> <li>• Whether the breach can be easily remedied;</li> <li>• Whether it is likely consent would have been given for the activity if it had been sought;</li> <li>• Whether there is a draft planning instrument on exhibition that would make the unauthorised use legal.</li> </ul>	<p>If there is evidence of a significant issue of unlawful activity and that matter can be easily remedied by some action on the part of the person the subject of the report, there is a less compelling case for enforcement action, depending on the other circumstances of the case such as the conduct of the offender.</p> <p>If retrospective approval is possible, it may be reasonable to allow an opportunity to obtain this prior to taking other enforcement action. In some cases, compliance by informal means may be the most efficient way to resolve the matter and other enforcement action may not be necessary. This needs to be balanced with other considerations such as the public interest in enforcing the law.</p>



# Draft On Site Sewage Management Policy

	Name	Position	Signature	Date
Responsible Officer	Garry Stoll	Director - Planning, Community & Development		
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## 1. Introduction

Effective management of domestic sewage and wastewater is an important consideration for the public health of Murrumbidgee Council residents and the environment in which they reside. It requires the active involvement of both the Council and landholders.

This policy has been developed to guide Murrumbidgee Council to assess, regulate and manage the selection, design, installation, operation and maintenance of new and existing on-site sewage management systems.

## 2. Purpose

The purpose of the On-Site Sewage Management Policy is to:

- Guide landholders towards sustainable on-site management of domestic sewage and waste water;
- Protect and enhance public health and the environment within the Murrumbidgee Council Local Government Area;
- To enable efficient regulation and monitoring of on-site sewage management systems;
- To maintain compliance referring to Legislation and Regulation in NSW.

## 3. Objectives/Goals

The objectives and goals of this On-Site Sewage Management Policy are:

- **Prevention of public health risk** - sewage contains bacteria, viruses, parasites and other disease-causing organisms. Contact with effluent increases the risk to public health;
- **Protection of the environment** - on-site sewage management systems (OSSMS) should be selected, situated, designed, constructed, operated and maintained to ensure land, groundwater or surface water is not contaminated;
- **Ecologically sustainable development** - on-site sewage management systems must be installed and operated in such a manner that will allow the system to operate satisfactorily on a long term basis, whilst maintaining acceptable environmental and public health standards;
- Create and maintain an up to date register and records of OSSMS in the Murrumbidgee Council area;
- Assess the installation of new OSSMS to ensure they are fit for purpose and represent best practice;
- Implement an approvals program for OSSMS;
- Implement a risk based inspection program of OSSMS;
- Raise awareness of property owners of OSSMS about management and maintenance requirements;
- Utilise information and mapping systems to monitor the cumulative impacts of OSSMS in the Murrumbidgee Council area;
- Work with service agents and property owners to improve monitoring and reporting;



- Provide community education to landholders for safe and efficient operation of their OSSMS.

#### 4. Definitions

**Table 1. Definitions**

<b>Septic Tank</b>	Wastewater treatment device that provides a preliminary treatment of wastewater comprising sediments of solids, fats and oils and anaerobic digestion of sludge.
<b>Absorption Trench</b>	A trench located below ground level designed to transpire and absorb effluent discharged from the septic tank. This trench must be installed correctly to avoid pollution of ground water.
<b>AWTS</b>	Aerated Water Treatment System is a wastewater treatment process, typically consisting of: <ul style="list-style-type: none"> <li>• Primary settling of solids and flotation of scum</li> <li>• Secondary oxidation and consumption of organic matter through aeration;</li> <li>• Clarification by additional settling of solids;</li> <li>• Disinfection of wastewater before surface irrigation;</li> <li>• Mechanical operation of air pumps and pressure pumps which must be serviced quarterly.</li> </ul>
<b>De-sludging</b>	Withdrawing sludge, scum and liquid from a tank by a qualified service agent licensed to transport and dispose of liquid human waste.
<b>Effluent</b>	Wastewater discharging from a sewage management facility.
<b>Land Application Area</b>	The area of which the treated wastewater is distributed.
<b>Nutrients</b>	Chemical elements that are essential for sustained plant or animal growth, these being nitrogen, phosphorus and potassium. Excess nitrogen and phosphorus are potentially serious pollutants.
<b>Pathogens</b>	Micro-organisms potentially cause disease including bacteria, protozoa and viruses.
<b>Potable</b>	Water of a quality suitable for human consumption.
<b>Run off</b>	Effluent that becomes surface flow that is not absorbed into the soil.
<b>Scum</b>	Material collected at the top of the primary wastewater treatment tank. This includes oils, grease, soaps.
<b>Sludge</b>	Organic matter produced by the wastewater treatment process.
<b>Community Facility</b>	Refers to a facility used for community events, sporting events and gatherings.

<b>Environmentally Sensitive Area</b>	Land identified in an environmental planning instrument or mapping as being in an area identified as ground water vulnerable or high biodiversity significance.
<b>Flood zone</b>	Land identified as flood prone in the Flood Plain Risk Management Study and Plan.
<b>Intermittent Watercourse</b>	Means any creek, gully, stream or chain of ponds, whether artificially modified or not, in which water flows periodically and sporadically.
<b>Permanent Watercourse</b>	Means any river, creek, stream or chain of ponds, whether artificially modified or not, in which water flows continuously.

## 5. Implementation Program

Council's regulatory program to meet the stated objectives/goals will include all fixed on-site sewage management facilities including public, industrial and commercial systems, which do not discharge directly to a public sewer or are not licensed by NSW Environmental Protection Agency (EPA). This program will be used to assess, regulate and manage the design, installation, operation and maintenance of OSSMS.

For the purpose of this policy, an OSSMS includes, but is not limited to, the following:

- Septic tanks with evapotranspiration beds or absorption trenches;
- Aerated wastewater treatment systems (AWTS);
- Wet composting toilet with sand filter and/or wetland/reed bed with sub-surface application system;
- Waterless composting toilet and grey water treatment system;
- Grey water treatment systems;
- Septic tank with sand filter and/or constructed wetland/reed bed with sub-surface application system;
- Septic tank and amended soil mound system;
- Septic tank and pump-out well;
- Commercial or package plant systems;
- Any other system that stores, treats and/or disposes of sewage and/or wastewater on-site.

## 6. When is an Application to Council Required

An application under Section 68 of the *Local Government Act 1993* must be made to Council for the installation, construction or alteration, or use of an on-site sewage management system.

### 6.1 Approval to Operate

An approval to operate an on-site sewage management system will be issued to the owner of the property where:

**Table 2. Summary of Approval Process**

Type of Activity	Approval to Install/Construct/Alter	Approval to Operate
<b>New OSSMS</b>	<ul style="list-style-type: none"> <li>Details of OSSMS submitted as part of a development application; or</li> <li>Application to Install, Construct or Alter to be submitted to Council (where Exempt or Complying Development).</li> </ul>	Issued after final inspection by Council if works carried out.
<b>Upgrade or alterations to exiting OSSMS</b>	<ul style="list-style-type: none"> <li>Details of OSSMS submitted as part of a Development Application; or</li> <li>Application to Install, Construct or Alter to be submitted to Council (where Exempt or Complying Development).</li> </ul>	Issued after final inspection by Council if works carried out.
<b>Existing OSSMS</b>	<ul style="list-style-type: none"> <li>Not Applicable</li> </ul>	<ul style="list-style-type: none"> <li>Application to be lodged (by new owner) within <b>2 months</b> of sale;</li> <li>Applications to be lodged following initial inspection and risk rating.</li> </ul>

## 6.2 Commercial Systems

On-site sewage management system (OSSMS) with the capacity above 10 equivalent population (EP) and less than 2,500 EP, are classed as commercial systems. They are commonly known as '*package wastewater treatment plants*' and are used for caravan parks, B&B's, hotels, motels, and small villages located in areas with no reticulated sewage system.

Commercial Systems will be required to:

- Obtain approval to install, construct or alter;
- Hold approval to operate;
- Are designed to meet the performance criteria outlined in Section 10 and satisfy Council that they can adequately treat and dispose of the wastewater on-site without creating environmental or public health risks;
- Be classified as '**high risk**' system and undergo a higher inspection frequency.

Where irrigation of treated effluent is proposed, the design and installation will need to take into consideration the NSW EPA's Guideline "Use of Effluent by Irrigation".

Systems that have an intended processing capacity of more than 2,500 EP or 750 kilolitres per day and involve the discharge or likely discharge of wastes or by-products to land or waters require a licence with NSW EPA.

## 7. Application Requirements for an On-Site Sewage Management System

When submitting an application to Council for a new on-site sewerage management system (OSSMS), or an alteration of an existing system, the following documentation is required:

- Completed Murrumbidgee Council OSSMS application form;
- Payment of fee;
- Plan of septic tank/s, collection well or aerated wastewater treatment tank/s;
- Geotechnical assessment report;
- Certification that the proposed system is approved by NSW Health;
- Site plan indicating the location of the OSSMS and land application area. The site plan must show the location and distance of the OSSMS and land application area indicating:-
  - a. Distance to all neighboring boundaries, permanent and intermittent watercourses, waterbodies and domestic groundwater bores and wells;
  - b. Distance from dwellings and outbuildings (including pools and domestic water tanks and bores), and;
  - c. Any landscaping design required for surface irrigation field.

## 8. Geotechnical Reports

To further demonstrate satisfactory effluent disposal, a geotechnical report will be required:

- a. If the property is constrained through soil type, proximity to a watercourse or waterbody or high ground water level;
- b. For all properties less than 10,000m<sup>2</sup>;
- c. Land identified as an Environmentally Sensitive Area.

## 9. Risk Assessment

Council has adopted a system of risk assessment; the level of risk will determine the frequency of inspection (table 3). When assessing the level of risk, the Council Officer will utilise the stated risk assessment criteria together with information provided by the householder on their application, planning documents and information from relevant authorities.

### 9.1 Risk Criterion

**High Risk** – Systems located:-

- Within 2km upstream of a town water intake point, or;
- Any other location at the discretion of Council.

**Medium Risk** – Systems located:-

- On a lot/s that is within single ownership of less than 10,000 square meters that is connected to reticulated water;
- On a lot/s that is within single ownership of less than 2,000 square meters that is not connected to reticulated water;
- Within an environmentally sensitive area;
- Connected to a community facility;
- Within an on-site sewage management system located within 100m - 300m from a permanent watercourse.

**Low Risk** – All other systems that are not included as high or medium risk.

**Table 3. Risk Criteria for Classification of OSSM**

Criteria	Low Risk	Medium Risk	High Risk
Distance From:			
Environmentally sensitive areas (habitat, wetlands, aquatic reserves, wilderness reserves)	>100m	Between 40 - 100m	<40m
Permanent water (river, creek, stream, dam)	>300m	Between 100 - 300m	<100m
Temporary waterway (intermittent gully or creek)	>100m	Between 40 - 100m	<40m
Domestic Bore	Nil or >500m	Between 250 - 500m	250m
Closest neighbouring property boundary to effluent disposal area	>50m	Between 15 - 50m	<15m
Closest dwelling (on neighbouring property)	>15m	Between 6 - 15m	<6m
Flood liable	NO	NO	YES
Meets performance standards/ no ongoing problems	YES	YES	NO
Effluent ponding on ground surface / wet soggy disposal area	NO	NO	Yes
Grazing and other activities restricted in effluent disposal area	YES	YES	NO
Condition of Tank/Infrastructure	GOOD	GOOD	POOR



## 10. Performance Standards

In protecting public health and the environment, section 44 of the *Local Government (General) Regulation 2021* specifies that an OSSMS must be operated in accordance with the following performance standards:

- The prevention of the spread of disease micro-organisms;
- The prevention of the spread of foul odors;
- The prevention of the contamination of water;
- The prevention of the degradation of soil and vegetation;
- The discouragement of insects and vermin;
- Ensuring that persons do not come in contact with untreated sewage or effluent (treated or untreated) in their ordinary activities on the premises concerned;
- The minimisation of any adverse impacts on the amenity of the premises and surrounding lands.

All systems of sewage management must be operated in a manner that achieves the above performance standards. Council staff will use these performance standards to assess the level of compliance of OSSMS. Where a system does not meet the performance standards, it will be deemed to be a failed system and rectification works/upgrades will be required to address the issues identified. All OSSMS must be operated in accordance with the unit operating specifications and procedures provided by the manufacturer.

## 11. Inspection Frequency

The risk assessment determines the frequency of inspection. Council will undertake a minimum of 10 inspections per year. Council will focus on highly populated areas and areas close to environmentally sensitive areas.

**Table 4. Inspection Frequency**

<b>Risk Rating</b>	<b>Frequency of Inspections</b>	<b>Approval to Operate Expiry</b>
<b>High Risk</b>	Systems to be inspected yearly	2 years after issue
<b>Medium Risk</b>	Systems to be inspected every 5 years	5 years after issue
<b>Low Risk</b>	Systems to be inspected on the receipt of a complaint, when a development application for the site is received or by a random audit as set out in the monitoring program	10 years after issue

**Aerated Wastewater Treatment Systems (AWTS)** will be inspected by Council according to the level of risk assigned as above. The AWTS must be inspected and serviced by a waste water contractor according to the manufacturer's instructions on a quarterly basis (4 times per year). This service report provided by the contractor is to be forwarded to Council for reporting and monitoring purposes.

Prior to Council inspections, Council will notify property owners in writing, giving a minimum of 14 days' notice of the upcoming inspection. All inspections will utilise a common assessment checklist. Following the inspection, the landholder will be provided with written correspondence that reflects the results of the inspection and any recommended actions to be undertaken, advice and educational information.

## **12. Monitoring Program**

The following processes will be put into place to ensure that both existing and proposed systems are adequately monitored:

- Inspections are to be carried out on existing sites where deemed necessary by the nominated authorised officer;
- On-going inspections of on-site sewage management systems are to be carried out in accordance with the inspection regime determined at the time of initial risk assessment;
- Aim to inspect all on-site sewage management complaints within 3 business days of notification;
- Where inspections indicate faulty, defective or unhealthy systems, notify the owner/occupier and then negotiate with the householder to develop a site-specific sewage management plan which will resolve the identified problem/s;
- Issue orders/notices where necessary for faulty, defective, unhealthy on-site sewage management systems (s124 Local Government Act, 1993);
- Where conditions of approval are continually not complied with, Council may revoke the approval.

## **13. Legislation and Related Documents**

- Local Government Act 1993
- Local Government (General) Regulation 2021

## **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).



## Draft Underground Petroleum Storage Systems

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

Document Revision History	
Date adopted by Council:	
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**JUNE 2023**

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## 1. Policy Statement

The primary objective of this policy is to inform residents and business owners of Council's regulatory responsibilities as the appropriate regulatory authority (ARA) for the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019* (the *UPSS Regulation*) and the supporting *Guidelines for Implementing the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019* (EPA 2020) (the *UPSS Guidelines*).

The Underground Petroleum Storage System (UPSS) Regulation provides for the early detection, reporting and investigation of leaks from UPSS, and promotes the adoption of industry best practice in the design and installation of new UPSS and modifications to existing UPSS. Council, as the appropriate regulatory authority (ARA), is responsible for ensuring UPSS sites comply with these requirements of the Regulation.

This policy applies to any UPSS actively operating in Murrumbidgee Council Local Government Area.

## 2. Introduction

On 1 September 2019, local Councils reassumed regulatory functions relating to UPSS, as set out in the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019* (the '*UPSS Regulation*'). The *UPSS Regulation* sets out the obligations of operators and owners of a UPSS.

UPSS can leak and cause soil and groundwater contamination. They pose a significant threat to the environment and human health if unmonitored and leaking. Soils or groundwater impacted by fuels may result in the property being classified as contaminated. Leaks that are undetected have the potential to cost a considerable amount of money and resources to clean up. A small leak can cost tens of thousands of dollars to remediate, whereas a large leak can cost into the millions.

### **Underground petroleum storage system (UPSS):**

Is a system of tanks, pipes, valves and other equipment that is designed to:

- Contain petroleum, or
- Control the passage of petroleum into, out of, through or within the system, and
- Includes any structure through which petroleum routinely passes from one part of the system to another.

This policy has been developed for Murrumbidgee Council's Underground Petroleum Storage Systems (UPSS) Inspection and Monitoring Compliance Program.



### 3. Policy Objectives

The objectives related to compliance of UPSS inspection and monitoring are to:

- Utilise a risk-based inspection and monitoring process to protect the environment and human health from pollution and/or contamination that a UPSS may cause through consideration of the likelihood that a UPSS may leak and understanding the potential consequences should a leak occur;
- Improve compliance of UPSS sites through education and other regulatory tools;
- Maintain an 'outcomes focus' regarding environmental and human health protection gains in the local government area (LGA).

### 4. Inspection and Monitoring – A Risk Based Approach

Council will undertake the inspection and monitoring of all currently high risk ranked, active and fully operational sites on a yearly basis and medium to low risk ranked sites triennially.

A risk-based compliance approach to inspection and monitoring of UPSS sites follows key concepts of environmental management aligned to contaminated land management and pollution control practices. The inspection includes site management, loss monitoring procedures, record keeping, leak monitoring and detection systems, spill response procedures, waste management, staff knowledge and chemical storage.

Undertaking a Compliance Risk Matrix (Table 1) and a Likelihood of a UPSS Leak Matrix (Table 2) utilising a standard qualitative risk management process will give an estimate of a risk ranking by considering:

- The **likelihood** that a UPSS may leak and cause pollution/contamination.

The combined risk rankings brings the likelihood and consequence scores together to provide a risk ranking of very high, high, medium or low risk.

**Table 1. UPSS Compliance Status Categories and Ranking**

<b>Compliance Status Category</b>	<b>Likelihood of leakage potential</b>	<b>Definition</b>
<b>Compliant</b>	Low	Complies with the requirements of the <i>UPSS Regulation</i>
<b>Partially Compliant</b>	Medium	Partially complies with the requirement of the <i>UPSS Regulation</i> and plans have been committed to by the 'person responsible' to make site improvements to make the site compliant with the <i>Regulation</i> .
<b>Non-Compliant</b>	High	The site is not compliant with the <i>UPSS Regulation</i> . Site improvements are required and/or the person responsible is not willing to commit to improvements.
<b>Unknown</b>	Assume High	The compliance status of the site is unknown. No information has been made available to Council to understand the compliance status of the UPSS Site.
<b>Exempt</b>	As determined in the UPSS exemption SOP (Low)	The UPSS Site currently has an exemption regarding some or all of the <i>UPSS Regulation</i> .
<b>Council is not the ARA</b>	As determined by the ARA	The EPA is the ARA for sites which have an active notice served prior to September 2019. Council is not the ARA for UPSS sites on Commonwealth property. Council is not the ARA for legacy UPSS sites; however, they may potentially impact Council property and infrastructure.

**Table 2. Ranking the Likelihood of a UPSS Leak**

Indicator - Environmental		3	2	1	0	SCORE	Comments	Check
Hardstand	UPSS tanks covered in concrete hardstand, which is in good condition	-	No	Poor condition	Yes			
Geology	Site is likely to be predominantly Sand geology (Y/N)	Sand	-	-	-			
	Site is likely to be predominantly Silt geology (Y/N)	-	Silt	-	-			
	Site is likely to be predominantly Clay geology (Y/N)	-	-	Clay	-			
Soil	Site is likely to have acidic soil	High	Med	Low	-			
Slope	Site is on a ridge line, steep slope	High	Med	Low	-			
Groundwater	Site has shallow groundwater likely to be in contact with some or all of the UPSS (LIKELIHOOD: High (0-2mbgs), Med (2-4mbgs), Low (4-10mbgs), very low (>10mbgs))	High	Med	Low	Very Low			
Indicator - UPSS condition		6	4	2	0			
UPSS conditions, age, maintenance	Tanks are steel or unknown type (6), tanks are double walled fiberglass (0)	Steel	-	-	Double-lined fiberglass			
	Site was commissioned prior to 2008 (Y/N)	Yes	-	-	No			
	Site was previously an independent sole trader service station, operating at or before 2008 (Y/N)	Yes	-	-	No			
	Site was previously an independent sole trader service station commissioned and in operation after 2008 (Y/N) (?)		YES	-	No			
Indicator - UPSS compliance		12	8	4	0			
UPSS Regulation Compliance	Non-compliant - The site in not compliant with the <i>UPSS Regulation</i> . Site improvement are required and or the Person Responsible is not willing to commit to improvements	Non-Compliant	-	-	-			
	Partially complies with the requirement of the <i>UPSS Regulation</i> , <b>AND</b> plans have been committed to by the ‘person responsible’ to make site improvements to make the site	-	Partial	Partial (forecourt only)	-			
	Complies with the requirements of the UPSS 2019 regulation	-	-	-	Compliant			
		TOTAL SCORE						
		The corresponding ranking for the likelihood of UPSS failure is:						
		Likelihood ranking						
		≤ 5		6 - 11		12 - 23		≥ 24
		LOW		MEDIUM		HIGH		VERY HIGH

## 5. Definitions

<b>Council</b>	means Murrumbidgee Council
<b>ARA</b>	means Appropriate Regulatory Authority
<b>LGA</b>	means Local Government Area

## 6. Related Legislation and Documents

- Protection of the Environment Operations Act 1997 (POEO 1997)
- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019
- Murrumbidgee Council UPSS Investigation and Monitoring Plan – A risk based Guide for UPSS regulation.

## 7. Policy Review

This Policy:

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



# Revised Swimming Pool Inspection Program Policy

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

Document Revision History	
Previous Policy:	3.03 Jerilderie Shire Council – Swimming Pool Inspection Program Policy
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**JUNE 2023**



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## 1. Policy Statement

To implement an inspection program that effectively meets Council's obligations under Division 5, Section 22B of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2018*, to increase pool safety awareness and reduce the potential of infant drownings and near drowning events within Murrumbidgee Council Local Government Area.

## 2. Introduction

This policy applies to the owner/s of premises within Murrumbidgee Council Local Government Area on which a swimming pool is located. This includes all portable swimming pools and spas installed under the *exempt development* provisions which meet the definition as a swimming pool.

## 3. Definitions

<b>Certificate of Compliance</b>	means a certificate issued under section 22D of the <i>Swimming Pools Act 1992</i> .
<b>Exempt Development</b>	means portable swimming pools installed in accordance with the exempt provisions of the <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> . <b>Note:</b> Exempt swimming pools, which meet the definition of a swimming pool, are included in the following inspection program and pool isolation fencing must be provided in accordance with the requirements of the <i>Swimming Pools Act 1992</i> and reference standards.
<b>Multi-Occupancy Development</b>	is a building, or buildings that is, or are, situated on premises that consist of more than two dwellings.
<b>Relevant Occupation Certificate</b>	in respect of a swimming pool, means an occupation certificate issued under the <i>Environmental Planning and Assessment Act 1979</i> that is less than 3 years old and that authorises the use of the swimming pool.
<b>Residential/Private Swimming Pools</b>	for the purpose of inclusion in the inspection program, relates to all swimming pools located on privately owned land.
<b>Swimming Pool</b>	means an excavation, structure or vessel: (a) that is capable of being filled with water to a depth greater than 300 millimetres, and;

	(b) that is solely principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity; and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations not to be a swimming pool for the purposes of the <i>Swimming Pools Act 1992</i> .
<b>Tourist and Visitor Accommodation</b>	means a building or place that provides temporary or short term accommodation on a commercial basis and includes back packers accommodation, bed and breakfast accommodation, farm stay accommodation, hotel or motel accommodation and serviced apartments.

## 4. Procedures

A person subject to the registration of a swimming pool is subject to this Swimming Pools Inspection Program Policy.

### 4.1 Inspection Frequency Procedure

- 4.1.1 At least once every 3 years Council will inspect any swimming pool situated on a premises where there is a tourist and visitor accommodation or more than two dwellings.
- 4.1.2 Council shall inspect a minimum of 10 other privately owned swimming pools at least once every 3 years. Owners will be issued with a compliance certificate stating the property complies with Part 2 of the *Swimming Pools Act 1992* and inspection details updated in the register.
- 4.1.3 Appropriate notice shall be given in advance to the property owner on which a private swimming pool is situated prior to inspection.
- 4.1.4 Any property with a valid and current Swimming Pool Compliance Certificate (valid for 3 years) or relevant Occupation Certificate issued by Council is exempt from the inspection program.
- 4.1.5 Council will only issue a Swimming Pool Compliance Certificate where the swimming pool barrier complies with the appropriate legislation as determined by an authorised officer and upon payment of the appropriate fee.
- 4.1.6 Under Section 428 of the Local Government Act 1993, Council shall include, in its annual report, information in relation to these inspections in accordance with Section 22F of the *Swimming Pools Act 1992*.

- 4.1.7 Council shall, in accordance with Section 23 of the *Swimming Pools Act 1992*, enforce swimming pool barrier compliance where a barrier is found **not to comply** with the appropriate legislation.

## 4.2 Inspection and Compliance Certificate Fees

The *Swimming Pools Act 1992* provides that Council may charge a fee (see table) for inspection conducted by an authorised officer, being a fee that is not greater than the maximum fee prescribed under Part 5, Clause 19 of the *Swimming Pools Regulation 2018*.

Title of Fee	Fee (GST Exclusive)
NSW Swimming Pool Register	\$10.00
Application for Certificate of Compliance for Swimming Pool Including Inspection	\$77.00
Second and consequent inspections	\$100.00
First Inspection for new owner	\$150.00
Resuscitation Chart	\$17.00

Note 1: No fee shall be charged for carrying out a third or subsequent inspection for the purpose of the issue of the same certificate of compliance.

Note 2: No fee shall be charged for a second inspection if non-compliances identified in the initial inspection are rectified within 14 days from the date of the Notice of Intention to Serve an Order, issued under s23(5) of the *Swimming Pools Act 1992*, and a request for a second inspection has been submitted to Council.

Note 3: The fees outlined above are the maximum amount prescribed by clause 19 of the *Swimming Pools Regulation 2018*, being \$150 for a first inspection and \$100 for a second inspection.

## 5. Legislation and Related Documents

- Swimming Pools Act 1992 No. 49
- Swimming Pools Regulation 2018

## 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).



## Revised Keeping of Animals in Urban Areas Policy (Revision 1)

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

Document Revision History	
Previous Policies	A.501 Murrumbidgee Shire Council - Animals - Limits on Keeping in Towns - Minute Number 53; 3.01 Jerilderie Shire Council - Domestic Animal Policy - Keeping of Domestic Animals in Village Area Policy
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JUNE 2023



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## **1. Policy Statement**

This policy seeks to inform the residents of Murrumbidgee Council Local Government area of Council's regulatory powers concerning keeping of domestic animals in the towns of Coleambally, Darlington Point and Jerilderie.

It is not the intention of this policy to completely regulate the manner in which animals should be kept, it is to inform the community of the reasonable limits (both statutory and advisory) which apply, concerning the maximum number of animals and the circumstances under which they may be kept on premises.

## **2. Introduction**

The Keeping of Animals in Urban Areas Policy sets out how Murrumbidgee Council will regulate powers concerning the keeping of animals in Village, Large Lot Residential and Industrial Zoned areas.

It is well documented that the keeping of companion animals and/or pet animals is usually most beneficial to the well-being of people. Nevertheless, on occasions, complaints are made to Council where animals of an inappropriate kind or number are being kept, or where the animals and their accommodations are not being looked after properly.

Responsible ownership is a very important component of nuisance control, and this document also contains advice to the animal owner regarding their responsibilities to prevent a nuisance from occurring.

## **3. Policy Objectives**

The purpose of this policy is to:

- Preserve the amenity and protect the lifestyles of urban dwellers by placing restrictions and controls on the keeping of animals within the townships of Coleambally, Darlington Point and Jerilderie;
- Minimise the incidence of nuisance being caused to persons;
- Set standards for the number of animals and size of enclosures that can be built;
- Protect the welfare of companion and farm animals;
- Protect the welfare and habitat of wildlife;
- Minimise the disturbance of, or damage to, protected vegetation;
- Safeguard the environment;
- Inform the community of the main statutory restrictions and acceptable limits which apply to the keeping of certain animals for domestic purposes;
- Establish local standards, acceptable to the community, for the keeping of animals;
- Publicly notify the circumstances that Council will consider in determining whether to serve an Order under Section 124 of the Local Government Act, 1993 to prohibit, restrict or, in some other way, require actions to be undertaken regarding the keeping of animals.
- To permit a higher number of birds and/or animals where it can be demonstrated that the keeping of a higher number has not (before this Policy was adopted) or will not cause issues.

## 4. Policy Guidelines

This policy applies to animals kept for domestic purposes, as companion animals, pets or for hobby interests within the Village, Industrial and Large Lot Residential zones of Murrumbidgee Local Government Area.

The principles contained in the prescriptive requirement will also apply to the keeping of animals for commercial purposes, including boarding, breeding, grooming, caring, treatment, training, racing, exhibiting, trading or selling.

This policy relates to Order Numbers 18 and 21 of Chapter 7, Under Section 124 of the Local Government Act 1993, Council Planning Instruments and the Companion Animals Act 1998.

The number of animals that may be kept at a premises should not exceed the number shown as appropriate and listed in the Table of Requirements.

The kind of animal that is suitable to be kept at any premises will be determined having regard to the size of the allotment and the distance to the nearest dwelling or other prescribed building.

Certain statutory requirements also apply as noted in the table.

It should not be assumed that animals of all kinds may be kept on premises which are part of a multiple dwelling allotment.

Animals should be kept in a manner which does not:

- Create unclean or unhealthy conditions for people or for the animals;
- Attract or provide a harbourage for vermin;
- Create offensive noise or odours;
- Cause a drainage nuisance or dust nuisance;
- Create waste disposal problems or pollution problems;
- Create an unreasonable annoyance to neighbouring residents;
- Cause nuisance due to proliferation of flies, lice, fleas, rodents or other insects;
- Cause neighbouring residents to fear for safety.

Animals should be kept in a manner which guarantees or ensures effective control of animals.

Suitable shelter(s) should be provided for all animals. Generally, all animals are to be securely enclosed with adequate fencing to prevent escape.

Animal shelters that are greater in area than 10m<sup>2</sup> should not be erected or located at premises without prior development consent being obtained through Council's Department of Planning.

All horse and cattle type shelters need development consent from Council. Please contact the Environmental Services section for further information on 1300 MRMBGE (676243).

Design guidelines for size, layout and construction of animal shelters are produced by various animal welfare organisations and the Department of Primary Industries.

## **5. Council's Power to Control and Regulate the Keeping of Animals**

Council's powers to control and regulate the keeping of animals is provided under Section 124 of the Local Government Act 1993 and the Part 3 of the Local Government (General) Regulation 2021.

Council may, in the appropriate circumstances, issue an Order to:

- Prohibit the keeping of various kinds of animals;
- Restrict the number of various kinds of animals to be kept at a premises;
- Require that animals be kept in a specific manner.

The Council may also issue Orders requiring:

- The demolition of animal shelters built without the prior approval of Council;
- The occupier to do, or refrain from doing, such things that are specified so as to ensure that land or premises are placed or kept in a safe or healthy condition.

It is advised that Council can exercise further controls over animals under the following Acts:

- Companion Animals Act 1998
- Protection of the Environment Operations Act 1997
- Public Spaces (Unattended Property) Act 2021
- Local Government Act 1993, Section 124
- The Food Act, 2003 (prohibits animals to be kept where food is handled and prepared for sale)

Owners of certain restricted breeds and/or dangerous dogs have additional responsibilities and control requirements to those listed in this Policy. These requirements are outlined in the Companion Animals Act, 1998 and Companion Animals Regulation, 2018.

Any application to Council to alter this policy to permit a higher number of birds and/or animals to be kept in a particular circumstance, will need to be in writing and is to be accompanied by supporting documentation such as relevant plans.

## **6. Giving Orders**

Upon complaint, Council will inspect the premises and discuss any concerns with the owner/tenant/occupier of the premises in question. In addition, Council may liaise with community representatives with regard to solving any problems.

Where a problem is identified with the keeping of animals and it cannot be resolved by consultation, the Council will proceed to issue a Notice of Intention to Issue an Order.

Normally a person will be given an opportunity to make representations to Council prior to a formal Order being issued. In situations where urgency is required, an emergency Order may be issued without prior notice.

## 7. Table of Requirements

The following table indicates the essential requirements and relevant considerations regarding the keeping of animals.

**Murrumbidgee Council Table of Requirements**

Animal	Maximum number (excludes offspring up to 3 months of age)	Minimum Distance (from Certain Buildings – see Note a)	Applicable Regulations and Other Advisory Matters
Birds (caged and not poultry) including canaries, budgerigars, quail, finches and parrots	6	6 metres	Cages and aviaries must be of appropriate size and regularly cleaned.  National Parks and Wildlife permit is required to keep many native birds. Exemptions include budgerigar, zebra finch, galah and sulphur crested cockatoo.
Sulphur Crested Cockatoo and Long Billed Corella	2 - Portable Cages 4 - Aviary	3 metres 6 metres	Noisy birds should be restricted in number.  Sulphur crested cockatoo and long-billed corella are likely to be noisy if kept as single caged birds.
Boarding Kennel and/or Cattery	Development Consent to be obtained from Council		Distance from adjoining dwelling or property boundaries to be assessed as part of development application to conduct a boarding kennel.
Cat	2	-	More than 2 cats will not be appropriate in many situations and will require Council consent.  Compliance with desexing, use of identity collars with bells, proper care, and the restriction of access to outdoors at night will be relevant factors in determining whether more than two cats may be kept at a premises.  RSPCA recommendation.



<b>Animal</b>	<b>Maximum number (excludes offspring up to 3 months of age)</b>	<b>Minimum Distance (from Certain Buildings – see Note a)</b>	<b>Applicable Regulations and Other Advisory Matters</b>
Dog	3	-	<p>The Companion Animals Act, 1998 requires registration and effective control of dogs at all times.</p> <p>Adequate fencing is essential.</p> <p>Council may approve requests to keep additional dogs where adequate yard size relative to the size and number of dogs and proper care, can be demonstrated.</p> <p>RSPCA recommendation.</p>
Dogs – Greyhounds (breeding/sale/training/racing)	Council to be notified in writing	Kennels should be more than 6 metres from a dwelling	
Dog – Pedigree/Show (breeding/sale/show)	Council to be notified in writing	Kennels should be more than 6 metres from a dwelling	
Dog – Obedience (breeding/sale/training)	Council to be notified in writing	Kennels should be more than 6 metres from a dwelling	
Dogs – working	Up to 3, if more than 3 Council to be notified in writing	Kennels should be more than 6 metres from a dwelling	
Outdoor Fish, aquarium and pond	As appropriate in the circumstances	As appropriate in the circumstances	<p>Water is to be maintained clean and at sufficient levels.</p> <p>Ponds are to be fenced in accordance with Council's Pool Fencing Code if more than 300mm deep.</p> <p>Ponds are not to provide a breeding ground for mosquitoes and other insects.</p>
Rabbits – pets	2	6 metres	<p>Rabbits must be a domestic breed and kept in a cage.</p> <p>Rabbits must not be released into the environment. Restriction on number is imposed by the NSW Department of Primary Industries under the Local Land Services Act 2013.</p>
Pet Rats, Mice and Guinea Pigs	2 of each variety	3 metres	Must be kept in an appropriate cage and not released into the environment.

Animal	Maximum number (excludes offspring up to 3 months of age)	Minimum Distance (from Certain Buildings – see Note a)	Applicable Regulations and Other Advisory Matters
Horses and Cattle	None	-	Generally the keeping of horses and/or cattle in residential areas is not permitted. In special cases such where horses are being kept for training purposes Council may approve an application to keep horses in the residential area. In these instances the keeping of horses will need to comply with Division 3 under Part 5 of Schedule 2 of the Local Government (General) Regulation 2021
Goats and Sheep (no males over the age of 6 months)	None	-	
Pig	None	-	The Local Government (General) Regulation 2021 applies to pigs. The keeping of pigs is not considered appropriate in residential areas.
Poultry, Domestic and Guinea Fowl	5 (roosters are not permitted in the village zone)	4.5 metres	Schedule 2, Part 5 of the Local Government (General) Regulation 2021 and Division 2 Subdivision 21 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 applies.
Poultry, other than fowls, including ducks, geese, turkeys, peafowl and other pheasants.	None	-	Please see Clause 8.2 for the requirements that will apply to the keeping of poultry.
Roosters	None	-	

Animal	Maximum number (excludes offspring up to 3 months of age)	Minimum Distance (from Certain Buildings – see Note a)	Applicable Regulations and Other Advisory Matters
Pigeons	None	-	<p>Generally the keeping of pigeons in residential areas is not permitted. In special cases on application to Council keeping pigeons may be permitted.</p> <p>To establish the permissible number of pigeons by locality of premises, it will be necessary for Council Officers to assess the site conditions and the following standards as a minimum must be met:</p> <p>Lofts must be constructed of hard paving with a smooth surface and graded to a drain. Open lofts are not permitted.</p> <p>Lofts are to be kept clean at all time. Manure is to be cleaned up daily and disposed of in a correct manner.</p> <p>Keepers of more than fifty (50) birds are to be members of official or registered avicultural societies. Upon complaint, Council is to liaise with society representatives/officials to determine suitable actions to resolve the complaint.</p>
Reptiles	As appropriate in the circumstances	As appropriate in the circumstances	<p>National Parks and Wildlife Act, 1974 and Fauna Protection regulations place a general prohibition on the keeping of reptiles.</p> <p>Advice on the keeping of reptiles should be sought from the Department of Planning and Environment.</p> <p>Native reptiles are protected by law. Reptiles kept as a pet will need a biodiversity conservation licence granted under the Biodiversity Conservation Act 2016 from the Department of Planning and Environment (National</p>

			Parks and Wildlife Service). All species must be adequately housed to prevent escape. The keeping of snakes may cause concern to neighbouring residents.
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#### Notes:

- a) The distances indicated in the third column of the Table of Requirements are to be measured in metres from the animal yard or enclosure to the nearest adjoining dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food;
- b) Animal includes a mammal, bird, reptile, amphibian or fish as defined in the Prevention of Cruelty to Animals Act;
- c) All cages, kennels or any structure for the keeping of animals over 10 m<sup>2</sup> in floor area and over 2.4m in height will require development consent to be obtained from Council;
- d) Schedule 2 Part 5 of the Local Government (General) Regulation, 2021 specifies minimum standards for the keeping of animals. The distances specified (except in the case of pigs) may be varied at a meeting of the Council and notified in writing to the occupier of the premises in a particular case.

## 8. Other Specific Requirements

### 8.1 Birds

Development Consent is required for commercial aviaries. Private aviaries may not require development consent if they are under 10m<sup>2</sup> in floor area and their height does not exceed 2.4m. Noise emissions must be maintained at or below 5dB above background noise level at the property boundary.

Cockatoo type breed will be the subject of strict controls relating to objectionable noise and/or unreasonable hours.

Food storage area and the ground surface beneath are to be cleansed as frequently as is necessary to preserve a state of cleanliness, free from offensive odour and in such a manner as to ensure that flies and/or vermin are not attracted to the premises.

### 8.2 Poultry

The keeping of poultry in a residential area is regulated by Schedule 2, Part 5 of the Local Government (General) Regulation 2021. This Regulation includes provision for the following:

- a) The area is kept free of offensive odour/flies and rodents
- b) The area is fenced to ensure the poultry do not escape
- c) The floors of poultry houses must be paved with concrete or mineral asphalt underneath the roosts or perches and comply with the Building Code of Australia
- d) The following distances for the construction of poultry housing from a dwelling are considered adequate:

Hen House:	4.5 metres
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## 9. General

The keeping of indigenous animals such as kangaroos and wallabies is regulated under Commonwealth and State legislation such as the Environment Protection and Biodiversity Conservation Act 1999.

The keeping of non-indigenous animals is regulated by the Non Indigenous Animal Act 1987, and Regulation 2006, and is not subject to any Council controls. However, if justified complaints are received, Council may prohibit or impose restrictions in individual cases

## 10. Definitions

Council	means Murrumbidgee Council.
Staff	means all persons employed by Council.
Council official	means Councillors, Council staff, volunteers or delegated persons as defined in the Local Government Act 1993.

## 11. Related Documents and Legislation

- Local Government Act 1993
- Local Government (General) Regulation 2021
- Environment Protection and Biodiversity Conservation Act 2016
- Non-Indigenous Animal Act 1987, and Regulation 2012
- Prevention of Cruelty to Animals Act 1979
- Companion Animals Act 1998
- Protection of the Environment Operations Act 1997
- Biodiversity Conservation Act 2016
- National Parks and Wildlife Act 1974
- Impounding Act 1993
- Rural Lands Protection Act 1998
- Food Act 2003

## 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).





## Draft Scholarships, Donations and Community Grants Policy

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

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June 2023

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## **1. Name of the Policy and Purpose**

This policy is the *Scholarships, Donations and Community Grants Policy*. Its purpose is to comply with the provisions of Section 356 of the Local Government Act 1993, and provide a framework within which requests to Council for financial assistance are assessed.

## **2. Aim of Program**

The Murrumbidgee Council Scholarships, Donations and Community Grants Program gives the community the opportunity to apply for financial assistance to provide services or enhance education opportunities.

## **3. Scholarships**

Murrumbidgee Council sees education as a key process in the development and growth of our residents, particularly our youth, and each year offers the following:

- Murrumbidgee Council Education Scholarship Program  
Three scholarships valued at \$1,000 each are awarded annually. To be eligible students must have their original place of residence within the Murrumbidgee Local Government Area and be studying at a tertiary institution. This includes university, TAFE and other recognised tertiary education providers.
- Charles Sturt University Foundation Scholarship  
Council sponsors the annual Charles Sturt University (CSU) \$4,000 Foundation Scholarship, and sees this as an important way to ease the transition and expenses for rural students. The scholarship is only open to students who have their original place of residence within the Murrumbidgee Council Local Government Area. It is open to commencing and continuing students who are studying full-time with Charles Sturt University, however preference is given to commencing students.

Applications are made direct to CSU.

- Sir John Monash Bursary  
Council offers the Sir John Monash Bursary in September each year in recognition of the incredible contribution Jerilderie's most famous son made on the national and world scale. Applicants must submit an essay for judging. The Bursary is open to all students who have their original place of residence within the Murrumbidgee Council area and who are entering into post secondary education through university, college or TAFE, or an approved course of formal training with a Registered Training Organisation, ie apprentices, trainees and adult education. The bursary is valued at \$2,000 and is awarded to assist with personal costs associated with course expenses.

## **4. Donations**

Funds are allocated within the budget for Councillor determined donations. Applications for donations will be received during the year. This includes sponsorship applications, school presentation awards and applications from

individuals. Donations are not advertised in conjunction with the Murrumbidgee Council Community Grants Program.

## **5. Community Grants**

- **Murrumbidgee Council Community Grants Program**

The Murrumbidgee Council Community Grants Program is in the form of one-off annual grants to community organisations, giving them the opportunity to apply for financial assistance to provide services and projects that benefit the residents.

The total amount available in each financial year is \$20,000.

The maximum grant allocated under the Community Grants Program is \$2,000. Only one application will be accepted per community group/organisation for this grant.

Grants will be allocated under the following categories:

- Arts and Cultural
- Diversity and Harmony
- Events
- Health and Wellbeing

To assist the assessment of all applications for Community Grants, applicants are requested to read the category descriptions as detailed in the “Community Grant Guidelines” and indicate on the application form one category wherein they consider their project best fits. The guidelines also outline eligibility criteria and grant conditions.

- **Coleambally Solar Farm Community Fund**

The Coleambally Solar Farm provides \$20,000 each calendar year to support local projects that benefit and strengthen the region. Murrumbidgee Council has a Memorandum of Understanding with Coleambally Solar Pty Ltd in regard to the establishment, facilitation and operation of the Coleambally Solar Farm Community Fund. Council is responsible for managing, facilitating, advertising, marketing and any other management activities in respect of the CSF Community Fund. Council is also to provide recommendations to Coleambally Solar Farm Pty Ltd as to which applications should receive funding, providing copies of those applications to CSF.

Of these funds, \$10,000 is distributed to the Murrumbidgee Community Experimental/Demonstration Farm and a further \$10,000 is distributed to projects through an open and competitive program under the following categories:

- Environmental Sustainability
- Health and Wellbeing
- Strong Connected Communities
- Sport and Recreation
- Arts and Culture
- Skills, Education and Training

Grants of between \$500 and \$3,000 are available. The “Coleambally Solar Farm (CSF) Community Fund Guidelines” outline eligibility criteria and grant conditions. These grants will be advertised in conjunction with the Murrumbidgee Council Community Grants Program.

- Lions Club of Darlington Point Community Grant

This is an annual grant valued at up to \$2,000, awarded to eligible applicants, which include individuals, for the purpose of advancing education, children's aid or community wellbeing. It was generously made available by the Lions Club of Darlington Point when it disbanded, and is managed by Murrumbidgee Council. This grant is only available to residents of Darlington Point. This grant will be advertised in conjunction with the Murrumbidgee Council Community Grants Program.

## **6. Grants Timeline**

The Murrumbidgee Council Education Scholarship Program, Murrumbidgee Council Community Grants Program, Coleambally Solar Farm Community Fund and Lions Club of Darlington Point Community Grant are offered as follows:

February: Grants advertised and applications open. Application forms will be available on Council's website and at Council's offices

March: Applications close. No late applications will be accepted.

April: Submitted to Council Meeting for decision and applicants officially informed of results.

## **7. Policy Review**

This Policy:

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



# COREE CENTRAL HALL

*Draft Plan of Management  
2023-2028*



**Murrumbidgee**  
COUNCIL

**APRIL 2023**

---

**April 2023**

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

*Plan of Management prepared by:*

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**Disclaimer:**

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DRAFT

## EXECUTIVE SUMMARY

Coree Central Hall is located in the locality of Logie Brae, in the south-western part of the Murrumbidgee Council local government area. The reserve has significant value to the local community has been with a community hall, tennis courts and playground equipment which all promote and facilitate recreational, cultural and social pastimes.

Coree Central Hall is a Crown reserve (R.98071) and owned by the State Government that is managed as community land by Murrumbidgee Council for the benefit of the local community.

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

The land is categorised in this plan of management, as:

- General community use

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

The plan of management has been prepared with due regard to *Developing Plans of Management for Community Land Crown Reserves—Guideline for Council Crown Land Managers* issued in September 2021 and the sample for a site-specific Crown reserve plan of management outline, in order achieve a balanced, responsible and ecologically sustainable use of the land and to ensure that it addresses the needs of the local neighbourhood, the broader community, and the environment. It has been prepared to meet the requirements of the Local Government Act, 1993 (LG Act), as amended by the Local Government Amendment (Community Land Management) Act 1998.



## PART 1: INTRODUCTION AND GENERAL INFORMATION

### 1. KEY INFORMATION

- This Plan of Management Plan is for the whole of Lot 1 DP 395229, being Crown Land Reserve No. 98081 and known as Coree Central Hall, Logie Brae.
- Reserve No. 98081 was gazetted on 31 January 1986 for the purpose of public recreation.
- Murrumbidgee Council is the Crown Land Manager pursuant to the relevant provisions of the Crown Land Management Act 2016 and has the responsibility for the ongoing management and care of Coree Central Hall.
- The Plan of Management for Coree Central Hall was adopted on **[insert date]**.

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

### 2. ABOUT PLANS OF MANAGEMENT

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

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

The Crown land covered under this plan of management is a community resource that provides a direction that will enable ongoing use of the reserve for passive outdoor recreation, and a facility that provides a space for communal gathering to meet the needs of local residents.

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

Murrumbidgee Council was established on 12 May 2016 following the merger of Murrumbidgee Shire Council and Jerilderie Shire Council and under the provisions of the Crown Land Management Act,

2016 has been identified as a Crown Land Manager. Under the provisions of the aforementioned Act, the responsibilities that fall upon a Crown Land Manager is to ensure that land resources are to be shared equitably in accordance with the principles of environmental protection, conservation and ecological sustainability, public use and enjoyment as well as encouraging multiple use of the land. As Crown Land Manager, Murrumbidgee Council is required to prepare a plan of management for over 30 parcels of Crown land it is responsible for, including Coree Central Hall.

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

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

It is not intended that the Plan of Management for Coree Central Hall will cover all of the items listed above.

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

---

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

Social justice principles underpinned the Murrumbidgee Council CSP are:

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

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

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

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

## 2.2 Land to which this plan applies

This Plan of Management Plan covers one of the many Crown reserves categorised as *general community use* which Murrumbidgee Council is the Crown Manager. Land covered by the plan of management is listed in Table 1:

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

Land	Real property description	Land owner
R98071 Coree Central Hall Logie Brae	Lots 1 DP 395229	Crown land managed by Murrumbidgee Council.

Coree Central Hall, highlighted in the aerial image contained in Figure 1 on page 9, is within Logie Brae, a small locality in the south-western part of the local government area. It comprises of a single parcel of land which has an area of approximately 8650m<sup>2</sup> and is can accessed by Mayrung Road to the south.

*Figure 1 – Location of Coree Central Hall<sup>1</sup>*



Coree Central Hall provides the local community a public hall and open space for the purpose of passive outdoor recreation, including synthetic tennis courts, basketball courts and playground equipment. Landscaping largely comprises of planted and remnant vegetation planted along the western and northern perimeter of the site.

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<sup>1</sup> Extract from Property Report for Lot 1 DP 395229 dated 3 January 2020, NSW Department of Planning, Industry and Environment, Planning Portal

## 2.3 Owner of the land

For the purpose of Section 37 of the Local Government Act, 1993 it must be identified that Coree Central Hall is owned by the Crown and that Murrumbidgee Council has been appointed as Crown Land Manager under the provisions of Division 3.2 of the Crown Land Management Act, 2016.

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

## 2.4 Categorisation of the reserve

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

**Table 2: Land categorization and gazettal date**

Land	Purpose(s) & gazettal date	Categorisation
R98071 Coree Central Hall Logie Brae	Public recreation 31 January 1986	General community use

## 3. Relevant legislation, policies and procedures

The statutory framework for the preparation and operation of the Plan of Management for Coree Central Hall is primarily guided by:

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

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



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

### 3.1 Local Government Act 1993

Section 3.23(6) of the Crown Land Management Act, 2016 requires Murrumbidgee Council to adopt a Plan of Management for any Crown reserve for which it is the appointed Crown Land Manager, and that is classified as community land under the Local Government Act 1993 (LG Act). These PoMs must be prepared and adopted in accordance with the provisions of Division 2 of Part 2 of Chapter 6 of the LG Act. The core objectives for the management of community land categorized as *general community use* is set out in Clause 36I of the Act, and clause 106 of the Regulation which are set out in Table 3 below.

**Table 3: Core objectives**

Land	Guidelines <sup>2</sup>	Core Objectives <sup>3</sup>
<i>General community use</i>	Land that may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public.	<p>The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:</p> <ul style="list-style-type: none"> <li>a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and</li> <li>b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities)</li> </ul>

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

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

It should be noted that the primary objectives for a reserve that is categorised as *general community use* have the underlying intention of promoting and encouraging the use of these reserves for public recreation, including those benefiting the cultural, social, intellectual welfare for individual members of the public and the local community.

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

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

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

The Crown Land Management Act 2016 specifies that approvals of activities under the Local Government Act 1993 must comply with plans of management and that a local council cannot grant an approval for an activity on dedicated or reserved Crown land under Part 1 of Chapter 7 (including Section 68) of the Local Government Act 1993 that contravenes a plan of management for the land. There is nothing in the Plan of Management for Coree Central Hall that would prevent it from grant an approval to any of the activities listed in Table D.

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

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

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

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

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

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

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

This Plan of Management for Coree Central Hall, being a new plan of management for Crown Land Reserve No. 98071, is based on the initial for categorisation of the reserve as *general community use*, which was approved by Minister on **[insert date]**.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

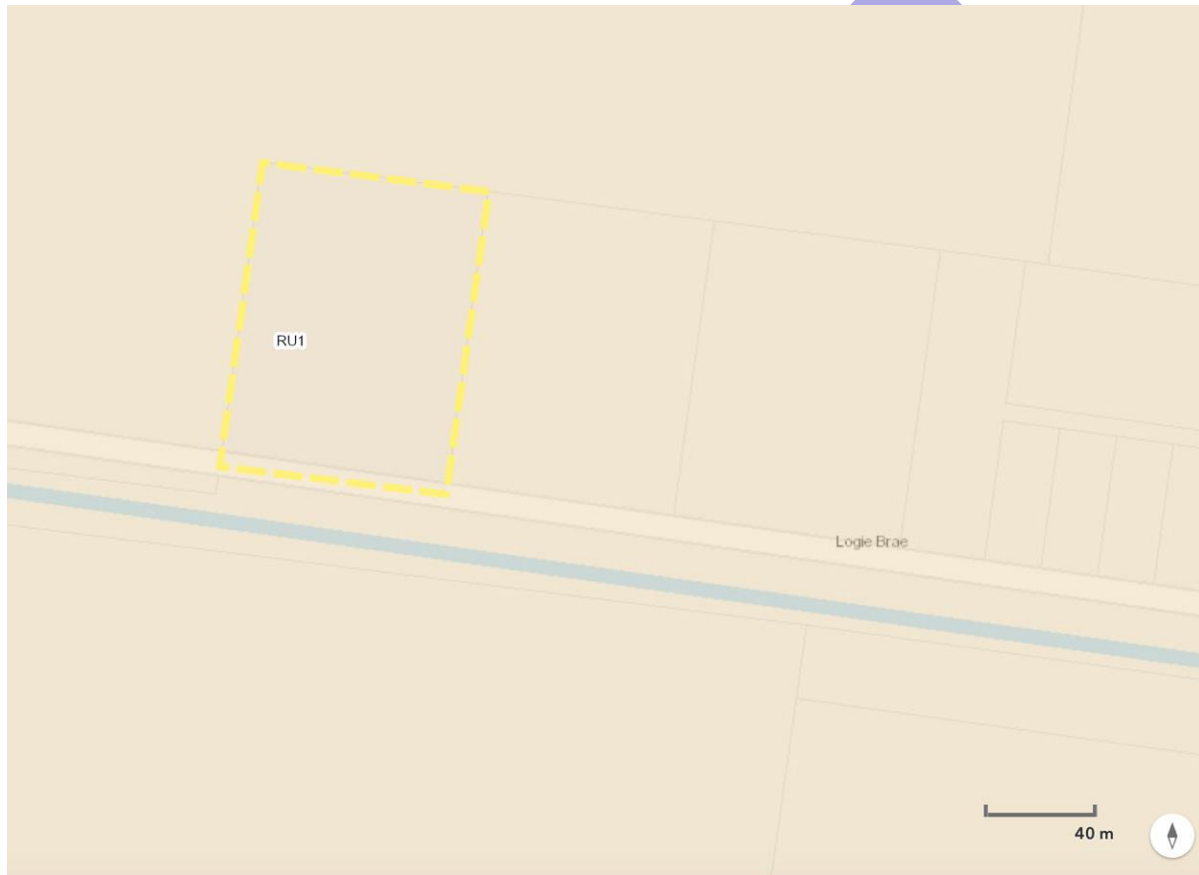
It should be noted that not all these would be applied to the development within Coree Central Hall, as many relate to development that is inconsistent with the categorisation of the land and this plan of management. State Environmental Planning Policy (Transport and Infrastructure) 2021 is one which most likely would require consideration when evaluating a development on the land.



### 3.3.3.2 Jerilderie local environmental plan 2012

Jerilderie Local Environmental Plan 2012 (JLEP) is an environmental planning instrument made under Part 3 of the EP&A Act that guides development and land use within part of the Murrumbidgee Council local government area. Under JLEP 2012 Coree Central Hall is zoned RU1 Primary Production.

**Figure 2 - Zoning Map**



The zone is considered to be a closed zone, that is one where all permitted activities are listed. Specifically, the Land Use Table in JLEP 2012 states:

**Table 4: Land zoning**

Land	Local environmental plan	Zoning of land
R98071 Coree Central Hall Logie Brae	Jerilderie Local Environmental Plan 2012	RU1 Primary Production

### 3.3.1.3 Development Control Plan

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

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

## 3.4 Review of this plan

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

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

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

## 3.5 Community consultation

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

The level and extent of community participation will vary depending on the community, the nature of the proposal under consideration and potential impacts of the decision. As a minimum, the CPP and

Communication Strategy demand that its statutory obligations are properly met. In this respect Section 38 of the LG Act requires:

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

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

With regard to the provisions of sections 38 and 39 of the LG Act, Council resolved on **[insert date]** to adopt the draft plan of management and to:

- Provide the landowner with a copy of the draft PoM. This was done on **[insert date]**.
- Place the draft PoM on public exhibition for 28 days. The exhibition date commenced on **[insert date]** and ended on **[insert date]**. The public noticed advised that submissions would be received up until **[insert date]** which is 42 days after the commencement of the public exhibition period.

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

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

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

The provisions of sections 36A and 36B of the Local Government Act, 1993 do not apply to Coree Central Hall for the following reasons:

- that no part of the reserve has been declared to be an area critical habitat under the Threatened Species Conservation Act, 1995, and
- that no part of the reserve has been declared to be an area of critical habitat under Part 7A of the Fisheries Management Act, 1994, and

- the reserve is not affected by a recovery plan for the purpose of Part 4 of the Threatened Species Conservation Act, 1995 or Division 5 of Part 7A of the Fisheries Management Act, 1994, and
- the reserve is not affected by a threat abatement plan for the purpose of Part 5 of the Threatened Species Conservation Act, 1995 or Division 5 of Part 7A of the Fisheries Management Act, 1994.

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

The provisions of section 36C of the Local Government Act, 1993 does not apply to Coree Central Hall as the land is not subject to a resolution of Murrumbidgee Council that declared the land, being a site of:

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

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

The provisions of section 36D of the Local Government Act, 1993 does not apply to Coree Central Hall as the land is not subject to a resolution of Murrumbidgee Council declaring the land, because of the presence on the land of any item the Council considers to be of Aboriginal, historical or cultural significance.

A search of the NSW Environment & Heritage Aboriginal Heritage Management Information System on 4 November 2020 indicates that:

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

A copy of the AHIMS report is set out in Appendix E.

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

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<sup>4</sup> The search parameter applied was within 200m of Lot 1 DP 395229

This Plan of Management applies to Crown Land Reserve listed in Table 5 below is owned by the state of New South Wales and Murrumbidgee Council has been appointed the Crown Land Manager. Part 2 provides detailed information regarding the general community use categorisation of the land, Murrumbidgee Council's vision for the reserve, existing site conditions and current use of the land, identification of appropriate development within the reserves and directions of how the land will be managed for and on behalf of the community.

**Table 5: Reserve purpose and gazette date**

Land	Purpose & Gazette date	Categorisation
R98017 Coree Central Hall Logie Brae	Public recreation 31 January 1986	General community use

## 7. Vision for Coree Central Hall

The vision for the use of Coree Central Hall is best described as:

***“Providing a place that fosters well-being of the community through social and recreation”***

The vision for Coree Central Hall aligns with Murrumbidgee Council's *Statement of Vision & Priorities – Three Towns One Community* that seeks to promote “community built by an innovative mindset delivering appropriate and reliable services”.

## 8. Management directions

Murrumbidgee Council acknowledges that Coree Central Hall provides the local community with a strong sense of place providing a central place where the local residents can gather for social events. Currently the reserve provides opportunities for passive recreational use of the land and facilities for public community events and private social events. In this regard the current use of the land provides significant social benefit to the community and is in keeping with Murrumbidgee Council's vision for the land.

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



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

- Use of the land as a *recreation area* particularly one that incorporates facilities for active public recreation.
- Enable the continuing use of the existing building as a *community facility* and community groups or individuals to use the building for meetings and other social gatherings.
- To provide a safe and pleasant venue for all, by enabling activities identified in Table D under Section 68 of the LG Act.
- To maintain and enhance the visual aesthetics of the reserve through proper maintenance of lawns, gardens and buildings

### **8.1 Statutory guidelines for development of Coree Central Hall**

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

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

Coree Central Hall is a well maintained facility that provides the locality a venue for public and social functions. In terms of a land use under the provision of the environmental planning instrument may fall within the broad definition as a *community facility*.

The provisions of State Environmental Planning Policy (Transport & Infrastructure) 2021 (SEPP) identifies certain development that is exempt or may be carried out without consent. All other development is legislated in the relevant local environmental planning instrument as being permissible without consent, permitted with consent or otherwise is prohibited. With regard to clause 2.73(2)(c)(ii) of the SEPP, development for any purpose may be carried out without consent on Crown managed land by or on behalf of the Crown land manager of the land if the development is for the purposes of implementing a plan of management adopted under the [Local Government Act 1993](#) in relation to Crown managed land managed by a Council. Irrespective of the categorisation of the land, the provisions of clause 2.73(3)(a) and 2.74(1) allows certain development that may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council.

Table 6 identifies the zoning of the land under Jerilderie Local Environmental Plan 2012 of Coree Central Hall. The RU1 Primary Production zone that apply provide a range of permissible land uses, however not all are consistent with the categorization of the land. Table 6 below identifies the uses that are exempt development, permitted with or without the consent in an environmental planning instrument and Council's plan of management of the Coree Central Hall Reserve in terms of what it will permit.

**Table 6 - Preferred uses of land categorised as general community use**

Land Use	Provisions of an environmental planning instrument	Allowed under CCHPoM	Reason
<b>Building identification signs</b>	Permitted with consent	Allowed if in conjunction with another use permitted in this plan of management	A building identification sign would only be consistent with the categorization of the land if it is ancillary to another permitted use.
<b>Community facilities</b>	Permitted with consent	Allowed.	The use of the reserve and its existing buildings would be consistent with the <i>general community use</i> categorization and the purpose of the reserve
<b>Environmental protection works</b>	Permitted without consent.	Allowed.	<i>Environmental protection works</i> are in keeping with the categorization and purpose of the reserve.
<b>Flood mitigation works</b>	Permitted with consent	Allowed.	Flood mitigation works would be in keeping with the categorisation and purpose of the reserve in terms of protecting assets.
<b>Recreation areas</b>	Permitted with consent.	Allowed.	The use of Coree Central Hall as a <i>recreation area</i> is in keeping with the categorization of the land and the public recreation purpose of the reserve
<b>Roads</b>	Permitted without consent.	Not allowed.  In the event that road widening is required Council would be required to acquire the land.	The use would be inconsistent with the <i>general community use</i> categorization of the reserve and its purpose for public recreation.
<b>SEPP Infrastructure</b>	Exempt development or permitted without consent.	Allowed, subject to satisfying the requirements of clause 65 & 66 of SEPP (Transport and Infrastructure) 2021.	Identified in SEPP (Transport and Infrastructure) 2021 as exempt development or development permitted without consent.
<b>Water reticulation systems</b>	Permitted without consent.	Allowed.	The use would be consistent with the categorization of the land and purpose of the reserve.

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

As this plan of management applies only to Coree Central Hall, the plan of management must, in accordance with section 36(3A)(a) of the LG Act include a brief outline of the current usage is reserve, including any details of current leases/licenses or other arrangements for the use of the land.

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

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

Land	Current use	Existing structures
R98017 Coree Central Hall Logie Brae	Community facility	<ul style="list-style-type: none"><li>Community hall</li><li>Amenities' building</li><li>Water tank</li><li>Tennis court (synthetic)</li><li>Basketball court</li><li>Playground equipment including soft-fall area</li><li>Picnic shelter with table and benches</li><li>Flood lighting</li></ul>

The buildings and the associated equipment are consistent with development that falls under the definition of a *recreation area* and the land is being used for its permitted purpose. There are no current leases/licenses or other arrangements for the use of the land.

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

The provisions of Section 36(3A)(a) of the LG Act requires a plan of management to include a description of the condition of the land and structures on adoption of the plan. The existing community hall, amenities' building were well maintained and in a very good condition (see figures 4-10).

***Figure 4 – Entrance sign***



***Figure 5 – Entrance fencing and vegetation***



***Figure 6 – Front elevation of hall***



***Figure 7 – Rear of hall***



The playground equipment, picnic shelter and tennis courts shown in Figures 8, 8A appear to be structurally sound and in good condition. The amenities block (Figure 10) is also structurally sound with the toilet facilities in good condition.

***Figure 8 – Picnic shelter and tennis courts***



***Figure 8A Picnic shelter and courts beyond***





**Figure 9 – Playground equipment**



**Figure 10 – Amenities' building**



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

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

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

Coree Central Hall will continue to be used in accordance with its categorisation and the future improvements will include regular maintenance.

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

The reserve is not prone to natural hazards such as tidal inundation, subsidence, slip, mass movement, flooding or bushfires.



**Table 8 – Permissible uses and activities for land categorized as general community use**

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

### **8.3.2 Coree Central Hall as general community use**

The purpose of this section is to provide an understanding of the core objectives for community land as a *general community use*, identify the legislative requirements concerning the development of the land and otherwise identify key matters that set out the strategy for managing Coree Central Hall.

The core objectives for management of community land categorized as *general community use* set down in section 36I of the LG Act are as follows:

#### **36I Core objectives for management of community land categorised as general community use**

*The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public—*

- (a) *in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and*
- (b) *in relation to purposes for which a lease, license or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).*

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

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

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

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

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

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

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

## 9. Administration of Plan and Performance Targets

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

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

The land has been categorised as general community use.

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

**Table 9 - Objectives and performance targets**

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
<b>Access</b>	Provide defined paths for pedestrian access, including where practical assess and facilities for people with disabilities, to and within reserve.	Appropriate design and construction for pavements, facilities and other structures to comply with relevant Australian Standards.  Use of regulatory signs.	Assess useability of Coree Central Hall by wheelchair users through surveys and observation.  Record and review all accidents and near misses as a result of inappropriate use.
<b>Alcohol</b>	Implement controls to prohibit the consumption and/or possession of alcohol, except within designated or leased areas.	Use of regulatory signs and enforcement.	Record all complaints and investigations and where necessary take appropriate regulatory action.

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
<b>Anti-Social behaviour</b>	Minimise and manage anti-social behaviour in the general community use area	Encourage community involvement and surveillance.  Implement community health measures.  Appropriate design and lighting of common areas.	Record the number of complaints received and undertake investigations, and where necessary take appropriate regulatory action.
<b>Artworks and monuments</b>	Allow for public and community artworks and monuments in appropriate settings.	Engage appropriate persons to engage the community to identify, commission & erect artworks.	Document comments received in respect to artworks.  Install artworks based on any budgetary funding or State and Federal grants  Record the number incidents of vandalism and damage to artworks and monuments.
<b>Barbeques</b>	Allow the installation and use of gas or electric barbeques.  Allow the use of portable barbeques (with the exception of wood fire barbeques).	Design, locate and maintain permanently installed barbeques.  Use of regulatory signs regarding the use of barbeque facilities, both permanent and portable.	Record the number of reported failures and accidents, including reported near misses.

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
<b>Buildings</b>	<p>Allow safe, clean, convenient and hygienic public amenity facilities for persons of all abilities.</p> <p>Allow for multi-purpose use of buildings &amp; facilities.</p>	<p>Undertake regular cleaning and maintenance of the public amenities within Coree Central Hall.</p> <p>Undertaking an appropriate review of environmental factors when considering development listed in State Environmental Planning Policy (Transport and Infrastructure) 2021, where Council is to carry out the works.</p> <p>Assess and determine any development application in accordance with the provisions of the Environmental Planning &amp; Assessment Act, 1979.</p>	<p>Undertake daily cleaning of the public amenities, and identify any new maintenance matters out or incidents of vandalism.</p> <p>Record and respond to complaints about hygiene and maintenance.</p> <p>Undertake regular of maintenance of the amenities in accordance with any operational plan for upkeep of all parks and recreational facilities within the local government area.</p> <p>Record all incidents of accidents and near misses as a result of damage or wear and tear to the amenity facilities.</p>
Informal Recreation	Allow games which are suitable within reserve.	Allow games which are suitable within reserve.	Number of comments about activity.
Irrigation Systems	Allow watering systems to optimise water usage, minimise maintenance and enable appropriate vegetative growth.	Design, install and operate the system.	Number of incidents of failure of the irrigation system.



Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Landscaping	<p>Allow use of suitable species and use of landscape materials, including mulching and edge treatments, to achieve the desired landscape character and complement the character of existing plantings.</p> <p>Allow minor earthworks to provide mounding for aesthetic appeal, space definition and visual barriers.</p> <p>Retain existing endemic species.</p> <p>Control and protect existing exotic species within Coree Central Hall by minimising weed infestation and associated impacts.</p>	<p>Augment existing indigenous planting. Use exotic species in suitable locations.</p> <p>Use shade trees for user comfort and protection.</p> <p>Use screen planting for visual acoustic and physical buffers.</p> <p>Use of suitable organic mulches at an appropriate depth.</p> <p>Preserve and reinforce indigenous planting.</p> <p>Identify species endemic to the area.</p> <p>Use recognised suitable species.</p> <p>Application of correct horticultural and tree surgery techniques.</p> <p>Minimise rubbish dumping within the local area via community education.</p> <p>Implementation of the Noxious Weeds Act.</p>	<p>Number of comments about public acceptance and level of park usage.</p> <p>Degree of turf encroachment into planted areas.</p> <p>Number of comments about maintenance, durability and public acceptance of the landscape character.</p> <p>Number of reported incidents of infestation of exotic plant species.</p> <p>Number of comments about quality of vegetation.</p> <p>Number of reported incidents of sick trees.</p> <p>Number of reported incidents of rubbish dumping</p>
Lighting	<p>Allow flood lighting which will enable safe use of tennis courts</p> <p>Prevent excessive lighting impacts on adjoining land uses.</p> <p>Allow for lighting of special events at night.</p>	<p>Set appropriate illumination levels.</p> <p>Design, site and install light facilities.</p> <p>Regulate times for lighting of special events.</p>	<p>Number of comments from adjoining residents and users.</p> <p>Number of problems related to inadequate lighting.</p>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Outdoor Furniture	Create a comfortable setting for users both aesthetically and functionally.	Appropriate design, siting, use of materials and erection of furniture.	Number of comments about acceptance by the community with regard to the suitability of the location and the style.
Playgrounds	Provide safely designed and sited playgrounds.	Playground design, materials and layout to relevant safety standards.  Playgrounds sited away from physical hazards.	Number of accidents and injuries attributed to unsafe design, siting and layout.
Rubbish Dumping and Littering.	Prohibit rubbish dumping and littering.	Regulatory signage at appropriate locations.  Community education on the environmental impacts of rubbish dumping.	Number of incidents of illegal dumping  Cost of clean-up and litter collection per annum
Shade structures and other shelters	Allow structures which will provide shade and shelter for user groups in appropriate areas  Allow integration of structures that are harmonious, functional and aesthetically in keeping with the character of the reserve	Appropriate design, location and erection of structures.	Number of comments about the effectiveness of the structures in all weather conditions.  Number of community responses to appearance of the structures.  Number of structures erected.
Signage	Allow suitable information, regulatory, identification, interpretive and directional signage relating to the Park.  Regulate advertising signage.	Appropriate design and siting of signage in accordance with the relevant DCP for Advertising, Structures & Signs.  Council approval.	Number of user comments.  Number of ordinance investigations and prosecutions.

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of achievement of objectives	s.36(3)(d) Manner of assessment of performance
Site Utility Services	Allow for the installation of all services as required by site usage.	Approval by the appropriate Statutory Authorities.  Construction and installation of all necessary services.  Registration of appropriate easements.	All facilities are adequately serviced, identified and located.  Number of objections received from service authorities about the location and quality of services.  Number of site utility service installations constructed.
Special Events	Allow special events within the reserve with minimal adverse visual, physical, social and environmental impact.	Council approval as required under Environmental Planning & Assessment Act, 1979 and/or Local Government Act, 1993	Number of comments about special events.  Attendance levels at special events.
Vandalism	Minimise vandalism within the Park and or playgrounds.	Appropriate landscape design techniques.  Appropriate use of materials.  Encouragement of community involvement and education.  Appropriate use of signage. Prompt repair of vandalised areas.	Number of reported incidents of vandalism
Waste Management	Minimise litter within the Park. Encourage recycling.	Provide and service enough waste management facilities in strategic locations.  Provide a recycling station for glass, aluminium, PET plastics etc.  Community education.	Number of garbage and recycling bins provided.  Number of comments in relation to inadequate waste facilities.

## APPENDICIES

### APPENDIX A - Definitions

<b>Term</b>	<b>Legislative definition</b>
<b>community facility</b>	<p>means a building or place—</p> <ul style="list-style-type: none"><li>(a) owned or controlled by a public authority or non-profit community organisation, and</li><li>(b) used for the physical, social, cultural or intellectual development or welfare of the community,</li></ul> <p>but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.</p>
<b>community land</b>	<p>means –</p> <p>land that is classified as community land under Division 1 of Part 2 of Chapter 6. (Local Government Act, 1993)</p>
<b>community participation plan</b>	<p>means –</p> <p>a community participation plan prepared and published under Division 2.6. (Environmental Planning and Assessment Act, 1979)</p>
<b>environmental planning instrument</b>	<p>means –</p> <p>an environmental planning instrument (including a SEPP or LEP but not including a DCP) made, or taken to have been made, under Part 3 and in force. (Environmental Planning and Assessment Act, 1979)</p> <p>Note, SEPP is an acronym for State Environmental Planning Policy, a LEP is a Local Environmental Plan, and a DCP is a Development Control Plan.</p>
<b>plan of management</b>	<p>means –</p> <p>a plan of management adopted by a council under Division 2 of Part 2 of Chapter 6 and in force in relation to an area of public land. (Local Government Act, 1993)</p>
<b>public reserve</b>	<p>means –</p> <ul style="list-style-type: none"><li>(a) a public park, or</li><li>(b) any land conveyed or transferred to the council under section 340A of the <a href="#">Local Government Act 1919</a>, or</li><li>(c) any land dedicated or taken to be dedicated as a public reserve under section 340C or 340D of the <a href="#">Local Government Act 1919</a>, or</li><li>(d) any land dedicated or taken to be dedicated under section 49 or 50, or</li></ul>

- (e) any land vested in the council, and declared to be a public reserve, under section 37AAA of the [Crown Lands Consolidation Act 1913](#), or
- (f) any land vested in the council, and declared to be a public reserve, under section 76 of the [Crown Lands Act 1989](#), or
- (g) Crown managed land that is dedicated or reserved—

- (i) for public recreation or for a public cemetery, or
- (ii) for a purpose that is declared to be a purpose that falls within the scope of this definition by means of an order published in the Gazette by the Minister administering the [Crown Land Management Act 2016](#),

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

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

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

**recreation area**

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

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

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



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

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



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

Purchase Order/Reference : 20-C01-MC Coree Hall  
Client Service ID : 547443

Steven Parisotto  
63 Hillam Dr  
Griffith New South Wales 2680  
Attention: Steven Parisotto  
Email: parisplan@icloud.com

Date: 04 November 2020

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 1, DP:DP395229 with a Buffer of 200 meters, conducted by Steven Parisotto on 04 November 2020.**

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



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

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

## Department of Planning and Environment



Our ref: DOC21/169314, LBN21/1557

Steven Parisotto  
Senior Planner  
Murrumbidgee Council  
PO Box 96  
JERILDERIE NSW 2716

Email: StevenP@murrumbidgee.nsw.gov.au  
Cc: mail@murrumbidgee.nsw.gov.au

9 June 2023

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### **Subject: Murrumbidgee Council draft Plan of Management – Coree Central Hall**

Dear Mr Parisotto

Thank you for submitting the draft Plan of Management (PoM) for Coree Central Hall, originally received on 16 August 2021.

I have reviewed the draft PoM and support it being placed on public exhibition.

Council should conduct a final review of the document to ensure all legislation referenced is currently in force, departmental names are up to date, and spelling, grammar and formatting is correct and consistent.

Subject to no changes following public exhibition, as a delegate for the Minister for Lands and Property, I consent to council to adopt the PoM under clause 70B of the Crown Land Management Regulation 2018.

If the PoM is amended after public exhibition (except for minor editorial and formatting changes), council must resubmit the draft PoM for Minister's consent to adopt. With the amended PoM, please provide the following documents:

- a table of PoM amendments, or tracked changes
- summary report of submissions from public exhibition (if any)
- council reports on the proposed adoption (if any)

If there are no amendments to the PoM, please provide a copy of the adopted PoM. All documents must be sent to [council.clm@crowland.nsw.gov.au](mailto:council.clm@crowland.nsw.gov.au).

Please remember, an adopted PoM authorises the lawful use and occupation of Crown land. Council must ensure that any activities planned on the reserve are expressly authorised in the adopted PoM and native title obligations are met.

If you have any further questions or need assistance, please contact the Council Crown Land Management Team at [council.clm@crowland.nsw.gov.au](mailto:council.clm@crowland.nsw.gov.au).

Yours sincerely,

Jane Adam  
Acting Principal Policy and Project Manager  
Department of Planning and Environment – Crown Lands



## Draft Alcohol-Free Zone Policy

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

Document Revision History	
Date adopted by Council:	
Minute Number:	
Revision Number:	
Review Date:	
Date adopted by Council:	
Minute Number:	
Next Review:	See Item 7 of this Policy
Revision Number:	
Review Date:	
Date adopted by Council:	
Minute Number:	

June 2023

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## **1. Introduction**

Alcohol-free zones help to prevent disorderly behavior, caused by the consumption of alcohol in public areas, in order to improve public safety. Alcohol-free zones are an early intervention measure to prevent the escalation of irresponsible street drinking to incidents involving serious crime.

## **2. Purpose and Scope**

The primary objectives of this policy are to promote the positive use of public open spaces and to outline the process for establishing alcohol-free zones (AFZ) within the Murrumbidgee Council Local Government Area. This policy will allow Council to limit the locations where the consumption of alcohol is permitted. These zones are enforced by the NSW Police Force.

The application of this policy applies to Council owned and managed reserves, including parks and footpath areas across the Murrumbidgee Council area.

## **3. Current Alcohol-Free Zone Policy**

Council has the following alcohol-free zones established that restrict the consumption of alcohol at any time:

<b>TOWNSHIP</b>	<b>APPLICABLE STREETS</b>
<ul style="list-style-type: none"><li>• Jerilderie Street, between Bolton and Kennedy Streets</li><li>• Powell Street in its entirety</li><li>• Wood Street between Jerilderie and Mahonga Streets; and</li><li>• Luke Park and the Lake foreshore</li></ul>	<ul style="list-style-type: none"><li>• CWA Park, Shire Hall and basketball court, Carrington Street</li></ul>

## **4. Establishment and Re-establishment of Alcohol-Free Zones**

The decision to establish a new AFZ will be made by Council after consultation with the community and relevant stakeholders. Current AFZ will be reviewed by Council every four years.

The establishment and re-establishment of AFZ will be undertaken by Council following the guidelines provided in the Local Government Act, 1993, and the Ministerial Guidelines on Alcohol-Free Zones, February 2009.

## **5. Delegation to the General Manager**

Council will provide delegated authority, through this policy, to the General Manager to suspend operation of an AFZ for special events such as Australia Day in accordance with section 645 of the Local Government Act, 1993.

Such suspensions will be for a specific time period and will be removed when the event has finished. Such declarations will be publicly notified prior to the date of the suspension, and alcohol-free zone signage will be covered at the relevant event site.

## **6. Relevant Acts and Legislation**

- NSW Local Government Act 1993
- Ministerial Guidelines on Alcohol-Free Zones, February 2009

## **7. Policy Review**

This Policy:

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

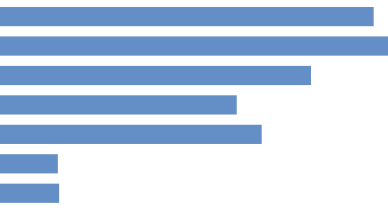
**SCHEDULE OF INVESTMENTS - 31 MAY 2023****External investments**

In accordance with Regulation 212 of the *Local Government (General) Regulation 2005*, details of Murrumbidgee Council's external investments are set out below.

<b>Institution</b>	<b>Balance (\$)</b>	<b>Yield (p.a.)</b>	<b>Maturity</b>	<b>Term (months)</b>	<b>No.</b>
Suncorp - METWAY	1,017,408.22	4.31%	28/08/2023	6	20
Bendigo	1,222,198.36	4.00%	16/09/2023	6	21
Bendigo	1,016,860.27	4.40%	1/09/2023	6	22
Bendigo	500,000.00	4.00%	20/06/2023	3	23
IMB Ltd	1,027,274.89	4.00%	19/06/2023	6	24
Westpac	1,236,408.33	4.53%	25/09/2023	4	25
Bendigo	510,652.60	4.25%	10/07/2023	5	26
St George	515,346.86	3.41%	3/06/2023	4	27
Bendigo	832,251.32	4.40%	2/08/2023	5	28
IMB Ltd	765,744.68	4.10%	2/06/2023	3	29
Westpac	600,000.00	4.41%	21/09/2023	5	30
St George	1,022,057.90	4.05%	18/12/2023	9	31
Bendigo	1,513,376.71	4.15%	27/06/2023	5	33
Suncorp - METWAY	1,603,232.06	4.20%	8/06/2023	5	34
Bendigo	1,016,241.10	4.30%	27/07/2023	4	35
Bendigo	1,500,000.00	4.25%	27/07/2023	5	36
Bendigo	3,000,000.00	4.55%	16/10/2023	5	37
IMB Ltd	1,000,000.00	4.75%	29/11/2023	6	38
Westpac	1,228,622.63	4.23%	21/07/2023	4	39
Bendigo	1,500,000.00	4.70%	30/10/2023	5	40
NAB	500,000.00	4.20%	22/08/2023	3	42
Westpac	500,000.00	4.24%	20/06/2023	3	41
Westpac	1,024,425.08	4.23%	21/07/2023	4	43
Bendigo	1,525,430.14	4.25%	24/07/2023	5	44
Bendigo	3,000,000.00	4.35%	21/08/2023	6	45
	<u>29,177,531</u>				

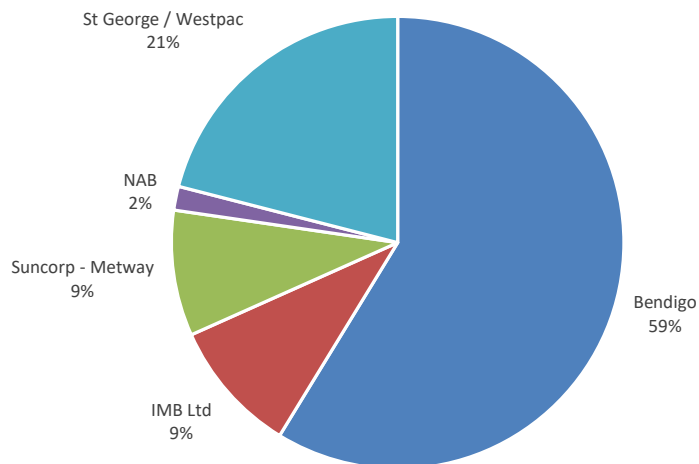
**Maturity**

All investments comply with the maximum duration set out for each rating category in the *Investment Policy*.

<b>Month</b>	<b>\$ Funds Maturing</b>	
June 2023	\$ 6,424,975	
July 2023	\$ 6,805,372	
August 2023	\$ 5,349,660	
September 2023	\$ 4,075,467	
October 2023	\$ 4,500,000	
November 2023	\$ 1,000,000	
December 2023	\$ 1,022,058	
	<u>\$ 29,177,531</u>	

## Counterparties to Investments

Institution	Balance	S&P / Moody's / Fitch	Highest	Limit	% Invested	Compliant
Bendigo	17,137,011	BBB+ / A3 / A-	A	N/A	58.73%	N/A
IMB Ltd	2,793,020	- / Baa1 / BBB+	BBB	10%	9.57%	●
Suncorp - Metway	2,620,640	A+ / A1 / A	A	14%	8.98%	●
NAB	500,000	AA- / Aa3 / A+	A	14%	1.71%	●
St George / Westpac	6,126,861	AA- / Aa3 / A+	AA	30%	21.00%	●
	<u>29,177,531</u>				<u>100%</u>	



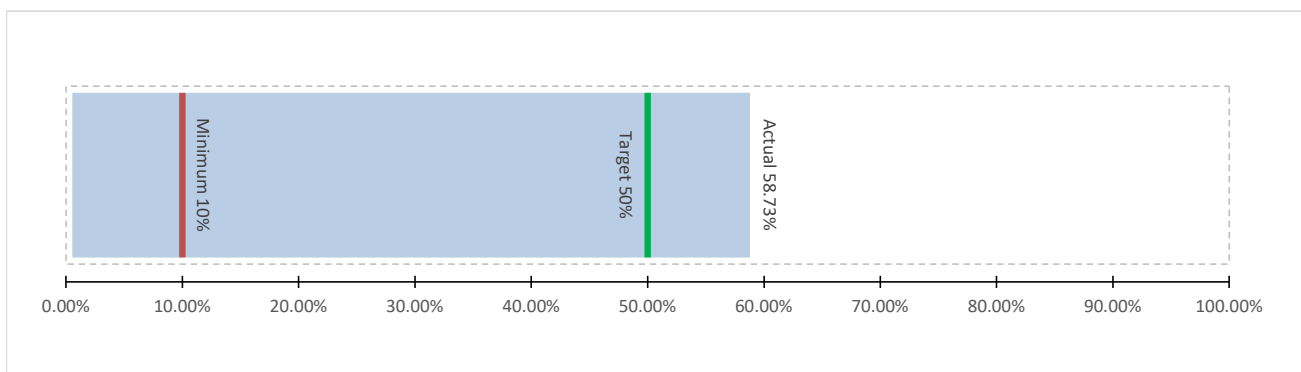
### Investment with Bendigo Bank

58.73%



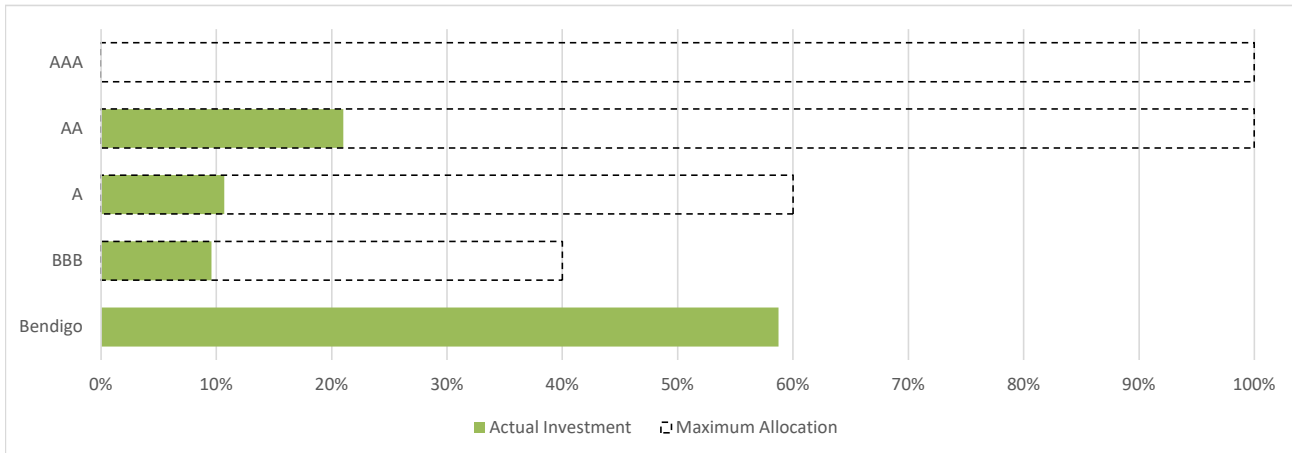
In recognition of the significant community role, support and activities undertaken within the Council area, Council aims to hold 50% of its investment portfolio with the Coleambally Community Bank.

If, when considering a new investment, an equivalently-rated or better-rated institution is offering an interest rate 0.40% p.a. (or more) higher than Coleambally Community Bank with a comparable term to maturity, Council may invest in that institution in preference to Coleambally Community Bank, irrespective of the target set out above. However, Council will hold a minimum of 10% of its portfolio with the Coleambally Community Bank at all times.



### Overall Credit Quality Limits

Credit Rating	Maximum	Balance	% Invested	Compliant
AAA	100%	\$ -	0.00%	●
AA	100%	\$ 6,126,861	21.00%	●
A	60%	\$ 3,120,640	10.70%	●
BBB	40%	\$ 2,793,020	9.57%	●
Bendigo	N/A	\$ 17,137,011	58.73%	N/A
<b>Total</b>		<b>\$ 29,177,531</b>	<b>100%</b>	



### Monthly investment movements

#### **Redemptions**

Institution - No.	Balance (\$)	Comments
IMB - 42	771,960	Redeem including interest to meet policy recommendations for BBB ratings
IMB - 38	515,201	Redeem partial including interest to meet policy recommendations for BBB ratings
	<u>1,287,162</u>	

#### **New Investments**

Institution - No.	Balance (\$)	Yield (p.a.)	Term (months)	Comments
NAB - 42	500,000	4.20%	3	Invest surplus funds
	<u>500,000</u>			

#### **Rollovers**

Institution - No.	Balance (\$)	Yield (p.a.)	Term (months)	Comments
Bendigo - 37	3,000,000	4.55%	5	Principal rolled over (Interest back to bank a/c)
Westpac - 25	1,236,408	4.53%	4	Principal & interest rolled over
IMB - 38	1,000,000	4.75%	6	Part principal rolled over
Bendigo - 40	1,500,000	4.70%	5	Principal rolled over (Interest back to bank a/c)
	<u>6,736,408</u>			

### Investment performance

	May-23	FYTD
Total investment income, including accrued interest	\$105,178	\$825,892
Money-weighted rate of return (% p.a.)	4.23%	3.12%
Bloomberg AusBond Bank Bill Index	3.54%	2.82%
Overperformance/(underperformance)	0.69%	0.31%